

IN RE: PETITION FOR ADMIN. VARIANCE
 E/S Denby Road, 169' S of the
 c/l of Valewood Road
 (1315 Denby Road)
 9th Election District
 4th Councilmanic District
 Michael E. Krompholz, et ux
 Petitioners

* BEFORE THE
 * DEPUTY ZONING COMMISSIONER
 * OF BALTIMORE COUNTY
 * Case No. 94-161-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, Michael E. and Brigita M. Krompholz. The Petitioners seek relief from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) and from the Zoning Commissioner's Policy Manual, Page 18-26 to permit a rear yard building to property line setback of 28 feet in lieu of the required 40 feet, for a proposed addition in accordance with Petitioner's Exhibit 1.

As noted above, this matter was filed through the Administrative Variance process. However, at the request of Mr. Semenuk, a public hearing was scheduled to determine the appropriateness of the Petitioners' request.

Appearing on behalf of the Petition were Mr. and Mrs. Michael E. Krompholz, property owners, and Douglas L. Kennedy, Professional Engineer. The Petitioners were represented by Julius W. Lichter, Esquire. Appearing as a Protestant in the matter was Michael J. Semenuk, the adjoining property owner who requested the public hearing.

Testimony at the hearing established that the subject property, known as 1315 Denby Road, consists of 0.582 acres, more or less, zoned D.R. 2, and is improved with a single family dwelling. This property is located at the corner of Denby Road and Valewood Road, and as such, the

dwelling is oriented to face the intersecting corner. Furthermore, the dwelling sits back on the lot closer to the rear of the property. The Petitioners are desirous of constructing an addition to the rear of the property; however, due to the layout of the dwelling and its location on the lot, the requested variance is necessary.

Mr. & Mrs. Krompholz testified as to the necessity of the proposed addition. Mrs. Krompholz testified that she has been diagnosed with Osteoporosis which is affecting her vertebrae. She testified that it is only a matter of time before she will be wheelchair bound. The Petitioners are at this time making changes to their residence which will allow Mrs. Krompholz to continue residing in their home with appropriate accommodations for a wheelchair bound person. The Krompholz testified that they have resided on the property for the past 22 years and want to continue to reside there. Mrs. Krompholz testified that making the proposed improvements is their alternative to placing her in an institution.

Mr. Douglas Kennedy testified that the Krompholz hired architects to design the proposed addition and to locate it in the most appropriate location on their lot. He testified that the proposed improvements satisfy the needs of a wheelchair bound person and have been placed in the most practical area of the house and lot. He testified that due to the location of the existing dwelling thereon, the requested variance is necessary.

Mr. Michael Semenuk, adjoining property owner, appeared in opposition to the Petitioners' request. Mr. Semenuk is opposed to the location of the proposed addition which will be on his side of the subject property. Mr. Semenuk believes that the proposed addition could be located on the rear side of the subject dwelling and does not need to be located on the side of the house as proposed. Mr. Semenuk further testified that the

Petitioners could easily modify the interior of the existing dwelling to provide for Mrs. Krompholz' ailment. He also testified that he has observed Mrs. Krompholz washing clothes, taking out the trash, and driving her automobile and that she does not need the assistance of a wheelchair.

Testimony revealed that Mr. Semenuk has not resided on his property for the past 3 years and that he currently rents his property to a Dr. Mascari. Dr. Mascari did not appear in opposition to the Petitioners' request.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special

circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioners' request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the aforementioned findings of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of October, 1993 that the Petition for Variance seeking relief from Section 1802.3.B and Zoning Commissioner's Policy Manual, Page 18-26 to permit a rear yard building to property line setback of 28 feet in lieu of the required 40 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this order; however, Petitioners are hereby made aware that processing at this time is at their own risk and such time as the 30-day appellate process from this order has expired. If, for whatever reason, this order is reversed, the relief granted herein shall be rescinded.

TMK:bjb

ORDER RECEIVED FOR FILING
 Date 10/12/93
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 10/12/93
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 10/12/93
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 10/12/93
 By [Signature]

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

December 22, 1993

(410) 887-4386

Suite 113 Courthouse
 400 Washington Avenue
 Towson, MD 21284

Julius W. Lichter, Esquire
 305 W. Chesapeake Avenue, Suite 113
 Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
 E/S Denby Road, 169' S of the c/l of Valewood Road
 (1315 Denby Road)
 9th Election District - 4th Councilmanic District
 Michael E. Krompholz, et ux - Petitioners
 Case No. 94-161-A

Dear Mr. Lichter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,
 [Signature]
 TIMOTHY M. KOTROCO
 Deputy Zoning Commissioner
 for Baltimore County

cc: Mr. & Mrs. Michael E. Krompholz
 1315 Denby Road, Towson, Md. 21286
 Mr. Michael J. Semenuk
 2 Goucher Woods Court, Baltimore, Md. 21286
 People's Counsel; File

Petition for Administrative Variance
94-161-A
to the Zoning Commissioner of Baltimore County
 for the property located at 1315 Denby Road
 which is presently zoned D.R.2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) 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 for a Variance from Section(s) _____ of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Variance is requested from B.C.Z.R. Section 1802.03.B and Zoning Commissioner's Policy Manual page 18-26 to allow a rear yard building to property line setback of 28 ft. in lieu of the required 40 ft.

We are owners and residents of 1315 Denby Road and have been since 1971. The property is situated at the southeast corner of Denby Road and Valewood Road. Being a normal corner lot, the house is angled toward the intersection leaving a very narrow rear yard with conveying property lines. We have a need to construct an addition to the house and the layout of the existing house will only allow the addition to be constructed in the southwest corner of the existing house. This proposed location of the addition property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance 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.

Contract Purchaser/Lease: _____
 Type or First Name: _____
 Signature: _____
 Address: _____
 City: _____ State: _____ Zipcode: _____
 Attorney for Petitioner: _____
 Type or First Name: _____
 Signature: _____
 City: _____ State: _____ Zipcode: _____
 Name of Petitioner: _____
 Type or First Name: _____
 Signature: _____
 City: _____ State: _____ Zipcode: _____
 Name of Petitioner: _____
 Type or First Name: _____
 Signature: _____
 City: _____ State: _____ Zipcode: _____

ORDER RECEIVED FOR FILING
 Date 10/12/93
 By [Signature]

A Public Hearing being requested and/or held to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertising, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reported.

REVIEWED BY: [Signature] DATE: 10-15-93
 ESTIMATED FILING DATE: 11-1-93
 Printed with Soy-based Ink on Recycled Paper
 ITEM #: 166

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 1315 Denby Road
Towson, Maryland 21286

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

will require that a side yard variance be granted of 28 ft. in lieu of the required 40 ft.

SEE ATTACHED MEDICAL STATEMENT.

The Affiant(s) acknowledge(s) that if a process is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

[Signatures of Michael E. Krompholz and Brigita M. Krompholz]

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:
 I HEREBY CERTIFY, this 12th day of October, 1993, before me as a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Michael E. Krompholz and Brigita M. Krompholz

the Affiant(s) herein, personally known to and satisfactorily vouched to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of their/her knowledge and belief.

AS WITNESS my hand and Notarial Seal:
 10-15-93
 [Signature of Anne H. Ryan]

My Commission Expires: _____

94-161-A

Towson, October 12, 1993

To whom it may concern:

about a year ago I was diagnosed as having osteoporosis with a vertebral fracture. Because of these conditions I was selected to participate in a "Fracture Intervention Trial" study conducted by the University of Maryland School of Medicine at Baltimore, Department of Epidemiology and Preventive Medicine Osteoporosis Programs at 2201 Argonne Drive, Baltimore Md. 21218-1698.

As a consequence of this chronic condition my long term prognosis indicates the possibility of further complications (e.g. additional fractures, etc.) which may require special equipment like hospital bed, wheelchair, live in caregiver, etc. To accommodate for this I will need a bigger space in the bedroom and bathroom with easier accessibility. The proposed addition to our existing house will provide these necessary changes.

A doctors certificate may be submitted if requested.

Thank you for your favorable consideration of our application.

[Signature]
 Brigita M. Krompholz
 1315 Denby Road
 Towson, Md. 21286-1628

[Signature]
 Anne H. Ryan

William A. Woody, L.S. Douglas L. Kennedy, P.E.
KCW Consultants, Inc.
 Civil Engineers and Land Surveyors
 3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244
 (410) 281-0030 / 281-0033 / Fax (410) 298-0604

166
 94-161-A

September 9, 1993
ZONING DESCRIPTION
 Property of Michael E. and Brigita M. Krompholz
 Deed Ref: 5214-393

BEGINNING at a point on the east side of Denby Road which is 60 feet wide at the distance of 169 feet south of the centerline of Valewood Road which is 60 feet wide.

BEING Lot 8, Block E, Section One, Plats Three and Five, in the subdivision of Hampton Gardens as recorded in Baltimore County Plat Book R.R.G. 30 Folio 108.

CONTAINING 25,354 square feet or 0.582 acres, more or less. Also known as 1315 Denby Road and located in the ninth Election District.

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 9th Date of Posting: 11/19/93
 Posted for: Variance
 Petitioner: Michael & Brigita Krompholz
 Location of property: 1315 Denby Rd., Ely 169' S of Valewood Rd.
 Location of Sign: Facing road way, on property being zoned.
 Remarks:
 Posted by: M. Semenuk Date of return: 11/26/93
 Number of Signs: 1

receipt
 94-161-A
 Account R.O.C. 6190
 Date: 10-15-93
 Invoice Number: 166
 Owner: M.E. Krompholz
 Site: 1315 Denby Rd.
 \$ 0.00 Variance - \$50.00
 \$ 0.00 Sign & Posting - \$35.00
 Total: \$85.00
 Please Make Checks Payable To: Baltimore County
 Cashier Validation

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 9th Date of Posting: 11/26/93
 Posted for: Variance
 Petitioner: Michael & Brigita Krompholz
 Location of property: 1315 Denby Rd., Ely 169' S of Valewood Rd.
 Location of Sign: Facing road way, on property being zoned.
 Remarks:
 Posted by: M. Semenuk Date of return: 11/26/93
 Number of Signs: 1

CERTIFICATE OF PUBLICATION
 TOWSON, MD. Nov 25, 1993

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Nov 25, 1993.

THE JEFFERSONIAN,
 A. Herikson
 LEGAL ADVERTISER

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE: 11-12-93 ACCOUNT: R001-6150
 AMOUNT: \$ 2.00

RECEIVED FROM: Photocopies
 FOR: Michael Semenuk
 VALIDATION OR SIGNATURE OF CASHIER

REQUEST FOR HEARING

TO THE ZONING COMMISSION FOR BALTIMORE COUNTY
 Case Number: 94-161-A
 Petitioner(s): Krompholz
 Location: *****

BY: MICHAEL SEMENUK
 (Legal Owner) () Resident, of
 2 Quaker's Woods Ct
 Balto MD 21286 321-2248
 City/State/Zip
 1315 DENBY RD
 which is located approximately 169' south of the property which is the subject of the above petition, do hereby formally request that a public hearing be set in this matter.
 Michael J Semenuk 11/19/93
 Signature Date

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE: 11-12-93 ACCOUNT: R001-6150
 AMOUNT: \$ 40.00

RECEIVED FROM: Michael Semenuk
 FOR: Request for Hearing 94-161-A
 VALIDATION OR SIGNATURE OF CASHIER

TO: FUTURITY PUBLISHING COMPANY
 November 25, 1993 Issue - Jeffersonian

Please forward billing to:
 Michael and Brigita Krompholz
 1315 Denby Road
 Towson, Maryland 21286
 410-821-5897

COPY

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-161-A (Item 166)
 1315 Denby Road
 2/5 Denby Road, 169' S of c/l Valewood Road
 9th Election District - 4th Councilmanic
 Petitioner(s): Michael E. Krompholz and Brigita M. Krompholz
 HEARING: FRIDAY, DECEMBER 10, 1993 at 9:00 a.m. in Rm. 106, County Office Building.

Variance to allow a rear yard building to property line setback of 28 feet in lieu of the required 40 feet.

LAWRENCE E. SCHMIDT
 ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

NOVEMBER 15, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-161-A (Item 166)
 1315 Denby Road
 2/5 Denby Road, 169' S of c/l Valewood Road
 9th Election District - 4th Councilmanic
 Petitioner(s): Michael E. Krompholz and Brigita M. Krompholz
 HEARING: FRIDAY, DECEMBER 10, 1993 at 9:00 a.m. in Rm. 106, County Office Building.

Variance to allow a rear yard building to property line setback of 28 feet in lieu of the required 40 feet.

Arnold Jablon
 Director

cc: Mr. & Mrs. Krompholz
 Michael J. Semenuk
 KCM Consultants, Inc.

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
 (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE BY 887-3391.

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

November 5, 1993

Mr. and Mrs. Michael E. Krompholz
 1315 Denby Road
 Towson, Maryland 21204

RE: Case No. 94-161-A, Item No. 166
 Petitioner: Michael E. Krompholz, et ux
 Petition for Administrative Variance

Dear Mr. and Mrs. Krompholz:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on October 15, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation
 State Highway Administration

Ms. Charlotte Minton
 Zoning Administration and
 Development Management
 County Office Building
 Room 109
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Re: 166
 Item No: 94-161-A

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.
 Thank you for the opportunity to review this item.

Very truly yours,
 Bob Small
 John Constable, Chief
 Engineering Access Permits
 Division

BS/

My telephone number is _____
 Maryland Relay Service for Impaired Hearing or Speech
 1-800-735-2258 Statewide Toll Free
 Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717
 Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: October 27, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

- Item 148, Howard & Linda Miller
Item 162, 3731 Grave Run Road (Joseph E. Chenoweth)
Item 166, 1315 Denby Road (Michael E. Krompholz)

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Pat Keller

PK/JL:lw

ZAC.148/PZCNE/ZAC1

Baltimore County Government
Department of Permits and Licenses



OCTOBER 25, 1993

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3610

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

ZONING AGENDA: MEETING OF OCTOBER 25, 1993

Owner: John L. Cross, Sr. and Helen Cross
Location: #926 Wampler Road
Item No.: 158 (JRF/JCM)

Owner: Joseph E. Chenoweth & Gloria J. Chenoweth
Location: #3731 Grave Run Road
Item No.: 162 (RT)

Owner: Cedarside Farm Joint Venture
Location: Lot 39, Cedarside Farm
Item No.: 163 (RT)

Owner: Edward A. Kligenstein, Jr. & Irene E. Kligenstein
Location: Lot 1, Middleborough
Item No.: 164 (JLL)

Owner: Thomas J. Lasek
Location: #2240 Vailthorn Road
Item No.: * 165 (JRF)

Owner: Michael E. Krompholz & Brigita M. Krompholz
Location: #1315 Denby Road
Item No.: 166 (JJS)

Owner: Anthony Scott Braglio, Sr.
Location: #5310 Heywood Road
Item No.: #167 (JRA)

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Approved: Robert J. Sumner, Director
Fire Prevention Bureau

Printed with Soybean Ink on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

NOVEMBER 12, 1993

Michael E. and Brigita M. Krompholz
1315 Denby Road
Towson, Maryland 21286

Re: CASE NUMBER: 94-161-A (Item 166)
1315 Denby Road
E/S Denby Road, 169' S of c/l Valewood Road
9th Election District - 4th Councilmanic

Dear Mr. & Mrs. Krompholz

A formal REQUEST FOR PUBLIC HEARING has been filed in your case. Formal notification of the hearing date will be forwarded to you shortly.

As you recall, it now becomes necessary to repost the property and run notice of the hearing in a newspaper of general circulation. This office will ensure that the legal requirements for posting and advertising are satisfied.

Posting charges in the amount of \$35.00 are now due. Your check in this amount should be made payable to "Baltimore County, Maryland" and immediately mailed to this office. Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

Please be further advised that non-payment of fees will stay the issuance of the Zoning Commissioner's Order.

If you have any questions concerning this letter, you may contact Gwen Stephens at 887-3391.

Very truly yours,
Arnold Jablon, Director

cc: Douglas L. Kennedy/KCW Consultants, Inc.

Printed with Soybean Ink on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

October 22, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

To: Michael E. Krompholz and Brigita M. Krompholz
1315 Denby Road
Towson, Maryland 21286

Re: CASE NUMBER: 94-161-A (Item 166)
1315 Denby Road
E/S Denby Road, 169' S of c/l Valewood Road
9th Election District - 4th Councilmanic

Please be advised that your Petition for Administrative Zoning Review has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3353. This notice also serves as a reference regarding the administrative process.

1) Your property will be posted on or before October 31, 1993. The closing date (November 15, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioners. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioners), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioners.

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon, Director

cc: Douglas L. Kennedy/KCW Consultants, Inc.

Printed with Soybean Ink on Recycled Paper

166

94-161-A
Towson, October 2, 1993

To whom it may concern:

We, the undersigned Mr. & Mrs. Mosquera residing at 1313 Denby Rd in Towson, have reviewed the proposed building changes to the property owned by Mr. & Mrs. Krompholz at 1315 Denby Rd. and have no objections for the owners to proceed with construction as shown in the presented drawings: plot layout showing the proposed addition prepared by KCW consultants, Inc. and miscellaneous architectural sketches prepared by the firm Burton Associates Architects.

[Signature]

166

94-161-A
Towson, October, 1993

To whom it may concern:

We, the undersigned Mr. & Mrs. Roland H. Pechulis residing at 1817 Denby Road in Towson, have reviewed the proposed building changes to the property owned by Mr. & Mrs. Krompholz at 1315 Denby Rd. and have no objections for the owners to proceed with construction as shown in the presented drawings: plot layout showing the proposed addition prepared by KCW Consultants, Inc. and miscellaneous architectural sketches prepared by the firm Burton Associates Architects.

Roland Pechulis
Bonnie Pechulis

166

94-161-A
Towson, October 6, 1993

To whom it may concern:

We, the undersigned Mr. & Mrs. John Petrusci residing at 1102 Valewood Rd in Towson, have reviewed the proposed building changes to the property owned by Mr. & Mrs. Krompholz at 1315 Denby Rd. and have no objections for the owners to proceed with construction as shown in the presented drawings: plot layout showing the proposed addition prepared by KCW Consultants, Inc. and miscellaneous architectural sketches prepared by the firm Burton Associates Architects.

[Signature]

PLEASE PRINT CLEARLY CITIZEN SIGN-IN SHEET

NAME: MICHAEL J SEMENUK
ADDRESS: 2 Gauleker Woods Ct,
Baltimore, Md. 21286

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME: DOUGLAS L. KENNEDY
ADDRESS: 1102 VALEWOOD RD
TOWSON, MD 21286
MICHAEL E. KROMPHOLZ
NAME: BIGG TIMOTHY LANE
ADDRESS: BALTIMORE, MD 21211
1315 DENBY RD
TOWSON, MD 21286

REAL ESTATE TITLE COMPANY, INCORPORATED
 1000 Baiter
 Baltimore, Md.
 LEWIS & CLARK BUILDING

App. No. 22057
Lawyer's Title
 Registered
 Maryland

UNES214 NE393

This Deed, Made this 17th day of August, 1965, in the year one thousand nine hundred and seventy-one, by CHARLES R. KROMPHOLZ and MARY R. KROMPHOLZ, his wife, of Baltimore County, in the State of Maryland, parties of the first part, and MICHAEL E. KROMPHOLZ and BRIGITTA M. KROMPHOLZ, his wife, of Baltimore County, in the State of Maryland, parties of the second part,

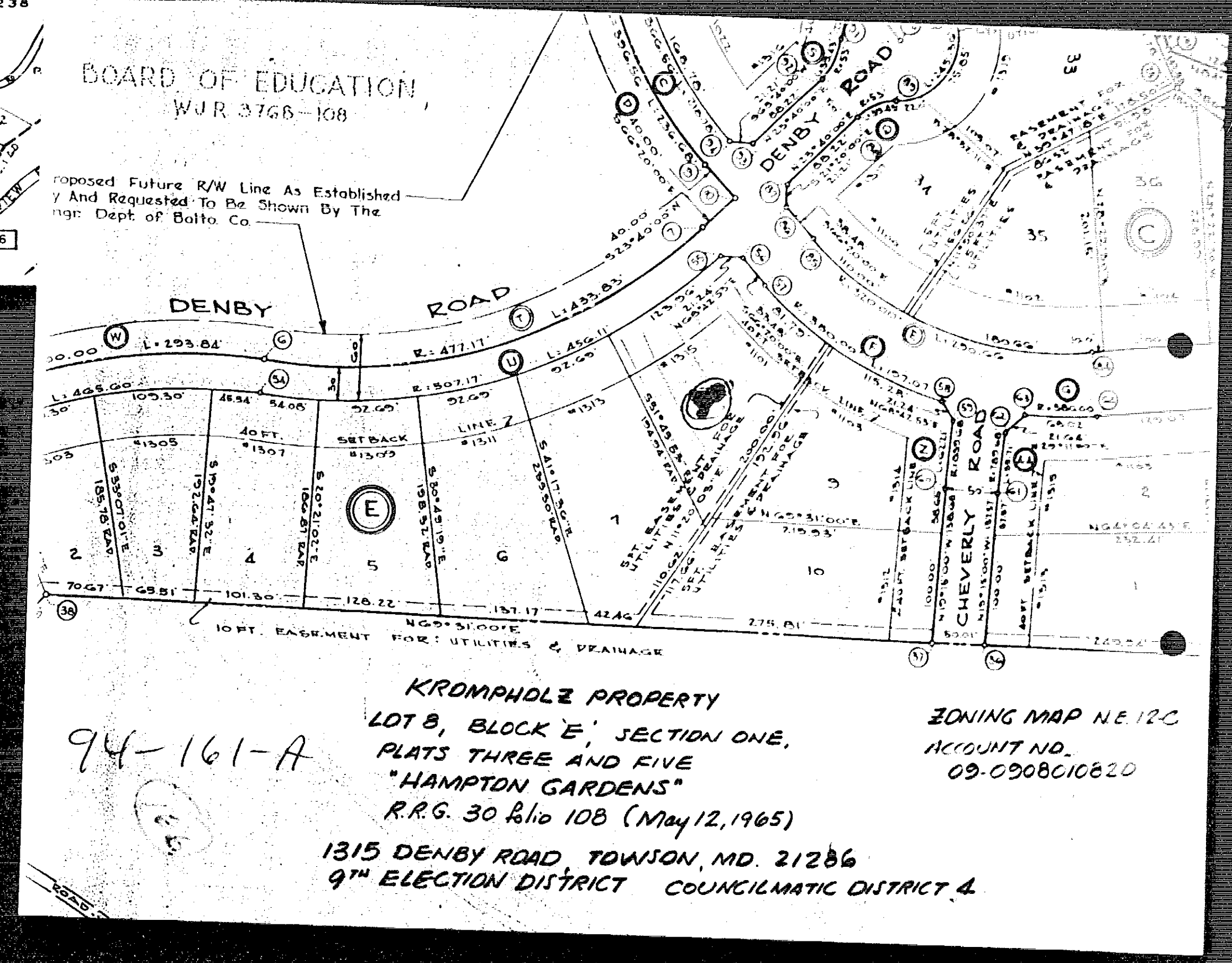
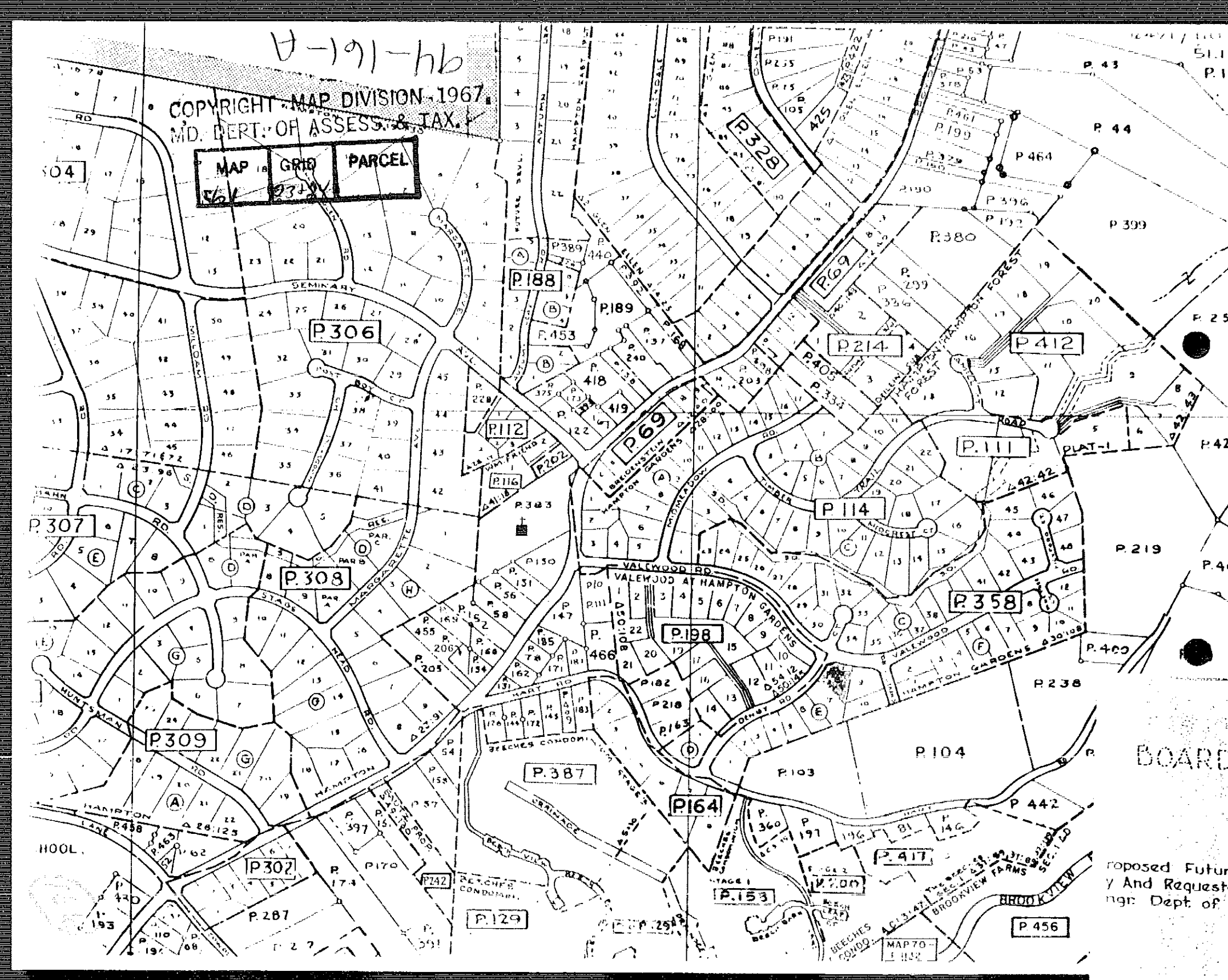
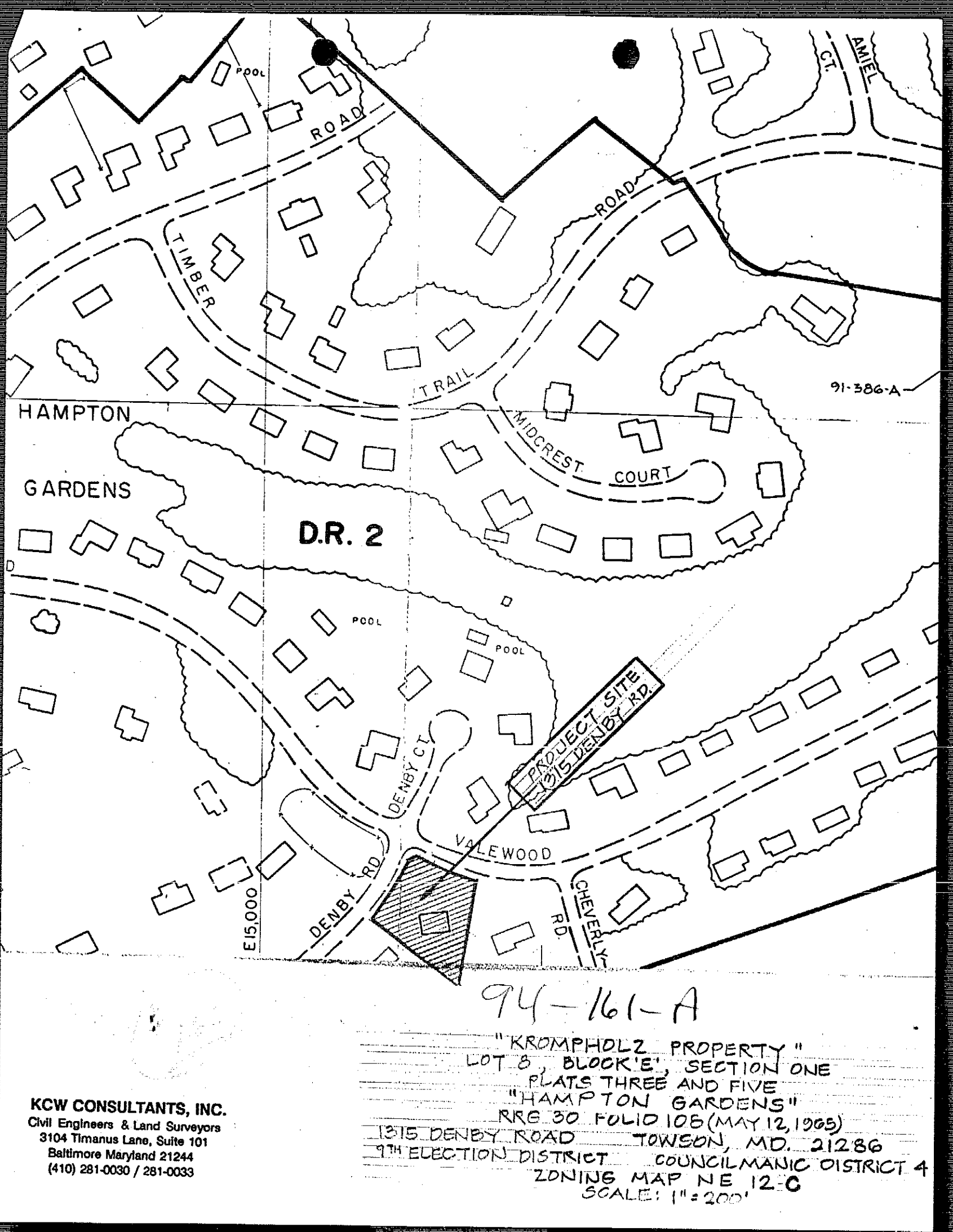
WITNESSETH that in consideration of the sum of Five Dollars, and other good and valuable considerations, the receipt of which is hereby acknowledged, the said parties of the first part,

do grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, and the survivor of them, and the survivor's heirs and assigns, in fee simple, all that lot of ground situate, lying and being in Baltimore County, in the State of Maryland, and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 8 in Block E, as laid out and shown on the Plat of Section One, Plats Three and Five, Hampton Gardens, which Plat is recorded among the Plat Records of Baltimore County in Plat Book 200 No. 200-112-108. The Improvements thereon being known as Hampton Gardens.

BEING THE SAME lot of ground described in a Deed from Jett Development Corporation to Charles R. Krompholz and Mary R. Krompholz, his wife, dated May 22, 1967 and recorded among the Land Records of Baltimore County in Liber Vol. No. 4799, folio 118.

3841 9827 1 84750 MC



R.R.G. 30 FOLIO 108
 RECEIVED for Record
 MAY 12 1965 at 2:00 PM
 same day recorded in Liber
 R.R.G. No. 200-112-108
 One of the Records of
 Baltimore County and ex-
 amined, per

John Lee
 Clerk

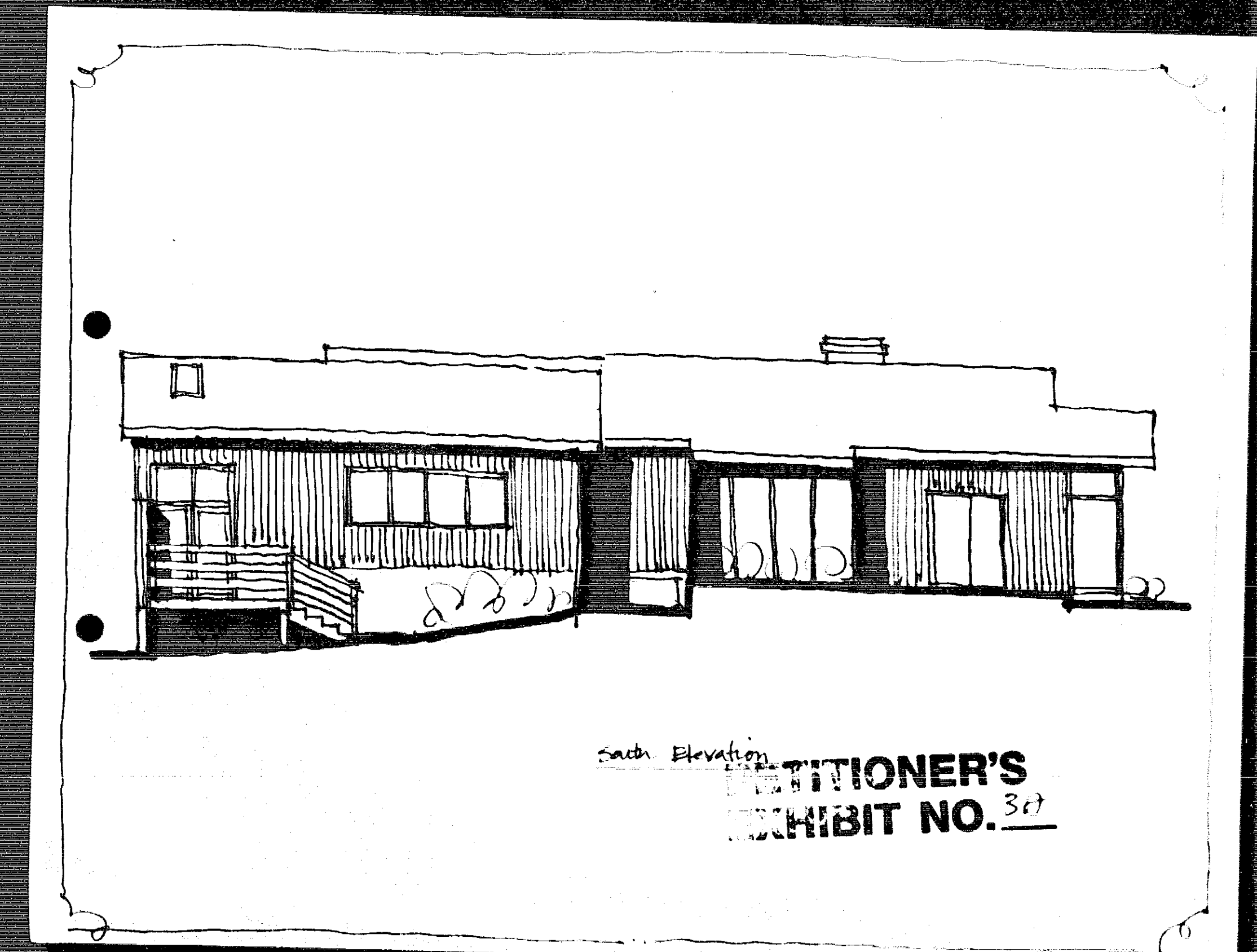
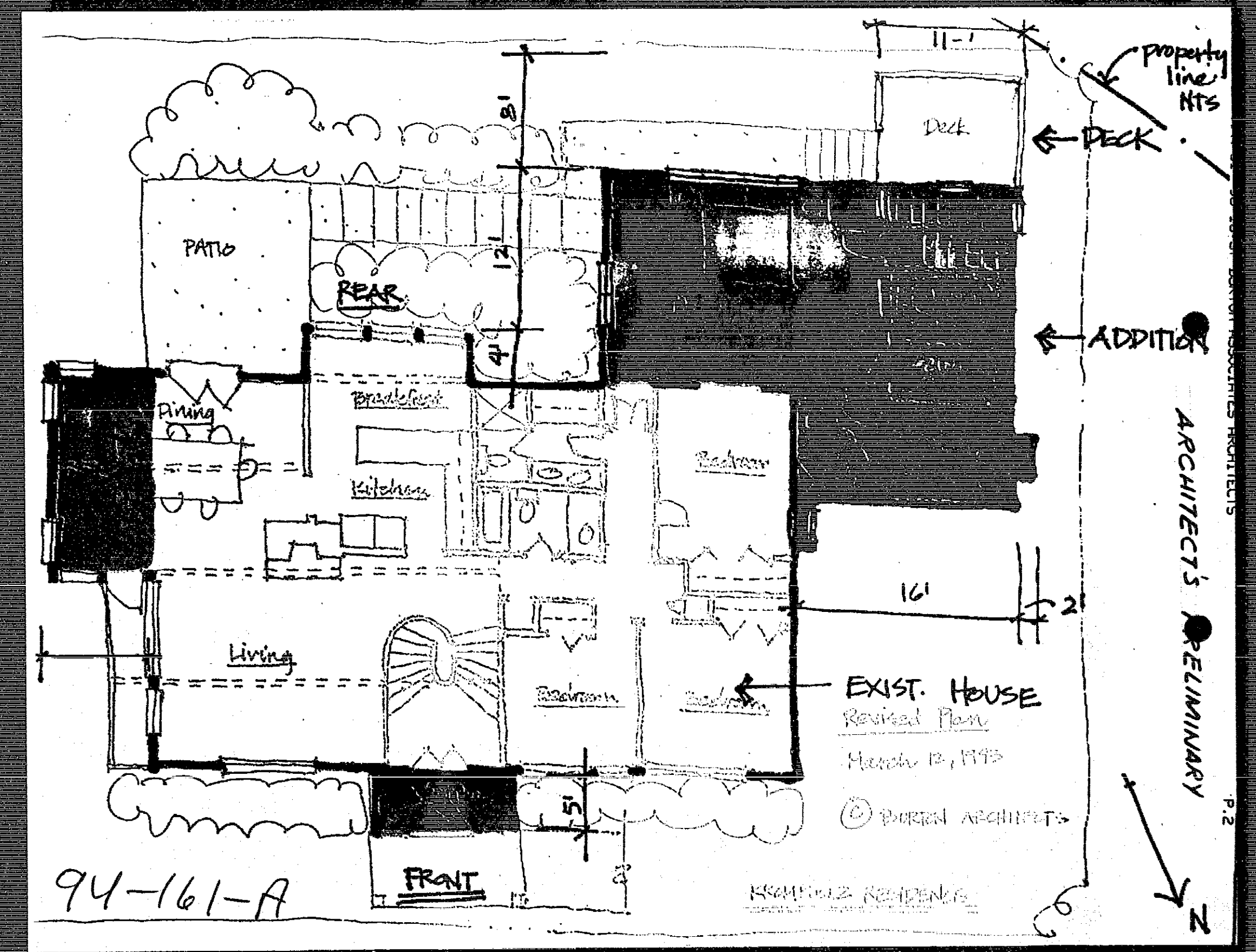
SUBDIVISION PLAN
 SECTION ONE
 PLATS THREE & FIVE
HAMPTON GARDENS

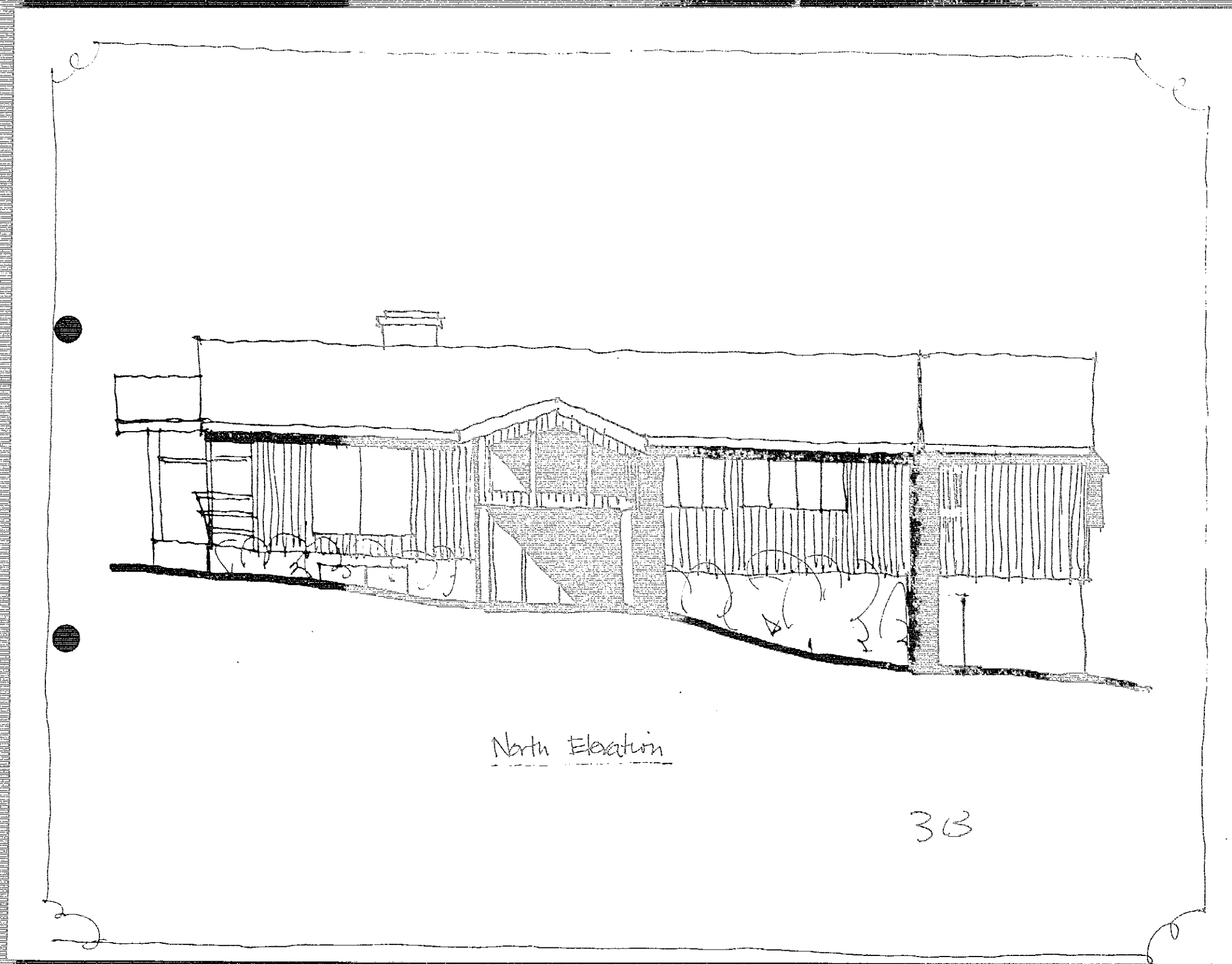
BALTO. CO. MD. ELECT. DIST. NO. 9
 SCALE: 1"=100' DATE: MARCH 11, 1964

OWNER & DEVELOPER
 JETT DEVELOPMENT CORPORATION
 111 EAST PENNSYLVANIA AVENUE
 TOWSON 4, MARYLAND

GEORGE WILLIAM STEPHENS, JR.
 AND ASSOCIATES, INC.
 ENGINEERS
 303 ALLEGHENY AVE.
 TOWSON 4, MARYLAND

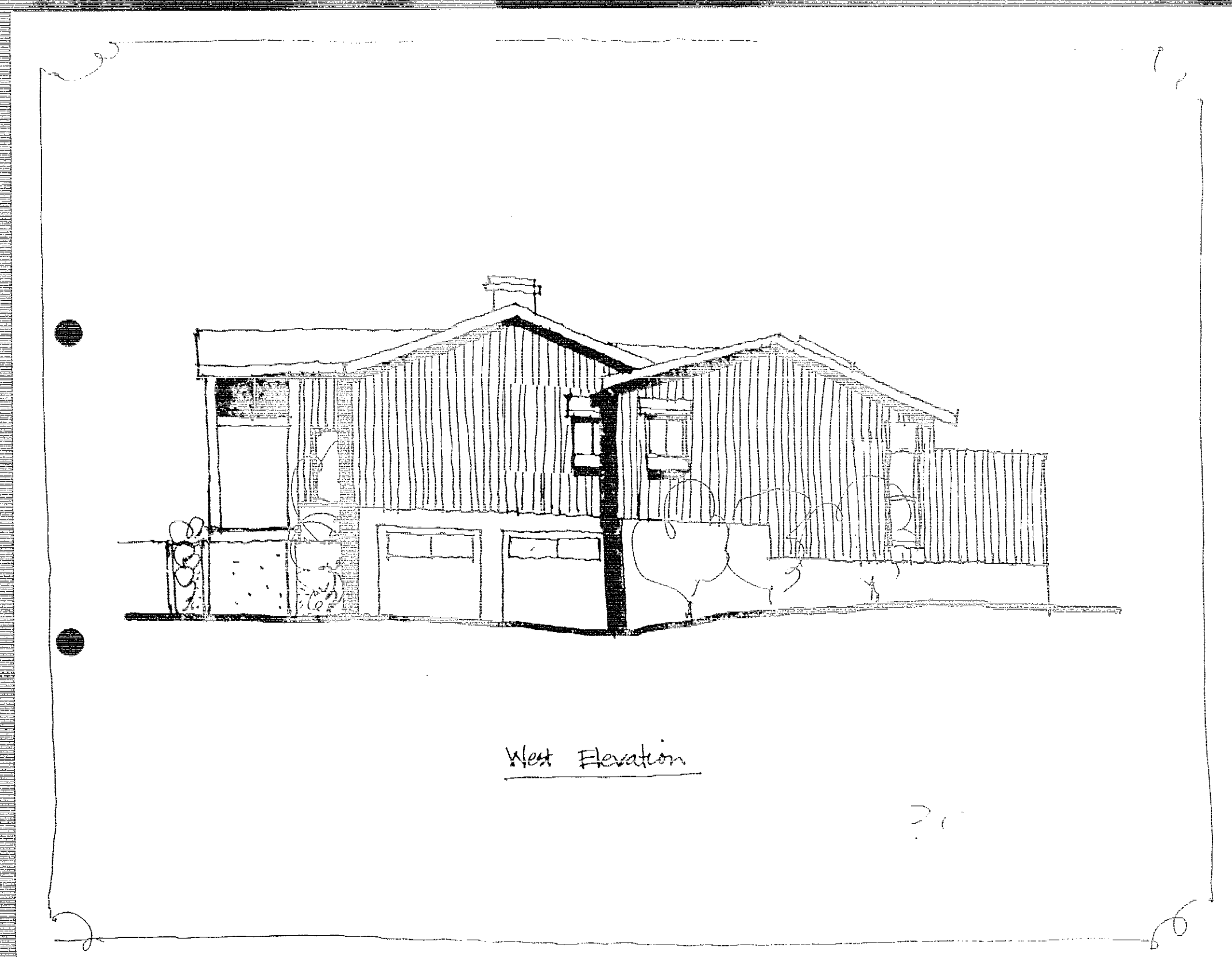
94-161-A **KROMPHOLZ**





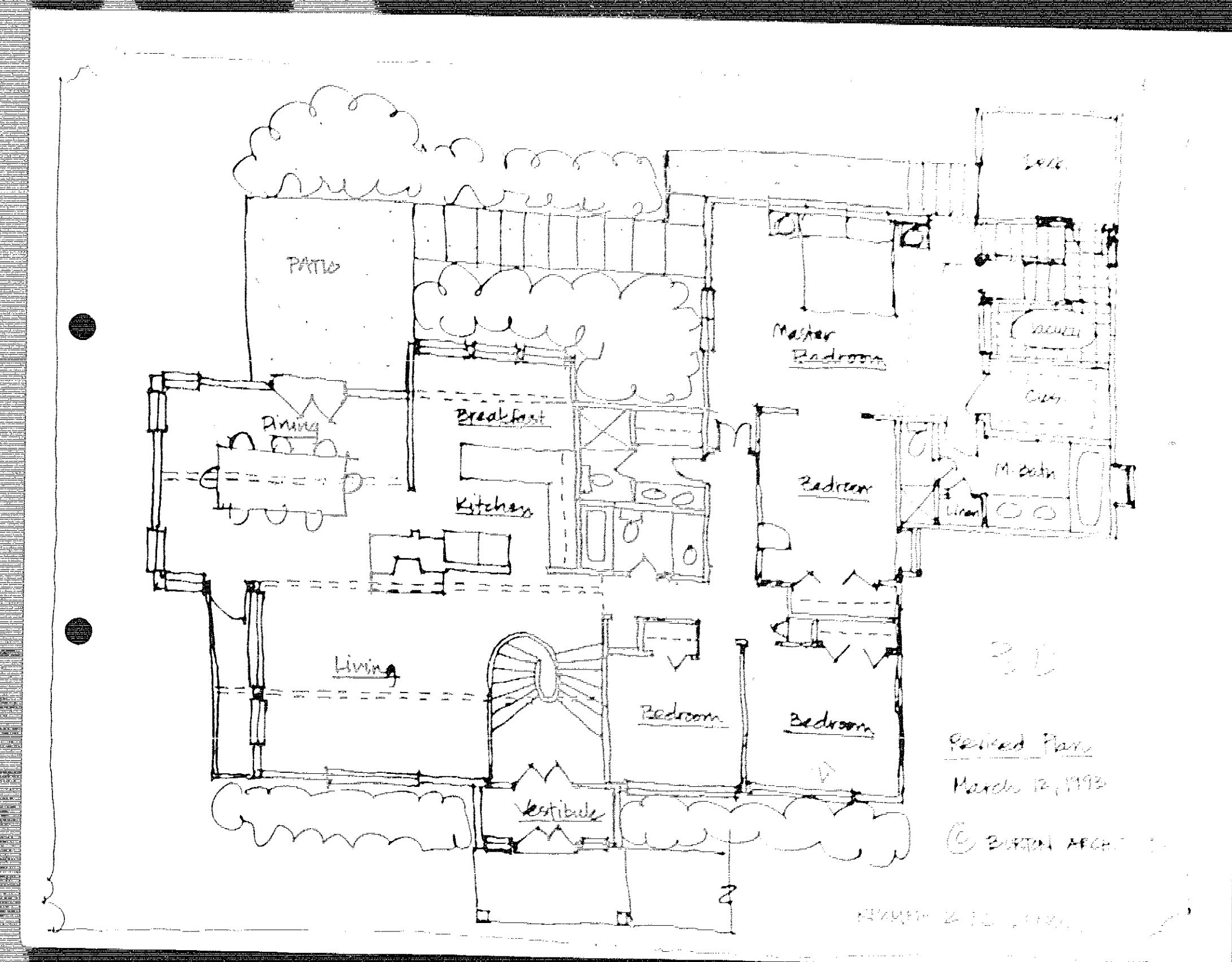
North Elevation

33



West Elevation

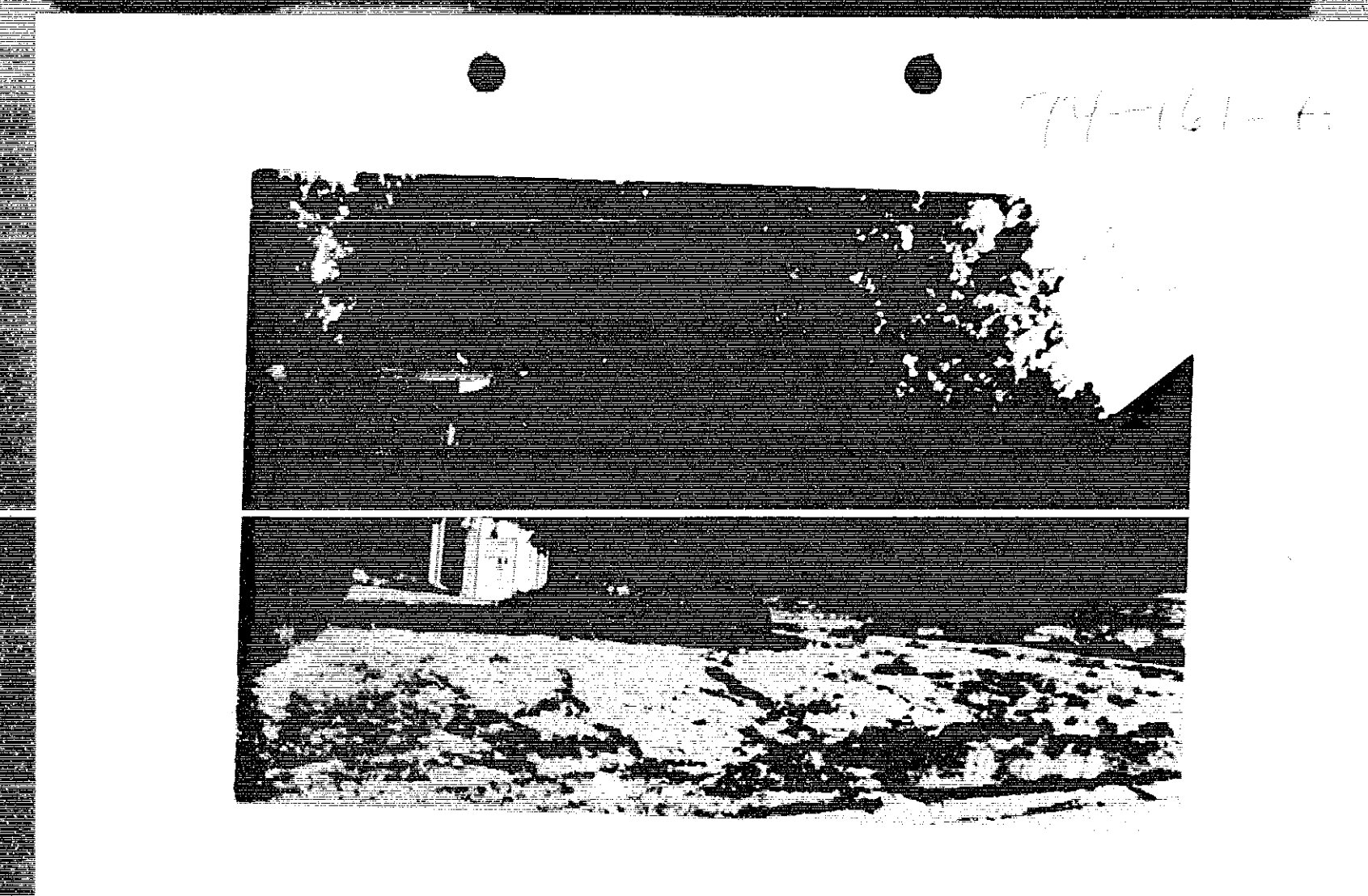
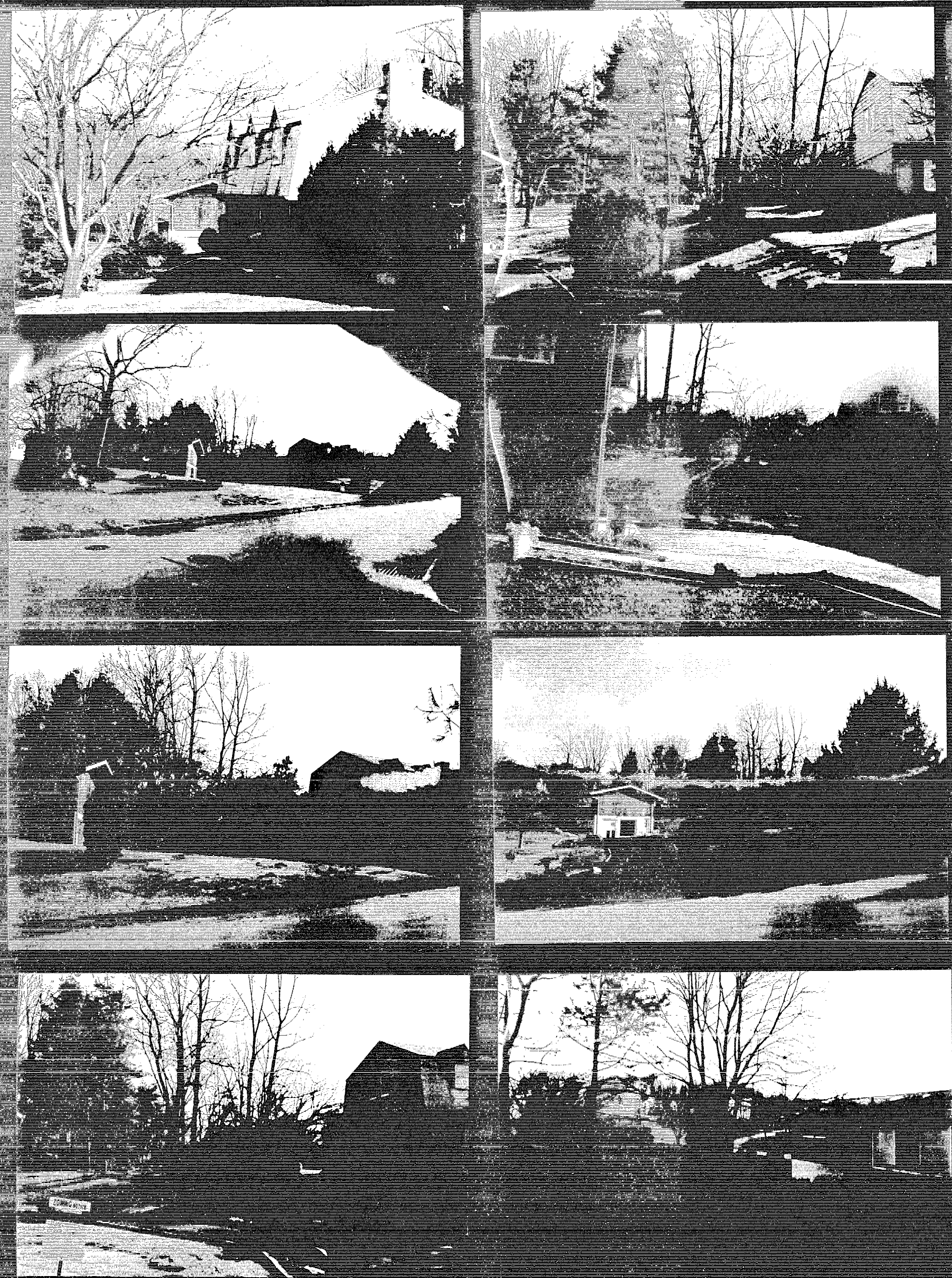
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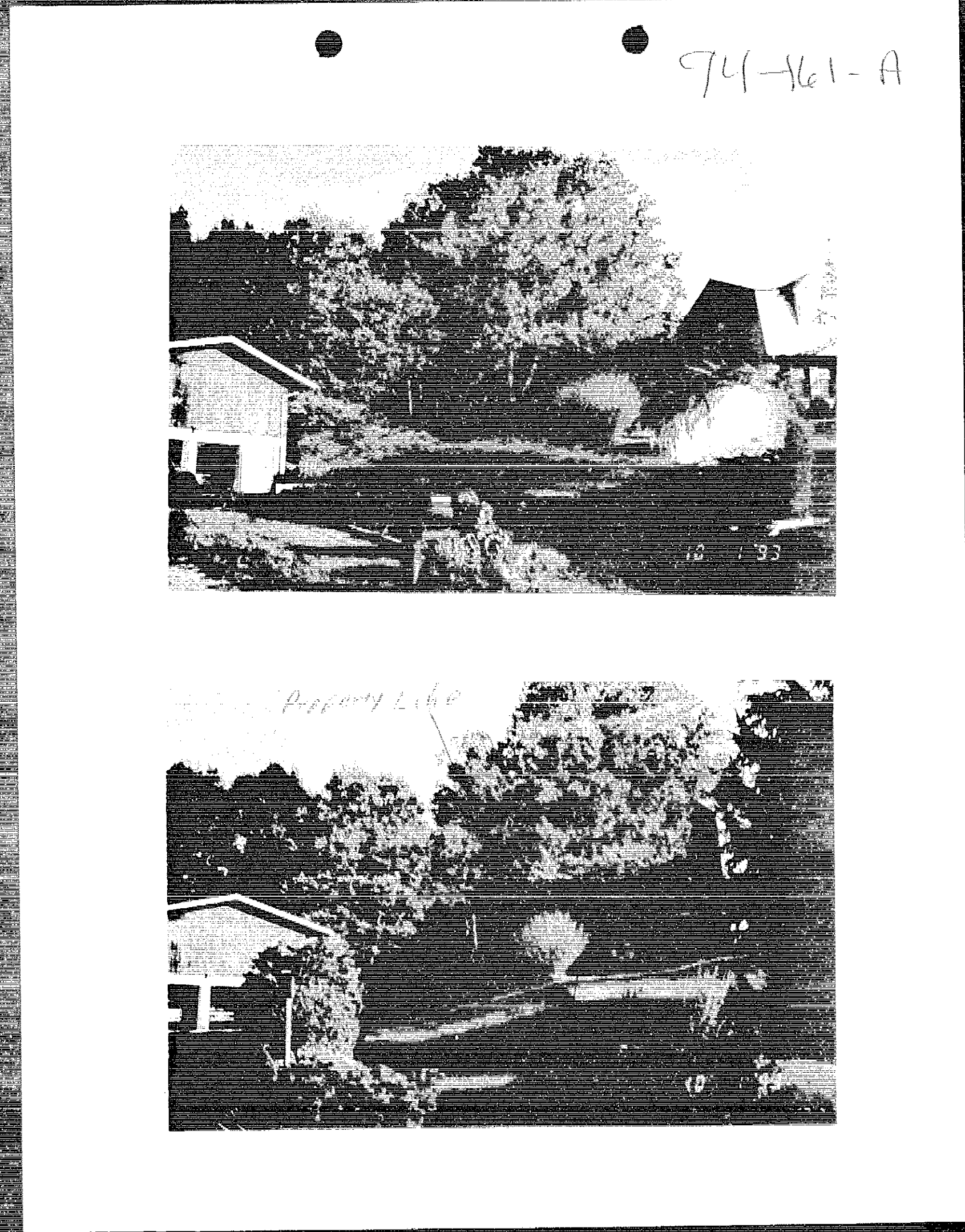
35

Spaced Paper
March 1913
© BOSTON ARCH.

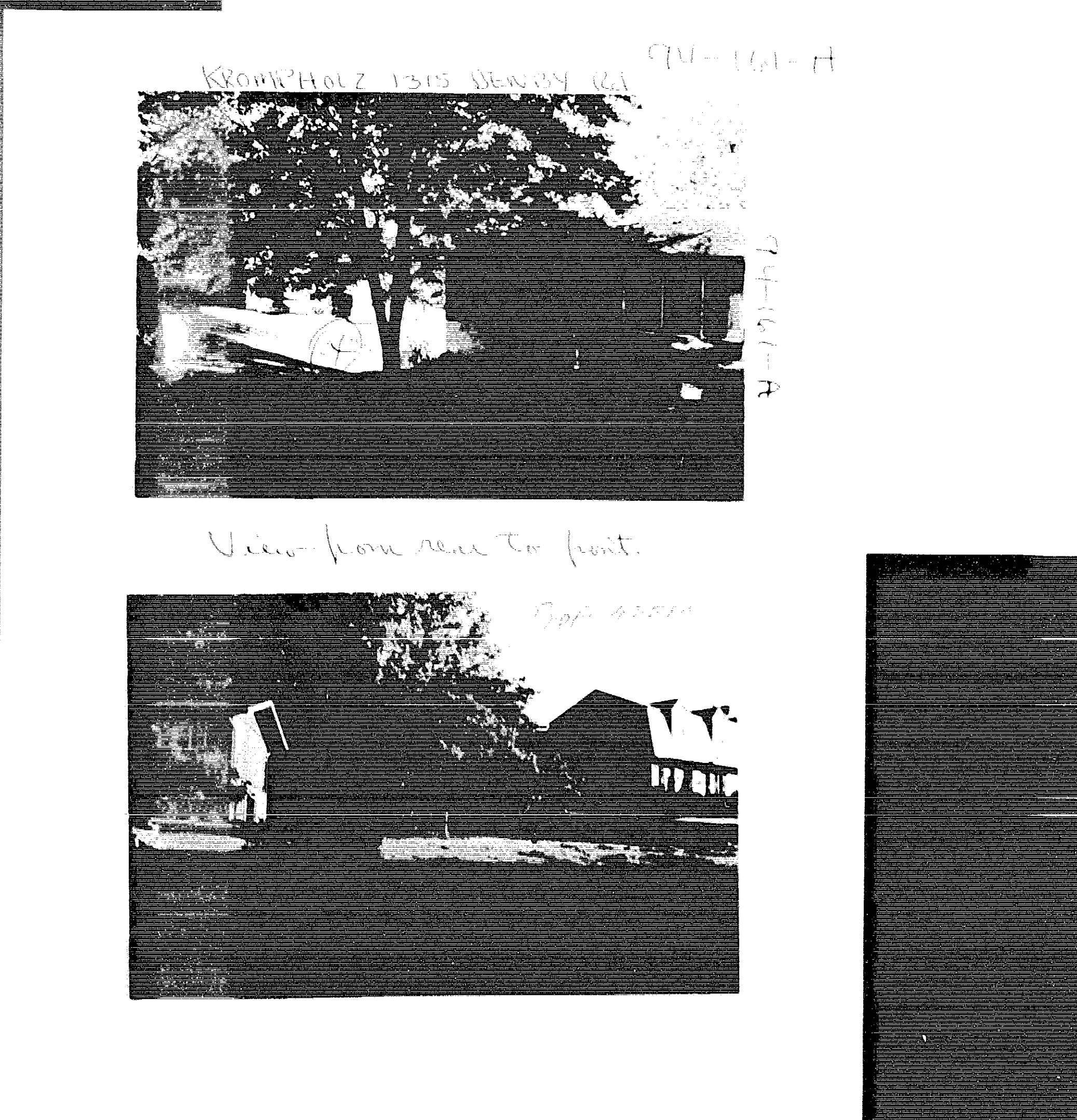
Photographs
Case 94-141-A
Pch. Ex. 2A-3H



94-141-A



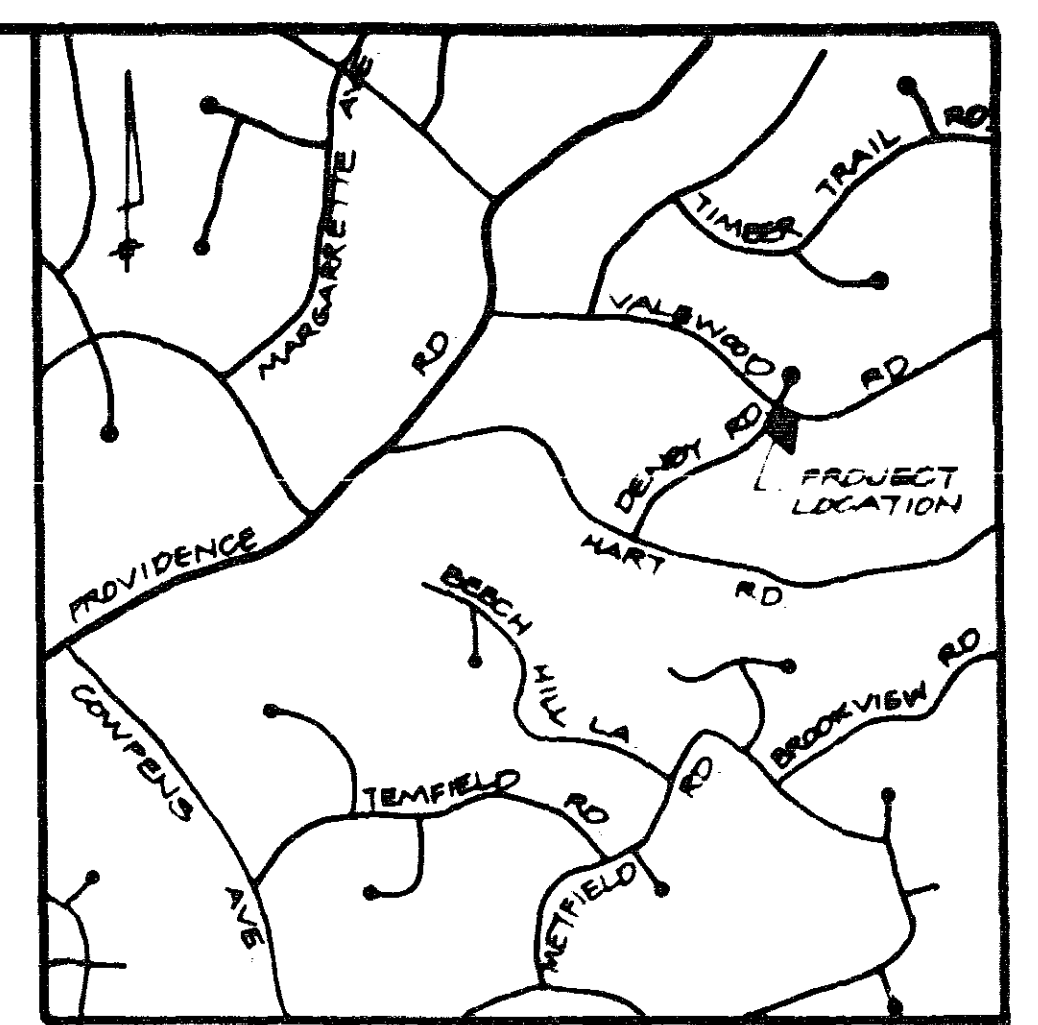
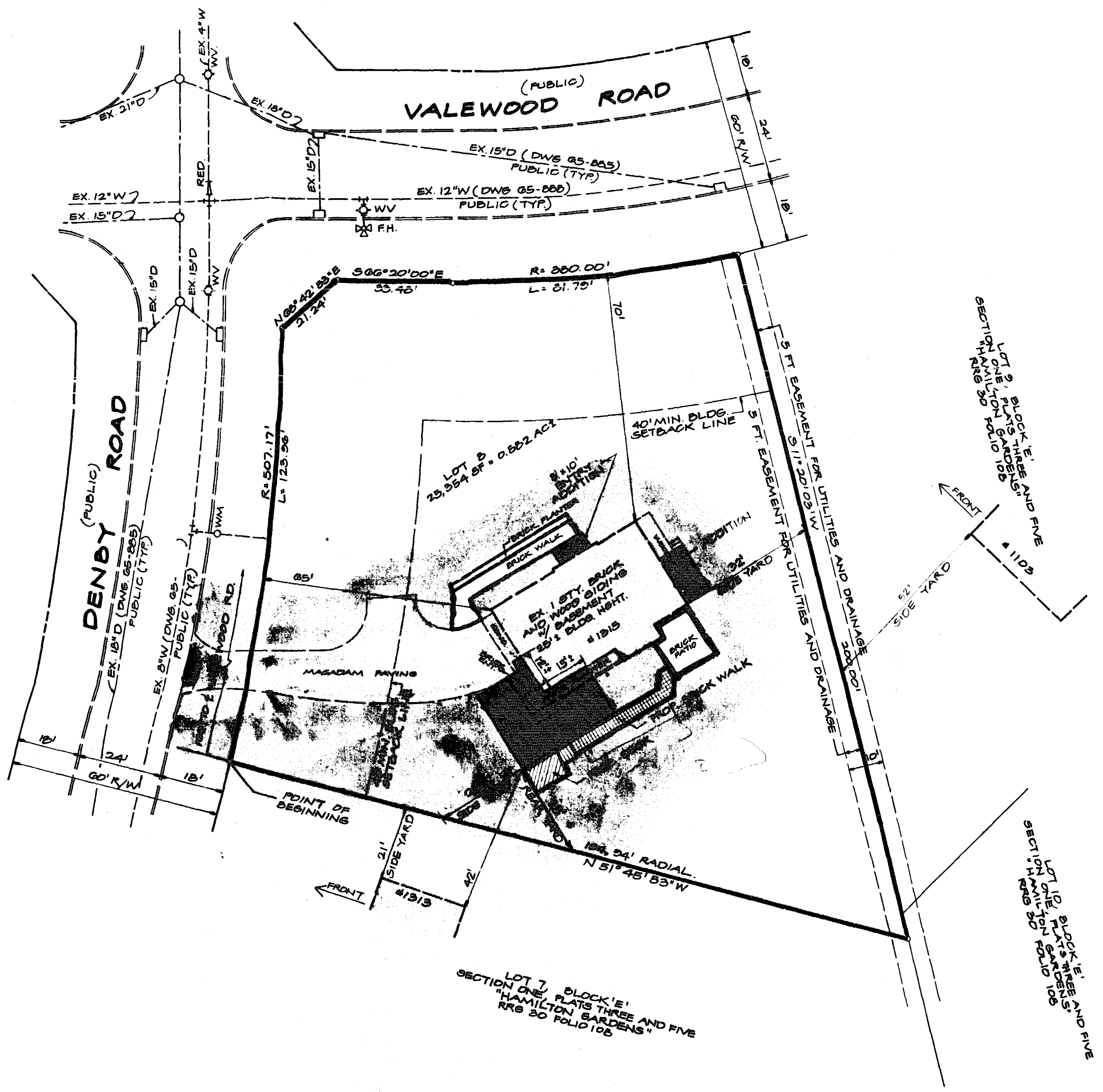
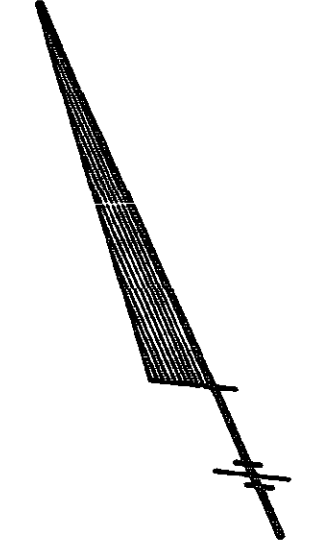
94-141-A



Kronholz 1503 New York St
94-141-A

View from rear to front.

Top 94-141-A



LOCATION PLAN
SCALE 1" = 1000'

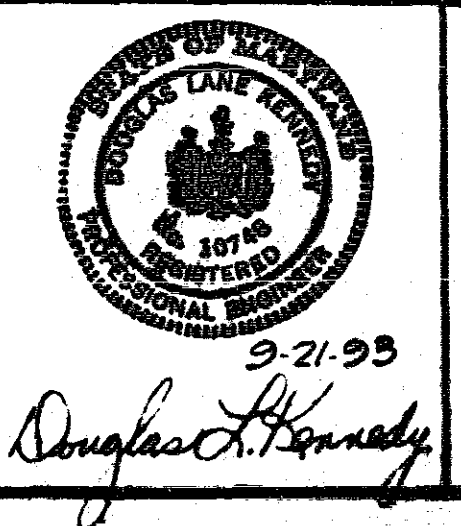
- GENERAL NOTES**
- OWNER: MICHAEL E. KROMPHOLZ and BRIGITA M. KROMPHOLZ
 - ADDRESS: 1315 DENBY ROAD, TOWSON, MARYLAND 21204
 - SUBDIVISION: LOT B, BLOCK E, SECTION ONE, PLATS THREE AND FIVE, "HAMILTON GARDENS", RRG 30 FOLIO 108 (MAY 12, 1895)
 - ACREAGE: 25,964 SF = 0.592 AC ±
 - DEED: 5214 FOLIO 380 dated AUGUST 17, 1991
 - ACCOUNT NO: 09-09-010820
 - TAX MAP 51 GRID 24 PARCEL 358
 - ELECTION DISTRICT: 08 COUNCILMANIC DISTRICT: N.P. 12.C
 - ZONED: D.R. 2
 - EXISTING USE: EXISTING SINGLE FAMILY RESIDENTIAL DWELLING 1344 SF
 - PROPOSED USE: SAME AS EXISTING WITH PROPOSED ADDITIONS PER SITE PLAN
 - SETBACKS: FRONT: 40 MIN REQR, 65 EXISTING; REAR: 40 MIN REQR, 20' PROPOSED; SIDE: 15 MIN REQR, 20' PROPOSED; CORNER: 40 MIN REQR, 65 EXISTING
 - * VARIANCE IS REQUESTED FROM BALTIMORE COUNTY ZONING REGULATIONS SECTION 1802.3 B AND ZONING COMMISSIONER'S POLICY MANUAL PS 18.26 TO ALLOW A REAR YARD BUILDING TO PROPERTY LINE SETBACK OF 20 FT. IN LIEU OF THE REQUIRED 40 FT.
 - THIS SITE IS NOT WITHIN A CHESAPEAKE BAY CRITICAL AREA
 - THERE ARE NO PRIOR ZONING HEARINGS ON THIS SITE

PETITIONER'S EXHIBIT NO. 1

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

KROMPHOLZ PROPERTY
1315 DENBY ROAD
TOWSON, MARYLAND 21204
LOT B, BLOCK E, PLATS 3 & 5
SECTION ONE, HAMPTON GARDENS, R.R.G. 30 FOLIO 108
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
3104 Timanus Lane
Suite 101
Baltimore, Maryland 21244
(410) 281-0033



OWNER:
MICHAEL E. & BRIGITA M. KROMPHOLZ
1315 DENBY ROAD
TOWSON, MARYLAND 21204
DEED REF.: 5214-393

REVISIONS	
DATE	DESCRIPTION
10/15/93	SUBMIT FOR ADMINISTRATIVE VARIANCE

KCW J.O. 93136
SCALE: 1" = 20'
DATE: 9/9/93
DESIGNED: LVB
DRAWN: CHC
CHECKED: DLK
DRAWING NO.: G-1