

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF
Petition of
George A. Weber and
Mary A. Weber
For a Special Exception
To The Zoning Commissioner of Baltimore County

George A. Weber and Mary A. Weber Legal Owner
Contract Purchaser

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 provided under said Regulations and Act, as follows:

A Special Exception to use the land (and improvements now or be erected thereon) hereinafter described for

FUNERAL HOME

All that parcel of land in the 13th District of Baltimore County at the southwest corner of Carville and Elm Aves., thence southerly on the west side of Carville Ave. 60 feet with a rectangular depth westerly of 125 feet and blinding on the south side of Elm Ave., containing 0.170 acre, as shown on plot plan filed with the Zoning Department.

Contract Purchaser

George A. Weber, Jr.
Mary A. Weber
Legal Owner
5614 CARVILLE AVE
#27

3/8/61
1:00 P.M.

OFFICE OF PLANNING

Inter-Office Correspondence

From: O. E. Garrelle, Deputy Director
To: John G. Rose, Zoning Commissioner
Subject: #5220-X Special Exception for Funeral Home
S.W. corner of Carville Avenue and Elm Avenue
G. Weber, Jr.

13th District Hearing 3/8/61 1:00 P.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition for special exception and has the following advisory comment to make with respect to pertinent planning factors:

- Among other factors, special exceptions are judged on whether or not they tend to create congestion on roads, streets, or alleys. Examination of the petitioner's site plan indicates his intention to provide only six off-street parking spaces, one of which does not conform with the regulations' 8-foot setback requirement.... We do not believe that 5 off-street parking spaces are enough to satisfy the practical requirements of a funeral establishment. The inevitable result of insufficient off-street parking would be new demands for use of curb-side parking on the adjoining streets. Prior to any favorable decision, it would appear that the petitioner should affirmatively show that 5 off-street parking spaces are enough to meet his needs.
- The parking problem is further compounded by the fact that Elm Avenue has a right-of-way of only 40 feet with a 20 foot pavement width from the unpaved alley. Elm Avenue has a 36 foot pavement width on the basis of a 60 foot right-of-way, 30 feet from the centerline of the present right-of-way, should be required as conditioned in the granting of the Special Exception. The widening would have the effect of reducing the ability of the petitioner to provide off-street parking.
- It is our understanding that the property falls partly within the proposed right-of-way taking for Interstate route 95. This super highway has been incorporated on the Master Plan of highways for the 13th district, adopted by the Planning Board in 1959. Special Exceptions's also are judged on whether or not they.....interfere with adequate provisions for schools, parks, transportation, or other public requirements, conveniences, or improvements. Subject to final determination by State Roads, it may be that this petition is not in conformity with Section 502.1 (a) of the Zoning Regulations.

FEB 24 51 AM



RE: PETITION OF GEORGE A. WEBER and MARY A. WEBER, for Special Exception for Funeral Establishment - S. W. Cor. Carville & Elm Aves., 13th Dist. BEFORE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY No. 5220-X

Pursuant to the advertisement, posting of property and public hearing on the above petition to use the property described therein for a Funeral Establishment, it is the opinion of the Zoning Commissioner that the operation of a funeral establishment on the subject property would be detrimental to the residents of the area in that they would not have the quiet enjoyment they are entitled to. The residences in the neighborhood are not sufficiently well spaced to warrant the operation of a funeral establishment.

The residence on the subject tract is situated on a corner; the side street is narrow and there is a bus stop nearby and a very large parking area immediately in front of the petitioner's home. The funeral processions would have to form on either Carville or Oregon Avenues.

For the above reasons the special exception should be denied, the granting of which would be detrimental to the safety, health or general welfare of the locality involved.

It is this 24th day of April, 1961, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception should be and the same is hereby denied.

John G. Rose
Zoning Commissioner of Baltimore County

#5220-X

JOHN G. ROSE
DEPUTY ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

STATE OF MARYLAND
STATE ROADS COMMISSION
300 WEST PRESTON STREET
BALTIMORE 1, MD.

March 2, 1961

Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson 4, Maryland

RE: Zoning Petition No. 5220-X
Special Exception- Funeral Home
Southwest corner
Carville and Elm Avenues
(Interstate 95)

Dear Mr. Rose:

This office has reviewed the subject petition and the following comments are with respect thereto:

The subject property is seriously affected by the tentatively proposed right of way of the proposed Interstate Route 95 as indicated in red on the attached plan. The improvements are tentatively scheduled for after 1965.

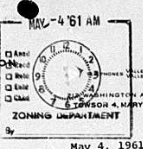
Thank you for your cooperation.

Very truly yours,

Charles Lee Chief
Development Engineering Section
BY: John L. Duerr
Asst. Development Engineer

Encl.
JLD/s

SMITH AND HARRISON



Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson 4, Maryland

Re: i Petition of George A. Weber and Mary A. Weber for Special Exception for Funeral Establishment, s.w. cor. Carville & Elm Aves. 13th District

Dear Mr. Rose:

Please enter an appeal in the above matter from your Order of April 24th, 1961 to the County Board of Appeals. Enclosed herewith is check for \$70.00 for the appeal fee.

Very truly yours,

Smith and Harrison

Frank E. Ciccone

INVOICE		No. 4500	
BALTIMORE COUNTY, MARYLAND		DATE 3/8/61	
OFFICE OF FINANCE		Division of Collection and Receipts	
COURT HOUSE		TOWSON 4, MARYLAND	
TO: Mr. Frank E. Ciccone Smith & Harrison 212 Washington Ave. Towson 4, Md.		BILLED BY: Zoning Department of Baltimore County	
DEPOSIT TO ACCOUNT NO. 01622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT \$70.00
Advertising and posting of property for George Weber	24.50		
			70.00
			70.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE		No. 4258	
BALTIMORE COUNTY, MARYLAND		DATE 2/10/61	
OFFICE OF FINANCE		Division of Collection and Receipts	
COURT HOUSE		TOWSON 4, MARYLAND	
TO: Smith & Harrison 212 Washington Ave. Towson 4, Maryland		BILLED BY: Zoning Department of Baltimore County	
DEPOSIT TO ACCOUNT NO. 01622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT \$50.00
Re: Petition for Special Exception for George A. Weber, Jr.	50.00		
			50.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE		No. 4687	
BALTIMORE COUNTY, MARYLAND		DATE 5/4/61	
OFFICE OF FINANCE		Division of Collection and Receipts	
COURT HOUSE		TOWSON 4, MARYLAND	
TO: Messrs. Smith & Harrison, 212 Washington Avenue, Towson 4, Md.		BILLED BY: Zoning Department of Baltimore County 113 County Office Bldg., Towson 4, Md.	
DEPOSIT TO ACCOUNT NO. 01622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT \$70.00
Appeal to County Board of appeals - Geo. A. Weber, Carville & Elm Aves., #5220	70.00		
			70.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE		No. 10227	
BALTIMORE COUNTY, MARYLAND		DATE 1/23/62	
OFFICE OF FINANCE		Division of Collection and Receipts	
COURT HOUSE		TOWSON 4, MARYLAND	
TO: Messrs. Smith & Harrison, Jefferson Building Towson 4, Md.		BILLED BY: Office of Planning & Zoning 119 County Office Bldg., Towson 4, Md.	
DEPOSIT TO ACCOUNT NO. 01622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT \$5.00
Cost of posting property for appeal hearing - George A. Weber, et al. S.W. Cor. Carville and Elm Aves., 1 sign No. 5220	5.00		
			5.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13th #5220
Posted for: Special Exception for Funeral Home Date of Posting 2-15-61
Petitioner: George A. Miller Jr.
Location of property: S.W. Corner of Carville and Elm Avenues etc.
See Plat known as 5614 Carville Avenue.
Location of Signs: Posted on property known as 5614 Carville
Avenue.
Remarks: _____
Posted by George R. Hummel Date of return: 2-16-61
Signature

**PETITION FOR SPECIAL
EXCEPTION**

ZONING:
For a Special Exception for a
Funeral Home
LOCATION:

Southwest corner of Carville
and Elm Avenues

DATE & TIME:
WEDNESDAY, MARCH 8, 1961
AT 1:00 P.M.

PUBLIC HEARING:
Room 108, County Office
Building, 111 W. Chesapeake
Avenue, Towson, Maryland

The Zoning Commissioner
of Baltimore County, by auth-
ority of the Zoning Act and
Regulations of Baltimore
County will hold a public
hearing:

Concerning all that parcel
of land in the Thirteenth Dis-
trict of Baltimore County on
the Southwest corner of Car-
ville and Elm Avenues;
thence running Southerly and
binding on the West side of
Carville Avenue 60 feet with
a rectangular depth Westerly
of 125 feet and binding on
the South side of Elm Avenue.
Being the property of George
A. Weber, Jr. and Mary A.
Weber as shown on plat plan
filed with the Zoning Depart-
ment.

Containing 0.170 acres.
BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER OF
BALTIMORE COUNTY

ZONING DEPARTMENT

CERTIFICATE OF PUBLICATION

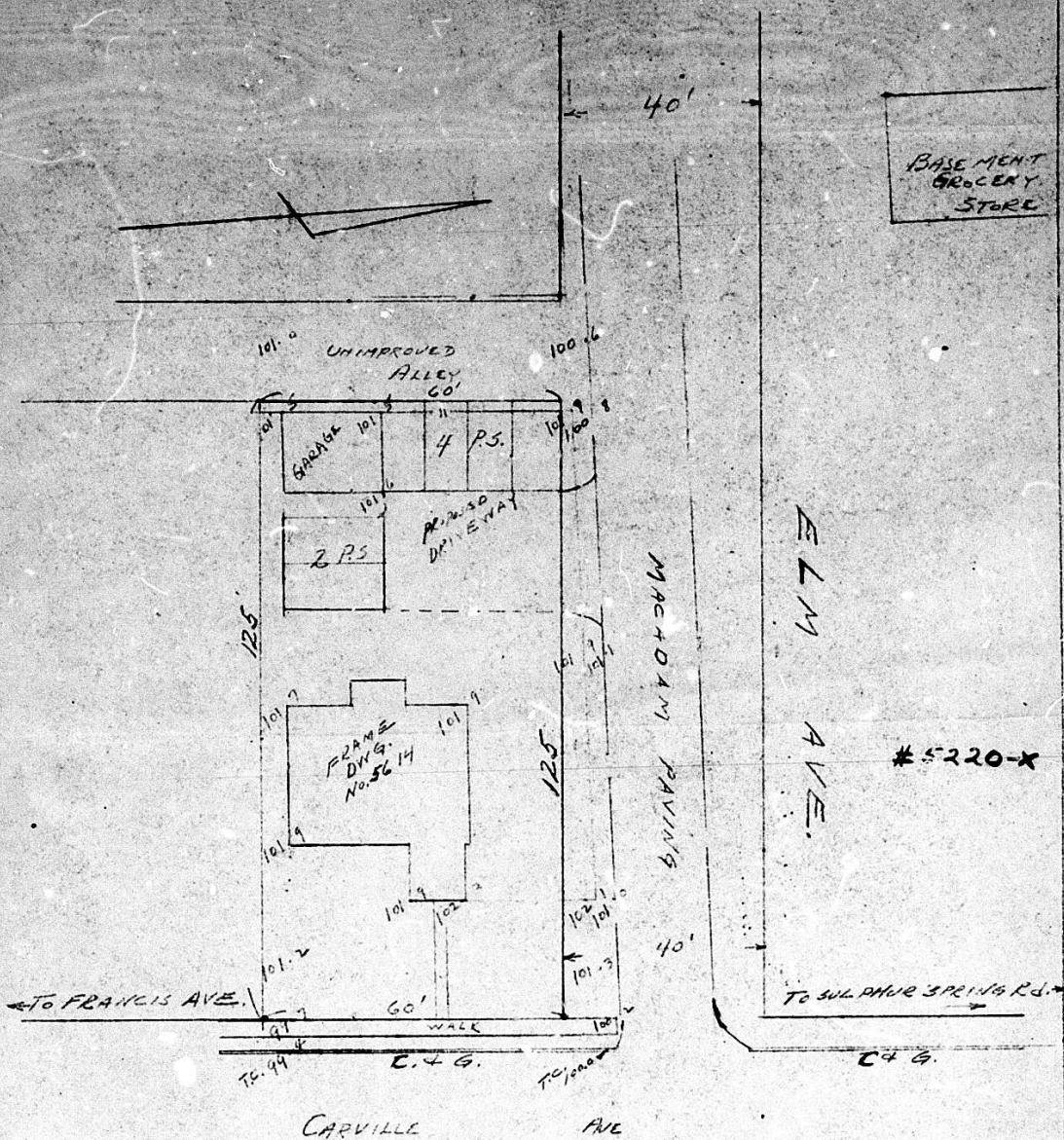
BALTIMORE COUNTY, MD., February 21, 19 61.

THIS IS TO CERTIFY, That the annexed advertisement was
published in THE TIMES, a weekly newspaper printed and pub-
lished in Baltimore County, Md., once in each of one
successive weeks before the eighth
day of March, 19 61, the first publication
appearing on the 16th day of February
19 61.

THE TIMES,

John M. Martin
Manager.
John M. Martin

Cost of Advertisement, \$ 10.50
Purchase order- P 8030
Requisition no. L 1764



PROPERTY OF
 GEO. A. WEBER
 5614 CARVILLE AVE.
 HALETHORPE
 13TH DIST. BALTO. CO. MD.

SCALE 1"=20' JUNE 1960
 E.C. HARRIS, REG. SURVEYOR

560 12/9/60