

86-118-A

PETITION FOR ZONING VARIANCE
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 used a part thereof, hereby petition for a Variance from Section 1802.3C.1 to permit a lot width of 50' in lieu of the required 55'.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
1. To build house on lot
 2. Family-owned land since 1952
 3. Precedent set by granting variance for Lot 25 in 1984 (Case #84-159-A)

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: Legal Owner(s):
(Type or Print Name) ROBERT OWEN KUSTERER
Signature Robert Owen Kusterer
Address BARBARA ANN KUSTERER
(Type or Print Name)
Signature Barbara Ann Kusterer
City and State BALTIMORE, MD 21228

Attorney for Petitioner: 306 GLENMORE AVE. 744-7490
(Type or Print Name) Address Phone No.
Signature BALTIMORE, MD 21228
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address BARBARA ANN KUSTERER
City and State BALTIMORE
Attorney's Telephone No.: 306 GLENMORE AVE. 744-7490
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of August, 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, from the 23rd day of September, 1985, at 11:00 o'clock.

Arnold Jablon
Zoning Commissioner of Baltimore County.

(over)

Case No. 86-118-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 19th day of August, 1985.

Petitioner: Robert O. Kusterer, et ux
Petitioner's Attorney: *James E. Dyer, Jr.*
Received by: *James E. Dyer, Jr.*
Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
September 17, 1985

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

Mr. and Mrs. Robert O. Kusterer
306 Glenmore Avenue
Baltimore, Maryland 21228

RE: Item No. 10 - Case No. 86-118-A
Petitioners - Robert Owen Kusterer, et ux
Variance Petition

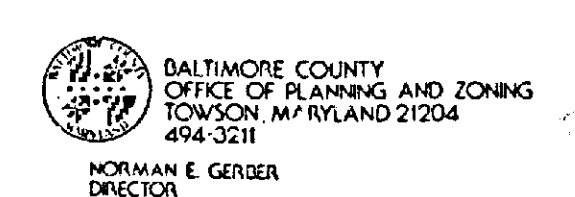
Dear Mr. and Mrs. Kusterer:

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,
James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nrr
Enclosures



SEPTEMBER 3, 1985

Re: Zoning Advisory Meeting of JULY 23, 1985
Item # 10
Property Owner: ROBERT OWEN KUSTERER
Location: E. Side GLENMORE AVE., 130' N. OF RICE AVE.

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.

☒ This site is part of a larger tract. 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 is or alteration of the floodplain is prohibited under the provisions of Section 22-98 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 1/25/85.

☒ The property is located in a deficient service area as defined by 8111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:

☒ The property is located in a traffic area controlled by a "D" level intersection as defined by 8111 178-79, and as condition change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

Additional comments:

Eugene A. Bober
Chief, Current Planning and Development

cc: James Howell

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

STEPHEN E. COLLINS
DIRECTOR

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

Item No. 10 - ZAC Meeting of July 23, 1985
Property Owner: Robert Owen Kusterer, et ux
Location: E. side Glenmore Avenue, 130' n. of centerline of Rice Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'

Acres: 50' x 140'
District: 1st

Dear Mr. Jablon:

The Department of Traffic Engineering has no comment on this particular item.

Very truly yours,
Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Associates II

BALTIMORE COUNTY
TOWSON, MARYLAND 21204-2566
494-4500

PAUL H. REINCKE
CHIEF

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Robert Owen Kusterer, et ux
Location: E. side Glenmore Ave., 130' N. of centerline of Rice Avenue

Item No.: 10
Zoning Agenda: Meeting of 7/23/85

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 or 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.
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.

REVIEWER: *Michael S. Flanagan* Noted and Approved: *Roy W. Kemmer*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

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

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 10 Zoning Advisory Committee Meeting are as follows:

Property Owner: Robert Owen Kusterer, et ux
Location: E side Glenmore Avenue, 130' N of c/l of Rice Avenue
Districts: 1st.

APPLICABLE ITEMS ARE CHECKED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Handicapped and Age (A.M.S.I. #11-1 - 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 are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
4. Commercial: Three sets of construction drawings sealed 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 Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls greater than 6'-0" to an interior lot line. But the Groups require a wall lower wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line.
6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to lot/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) of the Baltimore County Building Code.
8. 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 drawings indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Modified Architectural or Engineer seals are usually required. The change of Use Groups are from Use to Use or to Fixed Use. See Section 312 of the Building Code.
9. The proposed project appears to be located in a Flood Plain. Flood/Elevation. Please see the attached copy of Section 516-0 of the Building Code as adopted by Bill #7-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
10. Comments:
11. 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. If desired the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Dwyer
Ch. E. Dwyer, Chief
Building Plans Review

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: September 3, 1985

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-117-A, 86-118-A, 86-119-A, 86-121-A, 86-126-A, 86-127-A, 86-128-A, 86-129-A, and 86-130-A

There are no comprehensive planning factors requiring comments on these petitions.

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

NEG:JCH:alm

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 /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of September, 1985, that the herein Petition for Zoning Variance to permit a lot width of 50 feet in lieu of the required 55 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

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 applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. & Mrs. Robert Owen Kusterer
People's Counsel

RE: PETITION FOR VARIANCE
E/S of Glenmore Ave.,
130' N/Centerline of
Rice Ave., 1st District
ROBERT OWEN KUSTERER,
et ux, Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-118-A

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.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 28th day of August, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Robert Owen Kusterer, 306 Glenmore Ave., Baltimore, MD 21228, Petitioners.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR VARIANCE
1st Election District

LOCATION: East side of Glenmore Avenue, 130' North of the centerline of Rice Avenue
DATE AND TIME: Monday, September 23, 1985 at 11:00 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 Zoning Variance from Section 1802.3C.1 to permit a lot width of 50 feet in lieu of the required 55 feet.

Being the property of Robert Owen Kusterer, 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

Located on the east side of Glenmore Ave. 130' north of the centerline of Rice Ave. and known as lot#26 in the subdivision of "Glenmore Development" which is recorded in the land records of Balto. County in liber 12 folio 56.

ORDER RECEIVED FOR FILING

DATE *[Signature]*
BY *[Signature]*
ADMINISTRATIVE ASSISTANT

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

ARNOLD JABLON
ZONING COMMISSIONER

September 19, 1985

Mr. & Mrs. Robert Kusterer
306 Glenmore Avenue
Baltimore, Maryland 21228

Re: Petition for Variance
E/S Glenmore Ave., 130' N of
centerline of Rice Avenue
1st Election District
Robert Owen Kusterer, et ux, Petitioners
Case No. 86-118-A

Dear Mr. & Mrs. Kusterer:

This is to advise you that \$57.03 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building,

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

No. 012537

DATE 9-23-85 ACCOUNT 201-615-000

AMOUNT \$ 57.03

RECEIVED Robert Kusterer

FOR: Advertising, Posting, Sign

86-118-A

VALIDATION OR SIGNATURE OF CARRIER

PETITION FOR VARIANCE
1st Election District
LOCATION: East side of
Glenmore Avenue, 130'
North of the centerline of
Rice Avenue
DATE AND TIME: Monday,
September 23, 1985
at 11:00 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 Zoning Variance from
Section 1802.3C.1 to permit a lot
width of 50 feet in lieu of the
required 55 feet.
Being the property of

Robert Owen Kusterer, 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
819-C59K 5

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

CERTIFICATE OF PUBLICATION OF

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

September 5 19 85

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE

was inserted in the following:

Patuxent Times
Arbutus Times
weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the day of September 19 85, that is to say, the same was inserted in the issues of

September 5, 1985

PATUXENT PUBLISHING CORP.

Mr. & Mrs. Robert Kusterer
306 Glenmore Avenue
Baltimore, Maryland 21228

August 23, 1985

NOTICE OF HEARING

RE: PETITION FOR VARIANCE
E/S Glenmore Ave., 130' N of
centerline of Rice Avenue
1st Election District
Robert Owen Kusterer, et ux, Petitioners
Case No. 86-118-A

TIME: 11:00 a.m.

DATE: Monday, September 23, 1985

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

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

No. 008561

DATE 7/10/85 ACCOUNT 201-615-000

AMOUNT \$ 35.00

RECEIVED Robert Kusterer

FOR: Printing for Sign 4/10

86-118-A

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF PUBLICATION

TOWSON, MD, September 5 19 85

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 September 5 19 85

THE JEFFERSONIAN,

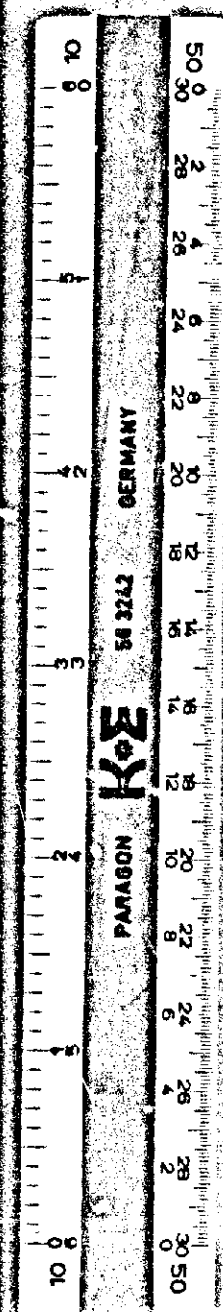
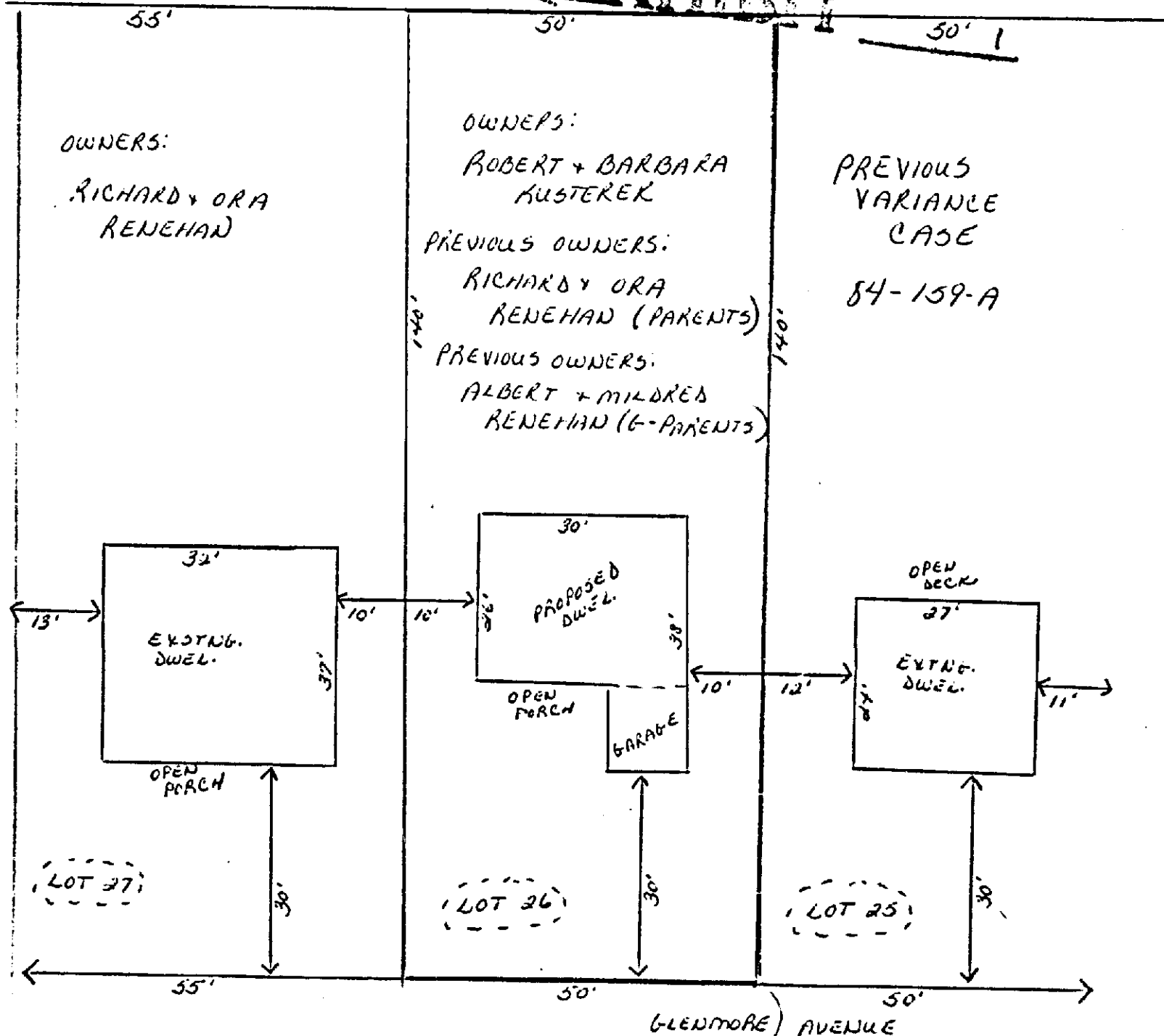
[Signature]
Publisher

Cost of Advertising
27.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st
Posted for: Variance
Petitioner: Robert Owen Kusterer
Location of property: E/S of Glenmore Ave., 130' N/Centerline of Rice Avenue
Location of Sign: E/S of Glenmore Ave., approx. 130' N of centerline of Rice Ave.
Remarks:
Posted by: A.J. Anata
Date of return: September 6, 1985
Number of Signs: 1

PETITIONER'S EXHIBIT



PLAT FOR ZONING VARIANCE
OWNERS: ROBERT & BARBARA KUSTERER
DISTRICT 1 ZONED D.R. 5-5
SUBDIVISION- GLENMORE
LOT 26 BOOK 12 FOLIO 56
EXISTING UTILITIES IN GLENMORE AVENUE

130' to CENTERLINE
OF RICE AVENUE

#10

86-118-A

PETITION FOR ZONING VARIANCE
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 used a part thereof, hereby petition for a Variance from Section 1802.3C.1 to permit a lot width of 50' in lieu of the required 55'.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
1. To build house on lot
 2. Family-owned land since 1952
 3. Precedent set by granting variance for Lot 25 in 1984 (Case #84-159-A)

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: Legal Owner(s):
(Type or Print Name) ROBERT OWEN KUSTERER
Signature Robert Owen Kusterer
Address BARBARA ANN KUSTERER
(Type or Print Name)
Signature Barbara Ann Kusterer
City and State BALTIMORE, MD 21228

Attorney for Petitioner: 306 GLENMORE AVE. 744-7490
(Type or Print Name) Address Phone No.
Signature BALTIMORE, MD 21228
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address BARBARA ANN KUSTERER
City and State BALTIMORE
Attorney's Telephone No.: 306 GLENMORE AVE. 744-7490
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of August, 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, Maryland, on the 23rd day of September, 1985, at 11:00 o'clock.

Arnold Jablon
Zoning Commissioner of Baltimore County.

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

STEPHEN E. COLLINS
DIRECTOR

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

Item No. 10 - ZAC- Meeting of July 23, 1985
Property Owner: Robert Owen Kusterer, et ux
Location: E. side Glenmore Avenue, 130' n. of centerline of Rice
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'

Acres: 50' x 140'
District: 1st

Dear Mr. Jablon:

The Department of Traffic Engineering has no comment on this particular item.

Very truly yours,
Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Associates II

Case No. 86-118-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 19th day of August, 1985.

Petitioner: Robert O. Kusterer, et ux
Petitioner's Attorney: *James E. Dyer, Jr.*
Received by: *James E. Dyer, Jr.*
Zoning Plans Advisory Committee

Robert O. Kusterer, et ux
130' N. of Rice Avenue
Rice Avenue
Towson, Maryland 21204

BALTIMORE COUNTY
TOWSON, MARYLAND 21204-2566
494-4500

PAUL H. REINCKE
CHIEF

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Robert Owen Kusterer, et ux
Location: E. side Glenmore Ave., 130' N. of centerline of Rice Avenue
Item No.: 10 Zoning Agenda: Meeting of 7/23/85

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 or 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.

REVIEWER: *Arnold Jablon* Noted and Approved: *Roy W. Kemmer*
Planning Group Special Inspection Division Fire Prevention Bureau

/mb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 17, 1985

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

Mr. and Mrs. Robert O. Kusterer
306 Glenmore Avenue
Baltimore, Maryland 21228

RE: Item No. 10 - Case No. 86-118-A
Petitioners - Robert Owen Kusterer, et ux
Variance Petition

Dear Mr. and Mrs. Kusterer:

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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,
James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nrr
Enclosures

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

CRONIN E. GERBER
DIRECTOR

SEPTEMBER 3, 1985

Re: Zoning Advisory Meeting of JULY 23, 1985
Item # 10
Property Owner: ROBERT OWEN KUSTERER
Location: E. Side GLENMORE AVE., 130' N. OF RICE AVE.

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.

(x) There are no site planning factors requiring comment.

() A County Review Group Meeting is required.

() This site is part of a larger tract. 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 is or alteration of the floodplain is prohibited under the provisions of Section 22-98 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.

() The property is located in a deficient service area as defined by 8111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is

() The property is located in a traffic area controlled by a "D" level intersection as defined by 8111 178-79, and as condition change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

Additional comments:

Eugene A. Bober
Chief, Current Planning and Development

cc: James Howell

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

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 10 Zoning Advisory Committee Meeting are as follows:

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Districts: 1st.

APPLICABLE ITEMS ARE CHECKED:

() All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #117-85, the Maryland Code for the Handicapped and Age (A.M.S.I. #117-1 - 1980) and other applicable codes and standards.

() A building and other miscellaneous permits shall be required before the start of any construction.

() Permits: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.

2. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

3. All the Groups except B-4 Single Family Detached dwellings require a minimum of 1 hour fire rating for exterior walls greater than 6'-0" to an interior lot line. But the Groups except B-4 shall have a fire rating for exterior walls greater than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party 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 cannot be considered until the necessary data pertaining to lot/area and construction type is provided. See Table 401 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 drawings indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Modified Architectural or Engineer seals are usually required. The change of Use Groups are from the to Use or to Fixed Use. See Section 312 of the Building Code.

1. The proposed project appears to be located in a Flood Plain. Flood/Elevation. Please see the attached copy of Section 516-0 of the Building Code as adopted by Bill #7-85. 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. If desired the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Dwyer
Ch. E. Dwyer, Chief
Building Plans Review

4/22/85

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning

Date: September 4, 1985

SUBJECT: Zoning Petitions No. 86-117-A, 86-118-A, 86-119-A, 86-121-A, 86-126-A, 86-127-A, 86-128-A, 86-129-A, and 86-130-A

There are no comprehensive planning factors requiring comments on these petitions.

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

NEG:JCH:alm

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 /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of September, 1985, that the herein Petition for Zoning Variance to permit a lot width of 50 feet in lieu of the required 55 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

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 applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. & Mrs. Robert Owen Kusterer
People's Counsel

RE: PETITION FOR VARIANCE
E/S of Glenmore Ave.,
130' N/Centerline of
Rice Ave., 1st District
ROBERT OWEN KUSTERER,
et ux, Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-118-A

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.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 28th day of August, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Robert Owen Kusterer, 306 Glenmore Ave., Baltimore, MD 21228, Petitioners.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR VARIANCE
1st Election District

LOCATION: East side of Glenmore Avenue, 130' North of the centerline of Rice Avenue

DATE AND TIME: Monday, September 23, 1985 at 11:00 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 Zoning Variance from Section 1802.3C.1 to permit a lot width of 50 feet in lieu of the required 55 feet.

Being the property of Robert Owen Kusterer, 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

Located on the east side of Glenmore Ave. 130' north of the centerline of Rice Ave. and known as lot#26 in the subdivision of "Glenmore Development" which is recorded in the land records of Balto. County in liber 12 folio 56.

ORDER RECEIVED FOR FILING

DATE *[Signature]*
BY *[Signature]*
ADMINISTRATIVE ASSISTANT

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

ARNOLD JABLON
ZONING COMMISSIONER

Mr. & Mrs. Robert Kusterer
306 Glenmore Avenue
Baltimore, Maryland 21228

September 19, 1985

Re: Petition for Variance
E/S Glenmore Ave., 130' N of
centerline of Rice Avenue
1st Election District
Robert Owen Kusterer, et ux, Petitioners
Case No. 86-118-A

Dear Mr. & Mrs. Kusterer:

This is to advise you that \$57.03 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building,

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

No. 012537
DATE 9-23-85 ACCOUNT 201-615-000

AMOUNT \$ 57.03

RECEIVED Robert Kusterer

FOR: Advertising, Posting, Sign

8036*****570318 5236F

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

PETITION FOR VARIANCE
1st Election District
LOCATION: East side of
Glenmore Avenue, 130'
North of the centerline of
Rice Avenue
DATE AND TIME: Monday,
September 23, 1985
at 11:00 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 Zoning Variance from
Section 1802.3C.1 to permit a lot
width of 50 feet in lieu of the
required 55 feet.
Being the property of

Robert Owen Kusterer, 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
819-C59K 5

CERTIFICATE OF PUBLICATION OF

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

September 5 19 85

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE

was inserted in the following:

Patuxent Times
Arbutus Times
weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the day of September 19 85, that is to say, the same was inserted in the issues of

September 5, 1985

PATUXENT PUBLISHING CORP.

Mr. & Mrs. Robert Kusterer
306 Glenmore Avenue
Baltimore, Maryland 21228

August 23, 1985

NOTICE OF HEARING

RE: PETITION FOR VARIANCE
E/S Glenmore Ave., 130' N of
centerline of Rice Avenue
1st Election District
Robert Owen Kusterer, et ux, Petitioners
Case No. 86-118-A

TIME: 11:00 a.m.

DATE: Monday, September 23, 1985

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

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

DATE 7/18/85 ACCOUNT 201-615-000

AMOUNT \$ 35.00

RECEIVED Robert Kusterer

FOR: Printing for Sign 4/10

8036*****350118 5336F

BY ORDER OF:
ARNOLD JABLON
ZONING COMMISSIONER OF BALTIMORE COUNTY
819-C59K 5

CERTIFICATE OF PUBLICATION

TOWSON, MD, September 5 19 85

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 September 5 19 85

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising
27.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting September 5, 1985

Posted for: Variance

Petitioner: Robert Owen Kusterer

Location of property: E/S of Glenmore Ave., 130' N/Centerline of Rice Avenue

Location of Sign: E/S of Glenmore Ave., approx. 130' N of centerline of Rice Ave.

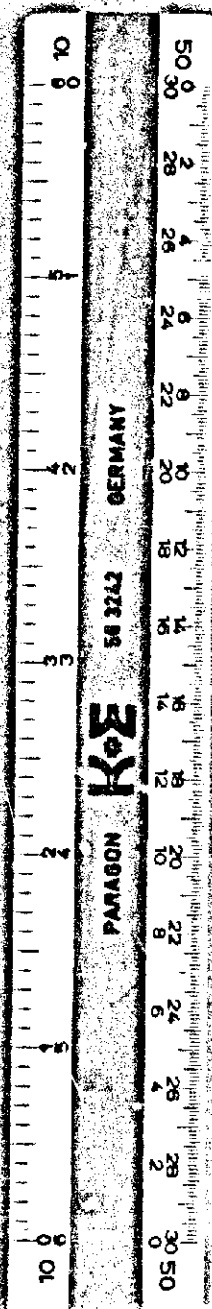
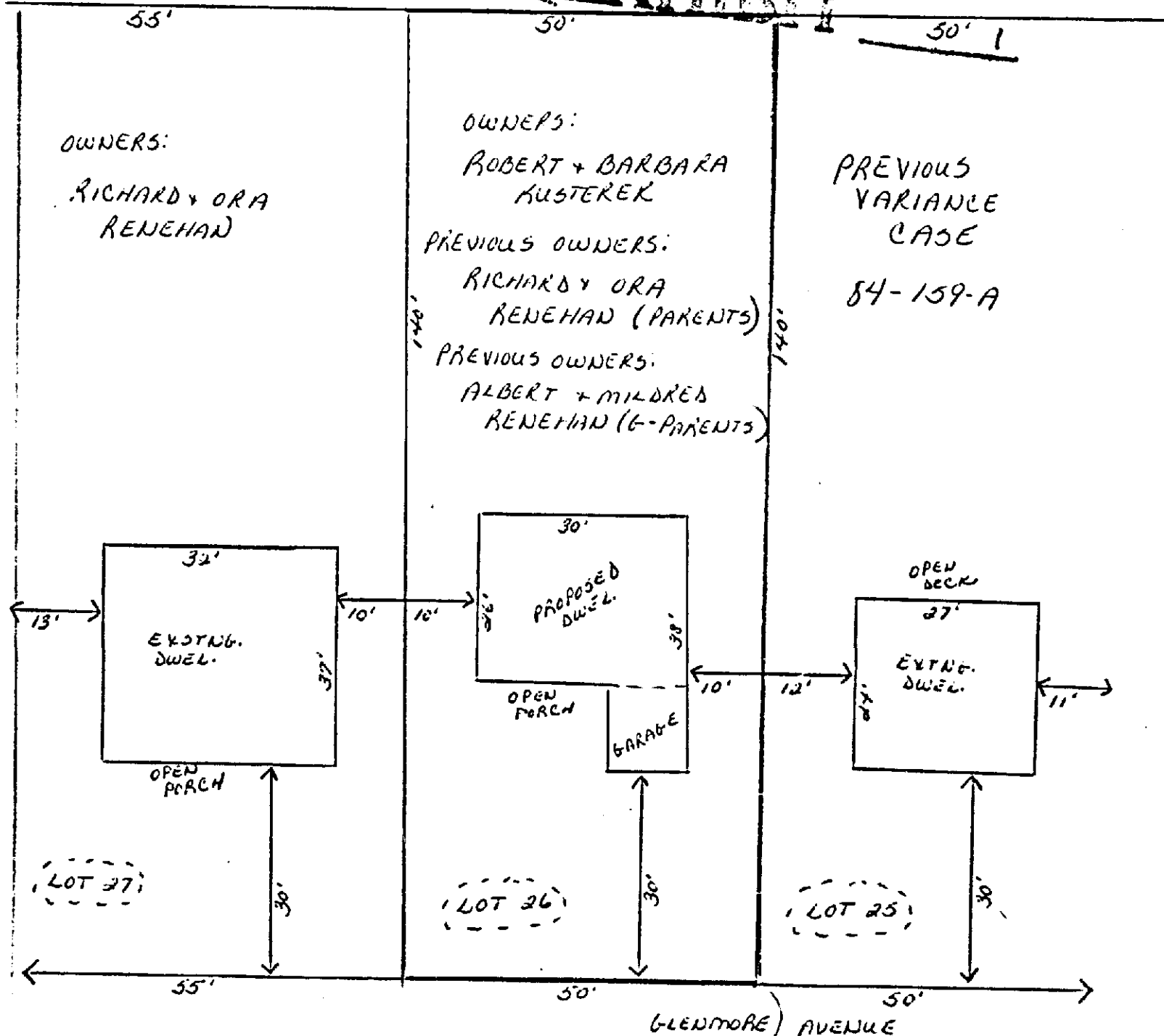
Remarks:

Posted by: A.J. Anata Date of return: September 6, 1985

Number of Signs: 1

APR 14 1988

PETITIONER'S EXHIBIT



PLAT FOR ZONING VARIANCE
OWNERS: ROBERT & BARBARA KUSTERER
DISTRICT 1 ZONED D.R. 5-5
SUBDIVISION- GLENMORE
LOT 26 BOOK 12 FOLIO 56
EXISTING UTILITIES IN GLENMORE AVENUE

→ 130' to CENTERLINE
OF RICE AVENUE

#10