

**PETITION FOR ZONING VARIANCE** #298  
35-340-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 1802.3B (211.3) TO PERMIT A SIDE YARD SETBACK OF 3' IN LIEU OF THE REQUIRED 8' AND A SUM OF SIDE YARD SETBACKS OF 17' IN LIEU OF 20'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

THE SIDE YARD REQUIREMENT POSES A RESTRICTION TO THE DESIRED PLACEMENT OF THE ADDITION TO THE SIDE OF THE PROPERTY. THE PROPOSED LOCATION ALLOWS FOR SAFER ACCESS TO EXISTING ENTRANCES AND EXITS OF THE RESIDENCE. THE PROPOSED LOCATION IS ALSO MORE SUITABLE TO PROPER PLACEMENT OF TREES AND SHRUBBERY.

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.

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: \_\_\_\_\_  
(Type or Print Name)

Signature: \_\_\_\_\_  
Signature

Address: \_\_\_\_\_  
(Type or Print Name)

City and State: \_\_\_\_\_  
Signature

Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)

Address: \_\_\_\_\_  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: \_\_\_\_\_  
City and State

Attorney's Telephone No.: \_\_\_\_\_  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 1985, at 9:30 o'clock \_\_\_\_\_ A.M.

*Call John*  
Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING  
DATE: May 5, 1985  
BY: *Call John*

85-340-A  
8628  
A-04C  
A-04C-58  
A-04C-58  
Wilber K. Gue, et ux  
E/S Starbit Rd., 92'  
Rd. (925 Starbit Road)  
9th

**PETITION FOR VARIANCE**  
9th Election District

LOCATION: East side Starbit Road, 92 ft. South of the centerline of Shelley Road (925 Starbit Road)

DATE AND TIME: Tuesday, June 4, 1985 at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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

Petition for Variance to permit a side yard setback of 3 ft. in lieu of the required 8 ft. and a sum of side yard setbacks of 17 ft. in lieu of 20 ft.

Being the property of Wilber K. Gue, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

**ZONING DESCRIPTION**

BEGINNING ON THE EAST SIDE OF STARBIT ROAD, 50 FEET WIDE, AT THE DISTANCE OF 92 FEET SOUTH OF THE CENTERLINE OF SHELLEY ROAD. BEING LOT 14, BLOCK R, IN THE SUBDIVISION OF CAMPUS HILLS. BOOK NO. 22, FOLIO 83. ALSO KNOWN AS 925 STARBIT ROAD IN THE 9TH ELECTION DISTRICT.

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER  
E/S Starbit Rd., 92' S of the : OF BALTIMORE COUNTY  
Centerline of Shelly Rd. :  
(925 Starbit Road), :  
9th District :  
WILBER K. GUE, et ux, : Case No. 85-340-A  
Petitioners :

**ENTRY OF APPEARANCE**

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

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 14th day of May, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Wilber Kenneth Gue, 925 Starbit Road, Towson, MD 21204, Petitioners.

*Peter Max Zimmerman*  
Peter Max Zimmerman

Case No. 85-340-A

**BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

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

Your petition has been received and accepted for filing this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

Petitioner: Wilber K. Gue, Et ux  
Petitioner's Attorney: \_\_\_\_\_  
Received by: *Nicholas B. Commodari*  
Nicholas B. Commodari  
Chairman, Zoning Plans Advisory Committee

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**  
May 17, 1985

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. & Mrs. Wilber Kenneth Gue  
925 Starbit Road  
Towson, Maryland 21204

o o o  
Nicholas B. Commodari  
Chairman

- MEMBERS
- Bureau of Engineering
  - Department of Traffic Engineering
  - State Roads Commission
  - Bureau of Fire Prevention
  - Health Department
  - Project Planning
  - Building Department
  - Board of Education
  - Zoning Administration
  - Industrial Development

RE: Item No. 298 - Case No. 85-340-A  
Petitioners - Wilber Kenneth Gue, et ux  
Variance Petition

Dear Mr. & Mrs. Gue:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, 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 the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:mr  
TAC:llm

**BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS**  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

May 6, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #298 (1984-1985)  
Property Owner: Wilber Kenneth Gue, et ux  
E/S Starbit Rd., 92' S. of centerline of Shelley Rd.  
Acre: 150.16/150 x 70  
District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

**General:**

As no public facilities are involved, this office has no comment.

Very truly yours,  
*James A. Markle*  
JAMES A. MARKLE, P.E., Chief  
Bureau of Public Services

JAM:EAM:ROP:iss  
cc: File

**BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING**  
TOWSON, MARYLAND 21204  
494-2200  
NORMAN E. GESSER  
DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

May 20, 1985

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment.
- A County Review Group Meeting is required.
- A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- A record plat will be required and must be recorded prior to issuance of a building permit.
- The access is not satisfactory.
- The circulation on this site is not satisfactory.
- The parking arrangement is not satisfactory.
- Parking calculations must be shown on the plan.
- This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-39 of the Development Regulations.
- Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- The amended Development Plan was approved by the Planning Board on \_\_\_\_\_.
- Landscaping must comply with BALTIMORE COUNTY Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued.
- The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 176-79, and as conditions change are re-evaluated annually by the County Council.
- Additional comments:

cc: James Howell  
Eugene A. Bober  
Chief, Current Planning and Development

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~be~~ not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5<sup>th</sup> day of June, 1985, that the herein Petition for Variance(s) to permit a side yard setback of 3 feet in lieu of the required 8 feet, and a sum of side yard setbacks of 17 feet in lieu of the required 20 feet for a one-story addition to habitable space to be used primarily for a storage and work area is hereby GRANTED, from and after the date of this Order, subject to the following:

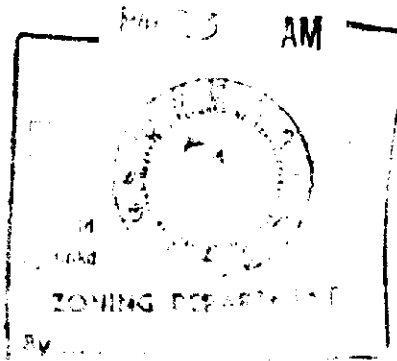
1. Compliance with stipulations of The Campus Hills Protective-Covenants Committee approval (Petitioner's Exhibit 2) i.e., Siding must match design and color of existing structure and roof color must be the same as that of the existing residence.

*Jan M. H. Jung*  
Deputy Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

May 16, 1985



Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 295, 297, and 298 Meeting of April 23, 1985

Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 295, 297, and 298.

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineering Assoc. II

MSF/cmm

6/4 85-340-A  
Kue

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner Date: May 23, 1985  
Norman E. Gerber, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Zoning Petitions No. 85-337-A, 85-340-A, 85-343-A, 85-344-A,  
85-345-A and 85-346-A

There are no comprehensive planning factors requiring comment on this petition.

*Norman E. Gerber*  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JCH:slm

Date 3-26-85 P-85

REQUEST FOR APPROVAL

TO: The Campus Hills Protective-Covenants Committee  
Towson, Maryland 21204  
FROM: (Printed Name) W. KENNETH GUE  
(Address) 925 STARBIT RD TOWSON MD  
(Phone) 321-1456  
OFF 296-3777

We herewith submit for your approval and records the construction of ADDITION TO REAR OF HOUSE, as shown below.

(Signature) *W. Kenneth Gue*

1. Complete your request in duplicate; one copy will be returned for your records.
2. Provide simple sketch below showing proposed improvement, residence, property lines and street, if applicable.
3. Provide list of materials and specifications.
4. Use additional sheets this size (in duplicate) if necessary.

SEE ATTACHED DRAWINGS!

ROOF WILL MATCH EXISTING MATERIAL IN HOUSE, AS CLOSELY AS POSSIBLE.

SIDING WILL BE T-111 MATERIAL OR FINISHED TONGUE-IN-GROOVE BOARDS

PETITIONER'S EXHIBIT 2

APPROVED  
REJECTED  
APPROVED WITH RESTRICTIONS AS LISTED:

*sidings must match design color of existing structure. Roof color same as existing structure.*

BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

April 25, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Wilber Kenneth Gue, et ux

Location: E/S Starbit Rd. 92' S. of centerline of Shelley Rd.

Item No.: 298 Zoning Agenda: Meeting of 4/23/85

Gentlemen:

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

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of                      feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at                      EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY *Jan M. H. Jung* Noted and Approved: *David J. Komoroski*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

June 5, 1985

Mr. & Mrs. Wilber K. Gue  
925 Starbit Road  
Towson, Maryland 21204

RE: PETITION FOR VARIANCE  
E/S Starbit Rd., 92' S of  
centerline of Shelley Road  
(925 Starbit Road)  
9th Election District  
Wilber K. Gue, et ux, Petitioners  
Case No. 85-340-A

Dear Mr. & Mrs. Gue:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

*Jan M. H. Jung*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JHJ:bg

Attachments

cc: People's Counsel

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610

April 24, 1985

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 298 Zoning Advisory Committee Meeting are as follows:

Property Owner: Wilber Kenneth Gue, et ux  
Location: E/S Starbit Road, 92' S. of c/l of Shelley Road  
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

- (1) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Landscaped and Aped (L.M.S.L. 1117-1 - 1980) and other applicable Codes and Standards.
- (2) A building and other miscellaneous permits shall be required before the start of any construction.
- (3) Residential: Two sets of construction drawings and signed by a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- (4) Commercial: Three sets of construction drawings and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- (5) All the Group every 2-1/2 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 501, Section 1207, Section 1208.2 and Table 1208. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- (7) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office should be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your architect/engineer contact this department.
- (8) The requested variance appears to conflict with Section(s)                      of the Baltimore County Building Code.
- (9) When filing for a required change of use/occupancy permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Group are from the                      to                      or to                      use. See Section 313 of the Building Code.
- (1) The proposed project appears to be located in a Flood Plain, Flood/Diversion. Please see the attached copy of Section 510.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (2) Comments
- (3) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. To receive the applicable State additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

*Mark E. Burman*  
Mark E. Burman, Chief  
Building Plans Bureau

L72/75

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

May 29, 1985

Mr. & Mrs. Wilber K. Gue  
925 Starbit Road  
Towson, Maryland 21204

RE: Petition for Variance  
E/S Starbit Rd., 92's of the c/l of  
Shelley Road (925 Starbit Road)  
Wilber K. Gue, et ux - Petitioners  
Case no. 85-340-A

This is to advise you that \$ 70.70 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

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

No. 007269

DATE 6/1/85 ACCOUNT R-01-615-000

AMOUNT \$ 70.70

RECEIVED FROM Wilber Gue

FOR Advertising and Posting Case 85-340-A

5\*\*\*\*\*70701\* 2941\*

VALIDATION OR SIGNATURE OF CLERK

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

May 7, 1985

Mr. & Mrs. Wilber K. Gue  
925 Starbit Road  
Towson, Maryland 21204

**NOTICE OF HEARING**

RE: Petition for Variance  
N/S Starbit Rd., 92' S of the c/l of  
Shelley Road (925 Starbit Road)  
Wilber K. Gue, et ux - Petitioners  
Case No. 85-340-A

TIME: 9:30 a.m.  
DATE: Tuesday, June 4, 1985  
PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

*[Signature]*  
Zoning Commissioner  
of Baltimore County

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

No. 007431

DATE: 5/12/85 ACCOUNT: R-01-615-000  
AMOUNT: \$35.00

RECEIVED FROM: *[Signature]*  
FOR: *[Signature]*  
B 8009\*\*\*\*\*5000 2122F

VALIDATION OR SIGNATURE OF CASHIER

85-340-A  
**CERTIFICATE OF PUBLICATION**

TOWSON, MD., May 16, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 16, 1985.

THE JEFFERSONIAN,  
*[Signature]*  
Publisher

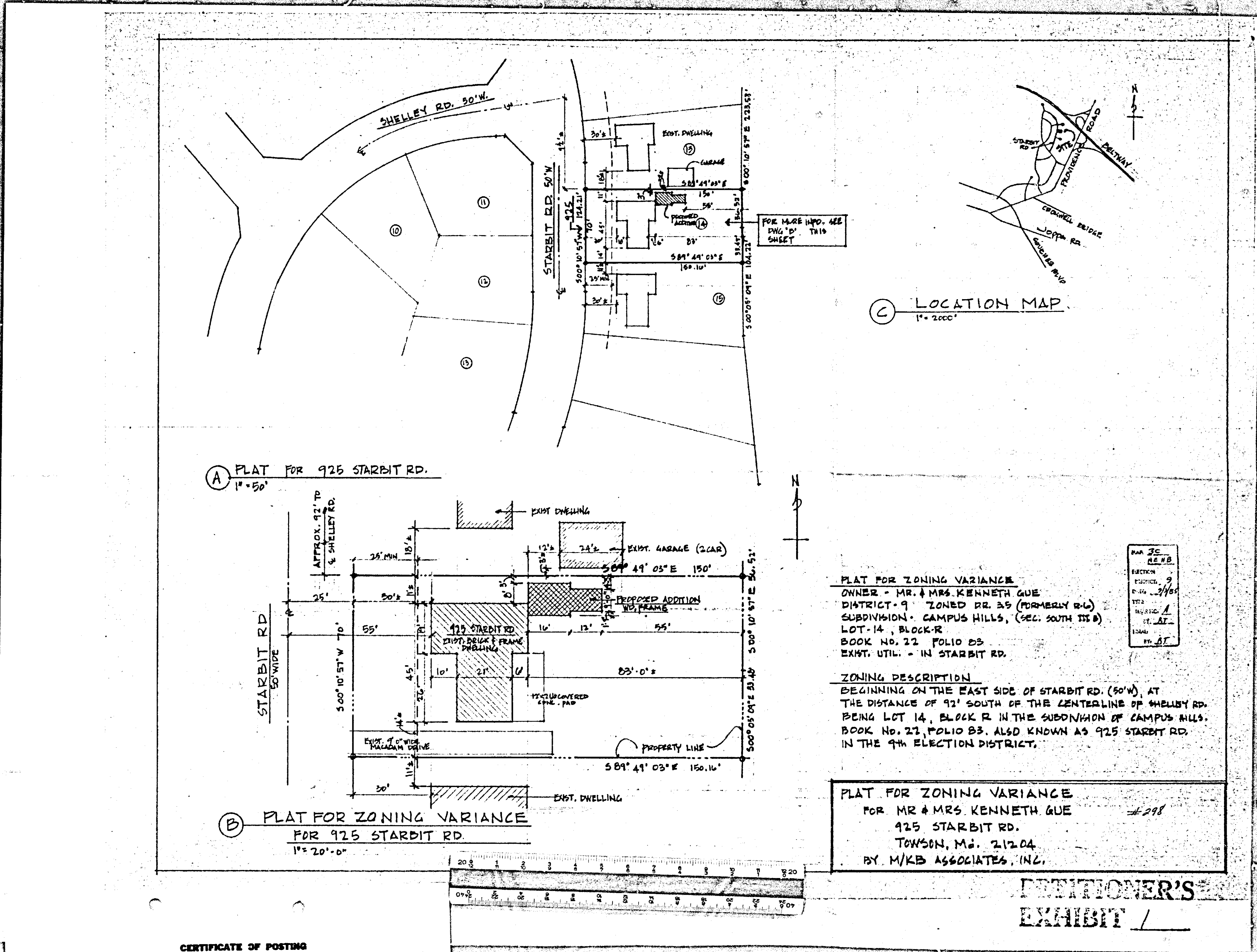
Cost of Advertising  
**24.75**

85-340-A  
**CERTIFICATE OF PUBLICATION**

Towson, Md., 6/5 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 15th day of May, 1985.

THE TOWSON TIMES  
*[Signature]*  
Cost of Advertisement: \$40.95



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9th Date of Posting: 5/20/85

Posted for: Variance  
Petitioner: Wilber K. Gue, et ux  
Location of property: E/S Starbit Rd., 92' S of Shelley Rd.  
925 Starbit Rd.  
Location of Signs: S/S Starbit Rd., approx. 15' from road way, ex. property of Petitioner.

Remarks: *[Signature]*  
Posted by: *[Signature]* Date of return: 5/24/85  
Number of Signs: 1