

RE: PETITION FOR SPECIAL EXCEPTION
FOR A CAR WASH AND RECLASSIFICATION
E/S Southwestern Boulevard 141.73'
Northeast of Knecht Avenue
1st District
Frank Hallyburton, Petitioner
No. 66-83-RX

ORDER OF DISMISSAL

The Petitioner in the foregoing case has withdrawn his
Petition and the matter is DISMISSED without prejudice.

Edward D. Hardesty
EDWARD D. HARDESTY
Deputy Zoning Commissioner

DATE *April 19, 1967*

M. WILLIAM ADELSON
ATTORNEY AND COUNSELLOR AT LAW
1035 MARYLAND NATIONAL BANK BUILDING
BALTIMORE, MARYLAND 21202

October 25, 1965

Edward D. Hardesty, Esq.
Deputy Zoning Commissioner
34 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 66-83 RX

Dear Mr. Hardesty:

In accordance with my conversation with you of
last week, I am enclosing herewith copy of the ordinance
which we have requested be introduced into the County
Council. Under the circumstances, I respectfully request
that you withhold your decision in the case until the
ordinance is either passed or rejected.

Thanking you for your cooperation in this
matter, I am

Sincerely,

John G. Rose

EP:smel
Enclosure

ASSOCIATE
EUGENE P. SMITH

M. WILLIAM ADELSON
ATTORNEY AND COUNSELLOR AT LAW
1035 MARYLAND NATIONAL BANK BUILDING
BALTIMORE, MARYLAND 21202

April 6, 1967

Edward D. Hardesty, Esq.
Deputy Zoning Commissioner
Court House
Towson, Maryland 21204

Re: Petition for Reclassification
and Special Exception
E/S Southwestern Boulevard 141.73'
NE of Knecht Avenue - 1st Dist.
Frank Hallyburton
No. 66-83-RX

Dear Mr. Hardesty:

In view of the difficulties encountered in
attempting to work out an amendment of the zoning regulations
designed to deal with automotive service stations, and other
vehicular oriented uses, such as car washes, petitioner deems
it unwise to proceed further with his case at this time.
Because of the foregoing, the petitioners in the above case
hereby withdraw their petition for zoning reclassification
and special exception for a car wash, all without prejudice.

Yours very truly

Frank Hallyburton

EPS:DMH

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

To: F. E. Hallyburton
4312 Lehigh Ave.
Baltimore 29, Md.

RECEIVED Zoning Dept. of Balto. Co.

REPORT TO ACCOUNT NO. 01-432 DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

QUANTITY	UNIT PRICE	TOTAL AMOUNT
1	50.00	50.00

Petition for Reclassification & Special Exception
#66-83-RX

4

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.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: September 17, 1965

FROM: George E. Gavrells

SUBJECT: Petition #66-83-RX, for a reclassification from an M.L. to a B.R. Zone and
Special Exception for a Car Wash on the east side of Southwestern Boulevard,
141 feet Northeast of Knecht Avenue, 13th District. (Frank and Fannie
Hallyburton; heard: September 30, 1965.)

The planning staff of the Office of Planning and Zoning has reviewed the subject
petition and offer the following comments:

1. It would appear that the reclassification requested is for the sole purpose
of establishing the requested use. We do not believe that the present
M.L. use potentials are improper for the subject tract. Recent planning
studies made in connection with the preparation of the Composite Guideplan,
in fact, affirm the correctness of M.L. zoning here.
2. The County Traffic Engineer's memorandum of April 24, 1965 would
appear to indicate that the petitioner's plan for the car wash could not
be approved by the Division of Traffic Engineering. Since we are in
accord with the views of the County Traffic Engineer (as well as those
of the Bureau of Engineering), this office, also, cannot approve the plan.
Thus, the requirements of Sub-section 419.3 of the Zoning Regulations
could not be met.

PETITION FOR ZONING RECLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Frank Hallyburton and Howard Kuhn, III, Lessor, and
Fannie Hallyburton, legal owner of the property situate 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 M.L. zone to a B.R. zone

and (2) for a Special Exception, for the following reasons: (1) Since adoption of the
Zoning Map for the area, the character and conditions of the neighborhood and the
subject property have so changed that a reclassification is justified,
appropriate and, in fact, required under proper zoning standards and princi-
ples; and (2) The property lies in a predominantly business, not industrial
area, a fact now significant since the passage of Bill No. 108, approved
December 11, 1964, prohibiting car washes, except by special exception in a
B.L., B.M. or B.R. zone, so that the zoning classification of the Petitioners
property is out of character with development and basic land usage in the
neighborhood and is illogical, improper and unwarranted while the reclassifi-
cation of the property to a B.R. zone will be compatible with surrounding
uses and provide a facility demanded and required by the public generally in
the subject area, with no adverse affect on neighboring properties.

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 CAR WASH.

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

I, or we, agree to pay expenses of above reclassification 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 for Baltimore
County.

Howard Kuhn, III, Lessor *Frank Hallyburton*
Howard Kuhn, III, Lessor Frank Hallyburton
Fannie Hallyburton, Legal Owner

Address c/o M. William Adelson 1035 Maryland National Bank Bldg.
Baltimore, Md. 21202
M. William Adelson, Petitioner's Attorney
Address c/o M. William Adelson 1035 Maryland National Bank Bldg.
Baltimore, Maryland 21202
Protestant's Attorney

Address 1035 Maryland National Bank Bldg.
Baltimore, Maryland 21202

ORDERED BY The Zoning Commissioner of Baltimore County, this 24th day
of August 1965, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 906, County Office Building in Towson, Baltimore
County on the 30th day of September 1965, at 2:00 o'clock
P.M.

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

CERTIFICATE OF PUBLICATION

TOWSON, MD. September 3, 1965.

THIS IS TO CERTIFY that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper print-
ed and published in Towson, Baltimore County, Md., once in each
of 1 week consecutive weeks before the 30th
day of September 1965, the first publication
appearing on the day of

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, \$.....

August 31, 1965

M. William Adelson, Esq.
1035 Maryland National Bank Building
Baltimore, Md. 21202

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
24th day of August 1965.

John G. Rose
John G. Rose
Zoning Commissioner

Petitioner: Frank Hallyburton

Petitioner's Attorney: M. William Adelson. Reviewed by *John G. Rose*
Chairman of
Advisory Committee

WILLARD M. LEE
4604 Mainfield Avenue
Baltimore 14, Maryland

Phone: RA 6-2813

February 3, 1965

Special Exception for Car Wash

E.S. Southwestern Blvd. 141.73 feet N.E. Knecht Avenue
13th District Baltimore County, Maryland

Beginning for the same on the east side of Southwestern Blvd.
at the distance of 141.73 feet measured northeasterly along the east side
of Southwestern Blvd. from the north side of Knecht Avenue and thence
running and binding on the east side of Southwestern Blvd. North 27 degrees
58 minutes East 200.54 feet thence leaving Southwestern Blvd. for a line
of division South 61 degrees 45 minutes East 158.28 feet to the western
right of way line of the Penn. Railroad thence running and binding on said
right of way line the three following courses and distances viz: South 35
degrees 05 minutes West 42.14 feet, South 26 degrees 30 minutes West 69.85
feet and South 29 degrees 54 minutes West 266.48 feet to the north side of
Knecht Avenue thence running and binding on the north side of Knecht Avenue
North 58 degrees 51 minutes West 47.81 feet and thence running for two lines
of division as follows: North 27 degrees 58 minutes East 175 feet and North
61 degrees 45 minutes West 100 feet to the place of beginning.

Containing 38,410 square feet of land more or less.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th
Posted for: *Reclassification from M.L. to B.R. & Special Expt. Car Wash*
Petitioner: *Frank Hallyburton*
Location of property: *E/S of Southwestern Blvd. 141.73 NE of Knecht Ave.*
Remarks: *(None)*
E/S of Southwestern Blvd. 141.73 NE of Knecht Ave.
Posted by: *John G. Rose* Date of return: *Sept. 17, 1965*

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

TELEPHONE
822-3000

No. 334
DATE 2/30

To: **Fannie Hallyburton**
4312 Landon Ave.
Baltimore, 29, Md.

BILLED BY: **Zoning Dept. of Balto. Co.**

DEPOSIT TO ACCOUNT NO. **01-622**

QUANTITY	REMARKS	UNIT PRICE	TOTAL AMOUNT
	Advertising and posting of property	66.00	66.00
	(66-8)-11		
			66.00

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.

INTER-OFFICE CORRESPONDENCE
DIVISION OF TRAFFIC ENGINEERING
Baltimore County, Maryland
Towson 4, Maryland

Date: **August 24, 1965**

TO: **Mr. James S. Dyer**
FROM: **Eugene J. Clifford**
SUBJECT: **Itas 6 - ZAC - April 14, 1965**
East side of Southwestern Boulevard 141.73 NE
of Knecht Avenue

Review of the subject plat dated February 3, 1965 results in the following comment:

Entrance from Knecht Avenue is undesirable because of its close proximity to the main line to Washington of the Pennsylvania Railroad.

Eugene J. Clifford
Eugene J. Clifford
County Traffic Engineer

SJC:GMS:R

August 30, 1965
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

66-832K

Re: William Adelson, Inquire
1035 Maryland National Bank Building
Baltimore, Maryland 21202

SUBJECT: Reclassification from R1 to B1
And Special Exception for a Car Wash for Frank Hallyburton
Located 1/2 of Southwestern Blvd.
NE of Knecht Avenue, 11th Dist.
(Tues 1, August 24, 1965)

Dear Sir:

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

BUREAU OF ENGINEERING:
Water - Existing 12" water in Knecht Avenue.
Sewer - Existing 8" sewer in Knecht Avenue.
Adequacy of existing utilities to be determined by Developer or his engineer.
Road - Southwestern Boulevard is an existing improved road. Knecht Avenue to be a minimum 10' curb and gutter road on a 50' right of way. Due to the close proximity of the railroad crossing to the proposed entrance off Knecht Avenue, a very dangerous traffic condition will be created.
Storm Drain - The open ditch proposed along the northeast property line is to be designed in accordance with Baltimore County standards which normally requires a minimum 50' drainage and utility easement.

BUREAU OF TRAFFIC ENGINEERING: Previous comments are still valid with additional comments to follow.

STATE ROAD COMMISSION: Access subject to approval of the State Road Commission.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Fire Bureau - Plans Review
Health Department
Industrial Development Commission
Board of Education
Buildings Department
Office of Planning and Zoning

cc: Mr. Carlyle Brown - Bureau of Engineering
Mr. C. Richard Moore - Bureau of Traffic Engineering
Mr. John Meyers - State Roads Commission

Very truly yours,
James S. Dyer
James S. Dyer, Chief
Petition and Permit Processing

PETITION FOR
RECLASSIFICATION AND
SPECIAL EXCEPTION
11th DISTRICT

ZONING: From M.L. to B.R.
Zone:
Petition for Special Exception for a Car Wash.

LOCATION: East side of Southwestern Boulevard 141.73 feet Northwest of Knecht Avenue.

DATE & TIME: THURSDAY, SEPTEMBER 30, 1965 at 2:00 P.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:

Present Zoning M.L.
Proposed Zoning B.R. with Special Exception for a Car Wash.

All that parcel of land in the Thirteenth District of Baltimore County:

Beginning for the same on the east side of Southwestern Boulevard at the distance of 141.73 feet measured north exactly, along the east side of Southwestern Boulevard from the north side of Knecht Avenue and thence running and ending on the east side of Southwestern Boulevard North 27 degrees 34 minutes East 200.34 feet thence being on Southwestern Boulevard for a line of Division South 61 degrees 52 minutes East 228.28 feet to the Center Right of Way line of the Pennsylvania Railroad thence running and ending on said Right of Way line the above following courses and distances: North 11 degrees 12 minutes East 122.11 feet South 26 degrees 30 minutes West 69.85 feet and South 29 degrees 34 minutes West 206.18 feet to the north side of Knecht Avenue thence running and ending on the north side of Knecht Avenue North 17 degrees 51 minutes East 17.83 feet and thence running for two lines of division as follows: North 27 degrees 34 minutes East 175 feet and North 61 degrees 52 minutes West 100 feet to the place of beginning.

Containing 38,410 square feet of land more or less.

Being the property of Frank Hallyburton and Fannie Hallyburton as shown on plat filed with the Zoning Department.

Hearing Date: Thursday, September 30, 1965 at 2:00 P.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order Of
John G. Rose
Zoning Commissioner Of Baltimore County

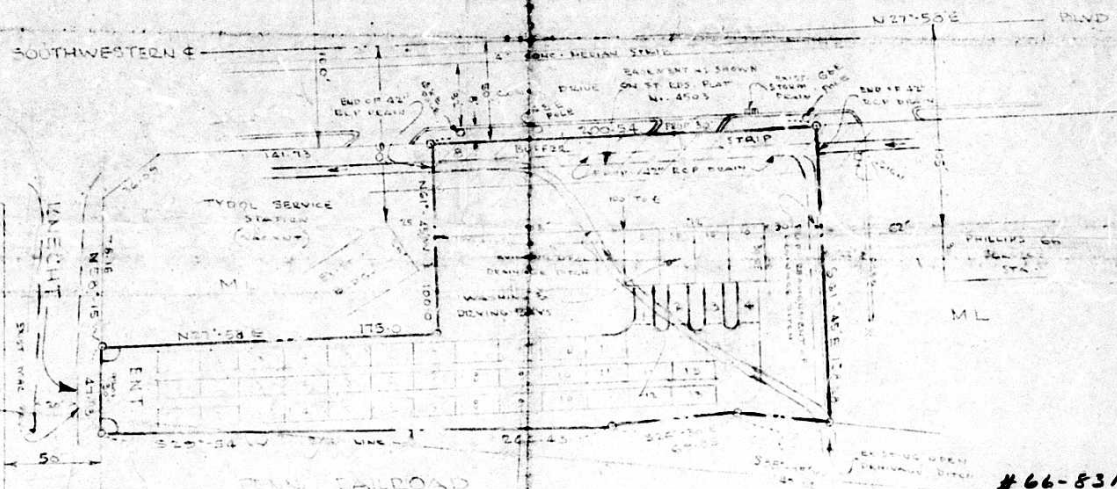
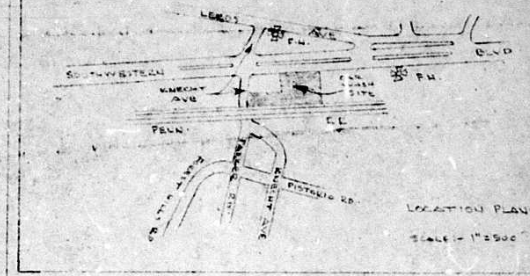
CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. September 9, 1965

THIS IS TO CERTIFY that the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of the successive weeks before the 30th day of September, 1965, the first publication appearing on the 9th day of September, 1965.

THE TIMES,
John M. Martin
Manager

Cost of Advertisement, \$ 23.50
Purchase Order B3966
Requisition No. P5644



PRESENT ZONING - ML
 PROPOSED ZONING - R2 WITH SPECIAL EXCEPTION
 PRESENT USE - NONE
 PROPOSED USE - AUTOMATIC CAR WASH
 SIZE OF BLDG. 30.65 X 72' - 2,206.20 SQ. FT.
 NO. OF EMPLOYEES - NONE
 AREA OF LOT - 35,410 SQ. FT.

13TH DISTRICT BALTIMORE CO. MARYLAND
 SCALE - 1\"/>

#66-83RX

MAP
 #13
 SER. 2-A
 #3A
 SW-4-D
 "X"

PARKING DATA

EACH BAY CAPABLE OF RECEIVING 1 CAR EVERY 5 MINUTES
 CAR WASH CAPABLE OF PROCESSING 48 CARS PER HOUR OR 24 PER HOUR NO. 12
 NO. OF THE SPACES REQUIRED EQUALS 24 PLUS 10 - TOTAL 34
 MINIMUM PAVING SPACES REQUIRED - 40
 NO. SPACES SHOWN - 41
 SIZE - 10' X 32'

UTILITIES LOCATED IN KNECHT AVE.
 8" Sanitary Sewer
 12" Water



Handwritten signature and date: 12-15-55