

RE: PETITION FOR SPECIAL EXCEPTION  
FOR Funeral Home  
N.W. 1/4 Slade Avenue, 724 S.W.  
Reisterstown Road - 3rd District  
David R. Martin et al - Petitioners

BEFORE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY  
No. 5501-X

#### OPINION

This is a petition by David R. Martin for a special exception for a funeral home at 124 and 126 Slade Avenue, Pikesville. The subject property is presently zoned "R-6". Each lot is approximately 72 feet wide by 367 feet deep. It was testified that Mr. Martin will live in the house at 124 Slade Avenue and a new funeral home building will be erected on the lot at 126 Slade Avenue with the rear portion of number 124 being used for parking facilities. The size of the proposed building is 45 feet by 131 feet and will consist of a partial basement and one floor. The property is located in a residential area with the nearest commercial establishments located on Reisterstown Road, approximately 800 feet to the east.

Slade Avenue is not a through street and extends west from Reisterstown Road to the Western Maryland Railway right-of-way. The street has a 40 foot right-of-way with a 20 foot paved surface. There are no sidewalks, curbing or storm drains on Slade Avenue.

Residents of the neighborhood objected to the granting of this petition on the grounds that it would be detrimental to the general welfare of the locality, would create traffic congestion and increase traffic hazards and would adversely affect the value of their homes. It was stated that parking becomes congested on Slade Avenue when public affairs are held at the Maryland National Guard Armory, which lies immediately to the north of Slade Avenue. A Baltimore County garage is located to the south of the end of Slade Avenue and, according to the protestors, large County trucks and road building equipment use Slade Avenue in the morning and late afternoon hours. The problem of getting the funeral processions out into Reisterstown Road was also brought out. Mr. Walter W. Ewell, a traffic engineer, testified that the traffic signal at Slade Avenue and Reisterstown Road was set for 25 seconds green light for Slade Avenue traffic and 90 seconds for Reisterstown Road. He estimated that eight cars could go through on one 25 second phase.

The owners and residents at 122 and 128 Slade Avenue stated that the proposed parking lot and its lights would destroy the privacy of their rear yards and also that the rain water would run off the lot to their properties.

The petitioner stated that one reason why he chose Slade Avenue as a site for the funeral home rather than a main thoroughfare was the peace and quiet of the neighborhood. It is the unanimous opinion of the Board that this quiet atmosphere would be greatly disturbed by the use of the subject property for a funeral home with its attendant funeral processions and the visits by viewers. Regardless of the traffic congestion which may result, the Board feels that the granting of the special exception would violate Section 502.1 as it would be detrimental to the general welfare of the neighborhood.

#### ORDER

For the reasons set forth in the foregoing Opinion, it is this 13th day of September, 1962, 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 Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1961 edition.

#### COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

*Michael A. Keefe*  
CHAIRMAN

Note: Mr. Austin did not sit at this hearing.

#### PROCTOR, ROYSTON & MUELLER

KENNETH C. PROCTOR  
CARROLL W. ROYSTON  
BY JENNIFER MUELLER  
N. 100 THOMAS  
ELMER L. REED, JR.  
N. 100 THOMAS  
RICHARD A. REID  
CLERK AND WITNESS

April 16, 1962

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

Re: Petition for Special Exception for  
Funeral Home and Living Quarters -  
N.W. 1/4 Slade Ave., 724 feet S.W.  
Reisterstown Road, 3rd District -  
David R. Martin and Agnes Martin,  
Petitioners

Dear Mr. Rose:

Please note an Appeal from your Order dated March 19, 1962, to the County Board of Appeals of Baltimore County, in the above entitled matter.

Enclosed is our check, in the amount of \$70.00, to cover the cost of filing this Appeal.

Very truly yours,

*Kenneth C. Proctor*  
Kenneth C. Proctor.

KCP/lg

Encl. - ck.

RE: PETITION FOR SPECIAL EXCEPTION  
FOR FUNERAL HOME AND LIVING  
QUARTERS - N.W. 1/4 Slade  
Ave., 724 feet S.W. Reister-  
stown Road, 3rd District -  
David R. Martin and Agnes Martin,  
Petitioners

RESPONSE  
ZONING COMMISSIONER  
OF  
BALTIMORE COUNTY  
No. 5501-X

Pursuant to the advertisement, posting of property and public hearing on the above petition for a special exception for a Funeral Home and Living Quarters on the northwest side of Slade Avenue, 724 feet southwest of Reisterstown Road, in the Third District of Baltimore County, from the evidence presented at the hearing the petitioners' request does not meet the requirements of Section 502.1, subparagraphs "a" and "b" of the Baltimore County Zoning Regulations, which provide as follows:

"To be detrimental to the health, safety, or general welfare of the locality involved;  
Tend to create congestion in roads, streets or alleys therein."

For the above reasons the special exception should be denied.

It is this 19th day of March, 1962, by the Zoning Commissioner of Baltimore County, ORDERED that the special exception requested be and the same is hereby denied.

*John G. Rose*  
Zoning Commissioner of  
Baltimore County

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 1, 1962

FROM: Mr. George E. Garveris, Deputy Director

SUBJECT: #5501-X. Special Exception for a funeral home and living quarters - Northwest side of Slade Avenue 724 feet Southwest of Reisterstown Road. Being property of David R. Martin.

3rd District

HEARING: Wednesday, March 14, 1962 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for Special Exception and has the following comments to make:

1. The property embraced by the petition for a funeral home had been requested previously for such use under zoning petitions #4655 and #4730. Review of the latter petitions was made when appeal was made by the Circuit Court wherein the order of the Board denying the special exception was affirmed by the Court.
2. The Planning staff made an adverse comment concerning the previous petitions and does so now. The Planning staff partly is concerned with the inability of Slade Avenue, with its present 20 foot pavement width, to accommodate traffic engendered by a funeral home use here.

GE:rbm



#### Office of BACHARACH AND BACHARACH Architects-Engineers

1505 KELLY AVENUE - BALTIMORE 9, MARYLAND  
MOHAVE 4-4111

ARTHUR F. BACHARACH, C.E.  
Engineer Professional Engineer  
and Land Surveyor  
F. LEE BACHARACH, R. ARCH.  
Registered Architect

140/58

January 11, 1962

#### DESCRIPTION OF 124-126 SLADE AVENUE

Beginning at a point on the northwest side of Slade Avenue (40 feet wide) at a point distant 724'-9" southwesterly from the intersection of the northwest side of Slade Avenue and the southwest side of Reisterstown Road and running thence, bearing N 30° 00' 00" W, 366'-10", more or less to property owned by the State of Maryland; thence bearing S 89° 30' 00" W, 150'-0", thence S 30° 00' 00" W, 366'-10" to the place of beginning.

The improvements thereon being known as 124 and 126 Slade Avenue.

#### PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

David R. Martin and

Agnes C. Martin, legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an \_\_\_\_\_ zone to an "X" zone for the following reasons:

See Attached Description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for a funeral home and living quarters.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or 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 of Baltimore County.

*David R. Martin*  
David R. Martin  
Agnes C. Martin  
Contract purchaser  
Address: 1902 Eutaw Place  
Baltimore 17, Maryland  
Ernest C. Trimble  
Trimble & Alderman  
Petitioner's Attorney  
Address: Jefferson Building, Townson 4, Maryland

Address: 1902 Eutaw Place  
Baltimore 17, Maryland  
Ernest C. Trimble  
Trimble & Alderman  
Petitioner's Attorney  
Address: Jefferson Building, Townson 4, Maryland

Address: Jefferson Building, Townson 4, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of January, 1962, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Townson, Baltimore County, on the 15th day of March, 1962, at 10:00 o'clock A.M.



*John G. Rose*  
Zoning Commissioner of Baltimore County  
(over)

INVOICE  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE  
Division of Collection and Receipts  
COURT HOUSE  
TOWSON 4, MARYLAND

No. 11544

DATE 4/27/62

TO: Messrs. Proctor, Royston & Maller,  
Campbell Bldg.,  
Towson 4, Md.

BILLED BY: Office of Planning & Zoning  
119 County Office Bldg.,  
Towson 4, Md.

| DEPOSIT TO ACCOUNT NO. | 01622                                                   | TOTAL AMOUNT |
|------------------------|---------------------------------------------------------|--------------|
| QUANTITY               | DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE    | COST         |
|                        | Cost of appeal to County Board of Appeals<br>No. 5501-X | \$70.00      |
|                        | 4-1862 3139 * * * TXL -                                 | 70.00        |
|                        | 4-1862 3139 * * * TXL -                                 | 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.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

#5501

District: 3rd  
Posted for: Special Exception for Funeral Home & Living Quarters  
Petitioner: Daniel R. & Agnes C. Martin  
Location of property: N.W.S. of Slade Ave. 724 ft. S.W. of Reisterstown Road, etc. known as 124-126 Slade Avenue, Arundel  
Location of Signs: Posted on property known as 124-126 Slade Avenue  
Remarks: George B. Hummel  
Posted by: George B. Hummel  
Date of Posting: 2-21-62  
Date of return: 2-23-62

INVOICE  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE  
Division of Collection and Receipts  
COURT HOUSE  
TOWSON 4, MARYLAND

No. 11507

DATE 3/21/62

TO: Ernest C. Trimble, Esq.  
The Jefferson Building  
Towson 4, Md.

BILLED BY: Zoning Department of  
Baltimore County

| DEPOSIT TO ACCOUNT NO. | 01622                                                              | TOTAL AMOUNT |
|------------------------|--------------------------------------------------------------------|--------------|
| QUANTITY               | DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE               | COST         |
|                        | Advertising and posting of property for Martin's Special Exception | 27.00        |
|                        | 3-1862 1678 * * * TXL -                                            | 27.00        |

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.

PETITION FOR ZONING  
SPECIAL EXCEPTION  
3rd DISTRICT  
ZONING: Petition for a Funeral Home and Living Quarters.  
LOCATION: Northwest side of Slade Avenue 724 feet Southwest of Reisterstown Road.  
DATE & TIME: March 14, 1962 at 10:00 A.M. (Wednesday).  
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Concerning land at a point on the northwest side of Slade Avenue (40 feet wide) at a point distant 724'-9" southwesterly from the intersection of the northwest side of Slade Avenue and the southwest side of Reisterstown Road and running thence, binding on the northwest side of S 60°05' W. 150'-0"; thence N 30°30' W. 365'-4", more or less to property owned by the State of Maryland; thence binding on said property N59°30' E. 150'-0"; thence S 30°30' W. 366'-10" to the place of beginning. The improvements thereon being known as 124 and 126 Slade Avenue.

Being the property of David R. and Agnes C. Martin as shown on plat plan filed with the Zoning Department.  
BY ORDER OF  
JOHN G. ROSE  
ZONING COMMISSIONER  
BALTIMORE COUNTY.  
Feb. 23

OFFICE OF  
THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS  
Reisterstown, Md

THE COMMUNITY PRESS  
Dundalk, Md.

THE HERALD - ARGUS  
Catonsville, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD.

February 26, 1962.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for One successive weeks before the 26th day of February, 1962, that is to say the same was inserted in the issues of

February 23, 1962.  
THE BALTIMORE COUNTIAN

By: [Signature]  
Editor and Manager

INVOICE  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE  
Division of Collection and Receipts  
COURT HOUSE  
TOWSON 4, MARYLAND

No. 10286

DATE 1/25/62

TO: Ernest C. Trimble, Esq.  
The Jefferson Building  
Towson 4, Md.

BILLED BY: Zoning Department of  
Baltimore County

| DEPOSIT TO ACCOUNT NO. | 01622                                                | TOTAL AMOUNT |
|------------------------|------------------------------------------------------|--------------|
| QUANTITY               | DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE | COST         |
|                        | Petition for Special Exception for David R. Martin   | 50.00        |
|                        | 1-2662 134 * * * TXL -                               | 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.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

#5501

Date of Posting: 8-15-62

District: 3rd  
Posted for: Special Hearing  
Petitioner: Daniel R. Martin et al  
Location of property: N.W.S. of Slade Ave. 724 ft. S.W. of Reisterstown Road, etc. known as 124-126 Slade Avenue  
Location of Signs: Posted on properties known as 124-126 Slade Avenue  
Remarks: George B. Hummel  
Posted by: George B. Hummel  
Date of return: 8-16-62



