

RE: PETITION FOR VARIANCE
Intersection of NE/S Casey
Ct. & SE/S Winslow Park
Dr. (2 Casey Ct.)
1st Election District
1st Councilmanic District
SCOTT AUSTIN, et ux,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-152-A

NOTICE OF APPEAL

Please note an appeal from your decision in the above-captioned matter, under date of November 19, 1987, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 9th day of December, 1987, a copy of the foregoing Notice of Appeal was mailed to Mr. and Mrs. Scott Austin, 2 Casey Ct., Catonsville, MD 21228, Petitioners.

RECEIVED
DEC 9 1987

ZONING OFFICE

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting Jan 12 - 1988
Posted for: Appeal
Petitioner: Scott Austin, et ux
Location of property: NE/S Casey Ct. and SE/S Winslow Park Dr.
Location of Sign: Intersection of Casey Ct.
Remarks: Appeal of Zoning Decision
Posted by: Phyllis Cole Friedman Date of return: Jan 5, 1988
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting October 6, 1987
Posted for: Variance
Petitioner: Scott Austin, et ux
Location of property: Intersection of NE/S Casey Ct. and SE/S Winslow Park Dr.
Location of Sign: Intersection of Casey Ct.
Remarks: Appeal of Zoning Decision
Posted by: Phyllis Cole Friedman Date of return: October 2, 1987
Number of Signs: 1

Office of
PATUXENT
Publishing Company
10700 Little Patuxent Pkwy.
Columbia, MD 21044

October 20 1987

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR ZONING VARIANCE

was inserted in the following:
☐ Catonsville Times
☐ Arbutus Times
☐ Reporter Weekly
☐ Booster Weekly
☐ Owings Mills Flier
☐ Towson Flier

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 17 day of October, 1987, that is to say, the same was inserted in the issues of

October 15, 1987

PATUXENT PUBLISHING COMPANY
By [Signature]

Mr. Scott Austin
Mrs. Janelle Austin
2 Casey Court
Catonsville, Maryland 21228

September 28, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
Intersection of NE/S Casey Ct. and SE/S
Winslow Park Dr. (2 Casey Ct.)
1st Election District - 1st Councilmanic District
Scott Austin, et ux - Petitioners
Case No. 88-152-A

TIME: 9:00 a.m.

DATE: Monday, November 2, 1987

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

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

No. 37975

DATE: 11/19/87 ACCOUNT: 8-01-615-000

SIGN & POST
RETURNED

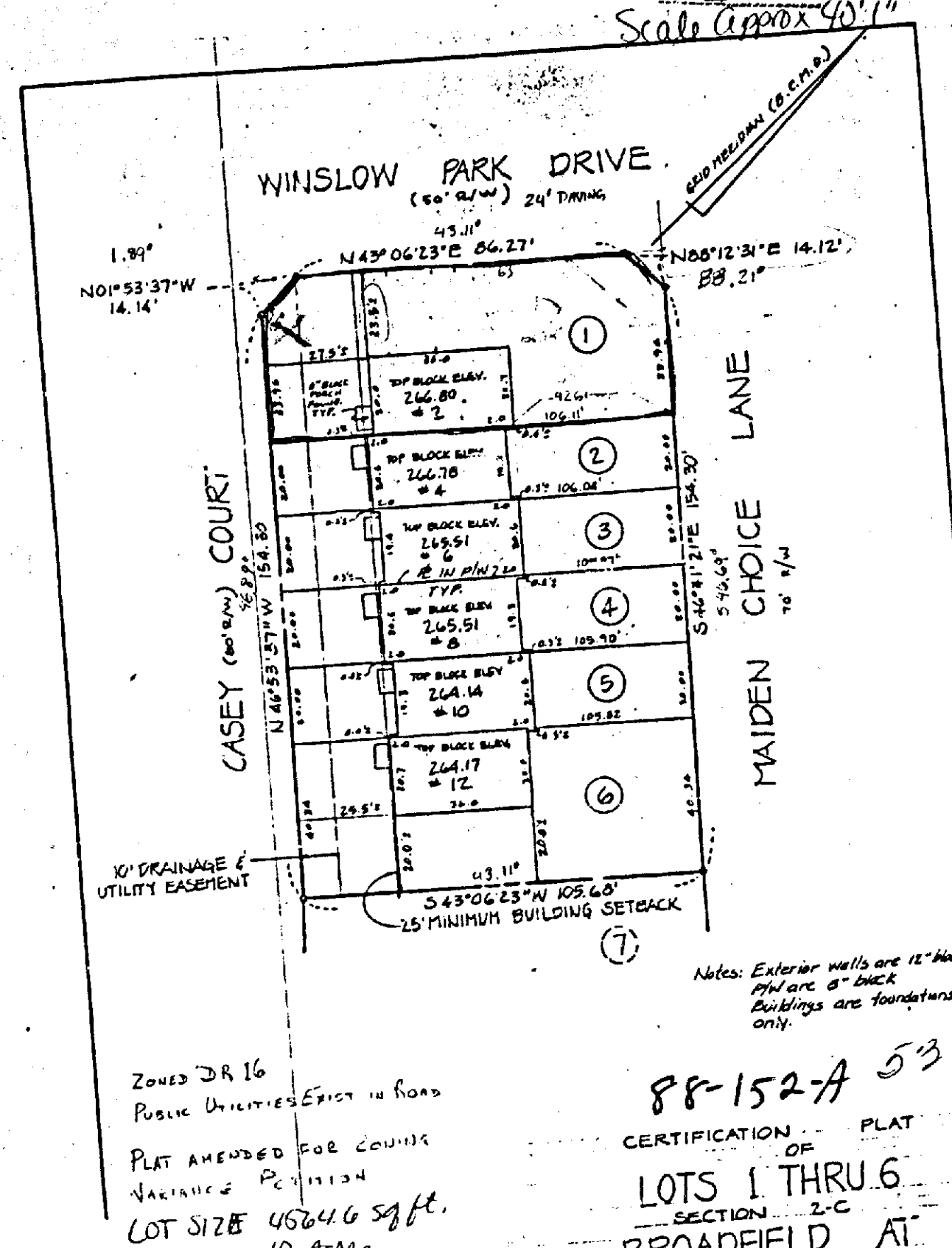
AMOUNT \$ 77.12
Mr. Scott W. Austin, et ux
Towson, Md. 21228

RECEIVED FROM: Advertising & Posting Costs re Case 88-152-A

FOR: \$ 8017*****733248 2012*

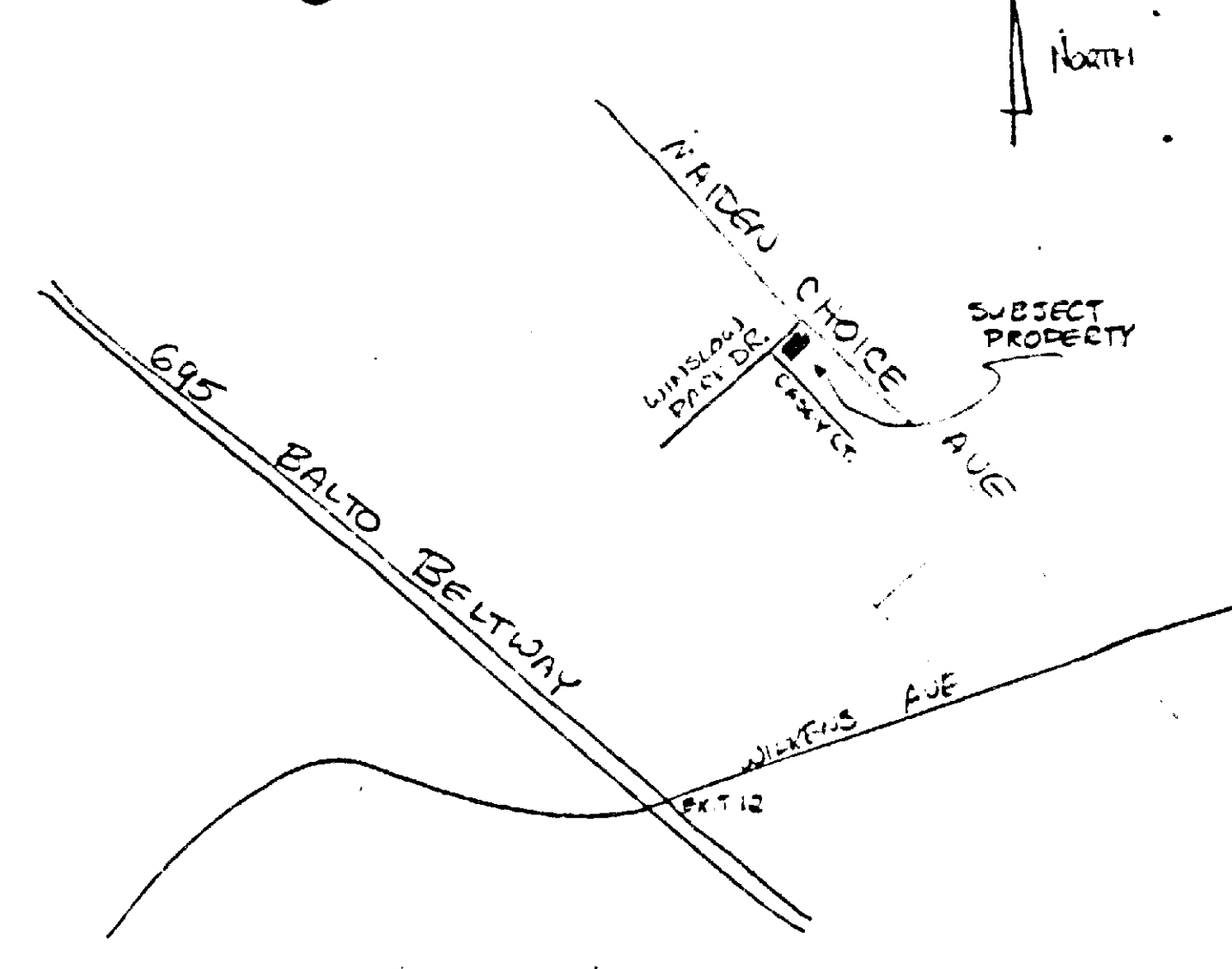
VALIDATION OR SIGNATURE OF CASHIER

VALIDATION OR SIGNATURE OF CASHIER



88-152-A 531

CERTIFICATION OF
LOTS 1 THRU 6
SECTION 2-C
BROADFIELD AT
WILTON FARMS
1ST ELECTION DIST. BALD CO. MD
ENCL. 51/10



VICINITY MAP

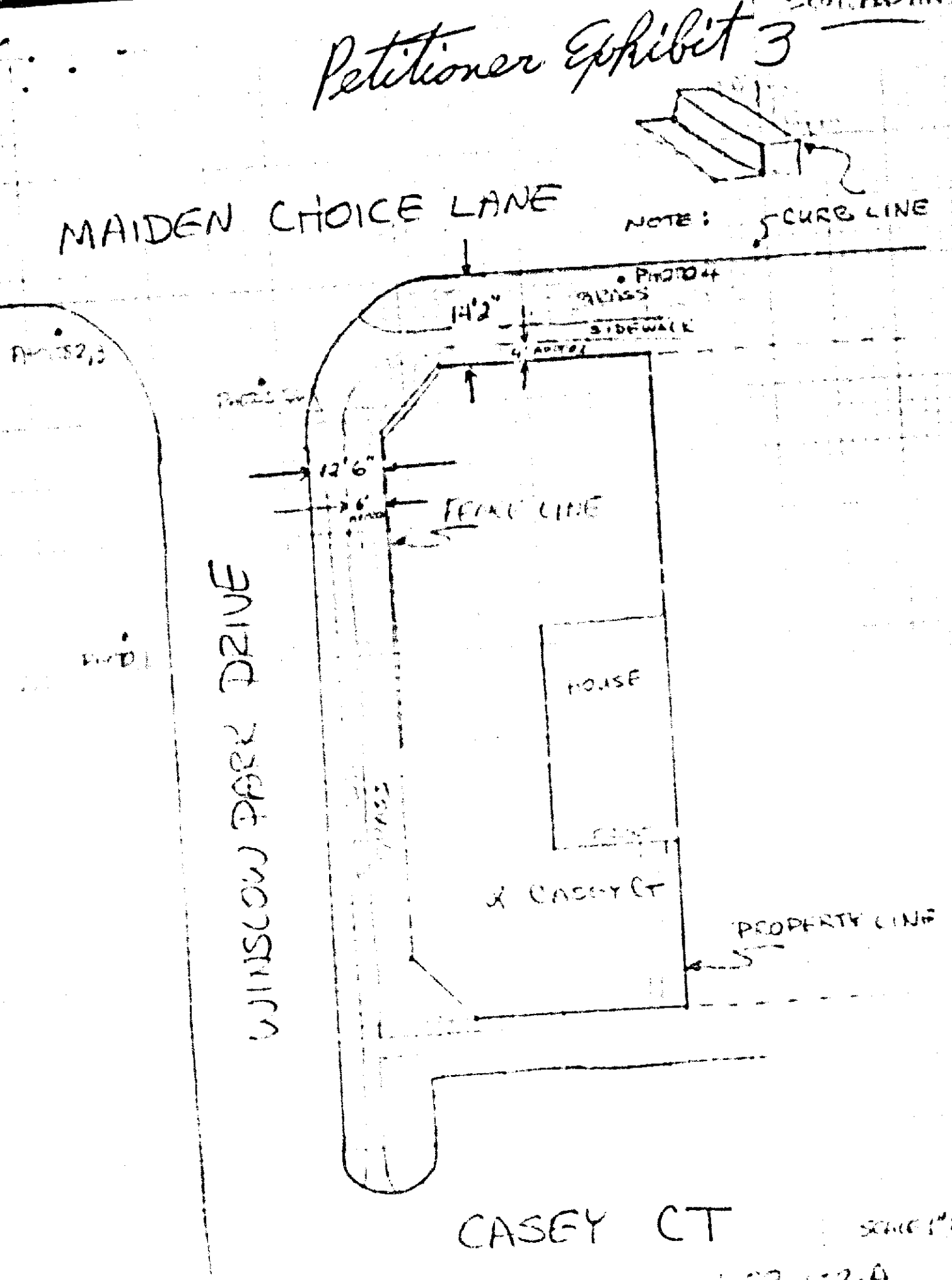
2 CASEY CT
BALD MD 21228

MR. J. ROBERT HAINES
ZONING COMMISSIONER
COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MD 21204

RE: ITEM No 531 Case No 88-152-A
PETITIONER: SCOTT AUSTIN, ET UX
PETITION FOR ZONING VARIANCE FROM SECTION 102.5
TO PERMIT A FENCE MORE THAN 3 FT HIGH
WITHIN A TRIANGULAR AREA 10' FROM THE
POINT OF INTERSECTION OF THE TWO STREET
PROPERTY LINES IN LIEU OF REQUIRED 25'

ENCLOSED IS A SITE PLAN OF THE CORNER OF INTEREST
MARKED * IN RED ARE LOCATIONS FROM WHICH THE
ENCLOSED PHOTOS WERE TAKEN (PHOTOS ARE NUMBERED WITH
NOTES ON THE BACK). PHOTO #6 WAS TAKEN BY A
PASSING DRIVER FOR US. HE STOPPED AT A POSITION
WHERE HE WOULD NORMALLY STOP. MARKED IN BLUE
ON THE SITE PLAN ARE DISTANCES FROM THE PHOTO #6
LOCATION DOWN MAIDEN CHOICE LANE. I'VE ALSO
INCLUDED A SKETCH OF THE CORNER WITH VARIOUS
DISTANCES THAT YOU REQUESTED

Respectfully,
Scott Austin



CASEY CT

Case # 88-152-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines, Zoning Commissioner Date: October 22, 1987

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

SUBJECT: Zoning Petitions No. 88-152-A, 88-153-A, 88-154-A, 88-155-A, 88-156-A, 88-157-A, 88-158-A, 88-159-A, 88-160-A, 88-161-A, 88-162-A, 88-163-A, 88-164-A, 88-165-A, 88-166-A, 88-167-A, 88-168-A, 88-169-A, 88-170-A, 88-171-A, 88-172-A, 88-173-A, 88-174-A, 88-175-A, 88-176-A, 88-177-A, 88-178-A, 88-179-A, 88-180-A, 88-181-A, 88-182-A, 88-183-A, 88-184-A, 88-185-A, 88-186-A, and 88-187-A.

There are no comprehensive planning factors requiring comment on the above numbered petitions.

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

NEG/JH/jat
cc: Mr. Shirley M. Hess, Legal Assistant, People's Counsel
File

RECEIVED
OCT 26 1987
ZONING OFFICE

Baltimore County Board of Appeals
Old Courthouse, Room 2204
Towson, Maryland 21204

RE: Petition for Zoning Variance
Intersection of NE/S Casey Court and SE/S Winslow Park Drive (2 Casey Ct.)
1st Election District, 1st Councilmanic District
Scott Austin, et ux - Petitioners
Case No. 88-152-A

Dear Board:

An appeal of the above-referenced matter was filed in this office on December 9, 1987, by People's Counsel for Baltimore County. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:bjs
cc: Phyllis Cole Friedman, Esquire,
People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 16, 1987

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

Mr. Scott Austin
2 Casey Court
Catonsville, Maryland 21228

RE: Item No. 531 - Case No. 88-152-A
Petitioner: Scott Austin, et ux
Petition for Zoning Variance

Dear Mr. Austin:

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.

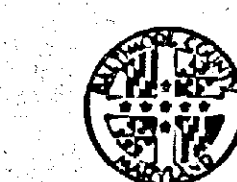
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing 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
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204

(301) 494-3180

January 20, 1988

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 88-152-A

SCOTT AUSTIN, ET UX

Intersection of NE/S Casey Ct. and SE/S Winslow Pk. Dr. (2 Casey Ct.)

1st E. Dist; 1st C. Dist.

Variance-Fence

11/19/87 - Z.C.'s Order-Varianced w/restrictions

ASSIGNED FOR:

cc: Scott Austin

Petitioner

Phyllis C. Friedman

People's Counsel

David Fields

Office of Planning

James Hoswell

" " "

J. Robert Haines

Zoning Office

Ann M. Nastarowicz

" " "

James E. Dyer

" " "

Docket Clerk

" " "

June Holmen, Secy.

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3534

July 10, 1987

Dennis F. Rasmussen
Dennis F. Rasmussen
County Executive

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

Item No. 531 -ZAC-
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Meeting of June 30, 1987
Scott Austin, et ux
Int. NE/S Casey Court and SE/S Winslow Park Drive
D.R. 16
Variance to permit a fence more than 3 feet high to be placed with a triangular area 10 feet from the point of intersection of the two street property lines in lieu of the required 25 feet
4564 square feet
1st Election District

Dear Mr. Jablon:

The property owner is advised to check the Baltimore County Code - Section 17-4 (copy attached) before proceeding.

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY CODE - SECTION 17-4. Obstruction of drivers' view at street intersection.

Whenever the County shall be advised in writing by the Chief of the County Police Department or the Traffic Engineer of the County that any trees, bushes, vines, fences, signs or other obstructions are located on any property at an intersection of any highways or streets in the County, or at an intersection of a side street or side road with a County or State Highway in the County in such a manner as to obstruct the vision of the operators of vehicles as they reach such intersections, they are hereby authorized and empowered to require the owner or owners of such property located at such intersections to remove therefrom such trees, bushes, vines, fences, signs or other obstructions within such time as the County shall in its discretion determine to be just. Any owner of such property failing to remove such obstruction within such time as may be limited in the notice from the County to do so shall be deemed guilty of a misdemeanor and subject to a fine of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00); provided, that in addition to the criminal penalty herein provided for, the County shall have the further right and power, after giving the aforesaid notice, and upon failure of the owner of such property to comply therewith, to have such trees, bushes, vines, fences, signs or other obstructions removed and charge the cost of such removal to the owners of such property, which cost or charges shall be a lien on such property and be collected in the same manner as taxes are now collected. (Balto. Co. Code, 1958, § 18-3; Baltimore Co. Code, 1968, § 17-4; Bill No. 122, 1968, § 1).

Baltimore County
Fire Department
Towson, Maryland 21204 2586
494-4500

Paul H. Reincke
Chief

July 2, 1987

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

Re: Property Owners: Scott Austin, et ux

Location: Int. NE/S Casey Court and SE/S Winslow Park Drive

Item No.: 531 Zoning Agenda: Meeting of 6/30/87

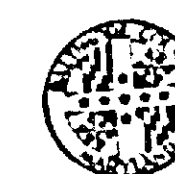
Gentlemen:

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.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Special Inspection Division Fire Prevention Bureau

/s/



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204

(301) 494-3180

April 26, 1988

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County
Room 223, Courthouse
Towson, MD 21204

RE: Case No. 88-152-A
Scott Austin, et ux

Dear Ms. Friedman:

Enclosed is a copy of the final Opinion and Order issued this date by the County Board of Appeals regarding the subject matter.

Sincerely,

Kathleen C. Wellenhamer
Kathleen C. Wellenhamer
Administrative Secretary

Encl.

cc: Mr. Scott Austin
P. David Fields
James C. Hoswell
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk
Arnold Jablon, County Attorney

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-2100
January 20, 1988
HEARING ROOM #218
NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 88-152-A SCOTT AUSTIN, ET UX
Intersection of NE/S Casey Ct. and SE/S Winslow Pk. Dr. (2 Casey Ct.)
1st E. Dist; 1st C. Dist.
Variance-Fence
11/19/87 - Z.C.'s Order-Granted w/restrictions
ASSIGNED FOR: WEDNESDAY, APRIL 13, 1988, at 1:00 p.m.
cc: Scott Austin Petitioner
Phyllis C. Friedman People's Counsel
David Fields Office of Planning
James Hoswell " " "
J. Robert Haines Zoning Office
Ann M. Nastarowicz " "
James E. Dyer " "
Docket Clerk " "

June Holmen, Secy.

1/20/88 - Following notified of hearing set for Wed. April 13, 1988, at 1 P.M.:

Scott Austin
Phyllis Friedman
David Fields, James Hoswell
Robt. Haines, Ann Nastarowicz
J. Dyer, Docket Clerk

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

December 22, 1987

Baltimore County Board of Appeals
Old Courthouse, Room #205
Towson, Maryland 21204

RE: Petition for Zoning Variance
Intersection of NE/S Casey Court and SE/S Winslow Park Drive (2 Casey Ct.)
1st Election District, 1st Councilmanic District
Scott Austin, et ux - Petitioners
Case No. 88-152-A

Dear Board:

An appeal of the above-referenced matter was filed in this office on December 9, 1987 by People's Counsel for Baltimore County. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:bjs

cc: Phyllis Cole Friedman, Esquire,
People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Maryland 21204

File

Mr. Scott Austin
2 Casey Court
Catonsville, Maryland 21228

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333
J. ROBERT HAINES
ZONING COMMISSIONER

October 29, 1987

Mr. Scott Austin
Mrs. Janelle Austin
2 Casey Court
Catonsville, Maryland 21228

RE: PETITION FOR ZONING VARIANCE
Intersection of NE/S Casey Ct. and SE/S Winslow Park Dr. (2 Casey Ct.)
1st Election District - 1st Councilmanic District
Scott Austin, et ux - Petitioners
Case No. 88-152-A

Dear Mr. and Mrs. Austin:

This is to advise you that \$73.32 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

Sincerely,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:md

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

November 19, 1987

Mr. and Mrs. Scott Austin
2 Casey Court
Baltimore, Maryland 21228

Re: Petition for Zoning Variance
Case Nos. 88-152-A

Dear Mr. and Mrs. Austin:

Pursuant to the recent hearing held on the subject case, please be advised that your Petition for a Zoning Variance has been Granted.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:mmm
enclosure

MR. J. ROBERT HAINES
ZONING COMMISSIONER
COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MD 21204

SCOTT AUSTIN
2 CASEY CT
BALTO MD 21228
(301) 428-8774 (W)
(202) 47-2514 (H)

11/5/87

RECEIVED
NOV 5 1987
ZONING OFFICE

RE: ITEM No. 531 CASE No. 88-152-A
PETITIONER: SCOTT AUSTIN, ET UX
PETITION FOR ZONING VARIANCE FROM SECTION 102.5
TO PERMIT A FENCE MORE THAN 3 FT HIGH
WITHIN A TRIANGULAR AREA 10' FROM THE
POINT OF INTERSECTION OF THE TWO STREET
PROPERTY LINES IN LIEU OF REQUIRED 25'

ENCLOSED IS A SITE PLAN OF THE CORNER OF INTEREST
MARKED # IN RED ARE LOCATIONS FROM WHICH THE
ENCLOSED PHOTOS WERE TAKEN (PHOTOS ARE NUMBERED WITH
NOTES ON THE BACK). PHOTO #6 WAS TAKEN BY A
PASSING DRIVER FOR US. HE STOPPED AT A POSITION
WHERE HE WOULD NORMALLY STOP. MARKED IN BLUE
ON THE SITE PLAN ARE DISTANCES FROM THE PHOTO #6
LOCATION DOWN MAIDEN CHOICE LANE. I'VE ALSO
INCLUDED A SKETCH OF THE CORNER WITH VARIOUS
DISTANCES THAT YOU REQUESTED.

Respectfully,
Scott Austin

PETITION FOR ZONING VARIANCE
1st Election District - 1st Councilmanic District
Case No. 88-152-A

LOCATION: Intersection of Northeast Side of Casey Court and Southeast Side of Winslow Park Drive (2 Casey Court)
DATE AND TIME: Monday, November 2, 1987, at 9:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 to permit a fence more than 3 feet high to be placed within a triangular area 10 feet from the point of intersection of the two street property lines in lieu of the required 25 feet

Being the property of Scott Austin, et ux as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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.

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

