all eartherd liaffer on Japes most live mot. 5 there is a time. would suck well on balls be and allegeny be-Carded despotest on rand Hoose 35 probing spector 30 allilan us was no openy in balls. Um. Bell hand poor more from Mr. Jume love lith Collism

whatever its character, is usually associated with the atmosphere of the home. And in dealing with the custion in lasse here, such factors are under the mach estillar its properties of the control of the anneat now the observable, and physical offert, for its anneat now the observable and physical observable and and probably will round trees conditions which con-stantly degrees and disturb the makes.

m. Shalle Oake lether. Mr. Jum Curduson litt.

Justalant.

The business of conduting funerals is a necessary and legitimate one. No doubt there are many locations in the County where suche stablishments can be permitted in residence zones without damage to the welfare of the community. In our opinion this is not one of them and we will sign an Order refusing the Special Exception.

ORDER

For the reasons set forth in the aforegoing Opinion it is this /77 day of May, 1956, by the Board of Zoning Appeals of Haltimore County, OHDERED that the Special Exception herein requested be and it is hereby denied.

BOARD OF ZONING APPEALS

al A Valda .. W.Doma FELL & HARTMAN

January 22, 1957

6

Zoning Department of Faltimore County Wilsie H. Adams, Zoning Commissioner 303 Weshington Avenue Towson L. Maryland

This is to advise that on December 14, 1956 the appeal of Landon M. Br iks vs. Board of Zoning Appeals Baltimore County, Docket Misc. 6, Folio 17, with reference to 121 Allerhamy Avenue was dismissed by the Petitioner, Landon M. Brooks.

Very truly yours.

FELL AND HARTMAN Attorneys for Landon M. Brooks H. Clarles C. Popularen I.

CCHJranla

9th Dist.
and Alleghamy Avec.
#3673-X

3673-X

IN THE MATTER OF

TANTON IN TROOMS

Lendon M. Brooks

For a Special Exception and Variances

To The Zoning Commissioner of Baltimore County

hereby petition for a Special Exception, under the Zoning Regulations

and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as

A Special Exception to use the land (and improvements now

or be erected thereon) hereinafter described for Funeral Home and for

variances to permit use of the yard area for parking purposes to the extent

of 90% thereof, and to permit parking on Alleghamy and Baltimore avenues to

County on the southeast corrar of Bulthers and Alleghary Assems; these summing of the southeast corrar of Bulthers and Alleghary Assems; these summing and the southeast corrar of Bulthers and Alleghary Assems; these there on with 11 degrees 30 minutes west 150 feet; these north? 56 degrees 30 minutes west 100 feet to the east side of Bulthers Avenue; thence northerly and birding on the east side of Pulthers Avenue 35 feet to place the

provided under said Regulations and Act. as follows:

property line as shown on annexed plat.

Contract Purchaser

3673 X

BROOKS FUNERAL SERVIC

THAPMOFF

- DEC 27 '55 AM -December 27, 1985

1 1

Mr. Bilsie H. Adams, Zoning Commissioner of Baltimore County Baltimore County Office Building Towson 4, Md.

Dear Mr. Adaps

In answer to your order of December 19, 1955 denying the special exception for a funeral home at the S. E. corner of falliance and Allegheny Avenue 3th district, I wish to appeal this matter to the Board of Zoning Appeals.

Enclosed you will find a check for \$ 50.00 as prescribed in the zoning laws.

You may notify me at 121 Allegheny Avenue, Towson 4, Md.

Yours very truly,

i andon M. Brooks Landon W. Brooks, owner and petitioner IN THE MAYTER OF PETITION FOR SPECIAL EXCEPTION FOR FUNERAL HOME - S.S. Corner Ealtimore & Alleghamy Aves. 9th District - Landon M. Brooks, Petitions

Termine BOARD OF TONTHIS APPRAIS OF BALTIMORE COUNTY

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OPINION

This is an annual from a decision of the Zoning Commissioner refusing a Special Exception for a Furnital establishment at the southwest corner of Alleshamy and Baltimore Avenues, in

The property in question is now and has for many years been used as a dwelling. On the opposite side of Alleghamy Avenue to the north is the Trinity Episcopal Church and its parsonage. To the south is the Calvary Eaptist Church. The west side of Ealtimore Avenue and the south side of Alleghamy Avenue are entirely residentint of this time.

In spite of its proximity to the connercial area of Towson thir location has maintained its residential character and suburban charm.

ie do not feel that this is a suitable location for a funeral home. The lot has a frontage of only 100 feet on Allegiann Avenue with a depth along the east side of Baltimore Avenue of 150 foot. This is too small on area to administrally handle the parking and flow of traffic that this type of bysiness requires.

BEFORE THE ZONING COMMISSIONER OF EALTHORE COUNTY

___ T. Scott Offutt had this to say in his inimitable manner:

"From the character of the spalicant, it is highly probable
that the business will be concluded in the least offensive
and nest uncolvectionable manner possible, but, awar no,
it is not uncolvectionable manner possible, but, awar no,
such a use may advarrely affectly premer resident in the
insulate matchborhood of the proposed establishment in
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It is undoubtedly true, as pointed out in the testimony,

We are not unmindful of the fact that the fundamental basis of the protect is to the nature of the business itself.

In this connection we quote from the opinion in Jack Lewis,

Inc., vs Baltimore, 16k Hd at 155 where the late distinguished Judge

that traffic problems at this intersection are already acute. The

operation of this business would only add to the difficulties and

would seriously increase traffic consection.

#3673-X PETITION FOR SPECIAL EXCEPTION ORDERED Et the Zoning Commissioner of Bultimore

#9

11/28/55

Contract

County this 7th day of November , 19 55, that the subject matter of this petition be advertised in a newspaper of ceneral circulation throughout Baltimore County and that the property be posted, as required by the Zoring Regulations and Act of Assembly aforesaid, and that

a public hearing thereon be had in the office of the Zonius Commissioner of Baltimore County, Ma.yland, on the 5th , 19 55, at 11:00 o'clock

Zoning Commissioner of Baltimore County

Upon hearing on printing for a Special Rospytion to use the property for a Numeal Mass and writings to to specific use of the gard area for parking purposes, the granting of the special acception for the above mes earlied cause comparts in in the reads to the activity of the special acception of the property of the parking and the property of the community shourders, the pattitum should be denied.

It is this 1944. day of December, 1955, OMERRED by the Zoning Commissioner of Baltimore County, that the aforesaid petition should be and the same is hereby denied.

Zoning Commissioner of Baltimore County

Legal Orier In Bucoles

Notita LE ENSOR. 659

NOV 7 REC'D

CERTIFICATE OF PUBLICATION

TOWSON, MD. 195

THIS IS TO CERTIFY, That the annexed advertisement was published in THE UNION NEWS, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of _____two _successive weeks before the __12th day of __December_____ 195___5, the first publication appearing on the ____25th_____ day of _November

The UNION NEWS 119 Jecou November 15, 1955

838.00

RECEIVED of F. Scott Brooks, the sun of Thirty Right (\$38.00) Dollars, being cost of petition for Special Exception and Variance, advertising and posting property, Southeast corner of Baltimore and Alleghamy Avenues, 9th District, Baltimore County.

Zening Cosmissioner of Baltimore County

MEARING: / 2 Monday 5; 1955 - December at Me a.m. County Office Building 111 W. Chesapeake Avenus Room 108

cc: L. E. Ensor, Esq. Campbell Bldg. Towson h, Maryland

RECEIVED of Fall & Martman, Attornays, the sum of Right (\$5.00) bollars, being cost of certified copy of potition and other pap rs filed in the matter of reclassification of property I the southeast corner of Alleghany and Baltimore Avenues, 9th District.

01.623 Toming Service charge

(830.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner denying a special exception for Funeral Home at the southeast corner of Alleghary and leshington Avenues, 9th District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland #3673

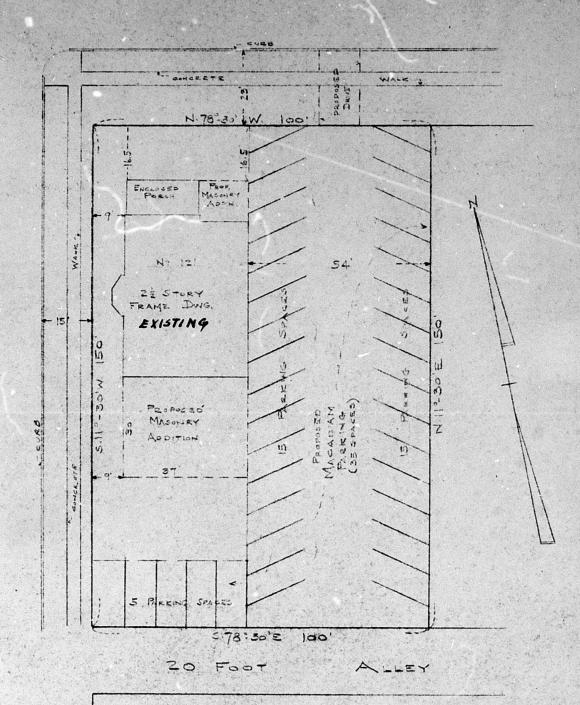
Mariet 9.

Described to Special Exception for French Home of value 1/2-36-55

Parister Falent Brooks

See Shit success of southeast Come of Salternic and Alleghany avisais

Posted by George S. James Bate of return 12 1-55



PROPERTY OF
LAHDON M. BROOKS
LOCATED AT
TOWSON, 9TH DIST, BALTO, Co., MD.

SCALE (=20' Nov 4, 1955.

DOLLEHBERG BROTHERS

SURVEYORS + CIVIL ENGINEERS

709 WASHINGTON AVE. TOWSON, MD.

AVENUE

ul

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