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

i. Visual appearance would be improved to have a fence of uniform height (6 feet).

2 To keep the 6 foot high fence 25 feet within the street property lines would cause the loss of use of a substantial portion of the rear yard.

3. Proposed fence location would not interfere with sight distance at the location.

4. To provide a visual and sound barrier from pedestrian and vehicle traffic for childrens' play area.

Property is to be posted and advertised as prescribed by Zoming Regulations.

I 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.

Legal Owner(s): MAP SW 3E Contract Purchaser: Scott Austin (Type or Print Name) Scott Hustin grandle Austin 1000 Br. City and State W-24,700 Attorney for Petitioner: 5-11,340 (Type or Print Name) Name, address and phone number of legal owner, contract purchaser or representative to be contacted Scott Austin Name 2 Caseville, MD 21228 247-2514 Catonsville, MD 21228 Attorney's Telephone No.: _____ ORDERED By The Zoning Commissioner of Baltimore County, this 2/21 day County, on the _____ day of _ More when, 1987, at 9.00 o'clock A.M.

It is clear from the testimony that if the variance were granted, such use as proposed, would not be contrary to the spirit and intent of the B.C.Z.R and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty and/or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety and general welfare.

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

Therefore, it is ordered by the Zoning Commissioner of Baltimore County, this \(\frac{19^{72}}{2}\) day of November, 1987, that the Petition for Zoning Variance to permit a fence of more than 3 feet in height to be placed within the triangular area 10 feet from the point of the intersection of the two street property lines in lieu of the required triangular setback of 25 feet be and is hereby Granted, from and after the date of this Order subject, however, to the following restrictions which are condition precedent upon the relief granted:

1. That the Peritioner is aware of the applicable appeal period and that all decisions of the Zoning Commissioner are appealable to the Board of Appeals; and, that the Petitioner agrees and understands that to proceed within the 30 day appeal period is to proceed at his own risk and cost.

IN THE MATTER OF
THE APPLICATION OF
SCOTT AUSTIN, ET UX
FOR A ZONING VARIANCE ON PROPERTY
LOCATED AT THE INTERSECTION OF
NORTHEAST SIDE CASEY COURT AND
SOUTHEAST SIDE WINSLOW PARK DRIVE
1st ELECTION DISTRICT
1st COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF

BALTIMORE COUNTY CASE NO. 88-152-A

OPINION

This case comes before this Board on appeal from an Order of the Zoning Commissioner granting the requested variance with restrictions.

People's Counsel, who took the appeal, stated that the reason for the appeal was based on the fact that the fence as proposed obstructed the view of oncoming traffic. She presented a revised site plan whose alterations increased the visibility and satisfied the traffic department. An on-site inspection of the site confirmed this.

In view of the fact that all points of contention have been corrected to everyone's satisfaction, the Board is of the ominion that the variance should be granted upon compliance with the amended site plan.

ORDER

It is therefore this <u>26th</u> day of April, 1988 by the County Board of Appeals of Baltimore County ORDERED that the variance to construct a fence be and the same is GRANTED contingent upon full compliance with the amended site plan submitted as Joint Exhibit No. 1.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

2. The fence may be no more than 6 feet high and is restricted to the placement shown on the Petitioner's Exhibits 1 and 3.

J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

JRH:mmn cc: Peoples Counsel

Zoning Description

The lot at the north end of the property enclosed by the three roads Maiden Choice Avenue, Winslow Park Drive, and Casey Court. Being Lot 1, Section 2-C, in the subdivision of Broadfield at Wilton Farms. Book EHK JR. 52 Folio 110. Also known as 2 Casey Court in the 1st Election District

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman

Henry H. Lewis

Jatricia Phipps

APPEAL

Petition for Zoning Variance
Intersection of NE/S Casey Court and SE/S Winslow Park Drive

(2 Casey Court)

1st Election District = 1st Councilmanic District
Scott Austin, et ux + Petitioners
Case No. 88-152-A

Variance-Fence

Petition for Zoning Variance
Description of Property

Certificate of Posting
Certificates of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 19 Plat of Property w/attached vicinity map

Three Sheets w/attached color photographs
 Letter from Petitioner dated 11/5/87 w/attachments

Zoning Commissioner's Order dated November 19, 1987

Notice of Appeal received December 9, 1987 from People's Counsel for Baltimore County

Mr. Scott Austin, Petitioner 2 Casey Court, Catonsville, Maryland 21928

Physlis Cole Friedman, Esquire, Appellant People's Counsel of Baltimore County Rm. 223, Old Courthouse, Towson, Maryland 21204

Request Notification:

Norman E. Gerber, Director of Planning
James Hoswell, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Ioning Supervisor
Margaret E. duBois, Docket Clerk

IN 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

Petitioners

Scott Austin, et ux

DEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 88-152-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to allow a fence of more than 3 feet high to be placed within the triangular area 10 feet from the point of the intersection of the two street property lines in lieu of the required 25 feet triangular area as required by Section 102.5 and as more particularly described on Petitioner's Exhibits 1 and 3.

* * * * * * * * * * *

The Putitioner appeared and testified by way of proffer on his own behalf and there were no Protestants or objections raised to the requested Petition.

The testimony indicated that the Petitioner wishes to fence his rear yard and rear side yard which is bounded by the intersection of the Maiden Choice Lane and Winslow Park Drive. The Petitioner owns the corner townhouse which also fronts on Casey Court. The property is currently zoned D.R.16 and is located in the greater Catonsville section of Baltimore County. The Petitioner proffered that the proposed fence would be far enough from both Maiden Choice Lane and Winslow Park Drive to not interfere with the flow of traffic or the lines of sight, or the safety of the general public using both the sidewalks and streets. The Petitioner further testified that there was no detrimental effect upon the community by the construction of the proposed fence.

RE: PETITION FOR VARIANCE
Intersection of NE/S Casey Ct.
and SE/S Winslow Park Dr.
(2 Casey Ct.), 1st District

SCOTT AUSTIN, et ux, Petitioners

Case No. 88-152-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned 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.



ZONING OFFICE

Phyllis Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 2nd day of October, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Scott Austin, 2 Casey Court, Catonsville, MD 21228, Petitioners.

Peter Max Zirmerman

CALLE FOR CENTROSE RE

Office of **PATUXENT** : BEFORE THE ZONING COMMISSIONER RE: PETITION FOR VARIANCE Mr. Scott Austin Intersection of NE/S Casey CERTIFICATE OF POSTING Mrs. Janelle Austin OF BALTIMORE COUNTY DHING DEPARTMENT OF BALTIMORE COUNTY & 8-152-A Ct. & SE/S Winslow Park Columbia, MO 21044 2 Casey Court Catonsville, Maryland 21228 Dr. (2 Casey Ct.) PETITION POR

200000 VARIANCE
1st Exection District
2st State
Public HEATERS Reserved, New Journal Office Building, 111 Wood County Office Building, 111 Wood County Office Building, 112 Wood County Office Building of Building County, by Sustaining of the Earth State Building with the Suntage Wood State Building 1st Election District October 20 lst Councilmanic District Date of Posting Case No. 88-152-A SCOTT AUSTIN, et ux, Petitioners Location of Signes Conferent of H. 2 Casey Court NOTICE OF APPEAL THIS IS TO CERTIFY, that the annexed advertisement of Please note an appeal from your decision in the above-captioned PETITION FOR ZONING VARIANCE matter, under date of November 19, 1987, to the County Board of Appeals was inserted in the following: and forward all papers in connection therewith to the Board for hearing. PLACE: Room 106, County Office Building, 11: West Chesapeake ☐ Booster Weekly
☐ Owings Mills Flier ☐ Catonsville Times Arbutus Times Towson Flier ☐ Reporter Weekly Avenue, Towson, Maryland In the overel that this Putmorth is granted, a building parmorthing the testing particular that
thirty (20) day appeal particul. The
Zenting Commissioner with their tocourt, protection any request for a
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ROAMIS COMMISSIONS A

OF BALTINGME COUNTY

109-AOSI 19weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 17 day of October 19 87 that is to Phyll's Cole Friedman People's Counsel for Baltimore County say, the same was inserted in the issues of October 15, 1987 Pote May Commerces Peter Max Zimmerman Deputy People's Counsel Room 223, Court House 88-152-A Towson, Maryland 21204 CERTIFICATE UF POSTING 494-2188 CONING DEPARTMENT OF BALTIMORE COUNTY I HEREBY CERTIFY that on this 9^{4} day of December, 1987, a copy of BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION the foregoing Notice of Appeal was mailed to Mr. and Mrs. Scott Austin, MISCELLANEOUS CASH RECEIPT Date of Posting October 6, 1987 2 Casey Ct., Catonsville, MD 21228, Petitioners. 11/2/27 Scott austin, et us SIGN & POST Phyllis Cole Fredman Location of property: Inte of ME/S Casey Ite and SE/S Minuleur Mr. Scott W. Austin, 2 Laney Ct., Belto., Md. 21228 Phyllis Cole Friedman ADVERTISING & POSTING COSTS RE CASE 189-152-A Location of Signer In fronts of 2 Casey Court ZONING OFFICE 8 8017 *** * 733214 = 5324 Date of return October 9, 1987. SCOTT AUSTIN A CASEY CT BACTO MD 21228 HORTH MR. J. RUBERT HAINES 11/5/87 SUBJECT PROPERTY ZONING COMMISSIONER COUNTY OFFICE BLDG 111 W. CHESAPEAKE AVE. TOWSON, MD 21204 The same RE: ITEM No. 531 CASEND 88-152-A NOI"53'37"W . PETITIONER: SCOTT AUSTIN, ET UX PETITION FOR ZONING VARIANCE FROM SECTION 102.5 TO PERMIT A FENCE MORE THAN BET HIGH WITHIN A TRIANGULAR AREA 10' FROM THE TOINT OF INTERSECTION OF THE TWO STREET PROPERTY LINCS IN LIEU OF REGULEOD 25! ENCLOSED IS A SITE PLAN OF THE CORNER OF INTEREST. MARKED IN RED ARE COCATIONS FROM WHICH THE

Petitioner Ephibit 3 con Ausmilia MAIDEN CHOICE LANE FCURE LINE HOUSE A CONTRACTOR OF THE PARTY OF TH X CASET CT 1 CASE A 58-152-A

Public Utilities Exist IN ROAD PLAT AMENDED FOR COUNTS LOTS I THRU 6

SECTION 2-C

BROADFIELD AT

WILTON FARMS
ST ELECTION DIST BUTD. CO, MD

ST ELECTION DIST BUTD. CO, MD LOT SIZE 46646 59 H.

VARIANCE PCHINISH

10 Acres

2 CASEY CT BALTO MODRIBAR

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WHERE HE WOULD NORMALLY STOP, MARKED IN BLUE ON THE SITE PLAN ARE DISTANCES FROM THE PHOTOME LOCATION, DOWN MAIDON CHOICE LANE, I'ME ACED INCLUDED A SKETCH OF THE CORNER WITH VARIOUS

DISTANCES THE YOU REQUESTED RESPERTIGICLY,

Son HUSTIN

ENCLOSED PHOTOS WERE TAKEN (PHOTOS ASE NUMBERED WITH

PASSING DRIVER FOR US. HE STOPPED AT A POSITION

NOTES ON THE BACK). PHOTO #G WAS TAKEN BY A

September 28, 1987

1st Election District - 1st Councilmanic District

issioner

e County

NOTICE OF HEARING

Case No. 88-152-A

Monday, November 2, 1987

8-01-615-000

RE: PETITION FOR ZCNING VARIANCE
Intersection of NE/S Casey Ct. and SE/S
Winslow Park Dr. (2 Casey Ct.)

Scott Austin, et ux - Petitioners

BATIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. J. Robert Haines _October 22. 1987 Zoning Commissioner 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, 88-165-A, 88-167-A, 88-168-A, 88-169-A, 88-170-A, 88-171-A, 88-174-A, 88-175-A, 88-176-A, 88-177-A, 88-179-A, 88-180-A, 88-181-A, 88-183-A, 88-185-X, 88-186-A, and 88-187-A.

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

> > Office of Planning and Zoning

c: Ms. Shirley M. Hess, Legal Assistant, People's Counsel

ZONING OFFICE

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 16, 1987

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

Bureau of

Fire Prevention

Realth Department

Project Planning

building Department

Board of Education

Soning Administration

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

Bureau of Department of .. Traffic Engineering

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 State Roads Commission 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.

JED: kkb Enclosures Zoning Plans Advisory Committee

HEARING ROOM #218

County Board of Appeals of Baltimore County Room 200 Court House

Toluson, 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.)

Variance-Fence

1st E. Dist: 1st C. Dist.

11/19/87 - Z.C.'s Order-Granted w/restricting

WEDNESDAY, APRIL 13, 1988, at 1:00 p.m.

Petitioner cc: Scott Austin

ASSIGNED FOR:

People's Counsel Phyllis C. Friedman

Office of Planning David Fields James Hoswell

Zoning Office J. Robert Haines 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 494-3554



July 10, 1987

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

> Property Owner: Location: Existing Zoning:

Proposed Zoning:

Item No. 531 -ZAC-

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

Meeting of June 30, 1987

District:

Area:

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. Flanigan Traffic Engineer Associate II

MSF:1t

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

Baltimore County Board of Appeals
Old Courthouse, Boom #205
Towacn, Maryland 21204

REI Petition for Zoning Variance
Intersection of NE/3 Casey Court and SE/S Winslow Park Drive (2 Casey Ct.)
Lat Election District, 1st Councilmanic District
Scott Austin, et ux - Petitioners

cember 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

Very truly yours,

9 Lobert Halles

matter, please do not hesitate to contact this office.

Phyllis Cole Priedman, Laquire, People's Counsel of Baltimore County

Rm. 223, Old Courthouse, Towson, Maryland 1 21204

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 demmed guilty of a misdeameanor 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

July 2, 1987

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

Re: Property Owner: 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

() 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.

to be corrected or incorporated into the final plans for the property.

() 3. The vehicle dead end condition shown at EXCENDS 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 Pro-

tection Association Standard No. 101 "Life Safety Code," 1976 edition

() 6. Site plans are approved, as drawn.

prior to occupancy.

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

Wire Prevention Buteau

County Board of Appeals of Baltimore County Room 200 Court House Towson, Maryland 21204 (301) 194-3180

April 26, 1998

Phyllis Cole Friedman, Esquire People's Counsel for Baltimore County Room 223, Courthouse Towson, 10 2'204

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.

Kraue C. Electeration men Kathisen C. Weldenhammer Administrative Secretary

cc: Mr. Scott Austin P. David Fields James G. Hoswell J. Robert Haines Ann M. Nastarowicz James E. Dyer

Docket Clerk Arnold Jablon, County Attorney

HEARING ROOM #218

County Board of Appeals of Baltimore County

Room 200 Court Mouse 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-Granted w/restrictions

WEDNESDAY, APRIL 13, 1988, at 1:00 p.m.

ASSIGNED FOR:

cc: Scott Austin

Petitioner

11 11 11

r. yllis C. Friedman

People's Counsel Office of Planning

David Fields 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

J. Robert Haines

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,

& Zoberd Houses. ROBERT HAINES Zoning Commissioner

JRHibjs

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

File

Mr. Scott Austin 2 Casey Court Catonsville, Maryland 21228 Being the property of Scott Austin, et ux plan filed with the Zoning Office.

PETITION FOR ZONING VARIANCE

Case No. 88-152-A

DATE AND TIME: Monday, November 2, 1987, at 9:00 a.m.

Towson, Maryland

1st Election District - 1st Councilmanic District

Side of Winslow Park Drive (2 Casey Court)

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,

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

Intersection of Northeast Side of Casey Court and Southeast

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

BALTIMORE CUNTY
OFFICE OF PLANNING G ZONING
TOWSON, MARYLAND 21204
494-3353 J. ROBERT HAINES

ZONING COMMISSIONER October 29, 1987

Mr. Scott Austin Mrs. Janelle Austin 2 Case 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

Do <u>not</u> 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.

Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204 494-3353 J. Robert Haines

Baltimore County



November 19, 1987

ROBERT HAINES

ZONING COMMISSIONER

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

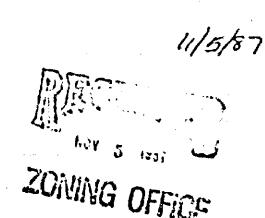
> Re: Petition for Zoning Variance Case Nos. 88-152-A

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.

SICTI AUSTIN PCASEY CT BACTO MO 21328 (301)678-8729 (W) (301)47-2514 (M)

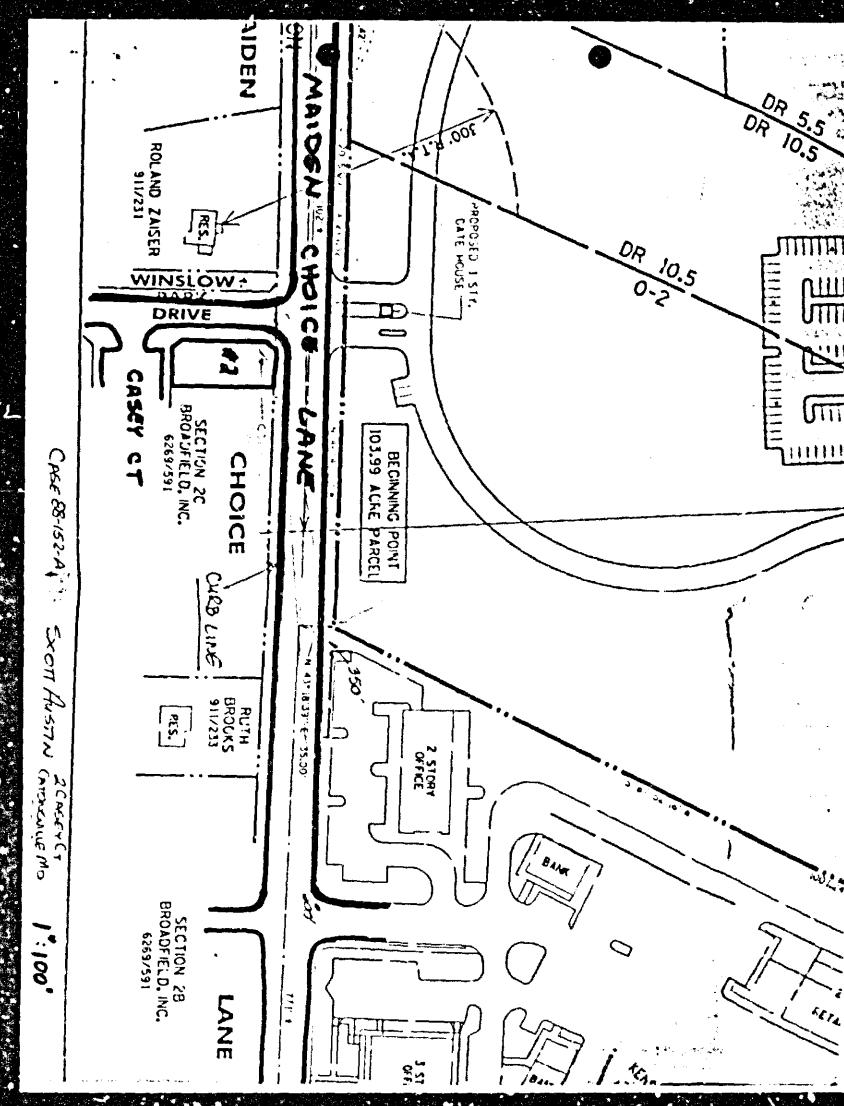
MR. J. ROBERT HAINES ZONING COMMISSIONER COUNTY OFFICE BLDG. 111 W. CHESAFEAKE AVE. TOWSON, MD 21204



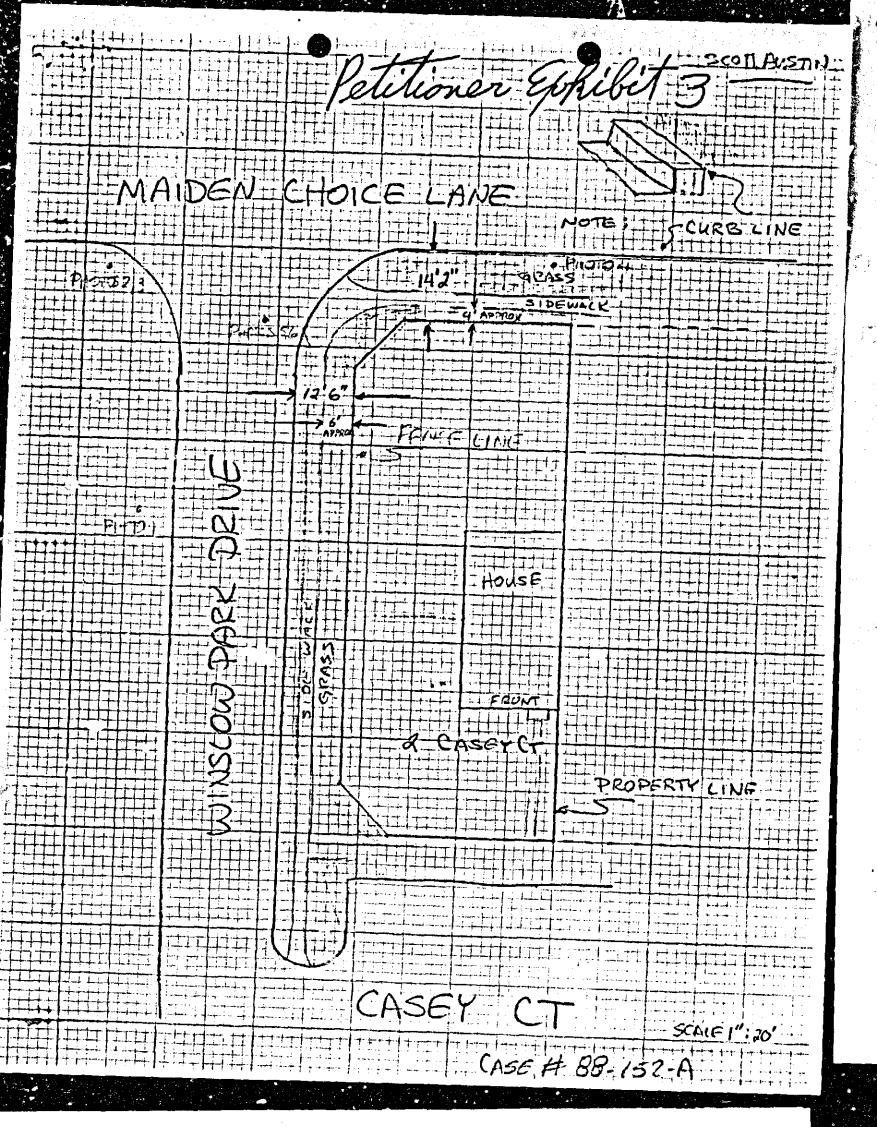
RE: ITEM No. 531 CASENO 88-152-A PETITIONER: SCOTT AUSTIN, ET UX

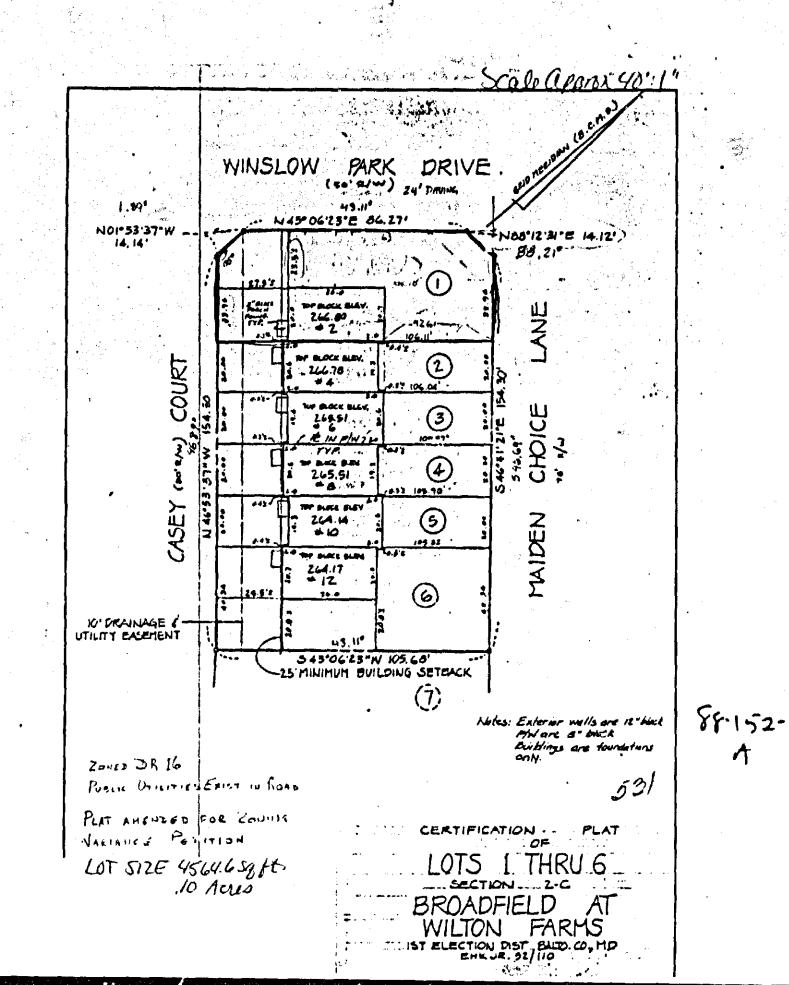
PETITION FOR ZONING VARIANCE FROM SECTION 1025 TO PERMIT A FENCE MORE THAN SET HIGH WITHIN A TRIANGULAR AREA 10' FROM THE POINT OF INTERSECTION OF THE TWO STREET PROPERTY LINES IN LIEU OF REGULACO 25!

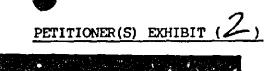
ENCLOSED IS A SITE PLAN OF THE CORNER OF INTEREST. MARKED & IN RED ARE LOCATIONS FROM WHICH THE ENCLOSED PHOTOS WERE TAKEN (PHOTOS ARE NUMBERED WITH NOTES ON THE BACK). PHOTO #G WAS TAKEN BY A PASSING DRIVER FOR US. HE STOPPED AT A POSITION WHERE HE WOULD NORMALLY STOP, MARKED IN BLUE ON THE SITE PLAN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



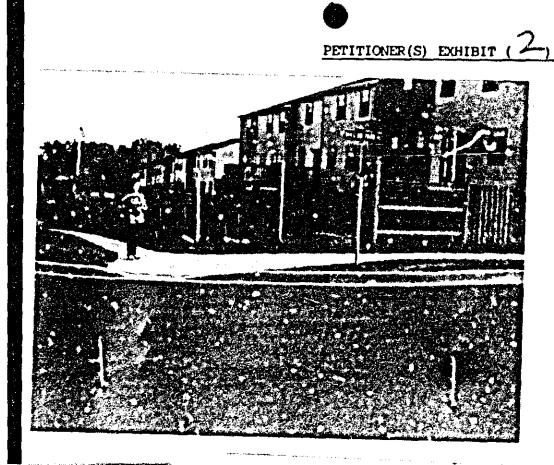
enclosure

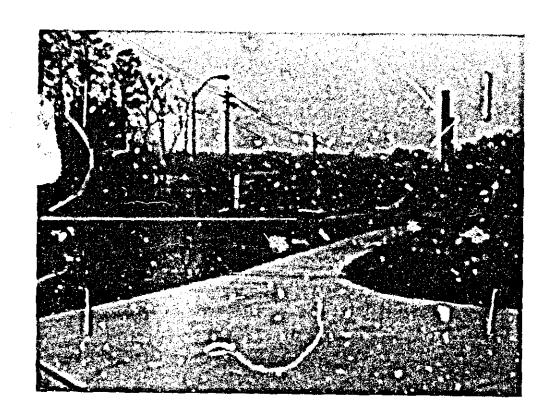


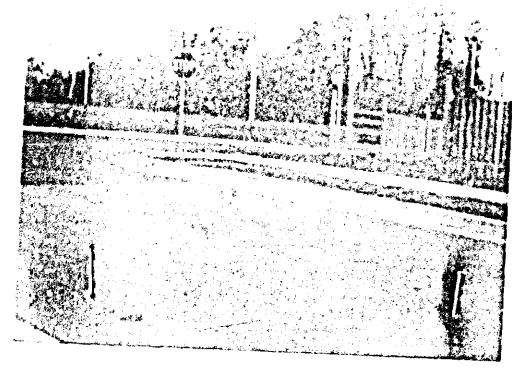












(50' R/W) 24' TAVING ... N43"06'23"E 86.27" NO1"53'37"W _ 10' DRAINAGE & UTILITY EASEMENT 5 43°06'23"W 105.68" --Notes: Exterior walls are 12 block 101 TIRE 14564, 60 04 07 MW are 8" black Buildings are foundations ZONES DE TO Public Oriente Exert in house hereon, and that and improvements exist, and that said improvements he KIDDE CONSULTANTS, INC. entirely make me boundaries - 1- 1 Dens 1020 Cromwell Bridge Road Boltimore, Maryland 21204 PA KIDDE COMSULTANTS, INC.
THIS PLAT NOT INTENDED FOR USE IN THE ESTABLISHMENT OF Scole: 1" = 30" PROPERTY LINES Rev. 9/77 5 e 301 J.J. 0120874 WO. 41574

April 13, 1988

Deink Kit #1

County Board of Appeals of Baltimore County Room 200 Court House Towson, Maryland 21204

RE: Case 88-152-A
Petition for Variance - Fence
11/19/87 - Z.C.'s Order-Granted w/restrictions
Intersection of NE/s Casey Ct. and SE/s Winslow Park Dr. (2 Casey Ct.)
1st E. Dist: 1st C. Dist.
Petitioners - SCOTT AUSTIN, et ux

cc: Phyllis Cole Friedman
People's Counsel for Baltimora County
Room 223, Court House
Towson, Maryland 21204

Board of Appeals,

After discussing my case with Phyllis Friedman, we have worked out an agreement in which I would amend my petition to include a change in the location of my fence in order to provide greater visibility. The new plan for the fence perimeter will be in accordance with the attached amended site plan.

Scott Austin, Petitioner

88-152-1

Attorney

BALTIMOPE COUNTY OFFICE OF PLANNING & ZONING County Office Building

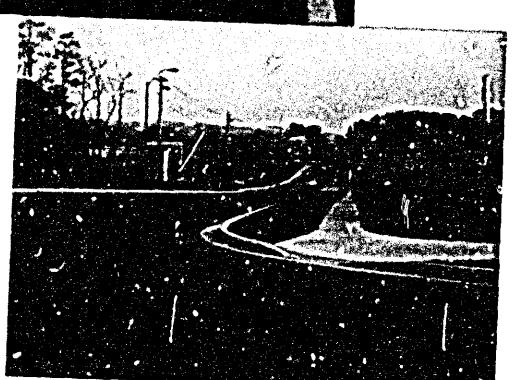
111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this ______day of ______, 1981.

ZONING COMMISSIONER

Petitioner <u>Scott fustir, et ux</u> Petitioner's

Received by: <u>James F. Dyer</u>
Chairman, Zoning Plans
Advisory Committee



CERTIFICATE OF PUBLICATION

TOWS NY, MD., OCT 15, 19.87 Care No. 80-153-A LOCATION: intersection of Northwest Side of Coory Court and Southers Side of Window Fash Drive & Courty Court of Drive & Courty Court of Date AND TIME: Monday, November 2, 1987 at 940 a.m. PUBLIC HEARING- Recent 100, County Office Building, 111 M. Chesapushe Arrenue, Bowsen, Maryland 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 Oct 15, 187 permat a festion more than 3 test high to be placed within a transgular and 10 fm. Arom the postel of intersection of the true attent property brees in been at the represent 25 feet. Herey, the property or Scott America, or on, or observe on plat plan filled with the 45 ming Ultime.

In the avenut that this Protection is presented, a sevent that this Protection is presented.

THE JEFFERSONIAN, Gusan Sender Obrect

post perced. The Zenery Customs-post perced. The Zenery Customs-tioner will, however, entertain any request for a stay of the immance of and pursel during the present and great cause shows. Such request must be acceived in verting by the dary of the housing set along or made at the housing.

By Order Of

| BUNEAT HAINES
| Zaming Lama, Headanne
| Haitmanne County

MAIDEN CHOICE AVE

