

IN RE: PETITIONS FOR VARIANCE * BEFORE THE
 S/S Duvall Ave., across from and * DEPUTY ZONING COMMISSIONER
 50' E of the c/l of Krueger Ave. * OF BALTIMORE COUNTY
 (8103 and 8101 Duvall Avenue) * Case Nos. 97-430-A
 15th Election District and 97-431-A
 7th Councilmanic District *
 Norma Jean Nauff and
 Harold E. Knauff, Jr., et ux
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Variance for the adjacent properties known as 8101 and 8103 Duvall Avenue, located in the vicinity of Chesaco Avenue in Rosedale. The property known as 8103 Duvall Avenue is owned by Norma Jean Knauff, and the property known as 8101 Duvall Avenue is owned by her son and daughter-in-law, Harold E. and Kimberly S. Knauff. In Case No. 97-430-A, the Petitioner, Ms. Norma Knauff, seeks relief from Section 1B01.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet, a side yard setback of 6.7 feet in lieu of the required 10 feet, and a front yard setback of 21.8 feet in lieu of the required 30 feet, for the existing dwelling known as 8103 Duvall Avenue. In Case No. 97-431-A, Mr. & Mrs. Harold E. Knauff seek similar relief from Section 1B01.3.C.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the required 55 feet, and approval of an undersized lot, pursuant to Section 304 of the B.C.Z.R., for a proposed dwelling. The subject properties and relief sought are more particularly described on the site plans submitted in each case, which were marked into evidence as Petitioner's Exhibits 1.

Appearing at the hearing on behalf of the Petitions were Norma Jane Knauff, property owner of 8103 Duvall Avenue, her son, Harold E.

RECEIVED
 FILED
 5/29/90
 By _____

Knauff, Jr., owner of 8101 Duvall Avenue, and Ronald Kearney, Builder. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the two properties which are the subject of these requests are located in an old subdivision known as Duvall Terrace, which was established many years ago with mainly 50-foot wide lots. Both properties consists of approximately 8,100 sq.ft., zoned D.R. 5.5. The property known as 8103 Duvall Avenue is improved with a two-story brick dwelling, which has existed on the site for 40 years and has been the residence of Ms. Norma Knauff for the past 32 years. The adjoining property, known as 8101 Duvall Avenue, is currently vacant. Testimony indicated that at one time, that property was improved with a dwelling. However, as a result of a fire, the house burned down and the property subsequently became available for purchase. Ms. Duvall testified that she purchased that property 5 years ago and deeded same to her son and daughter-in-law 3 months ago. Ms. Knauff's son and daughter-in-law wish to develop the site with a single family dwelling; however, due to the narrow width of that lot, the requested variance from lot width requirements is necessary in order to proceed with the proposed improvements. Ms. Knauff merely seeks relief to legitimize conditions which have existed on her property for many years.

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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the relief requested is not granted. It has been established that special circumstances or conditions exist that are peculiar to both properties and that the requirements from which the Petitioners seek relief will unduly restrict development of the adjoining property at 8101 Duvall Avenue. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

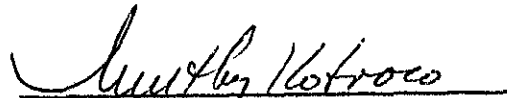
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 29th day of May, 1997 that the Petition for Variance filed in Case No. 97-430-A, seeking relief from Section 1B01.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet, a side yard setback of 6.7 feet in lieu of the required 10 feet, and a front yard setback of 21.8 feet in lieu of the required 30 feet, for the existing dwelling known as

ORDER RECEIVED FOR FILING
Date 5/29/97
By [Signature]

8103 Duvall Avenue, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 97-431-A, Mr. & Mrs. Harold E. Knauff seek similar relief from Section 1B01.3.C.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the required 55 feet, and approval of an undersized lot, pursuant to Section 304 of the B.C.Z.R., for a proposed dwelling on the property known as 8101 Duvall Avenue, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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 proceeding at this time is at their own risk until 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.
- 2) The proposed dwelling at 8101 Duvall Avenue shall be constructed in accordance with all other zoning and building code requirements.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 29, 1997

Ms. Norma J. Knauff
8103 Duvall Avenue
Baltimore, Maryland 21237

RE: PETITIONS FOR VARIANCE
S/S Duvall Ave., across from and 50' E of the c/l of Krueger Ave.
(8103 and 8101 Duvall Avenue)
15th Election District - 7th Councilmanic District
Norma Jean Nauff and Harold E. Knauff, Jr., et ux - Petitioners
Case Nos. 97-430-A and 97-431-A

Dear Ms. Knauff:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Variance have 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,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Harold E. Knauff, Jr.
707 S. Marlyn Avenue, Baltimore, Md. 21221

Mr. Ronald Kearney
102 N. Main Street, Bel Air, Md. 21014

People's Counsel; Case Files

| | | |
|--|---|---------------------|
| RE: PETITION FOR VARIANCE | * | BEFORE THE |
| 8101 Duvall Avenue, S/S Duvall Avenue, | | |
| opp. the extended c/l of Krueger Avenue | * | ZONING COMMISSIONER |
| 15th Election District, 7th Councilmanic | | |
| | * | OF BALTIMORE COUNTY |
| Legal Owner: Harold and Kimberly Knauff, Jr. | | |
| Petitioners | * | CASE NOS. 97-431-A |

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to Ronald M. Kearney, 102 N. Main Street, Bel Air, MD 21014, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8101 Duvall Avenue

which is presently zoned D.R. 5.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) 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 for a Variance from Section(s) 1 B01.3.C.1 to permit a lot width of 50 feet in lieu of the minimum required 55 feet. AND TO APPROVE AN UNDER-SIZED LOT PER SECTION 304 (BCZR) AND ANY OTHER VARIANCES DEEMED NECESSARY BY THE ZONING COMMISSIONER.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Lot 37, Duvall Terrace, was established in 1941 at a width of 50 feet, as were the adjoining lots along Duvall Avenue.

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 filling 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s):

Harold E. Knauff, Jr.

(Type or Print Name)

Signature

Kimberly S. Knauff

(Type or Print Name)

Signature

707 S. Marlyn Ave. 410-686-4355

Address Phone No

Baltimore, MD 21221

City State Zipcode Name, Address and phone number of representative to be contacted.

Ronald M. Kearney

Name 102 N. Main St., Bel Air, MD 21014

Address Phone No. 410-879-1441

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING unavallable for Hearing

the following dates Next Two Months

ALL REVIEWED BY: DATE 4/3/97

Printed with Soybean Ink on Recycled Paper Revised 9/5/95

HEAR WITH #430

UNDER RECEIVED FOR FILING Date 4/29/97 By [Signature]

Zoning Description for 8101 Duvall Avenue:

Beginning at a point on the South side of Duvall Avenue which is 50 feet wide opposite the centerline of the nearest improved intersecting street, Krueger Avenue, which is 50 feet wide. Being Lot #37, in the subdivision of Duvall Terrace as recorded in Baltimore County Plat Book #12, Folio #105, containing 11,325 square feet. Also known as 8101 Duvall Avenue and located in the 15th Election District, 7th Councilmanic District.

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 17, 1977

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 1 successive weeks, the first publication appearing on April 17, 1977.

THE JEFFERSONIAN,

A. Henikson

LEGAL AD. - TOWSON

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 in Towson, Maryland on the property identified herein as follows:

Case #97-431-A

8101 Duval Avenue

505 Duval Avenue, opposite

the extended centerline of Cl

Kueger Avenue

15th Election District

7th Councilmanic

Legal Owner(s)

Norma Jane Green

Variance: to permit a lot

width of 50 feet, in lieu of the

minimum required 55 feet and

to approve an undersized lot.

Hearing: Tuesday, May 13,

1977 at 9:00 a.m. in Rm.

118, Old Courthouse, 400

Washington Avenue.

LAWRENCE SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible; for

special accommodations

Please Call 867-3353.

(2) For information concern-

ing, the File and/or Hearing,

Please Call 867-3351.

4/27/77 April 17 C135627

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

No. 028658

431JLL

DATE 4/3/97 ACCOUNT 20016150

AMOUNT \$ 50.00

RECEIVED FROM: KLS

FOR: RV FILING

05/07/2007 10:10 AM
BA 10091304804-173-97 \$50.00

VALIDATION OR SIGNATURE OF CASHIER

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case No.: 97-431-A

Petitioner/Developer: H. & K. KNAUFF, ETAL
% RON KEARNEY

Date of Hearing/Closing: 5/13/97

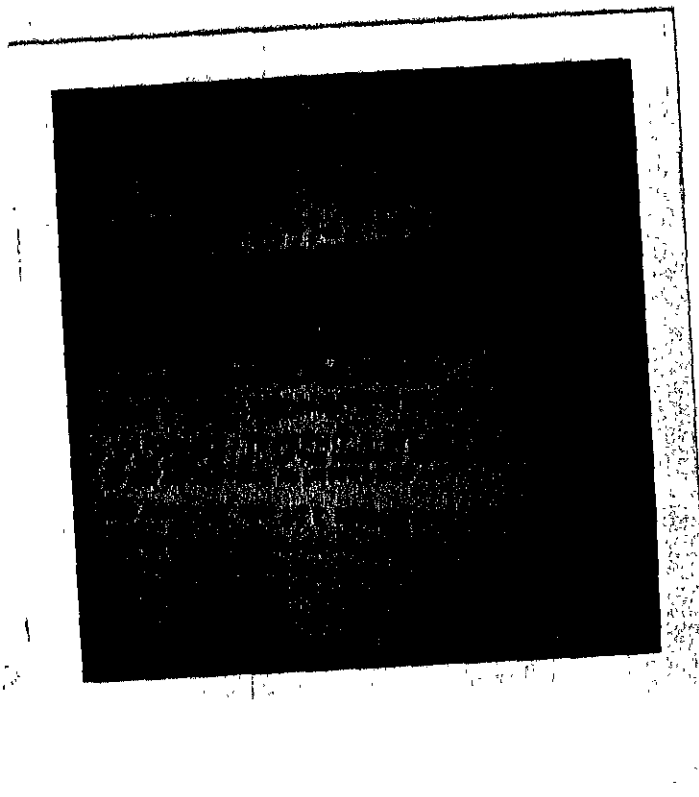
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #8101 DUVALL AVE.

The sign(s) were posted on 4/21/97
(Month, Day, Year)



Sincerely,

Patrick M O'Keefe 4/21/97

(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Pager (410) 646-8354

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____ *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: ~~434~~ 97-431-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____ *

DATE AND TIME: _____ *

REQUEST: VARIANCE TO PERMIT A 50 FT LOT WIDTH IN LIEU OF THE REQUIRED
55 FT AND ANY OTHER VARIANCES DEEMED NECESSARY BY THE ZONING
COMMISSIONER AND TO APPROVE AN UNDERSIZED ~~LOT~~ LOT

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

 ARNOLD JABLON, DIRECTOR

 For newspaper advertising:

Item No.: 431

Petitioner: HAROLD E. KNAUFF, JR.

Location: 8101 DUVALL AVENUE BALTIMORE, MD. 21237

PLEASE FORWARD ADVERTISING BILL TO:

NAME: HAROLD E. KNAUFF, JR.

ADDRESS: 707 S. MARLYN AVENUE
BALTIMORE, MD. 21221

PHONE NUMBER: 410-686-4355

AJ:ggs

(Revised 09/24/96)

TO: PUTUXENT PUBLISHING COMPANY
April 17, 1997 Issue - Jeffersonian

Please forward billing to:

Norma Jane Knauff
8103 Duvall Avenue
Baltimore, Maryland 21237
410-686-1730

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-431-A
8101 Duvall Avenue
S/S Duvall Avenue, opposite the extended centerline of c/l Krueger Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): Norma Jane Knauff

Variance to permit a lot width of 50 feet in lieu of the minimum required 55 feet and to approve an undersized lot.

HEARING: TUESDAY, MAY 13, 1997 at 9:00 a.m., Room 118, Old Courthouse, 400 Washington Avenue.

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
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 14, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-431-A
8101 Duvall Avenue
S/S Duvall Avenue, opposite the extended centerline of c/l Krueger Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): Norma Jane Knauff

Variance to permit a lot width of 50 feet in lieu of the minimum required 55 feet and to approve an undersized lot.

HEARING: TUESDAY, MAY 13, 1997 at 9:00 a.m., Room 118, Old Courthouse, 400 Washington Avenue.

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon
Director

cc: Norman Jane Knauff
Ronald M. Kearney

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 28, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 9, 1997

Mr. and Mrs. Harold Knauff, Jr.
707 S. Marlyn Avenue
Baltimore, MD 21221

RE: Item No.: 431
Case No.: 97-431-A
Petitioner: Harold Knauff, et ux

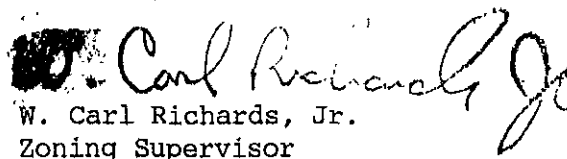
Dear Mr. and Mrs. Knauff:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 3, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

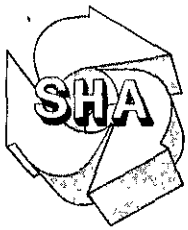
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 4.15.97
Item No. 431 JLL

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

L. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

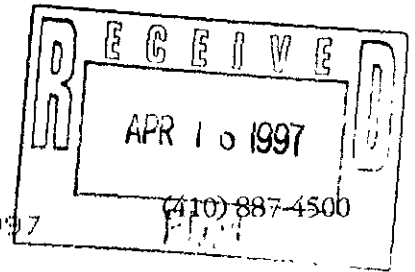
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

April 15, 1997



Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW
Location: DISTRIBUTION MEETING OF April 14, 1997

Item No.: SEE BELOW Zoning Agenda:

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.

3. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

427, 428, 429, 430, 431, 432, and 433

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 8103 & 8101 Duvall Avenue

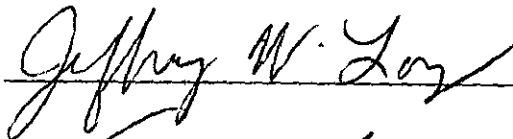
INFORMATION

Item Number: 430 & 431
Petitioner: Knauff Property
Zoning: DR 5.5
Requested Action: Variance

Summary of Recommendations:

The Planning Office believes that the applicant's request does not comply with Section 304.1.C of the BCZR; therefore, we can find no justification for the relief requested.

Prepared by:



Division Chief:



AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Date: April 21, 1997
Department of Permits & Development
Management

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for April 21, 1997
Item Nos. 427, 428, 429, 430, 431, 433 and 434

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE421.NOC

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 4/23/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: April 14, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

| | |
|-----|-----|
| 426 | 431 |
| 428 | 432 |
| 429 | 434 |
| 430 | |

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: April 3, 1997

TO: Hearing Officer

FROM: John L. Lewis
Planner II
Zoning Review, PDM

SUBJECT: Item #431
8101 Duvall Avenue

Per engineer, applicant may be County Police Sergeant. He's not certain. I advised of Council action necessary, if County employee.

JLL:scj

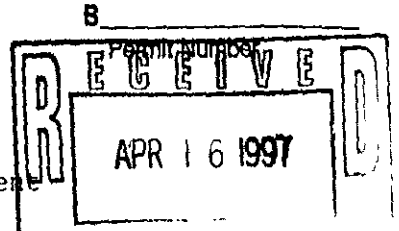
SEE ZONING CASE # 431

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: **Undersized Lots**



Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

HAROLD E. KNAUFF, JR., 707 S. MARLYN AVE. 410-686-4355
Print Name of Applicant Address Telephone Number

Lot Address 8101 DUVALL AVE. Election District 15 Council District 7 Square Feet 11,325
Lot Location: N (S)W / (side) corner of DUVALL AVE. OPPOSITE feet from N-E-S-W corner of KRUEGER AVE.
(street) (Areal)

Land Owner HAROLD E. KNAUFF, JR. Tax Account Number 1502001020

Address 707 S. MARLYN AVE. Telephone Number 410-686-4355
BALTIMORE, MD 21221

CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

| | PROVIDED? | |
|---|-------------------------------------|-------------------------------------|
| | YES | NO |
| 1. This Recommendation Form (3 copies) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Permit Application | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Site Plan | | |
| Property (3 copies) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Building Elevation Drawings | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Photographs (please label all photos clearly) | | |
| Adjoining Buildings | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Surrounding Neighborhood | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by SW
ZADM

Date 4/7/97

RECEIVED

APR 8 1997

PLANNING

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

Approval Disapproval Approval conditioned on required modifications of the permit to conform with the following recommendations:

The owner also appears to own the adjacent lot #8103. Section 304.1.C states that the owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

*4/18 waiting for Variance Order
97-431-A*

Signed by: Ervin McDaniel
for the Director, Office of Planning & Community Conservation

Date: April 15, 1997

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

31 V 0 31 9 31 6
1981

The application for your proposed Building Permit Application has been accepted for filing by _____ on _____ Date (A)

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES ___ NO ___ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

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for filing by _____ on _____
Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES ____ NO ____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B. _____
Permit Number

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

HAROLD E. KNAUFF, JR., 707 S. MARLYN AVE. 410-686-4355
Print Name of Applicant Address Telephone Number

Lot Address 8101 DUVALL AVE. Election District 15 Council District 7 Square Feet 11,325
 Lot Location: N SW / side corner of DUVALL AVE. OPPOSITE feet from N ES / W corner of KRUEGER AVE.
(street) (street)

Land Owner HAROLD E. KNAUFF, JR. Tax Account Number 1502001020

Address 707 S. MARLYN AVE. Telephone Number 410-686-4355
BALTIMORE, MD 21221

CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

| | PROVIDED? | | |
|---|-------------------------------------|-------------------------------------|--|
| | YES | NO | |
| 1. This Recommendation Form (3 copies) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <div style="border: 1px dashed black; padding: 5px;"> Residential Processing Fee Paid Codes 030 & 080 (\$85) Accepted by <u>JLW</u> <small>ZADM</small> Date <u>4/15/97</u> </div> |
| 2. Permit Application | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 3. Site Plan Property (3 copies) | <input type="checkbox"/> | <input type="checkbox"/> | |
| Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 4. Building Elevation Drawings | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 5. Photographs (please label all photos clearly) Adjoining Buildings | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Surrounding Neighborhood | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <div style="text-align: center;"> <p>RECEIVED</p> <p>APR 8 1997</p> <p>OFFICE OF PLANNING</p> </div> |

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

Approval Disapproval Approval conditioned on required modifications of the permit to conform with the following recommendations:

The owner also appears to own the adjacent lot #8103. Section 304.1.C. states that the owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

Signed by: Ervin McDaniel
for the Director, Office of Planning & Community Conservation

Date: April 15, 1997

Plat to accompany Petition for Zoning Variance Special Hearing

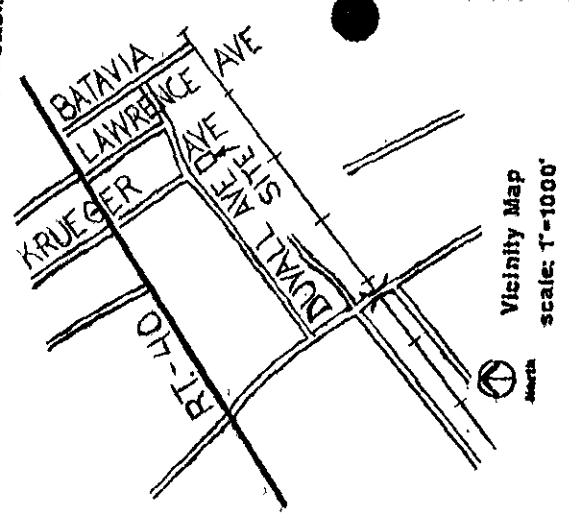
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 8101, 8103 DUVALL STREET

Subdivision name: DUVALL TERRACE

plat book # 12, folio # 105, lot # 37, sections #

OWNER: HAROLD E. KNAUF, JR. AND NORMA KNAUFF



LOCATION INFORMATION

Councilmanic District 7

Election District 15

1"=200' scale map#: N.E. 3-F

Zoning: D.R. 5.5

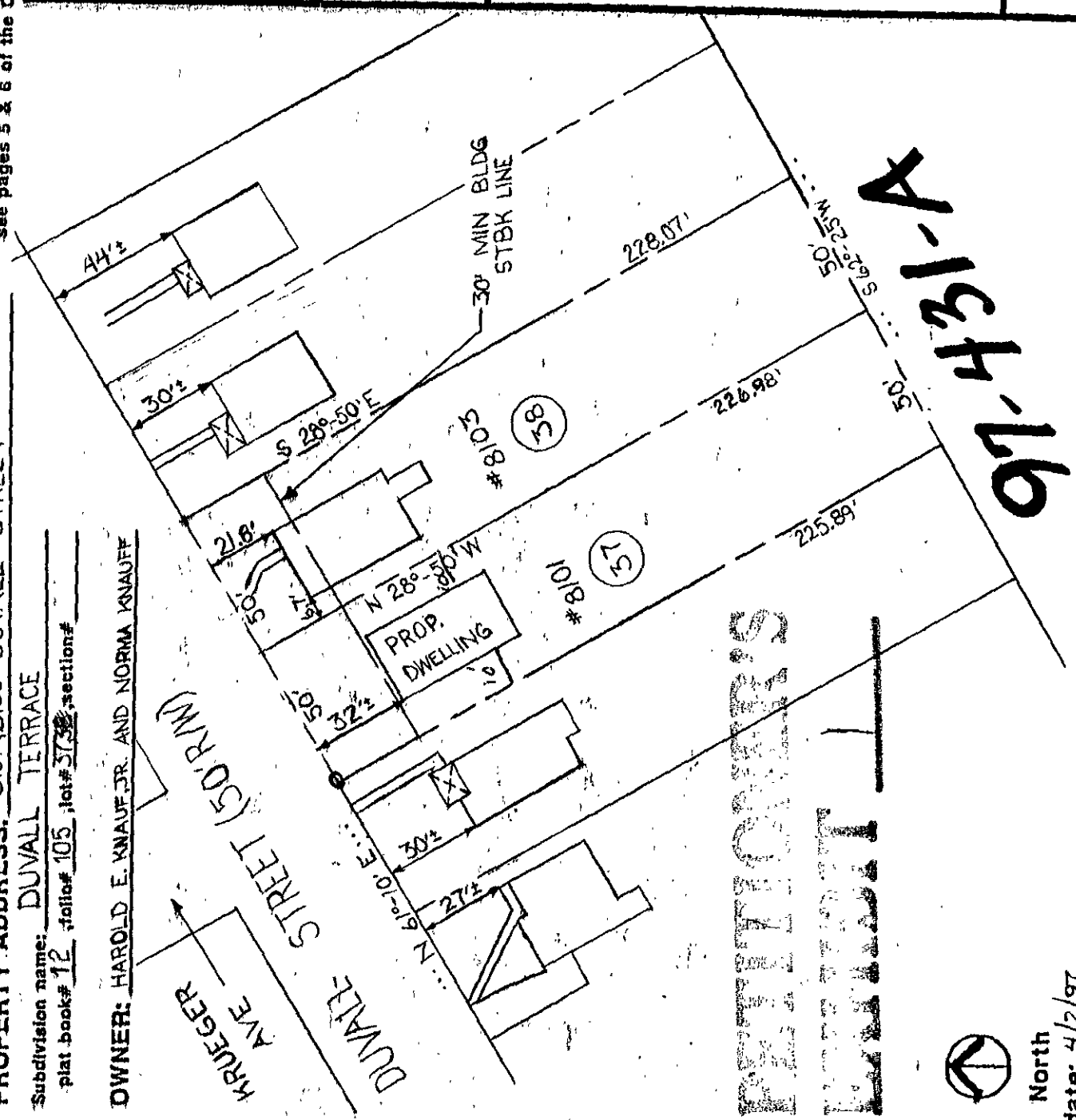
Lot size: 0.26 AC ±
11323 - 8101
11573 - 8103
acreage square feet

public private
SEWER:
WATER:
Chesapeake Bay Critical Area:

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: J.L. ITEM #: 431 CASE#:



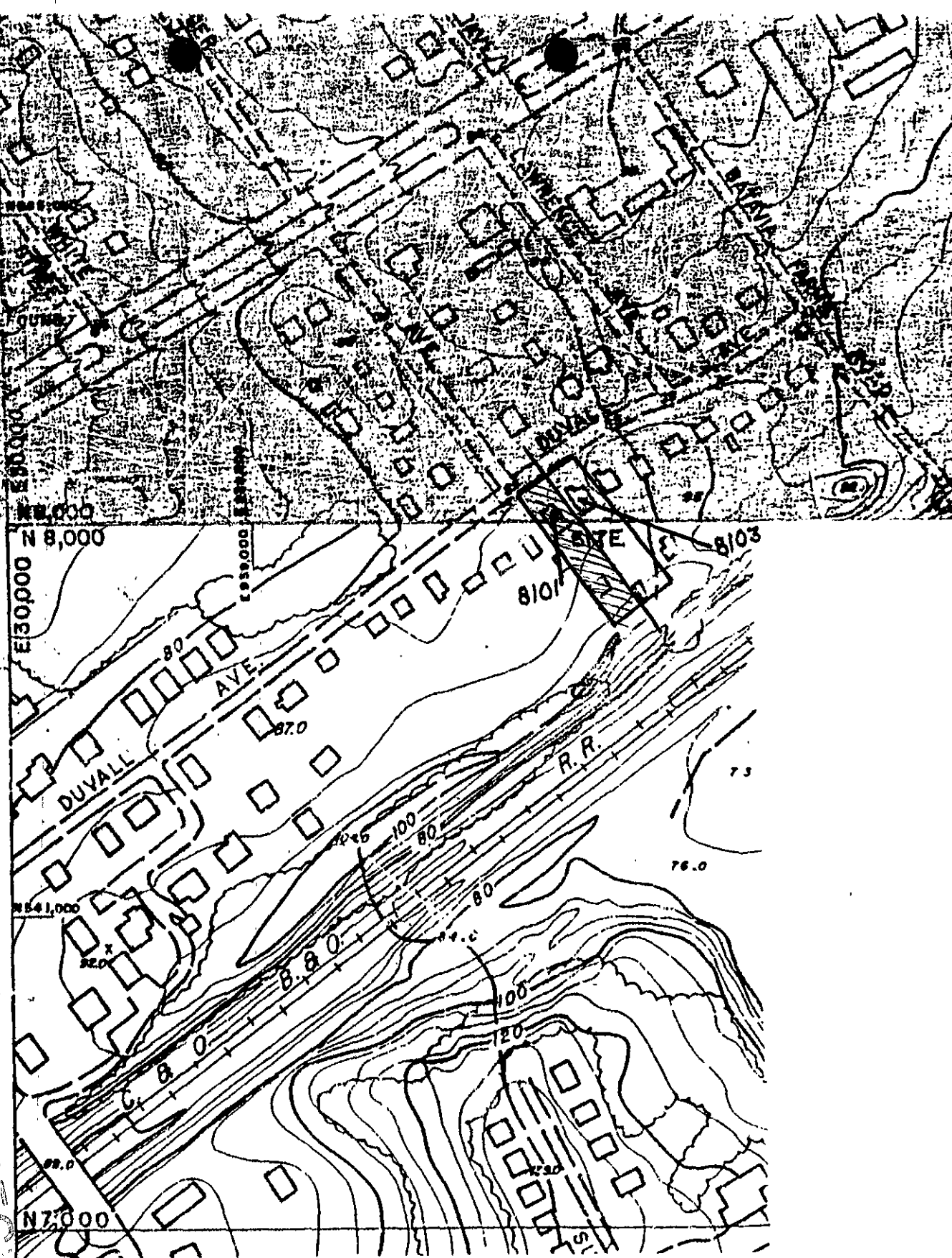
RETIRO'S



North

date: 4/2/97

prepared by: K.L.S. CONSULTANTS, INC. Scale of Drawing: 1"= 50'



REMOVED

APR 9 1957

PLANNING OFFICE OF

SCALE : 1" = 200" ±

MAP : N.E. 3-F AND 2-F

THIS DEED, Made this 27th day of February, in the year nineteen hundred and ninety seven, by and between NORMA J. KNAUFF, party of the first part, and HAROLD EDWIN KNAUFF, JR. and KIMBERLY S. KNAUFF, his wife, of Baltimore County, State of Maryland, party of the second part.

WITNESSETH that for and in consideration of the sum of Zero Dollars (\$0.00), and other good and valuable consideration and love and affection, the receipt hereof is hereby acknowledged, which is the actual consideration paid or to be paid, the said NORMA J. KNAUFF, does hereby grant and convey unto the said HAROLD EDWIN KNAUFF, JR. and KIMBERLY S. KNAUFF, his wife, in fee simple, as tenants by the entireties, the survivor of them and the survivor's Personal Representatives or Assigns, all that lot of ground situated in Baltimore County, State of Maryland aforesaid, and described as follows, that is to say:

BEING known and designated as Lot No. 37, as laid down and shown on the Revised Plat of Duvall Terrace dated June 2, 1941 and recorded among the Land Records of Baltimore County, in Plat Book C.W.B., Jr. No. 12, folio 105. The improvements thereon being known as No. 8101 Duvall Avenue

BEING the same lot of ground which be Deed of even date and recorded or intended to be recorded among the Land Records of Baltimore County, Maryland immediately prior hereto was granted and conveyed Norma J. Knauff, Personal Representative of the Estate Harold Edmund Knauff, Sr. a/k/a Harold Edmund Knauff a/k/a Harold Edmond Knauff a/k/a Harold E. Knauff. The aforesaid Harold Edmond Knauff, Sr. a/k/a Harold Edmund Knauff a/k/a Harold Edmond Knauff a/k/a Harold E. Knauff, unto Norma J. Knauff, individually.

TOGETHER with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, unto and to the use of the said HAROLD EDWIN KNAUFF, JR. and KIMBERLY S. KNAUFF, his wife, as tenants by the entireties, the survivor of them and the survivor's Personal Representative or Assigns, in fee simple.

AGRICULTURAL TRANSFER TAX
NOT PAID

HP. DATE 2/10/97

RECEIVED FOR TRANSFER
State Department of
Assessment & Taxation
for Baltimore County

HK 2/10/97
By Date

AND the said NORMA J. KNAUFF covenant that she will warrant specially the property hereby granted and conveyed and that she will execute such further assurances of the said land as may be requisite.

WITNESS the hand and seal of the said Grantor.

WITNESS:

Dennis M. Jaworski

Norma J. Knauff (SEAL)
NORMA J. KNAUFF

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, that on this 27th day of September, 1997, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County aforesaid, personally appeared NORMA J. KNAUFF, and she acknowledged the foregoing Deed to be her act and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal.

Linda Susan Blankey
NOTARY PUBLIC

My Commission Expires:
11/1/99



THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

Dennis M. Jaworski
DENNIS M. JAWORSKI

Return this Deed to:

Dennis M. Jaworski, Esquire
417 1/2 Eastern Boulevard
Baltimore, Maryland 21221

State of Maryland Land Instrument Intake Sheet
Baltimore City X County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)
Check Box if Addendum Intake Form is Attached.

1 Type(s) of Instruments X Deed Mortgage Other Other
 2 Conveyance Type Check Box Improved Sale Unimproved Sale Multiple Accounts X Not an Arms-Length Sale [9]
 3 Tax Exemptions (If Applicable) Recordation State Transfer County Transfer
 (If Applicable) State Transfer
 County Transfer

TRANSFER TO SON + DAUGHTER - IN-LAW

4 Consideration and Tax Calculations
 Consideration Amount
 Purchase Price/Consideration \$ 0.00
 Any New Mortgage \$
 Balance of Existing Mortgage \$
 Other: \$
 Other: \$

Finance Office Use Only
 Transfer and Recordation Tax Consideration
 Transfer Tax Consideration \$
 X () % = \$
 Less Exemption Amount \$
 Total Transfer Tax = \$
 Recordation Tax Consideration \$
 X () per \$500 = \$
 TOTAL DUE \$

5 Fees
 Amount of Fees
 Recording Charge \$ 25.00
 Surcharge \$
 State Recordation Tax \$
 State Transfer Tax \$
 County Transfer Tax \$
 Other \$
 Other \$

Agents: [Signature]
 Tax Bill: [Signature]
 C.B. Credit:
 Ag. Tax/Other:

6 Description of Property
 SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).
 District: 15 Property Tax ID No. (1): 15-02-001020 Grantor Liber/Folio: SM010482/059 Map:
 Subdivision Name: Duvall Terrace Lot (3a): 37 Block (3b): Sect/AR(3c):
 Location/Address of Property Being Conveyed (2): 8101 Duvall
 Other Property Identifiers (if applicable):

Parcel No. Var. LOG (5)
 Plat Ref. SqFu/Acreage (4)
 Water Meter Account No.

Residential X or Non-Residential Fee Simple X or Grant Rent Amount:
 Partial Conveyance? Yes X No Description/Amt. of SqFu/Acreage Transferred:

7 Transferred From
 Doc. 1 - Grantor(s) Name(s): Norma J. Knauff
 Doc. 2 - Grantor(s) Name(s):
 Doc. 1 - Owner(s) of Record, if Different from Grantor(s)
 Doc. 2 - Owner(s) of Record, if Different from Grantor(s)
 8 Transferred To
 Doc. 1 - Grantee(s) Name(s): Harold Edwin Knauff, Jr.
 Doc. 2 - Grantee(s) Name(s): Kimberly S. Knauff
 New Owner's (Grantee) Mailing Address

9 Other Names to Be Indexed
 8101 Duvall Avenue
 Doc. 1 - Additional Names to be Indexed (Optional)
 Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information
 Instrument Submitted By or Contact Person
 Name: Dennis M. Jaworski X Return to Contact Person
 Firm: Attorney At Law
 Address: 417 1/2 Eastern Boulevard Hold for Pickup
 Baltimore, MD 21221 Phone: (410) 391-0707 Return Address Provided

11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER
 Assessment Information
 Yes X No Will the property being conveyed be the grantee's principal residence?
 Yes X No Does transfer include personal property? If yes, identify:

Yes X No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required)

Assessment Use Only - Do Not Write Below This Line
 Terminal Verification Agricultural Verification
 Transfer Number: 19 Date Received: 19
 Year Land Buildings Total
 Geo. Zoning Use Town Cd.
 Deed Reference: Whole Part
 Map Grid Parcel Ex. B1
 Tran Process Verification
 Assigned Property No. Block Lot Occ Cd
 Section Ex Cd

Distribution White - Clerk's Office
 Canary - SDAT
 Pink - Office of Finance
 Goldentrod - Preparer
 AOC-CC-300 (8/85)

Handwritten notes and signatures on the left margin.

①
FACING #8103 FROM #8101

FACING FRONT OF #8101 FROM #8103 REF. 12.

③
FACING SIDE OF #8031 FROM REAR OF #8101

FACING FRONT OF #8101 & #8103 FROM KREUEGER AVENUE.

RECEIVED
APR 8 1961
STAMMING
COUNTY CLERK

FACE FRONT OF #8101 AND REAR OF HOUSE ON #8103 FROM REAR OF #8101

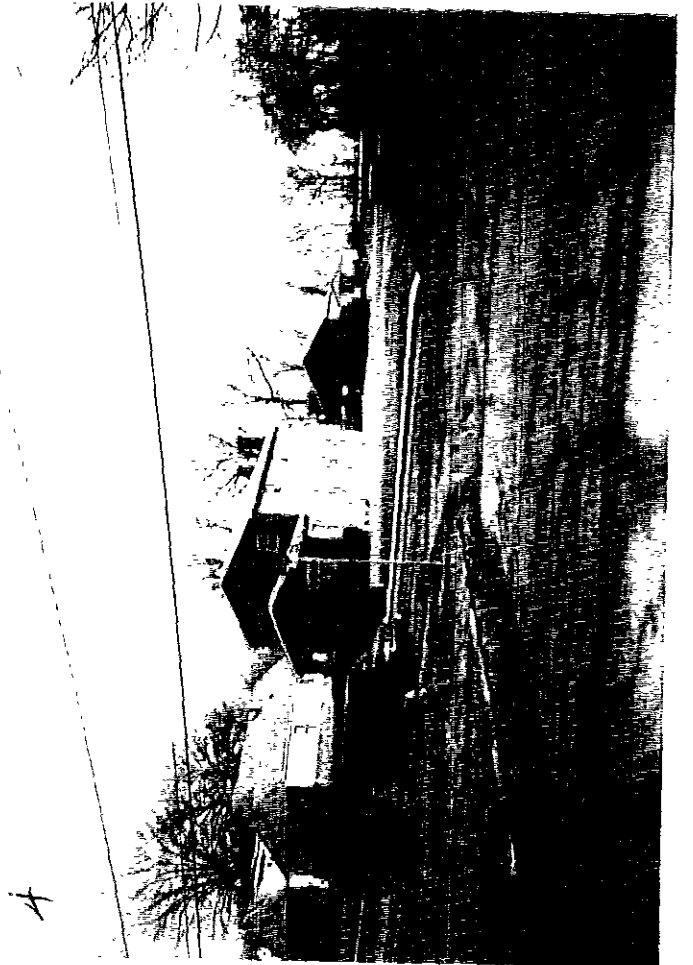
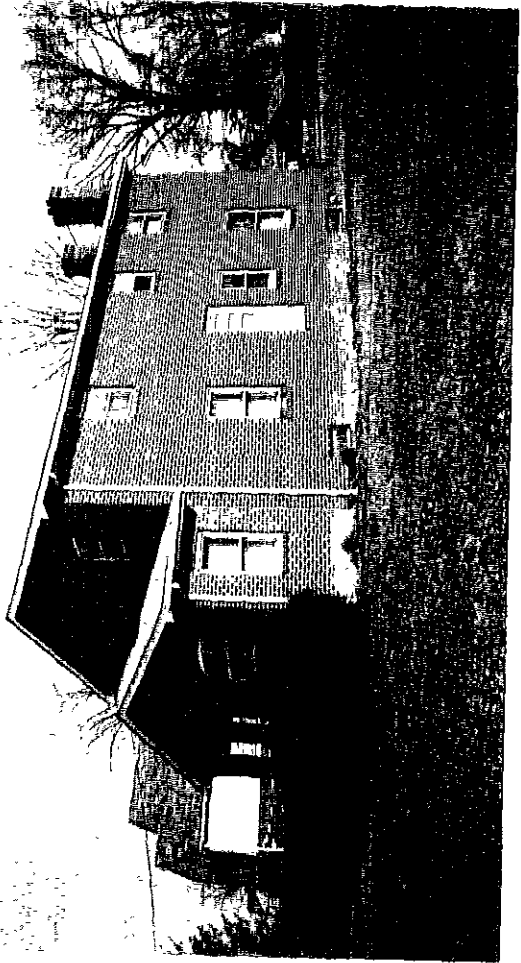
FACING REAR OF #8101 AND SIDE OF #8031 FROM FRONT OF #8101

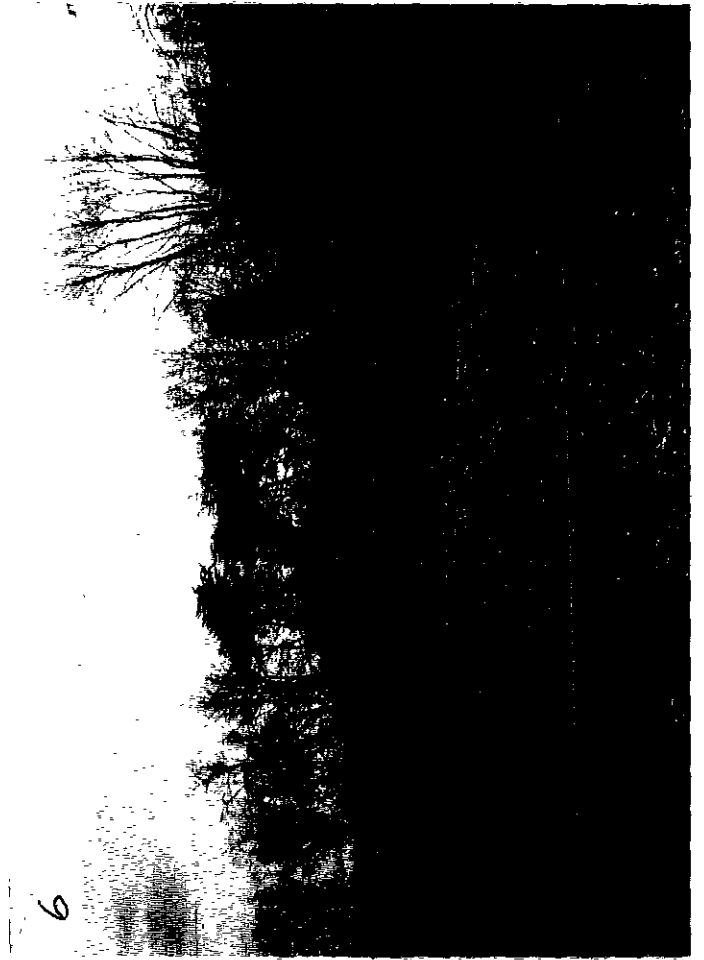
FACING REAR OF HOUSE ON #8103 AND PART OF #8101 FROM REAR OF #8103

FACING #8101 AND PART OF #8103 FROM INTERSECTION OF DUVALL AND KREUEGER.

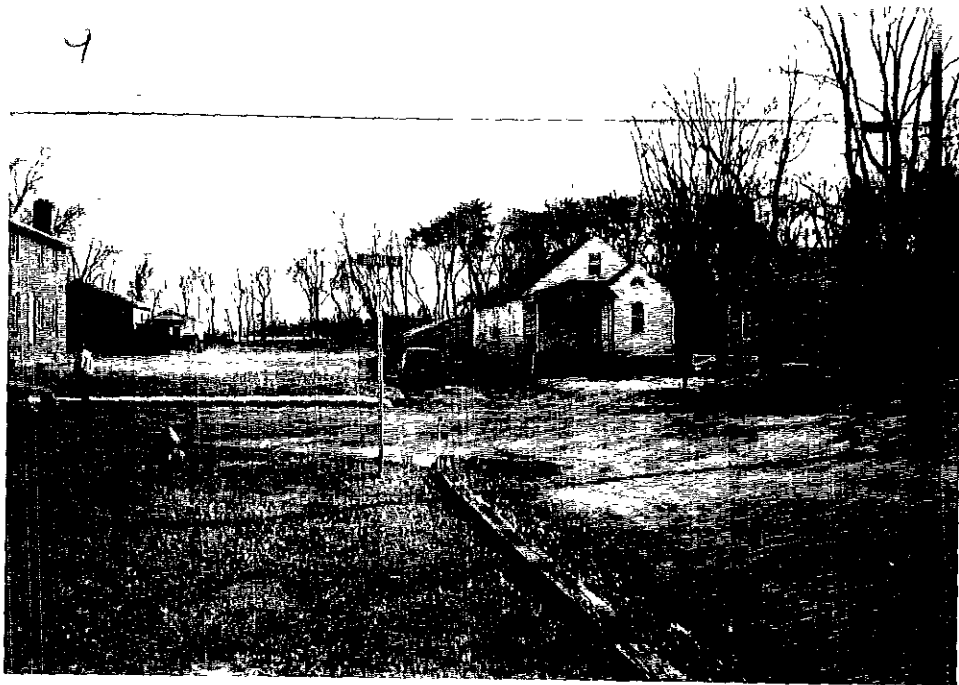
FACING # 8101 FROM SIDE OF (9)
KREUEFER

FACING REAR OF # 8103 FROM (10)
REAR OF # 8101





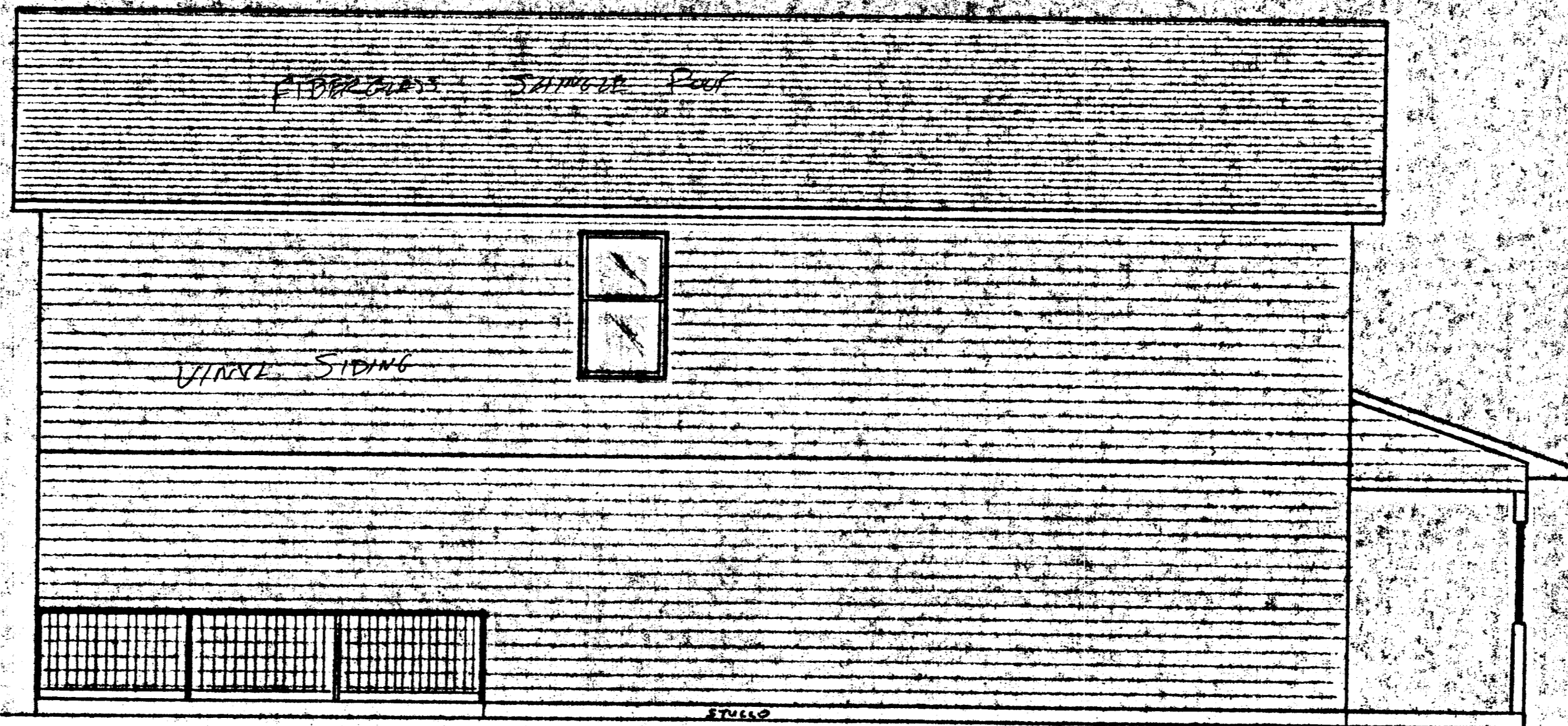
9



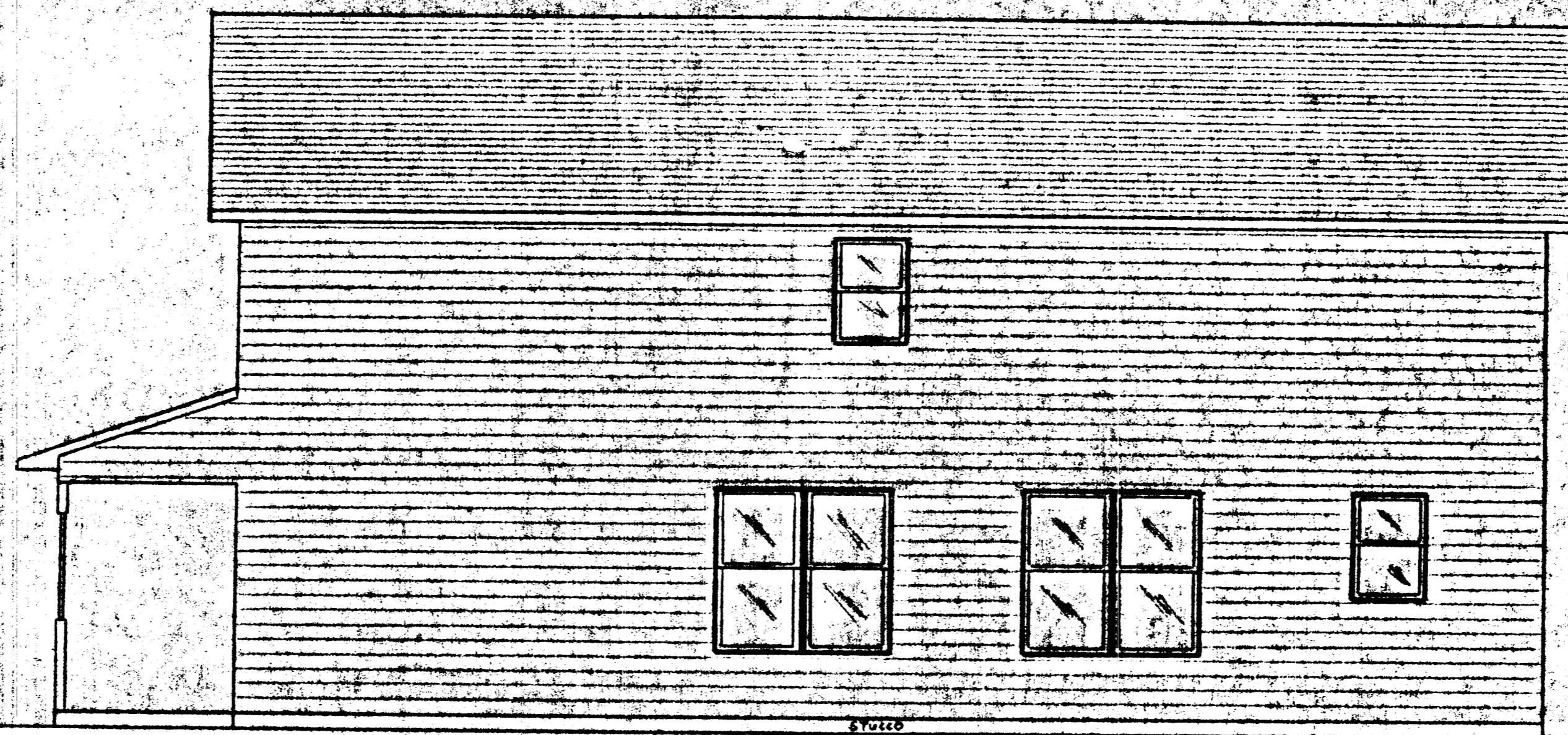
10



BUYERS UNDERSTAND & AGREE THAT ALL DIMENSIONS & GRADE ELEVATIONS INDICATED ON THESE PLANS ARE APPROXIMATIONS & MAY NOT CONFORM EXACTLY TO THE DWELLING AS BUILT.

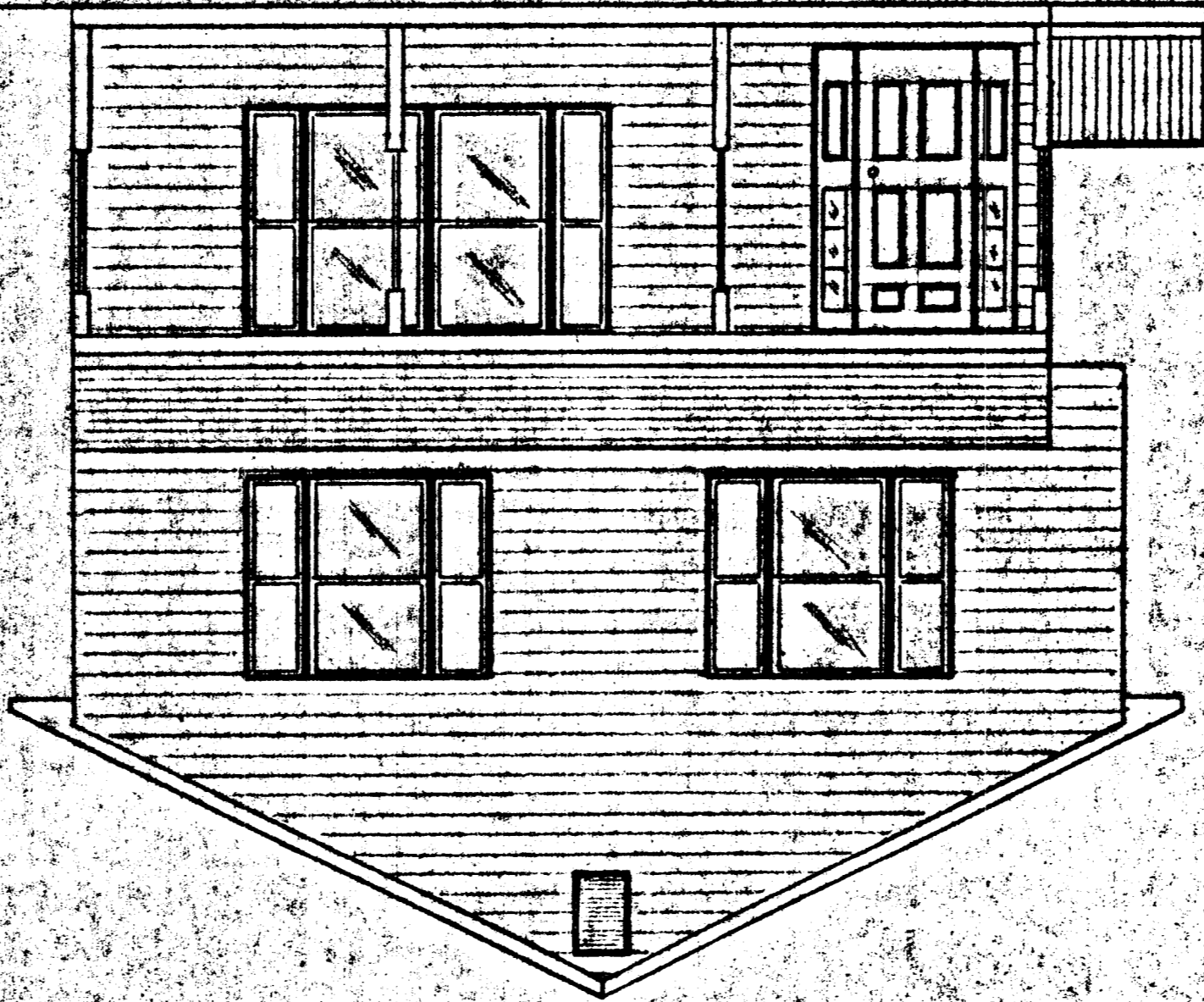


NEW REFERENCE FOR MR. JAMES KNAPP
SCALE: 1/4" = 1'-0"
DATE: 1-26-97
DRAWN BY: JAMES E. EVANS
REPRESENTED BY: NICK BAHAN



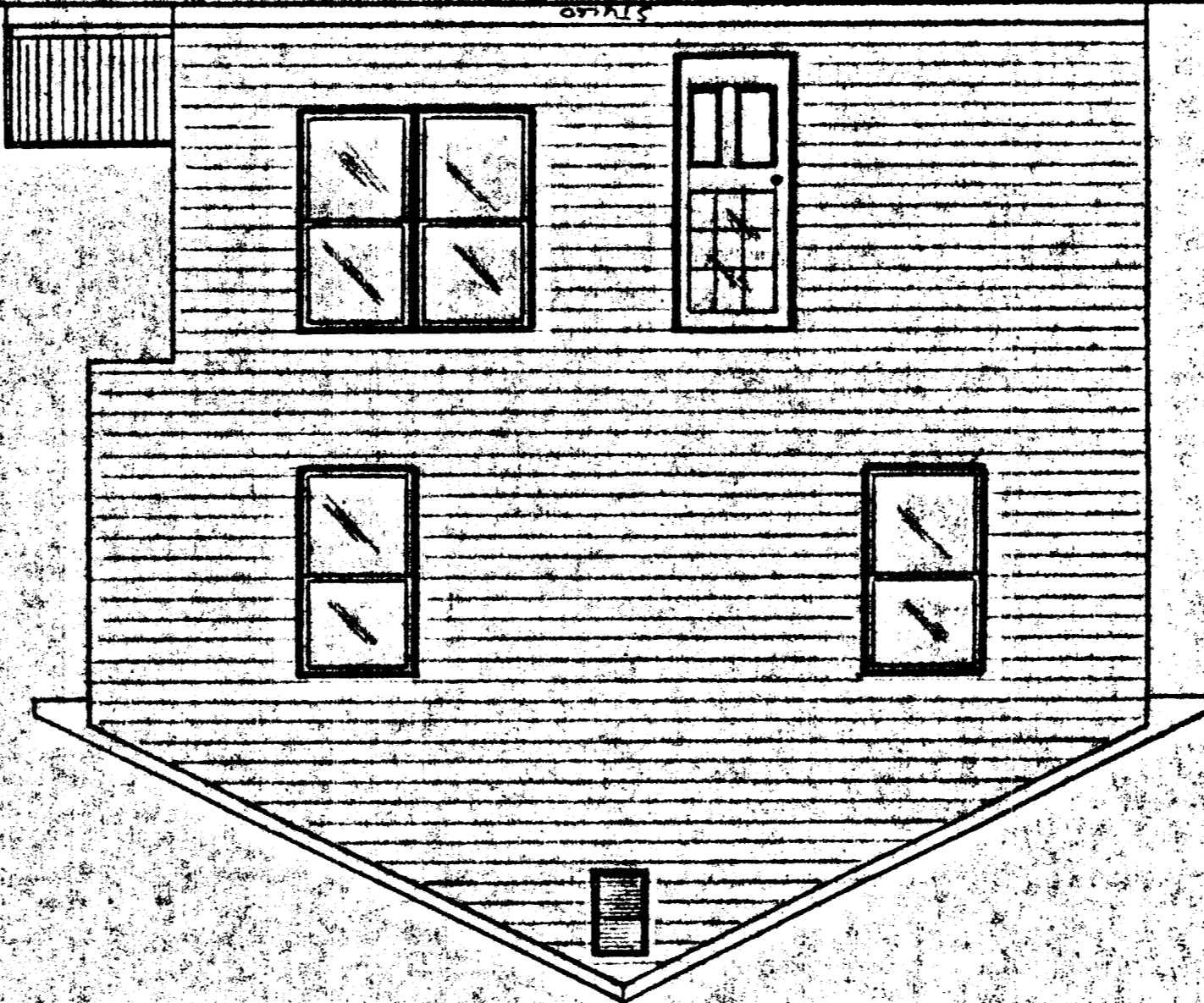
RIGHT ELEVATION

FRONT ELEVATION



NEW RESIDENCE FOR MR. & MRS. KUMMER
 SCALE: 1/4" = 1'-0" DATE: 1-28-97
 DRAWN BY: JAMES E. BURNS
 REPRESENTED BY: NICK DAHAN

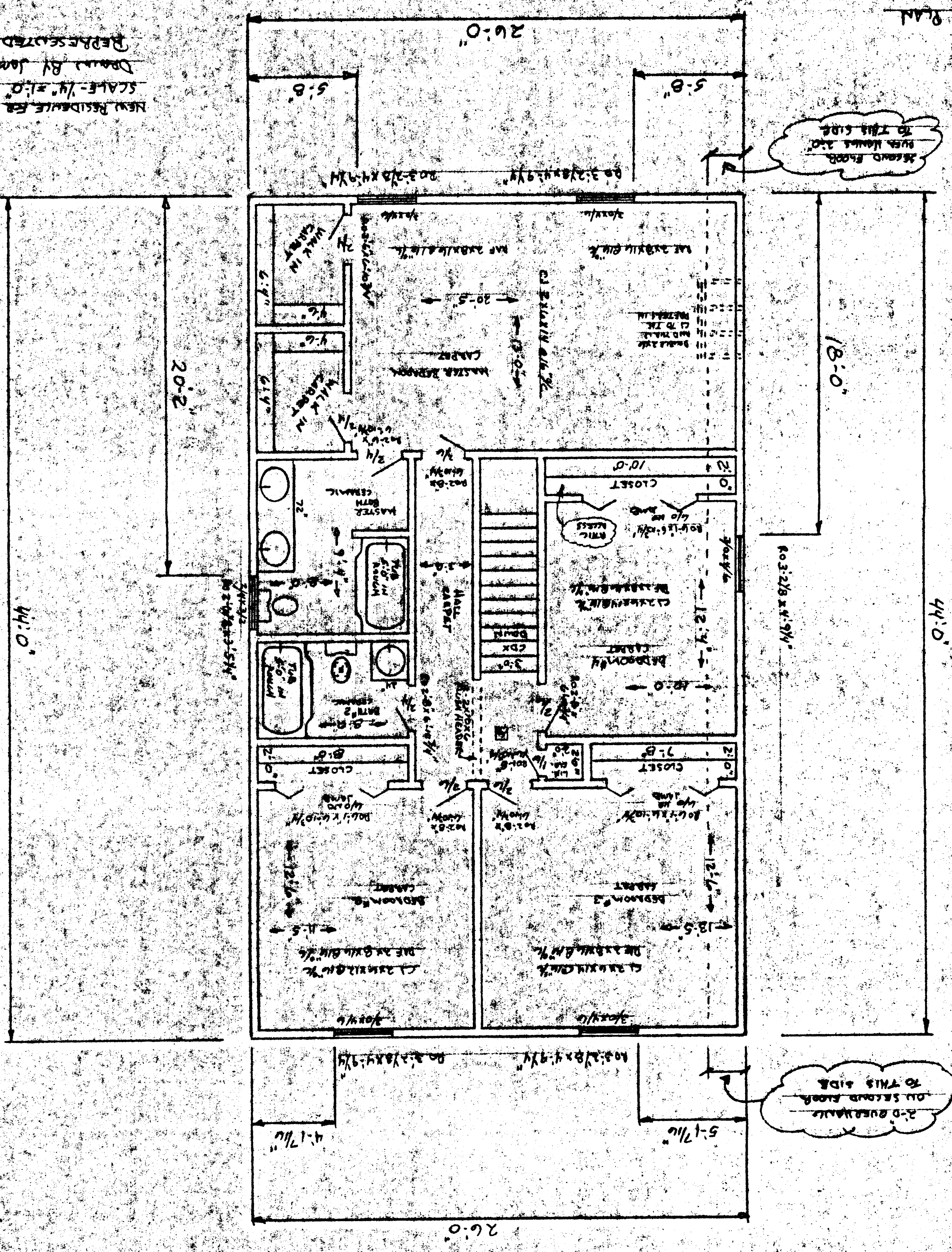
BACK ELEVATION



BUYERS UNDERSTAND & AGREE THAT
 ALL DIMENSIONS & GRADE ELEVATIONS
 INDICATED ON THESE PLANS
 ARE APPROXIMATIONS & MAY NOT
 CONFORM EXACTLY TO THE DWELLING
 AS BUILT.

Second Floor Plan

NEW RESIDENCE FOR MR. & MRS. KENNETH
SCAFFE - 1/4" = 1'-0"
DATE 1-28-27
DRAWN BY JAMES E. EVANS
SUPERSEDED BY MR. DAVIS



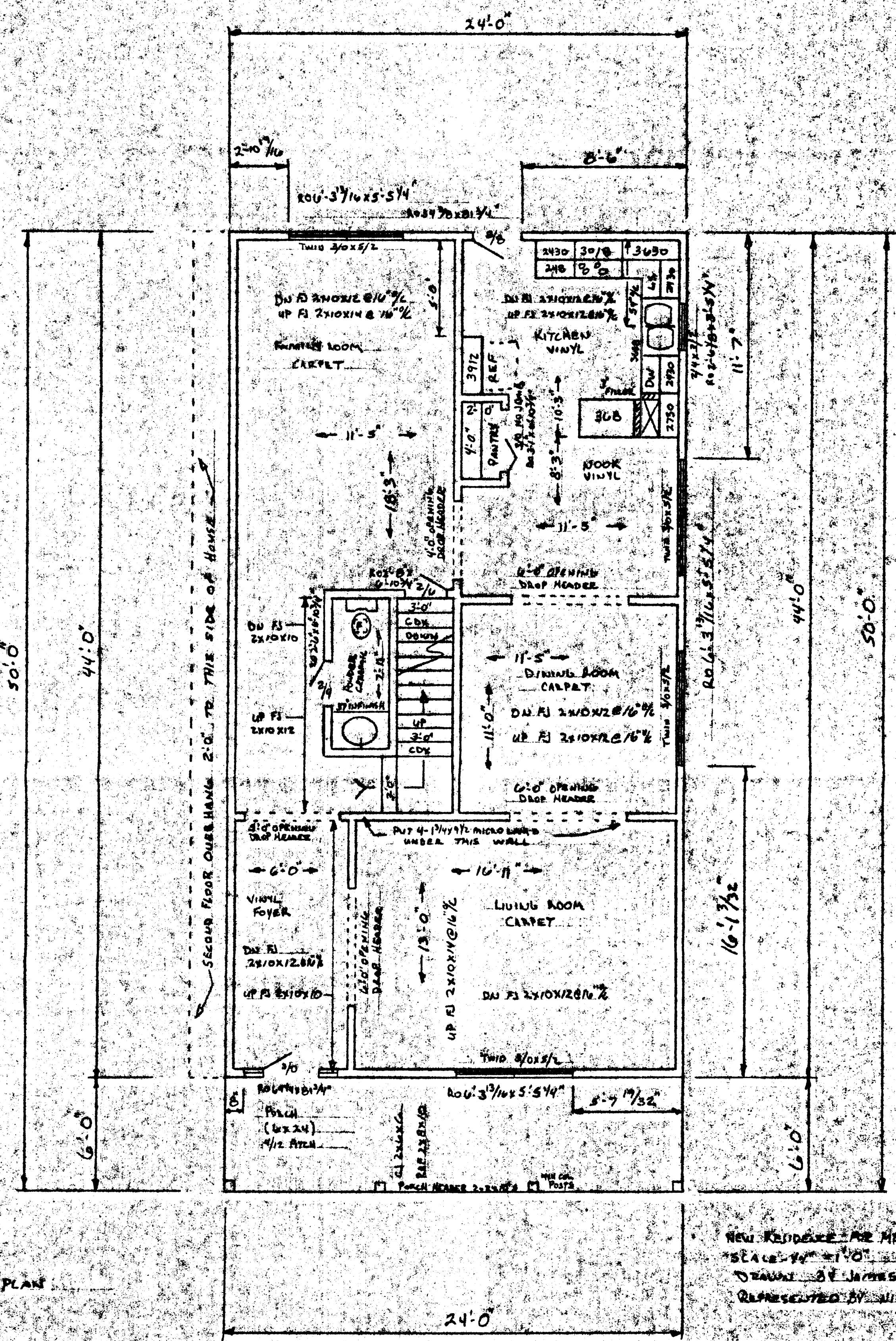
2-D RAILWAYS
TO THIS SIDE

2-D RAILWAYS
TO THIS SIDE

GABLE 1/2"

- NOTES:
- 1) ALL WINDOWS EXPOSED FRAME + SILL
 - 2) ROOF - GABLE - PITCH 1/2" 8"
 - 3) STAIRS - DOWN - BRICK - FLOOR - PLATE UP
 - 4) SOFFIT - BLIND - TRIM - PLATE UP
 - 5) FLOOR - BOARD - 2" x 4" - 1/2" - 1/2"
 - 6) HEAT TYPE - RAY TANK

- 1) GABLE ROOF - HOUSE 1/2" - PORCH 1/2" - OVERHANG APPROX. 7" - GABLE ENDS 12"
- 2) 2" x 4" EXT. BND INT. WALLS - ALL LUMBER 1/2" EXCEPT WHERE NOTED DIFFERENT
- 3) 8'-0" CEILING - FIRST AND SECOND FLOOR
- 4) ALL ROOM DIMENSIONS ARE INFINISH (FOR ROUGH ADD FOR DRY WALL)
- 5) CLOSET DOORS - B/FLOOR - NO JAMB
- 6) WATCH 6'-8" HEADROOM ON STAIR WELLS
- 7) SIDING ALL AROUND FROM PLATE UP
- 8) STANDARD WINDOW HEADERS 6'-0" FROM SUBFLOOR TO BOTTOM OF HEADER

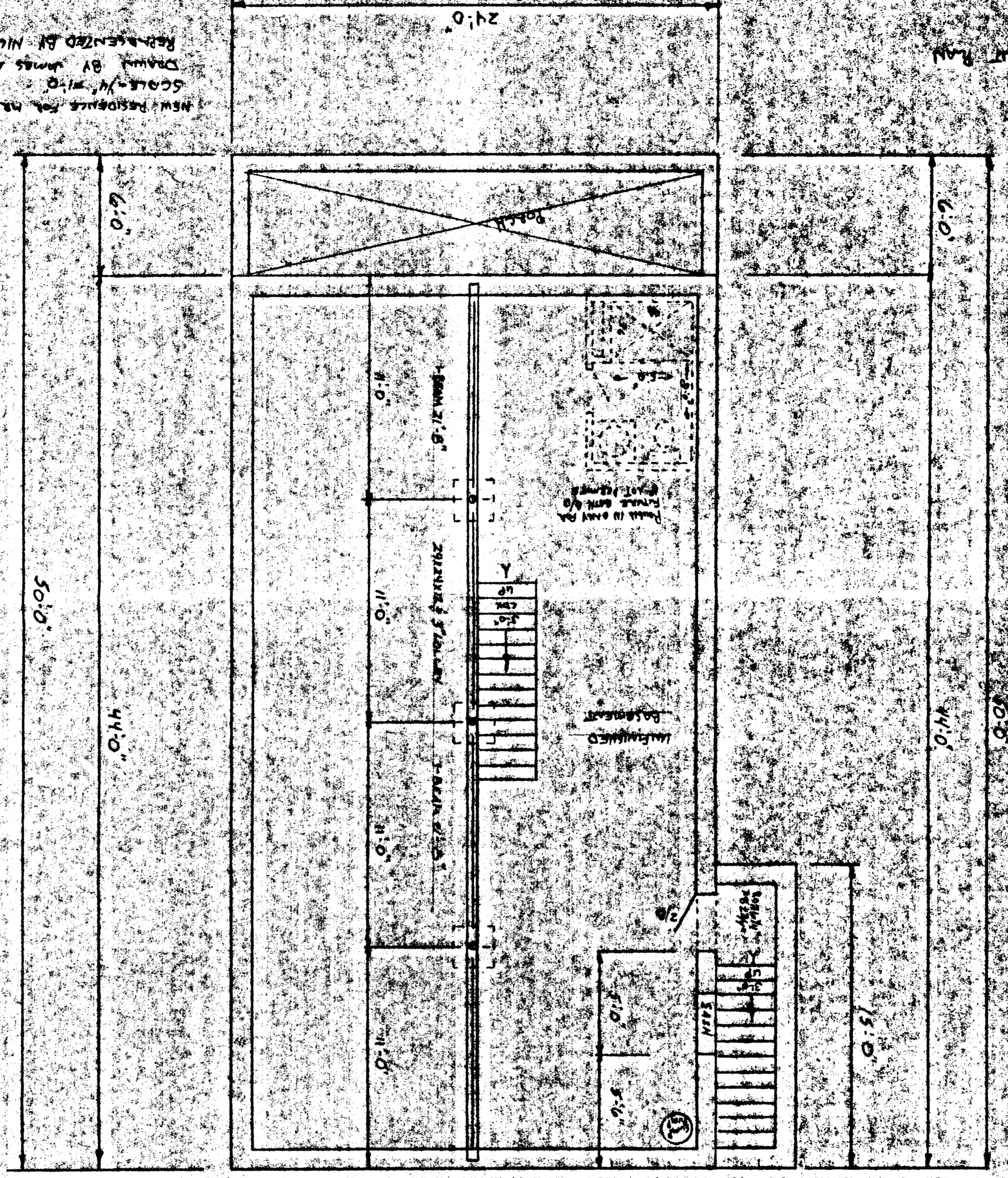


FIRST FLOOR PLAN

NEW RESIDENCE FOR MR. JAMES E. BROWN
 SCALE 1/4" = 1'-0"
 DATE 10-28-77
 DRAWN BY JAMES E. BROWN
 REPRESENTED BY MILK DYNAM

NEW FLOORING FOR MR. S. MRS. K. MURFF
SCALE 1/4" = 1'-0" DATE 1-28-73
DRAWN BY JAMES E. EVANS
REPRESENTED BY NICK O'HAN

BASEMENT PLAN



BASEMENT TO HAVE 12-COPIES OF BLOCK
STRETCH ON ABOVE FROM GRADE TO PLATE