

PETITION FOR (1) SPECIAL EXCEPTION
 (2) SPECIAL EXCEPTION
 To the Zoning Commissioner of Baltimore County:
 I, or we, G. Truman Schaub & Liselotte J. Schaub, Legal Owner
 of property located in the 13th Election District of
 Baltimore County known and designated as 101 Second
 Avenue and more particularly described in the attached
 description labeled "A" and made a part hereof
 hereby petition that the above described property be used as a funeral home
and for a funeral establishment
 (2) for a Special Exception, under said Zoning Law and Zoning Regu-
 lations of Baltimore County, to use the above described property,
 for A Funeral Establishment

Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above reclassi-
 fication and Special Exception, advertising, posting, etc., upon
 filing of this petition, and further agree to and are to be bound
 by the Zoning Regulations and Restrictions of Baltimore County, adopted
 pursuant to the Zoning Law for Baltimore County.

G. Truman Schaub
 Legal Owner

Liselotte J. Schaub
 Legal Owner

c/o W. Lee Thomas, Esq., Campbell Bldg.
 Towson 1, Maryland

RE: PETITION FOR SPECIAL EXCEPTION
 FOR FUNERAL ESTABLISHMENT
 G. Truman Schaub & Liselotte J. Schaub
 13th District - G. Truman Schaub
 and Liselotte J. Schaub,
 Petitioners
 BALTIMORE COUNTY
 No. 4691-X

OPINION

The petitioners herein applied for a special exception to
 allow the operation of a funeral establishment in a frame house located
 on the southeast corner of Second and Baltimore Avenues, in the Thirteenth
 District. The size of the lot, numbered 101 Second Avenue, is 50 x by 100
 feet, and is improved by the above mentioned frame dwelling and a garage.
 The petitioners stated that the hours of operation of the proposed funeral
 home would be from 10:00 a. m. to 10:00 p. m. There will be an
 ambulance service and the petitioners stated that they did not plan to
 do any embalming at this site as they operate another funeral home in
 Baltimore City. The petitioners stated that they would demolish the
 present garage on the property, thus allowing off-street space for five
 cars. It was pointed out that the nearest funeral establishment to this
 site is approximately 2.5 miles away.

The protestants contend that the granting of the special
 exception requested would create traffic hazards on the narrow streets
 and that the operation of a commercial type operation would lower the
 value of their homes. They also stated that the parking of the cars
 in the funeral procession and the cars of visitors would present a problem.
 Mr. George E. Gavrelis, Deputy Director of Planning for Baltimore County,
 testified that parking and extra traffic was a factor to be considered
 in this case. He also doubts the ability of Second Avenue and Baltimore

to handle the increased traffic.

The Board is of the opinion that the petitioners have not met
 the burden of proof in that the record does not indicate that the require-
 ments of Section 502.1 of the Zoning Regulations have been met. There is
 little doubt that the operation of a funeral home would create a substan-
 tial increase in the traffic pattern for the area, both as to movement
 and parking of vehicles. Further, the Board believes that the use of a
 50 x 100 foot lot for a funeral establishment would be detrimental to
 the general welfare of the locality involved.

ORDER

For reasons set forth in the foregoing Opinion, it is
 this 10th day of November, 1959, by the County Board of Appeals,
 ORDERED that the special exception petitioned for, be and the same is
 hereby denied.

Any appeal from this decision must be in accordance
 with Rule No. 1101 (b) of the Rules of Practice and Procedure of the
 Court of Appeals of Maryland.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

John J. Gyles
James H. Adams
William H. Smith
James H. Adams

ORDERED by the Zoning Commissioner of Baltimore County
 this 9th day of June, 1959
 that the subject matter of this petition be advertised in a
 newspaper of general circulation throughout Baltimore County
 and that the property be posted, as required by the Zoning
 Regulations and Act of Assembly aforesaid, and that a public
 hearing thereon be had in the office of the Zoning Commissioner
 of Baltimore County, Maryland, on the 20th day of
July, 1959, at 2:00 o'clock
 P. M.

Zoning Commissioner
 of Baltimore County

Pursuant to the advertisement, posting of property and
 therein for a funeral establishment, and it appearing that by reason
 involved will not be detrimentally affected, the special exception
 should be granted, therefore:

It is this 27th day of July, 1959, by the Deputy
 Zoning Commissioner of Baltimore County, ORDERED that the aforesaid
 special exception should be and it is hereby granted.
James D. Nolan
 Deputy Zoning Commissioner
 of Baltimore County

BEGINNING for the first thereof at the southeast corner of
 Second and Baltimore Avenues; and running thence east bounding on
 the south side of Second Avenue twenty-five feet to Lot No. 274;
 thence south bounding on Lot No. 274 and parallel with Baltimore
 Avenue one hundred feet to Lot No. 297; thence west bounding on Lot
 No. 297 and parallel with Second Avenue twenty-five feet to Baltimore
 Avenue; and thence north bounding on the east side of Baltimore Avenue
 one hundred feet to the place of beginning.

BEGINNING for the second thereof on the south side of Second
 Avenue at the distance of twenty-five feet east from the southeast
 corner of Second and Baltimore Avenues, said place of beginning be-
 ing at the northeast corner of Lot No. 273; and running thence east
 bounding on the south side of Second Avenue twenty-five feet to Lot
 No. 275; thence south bounding on Lot No. 275 and parallel with
 Baltimore Avenue one hundred feet to Lot No. 298; thence west bound-
 ing on Lot No. 298 and parallel with Second Avenue twenty-five feet
 to Lot No. 273; and thence north bounding on Lot No. 273 and parallel
 with Baltimore Avenue one hundred feet to the place of beginning.

BEING known and designated as Lots Numbered Two Hundred
 Seventy-three (273) and Two Hundred Seventy-four (274), Section 9,
 as shown on the Plat of Lansdowne, recorded in Plat Book J.W.S. 1,
 folio 49.

August 10, 1959

\$30.00

RECEIVED of Robert E. Lee Stumm, protestant, the sum
 of Thirty (\$30.00) Dollars, being out of appeal from the decision
 of the Deputy Zoning Commissioner granting a special exception for
 Funeral Home at the southeast corner of Second and Baltimore Avenues,
 13th District.

Zoning Commissioner

PAID - Baltimore County, Md. - City of Prince

\$-1199 4300 • • • TP- 3000
 \$-1199 4300 • • • TP- 3000

ZONING DEPARTMENT OF BALTIMORE COUNTY

COUNTY OFFICE BUILDING
 111 W. CHESAPEAKE AVENUE
 TOWSON 1, MARYLAND

WILLIAM H. ADAMS
 ZONING COMMISSIONER

JAMES H. ADAMS
 DEPUTY ZONING COMMISSIONER

WILLIAM H. SMITH
 ZONING ENGINEER

JACQUETTE C. HARRIS
 REPRESENTATIVE ASSISTANT

NOTICE OF HEARING

G. Truman Schaub
 c/o W. Lee Thomas, Esq.
 Campbell Building
 Towson 1, Maryland

Re: Southeast corner of Second and
 Baltimore Avenues
 In Towson, Maryland

TIME: 2:00 P.M.

DATE: Monday, July 20, 1959

PLACE: Room 1's, County Office Building, 111 W. Chesapeake Avenue
 - Towson, Maryland

Zoning Commissioner
 of Baltimore County

RECEIPT

PAID - Baltimore County, Md. - City of Prince

RECEIVED of Robert E. Lee Stumm
 LOCATION OF PROPERTY: S/E corner of Second and Baltimore Avenues
 AMOUNT: \$ 30.00

Zoning Commissioner
 of Baltimore County

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 13th Date of Posting: 7/15/59
 Posted for: James H. Adams
 Petitioner: G. Truman Schaub & Liselotte J. Schaub
 Location of property: Southeast corner of Second and Baltimore Avenues
 Location of Signs: Front of property
 Remarks: As per plan
 Posted by: James H. Adams Date of return: _____

Board affirmed by Judge Turnbull June 9, 1960
 James D. Nolan

PETITION FOR (1) ~~RECLASSIFICATION~~
(2) SPECIAL EXCEPTION

To the Zoning Commissioner of Baltimore County:

I, or we, G. TRUMAN SCHWAB & LISELOTTE J. SCHWAB, Legal Owner s

All that parcel of land in the Thirteenth District of Baltimore County on the Southeast corner of Second and Baltimore Avenues; thence running Easterly and binding on the South side of Second Avenue 50 feet with a rectangular depth Southerly of 100 feet and binding on the East side of Baltimore Avenue, being lots 273 and 274, Section 9 plat of Lansdowne.

Section 200.100 Section 200.100 Section 200.100 and
(2) for a Special Exception, under said Zoning Law and Zoning Regulations of Baltimore County, to use the above described property, for A Funeral Establishment.

Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above reclassification and Special Exception, advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the Zoning Regulations and Restrictions of Baltimore County, adopted pursuant to the Zoning Law for Baltimore County.

G. Truman Schwab
G. Truman Schwab

Liselotte J. Schwab
Liselotte J. Schwab
Legal Owner
Liselotte J. Schwab

c/o W. Lee Thomas, Esq., Campbell Bldg.
Address Towson 4, Maryland

#4691-X

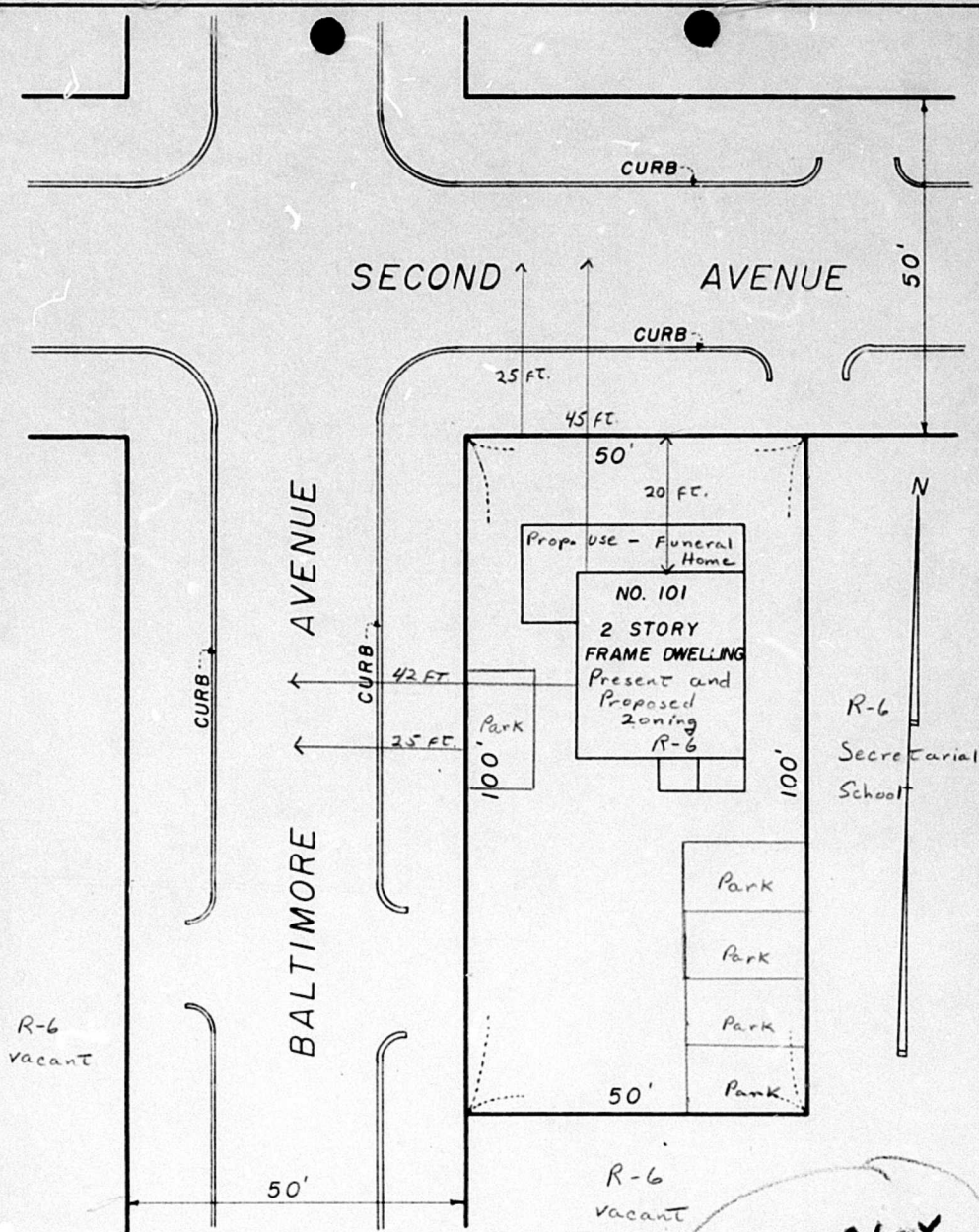
MAP
#13

X

7/13/59

7/20/59
J.P.M.

MICROFILMED



LOTS NOS. 273 & 274
SECTION 9 - LANSDOWNE
RECORDED PLAT BK. JWS 1-49
LOCATED IN
13TH. DISTRICT - BALTO. CO.-MD.

SCALE: 1"=20' JUNE 1, 1959.

NOTE: THE IMPROVEMENTS SHOWN HEREON ARE
PLATTED FROM BALTIMORE COUNTY
POSITION SHEETS.

DESIGNED BY
SURVEYED AND ENGINEERED
105 Washington Ave., Baltimore 4, Md.

#4691-X
MAP ✓
#13
X

