Mot with

Jeff flirlow

and Mitchell Kellman

from 200 mg

January 31, 2023

Mr. Andrew Spangenberger Ms. Linda Borgman Cummings & Co. Realtors 108 W. Timonium Road Lutherville-Timonium, MD 21093

RE: Confirmation of Density
Zoning Case No. 88-128-SPH
5433 Patterson Road (Parcel 0276, Tax Map 0044)
RC2, 35.11 Acres
11th Election District, 3rd Councilmanic District

Dear Mr. Spangenberger and Ms. Borgman

Your recent request to Baltimore County Permits, Approval, and Inspections (PAI) has been forwarded to me for reply. Based upon our meeting of January 10, 2023, the information contained in your letter, Baltimore County's "My Neighborhood" website, and our review of the reference zoning hearing, please be advised of the following.

On October 6, 1987, the Zoning Commissioner of Baltimore County granted a Special Hearing for the transfer of one density unit from a 46.89 acre farm to the adjacent 35.11 acre tract (subject property) under the same ownership. Based upon our review of the hearing file and My Neighborhood website (County GIS), it appears that the subject property's configuration has remained the same from when approved at the Special Hearing. In addition, the hearing file contained a recorded Confirmatory Deed referencing the density transfer approval granted by the Zoning Commissioner. Therefore, based upon the approved hearing, the subject property is permitted another density right or unit, provided that the subject property's configuration has remained the same since approved by the Special Hearing, the property has never been utilized for any offsite density, all other requirements as set forth in the Baltimore County Zoning Regulations (BCZR) are complied with, and all other Baltimore County requirements are

met.

Any proposed subdivision of the property must proceed via the applicable Baltimore County Development process and be approved by all Baltimore County Development Review agencies.

THE FOREGOING IS MERELY AN INFORMAL ZONING OPINION; IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENTED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

If you need further information, please contact us at your earliest convenience.

Sincerely,

Mitchell Kellman Zoning Review

88-128-SPH #46	SW/S Patterson Rd., approx. 1300' SE of c/1 of Patterson Farm Rd. 11th E.D.
8/28/87	Special Hearing - filing fee \$35.00 - John McKenzie, IV, et ux
8/28/87	Hearing set for $10/6/87$, at 9:45 a.m. before Mr. Haines
10/6/87	Advertising and Posting - \$73.68
10/6/87	Ordered by the Zoning Commissioner that the transfer of one density unit from a 46.89 acre farm parcel to the adjacent 35.11 acre tract under the same ownership is approved and the Petition for Special Hearing is GRANTED with conditions.

Pursuant to the advertisement, posting of property, and public hearing on the Petition held, it appears that the transfer of one density unit from a 46.89 acre farm parcel to the adjacent 35.11 acre tract under the same ownership would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and will not be detrimental to the health, safety, and general welfare of the community.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County this Lott day of October, 1987, that the transfer of one density unit from a 46.89 acre farm parcel to the adjacent 35.11 acre tract under the same ownership be and is hereby approved, and as such, the Petition for Special Hearing is. hereby GRANTED, from and after the date of this Order, subject to the following:

Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable 30-day appeal process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

National Advisor for 1943.

Zoning Commissioner of

Baltimore County

JRH:bjs

OCOMI (Land Indication) and Toura, p. ordi, mor. Chat. Toura. Date available out occur. Tillied out moute.

88- 128 H

PETITION FOR SPECIAL HEARING

PETITION TON DET	
TO THE ZONING COMMISSIONER OF BALTIMORI	E COUNTY:
The undersigned, legal owner(s) of the proper described in the description and plat attached heret Special Hearing under Section 500.7 of the Baltimore ther or not the Zoning Commissioner and/or Deputy	Zoning Commissioner should approve
the transfer of one density unit from adjacent 35.11 tract under the same owner	[SALP :
adjacent 35111 black meet	· · · · · · · · · · · · · · · · · · ·

Property is to be posted and advertised as p	rescribed by Zoning Regulations.
I, or we, agree to pay expenses of the above Spe ing of this Petition, and further agree to and are to tions of Baltimore County adopted pursuant to the 2	•
	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):
James and Carol Trela (Typs or Pring Name)	
Signature Civil 10	Signature Cause
2950 Baldwin Mill Road Address Baldwin, Md. 21013	Mary O'Rourk McKenzie (Type or Print Name) Signature
City and State	,
Attorney for Pelitioner:	F00 0501
(Type or Print Name)	54A5_Patterson_Road592_9591 Address Phone No.
	Baldwin, Md. 21013 City and State
Signature	Name, address and phone number of legal owner, con-
Address	tract purchaser or representative to be contacted
City and State	James and Carol Trela
Attorney's Telephone No.:	2950 Baldwin Mill Rd. 557-9827 Address Phone No. Baldwin, Md. 21913
ORDERED By The Zoning Commissioner of	Baltimore County, this 28th day
of, 19 £7, that the required by the Zoning Law of Baltimore County out Baltimore County, that property be posted, at	e subject matter of this petition be advertised, as in two newspapers of general circulation throughout that the public hearing be had before the Zoning of County Office Building in Towson, Baltimore
County, on the Gth day of _	October 19.82, at Lett 50'clock

*_A*_∠_M

Zoning Commissioner of Baltimore County

CONFIRMATORY Deed

FROM

JAMES E. TRELA and CAROL
TRELA, his wife
TO JAMES E. TRELA and CAROL
TRELA, his wife

DONALD P. MAZOR, ATTORNEY AT LAW 114 SLADE AVE. BALTIMORE, MD. 21208 410-486-0115 File No. 16914 Trela DPM/jmk

Prepared by the undersisted Attorny licenced to Proctice in the Court of Appenls of Bury land.

Drald P. Baron

CONFIRMATORY DEED

THIS CONFIRMATORY DEED made this day of O J, 2003, by and between JAMES E. TRELA and CAROL TRELA, his wife, of Baltimore County, Maryland, of the first part and JAMES E. TRELA and CAROL TRELA, his wife, of Baltimore County, Maryland, of the second part.

Witnesseth that in consideration of the sum of Five Dollars (\$5.00), the actual consideration being none, the said parties of the first part do grant and convey to the parties of the second part, as Tenants by the Entireties, their personal representatives, heirs, and assigns in fee simple, all that lot of ground situate and lying in Baltimore County, State, aforesaid, and described as follows:

SEE ATTACHED EXHIBIT FOR LEGAL DESCRIPTION OF 5433 PATTERSON ROAD.

Being the same lot of ground described in a deed dated October 29, 1987 and recorded among the Land Records of Baltimore County in Liber No. 7722, folio 094, and re-recorded in Liber No. 8564, folio 089.

The purpose of this Confirmatory Deed is to include herein as an exhibit the order of the Zoning Commissioner of Baltimore County, J. Robert Haines, dated October 6, 1987 allowing the transfer of one density unit from a 46.89 acre farm tract owned by the parties hereto to the 35.11 tract described herein and being known as 5433 Patterson Road, to the end and intent that hereafter the rights accruing under the petition and order of the Zoning Commissioner of Baltimore County dated October 6, 1987 shall inure to the benefit of the property described herein.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said parties of the second part, as Tenants by the Entireties, their personal representatives, heirs and assigns, in fee simple, subject, however, to rights of

others existing in that portion of the property herein described lying in the bed of Patterson Road, and the 40 foot right-of-way herein referred to.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as my be requisite.

Witness the hand and seal of said grantor

Test:	
	James E. TRELA [SEAL]
	Carol Trela [SEAL]
State of Maryland, County of Baltimor	re, to wit:
before me, the subscriber, a Notary Pul aforesaid, personally appeared JAMES known to me (or satisfactorily) proven	day of OCTOBER, 2003, blic of the State of Maryland, in and for the County E. TRELA and CAROL TRELA, his wife, to be the person(s) whose names is subscribed to edged that they executed the same for the resence signed and sealed the same.
In Witness Whereof, I hereunto	set my hand and official seal.
	Inpuis
My Commission expires:	Notary Public
15+. NW. 2005	

DESCRIPTION of property known as 5433 Patterson Road, situate in Baltimore County, State of Noryland.

Berinning for the same at a stone heretofore set at the beginning of a parcel of land which by a deed dated June 11, 1965 and recorded among the Land Records of Paltimore County in Liber R.R.G.No. 4472 folio 314 was conveyed by The Roland Fark Company, at all to John McKenzie, IV and wife, said stone also being the beginning of a parcel of land which by a deed dated February 11, 1981 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6259 folio 776 was conveyed by John Makenzie, IV. and wife to Charles E. Colley and Nancy J. Volley and running thence and binding reversely on the last line of the last mentioned percel of land, North 26 degrees 58 minutes 21 seconds West 1472.33 feet to the beginning of said last line and to intersect the fourth or North 57 degrees 46 minutes East 1064.52 foot line of the herein mentioned parcel of land which was conveyed by The Roland Fark Company to McKenzis, thence running with and binding on a part of said fourth line and running with and hinding on the fifth, dixth and seventh lines of said parcel of land, the four following courses and distances viz: North 57 degrees 46 minutes East 864.52 feet. North 59 degrees 23 minutes 30 seconds East 643.37 feet, North 67 degrees 18 minutes East 182.40 feet and North 55 degrees 03 minutes East 179.39 feet to the end of anid anventh line and to the center of Fatterson Road, thence running with and binding on the ninth thru last lines inclusive of said parcel of land which was conveyed by The Roland Park Company to McKenzie, the seven following courses and distances viz: South 55 degrees 03 minutes West 140.80 feet, South 39 degrees 31 minutes East 160.20 feet, South 32 degrees 47 minutes East 69.24 feet, South 30 degrees 39 minutes West 140.80 feet, South 59 degrees 08 minutes Wast 1455.16 feet, South 37 degrees 22 minutes East 692.99 feet and South 47 degrees 35 minutes 30 seconds West 365 feet to the place of beginning.

Containing 35.11 Acres of land more or less.

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SDAT requires														
submission of all applicable information.	Location/Address of Property Being Conveyed (2)					
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Saltimore County Fire Department Towson, Maryland 21204-2586 PETITION FOR SPECIAL HEARING 88-128-50# 494-4500 Paul H. Reincke August 26, 1987 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: J. Robert Haines The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve _____ there or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve _____ Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204 ----the-transfer-of-one-desnity-unit-from-a-46.89-acre-farm-pareel--to-an--Re: Property Owner: John McKenzie, IV, et ux adjacent 35.11 acre tract under the same ownership. 90 Toning Agenda: Meeting of 8/18/87 Property is to be posted and advertised as prescribed by Zoning Regulations. Item No.: 46 I, or we, agree to pay expenses of the above Special Hearing 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. Gentlemen: 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. of Public Works. Legal Owner(s): Contract Purchaser: John McKenzie IV _James_and_Carol_Trela___ (Type of Print Name) () 3. The vehicle dead end condition shown at tamalie A Signatura Catalot Thele EXCEEDS the maximum allowed by the Fire Department. () 4. The site shall be made to comply with all applicable parts of the Address .Baldwin, Md _ 21013___ comply with all applicable requirements of the National Fire Pro-City and State tection Association Standard No. 101 "Life Safety Code," 1976 edition Attorney for Petitioner: prior to occupancy. (Type or Print Name) () 6. Site plans are approved, as drawn. (x) 7. The Fire Prevention Bureau has no comments at this time. Name, address and phone number of legal owner, contract purchaser or representative to be contacted Baldwin, Md. 21013 ORDERED By The Zoning Commissioner of Baltimore County, this ______ day of _____, 19.67_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ G. Th____ day of ____ Octuber, 1982, at 2.45 o'clock Baltimore County Zoning Commissioner Office of Flanning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines Zoning Commissioner October 6, 1987 ing point 1500 At south east of Patterson faim ld. Mr. & Mrs. John McKenzie IV 5445 Patterson Road Beginning at a point in the center of Patterson Road, at a Baldwin, Maryland 21013 distance of 1300 feet, more or less, southeast of Patterson Farms Road and running thence along said centerline south 22°31' east, RE: Petition for Special Hearing 179.20 feet; thence leaving said centerline and running south 55° 03'west, /40.80 feet; thence south 39°31' east, 146.20 feet; thence south 32° 47' east, 269.24 feet; thence south 38° 39' west, Case No. 88-128-SPH 317.30 feet; thence south 59° o8' west, 1255.16 feet; thence south 37° 22' east, 692.99 feet; thence north 52° 38' east, 1863 Dear Mr. & Mrs. McKenzie: feet; thence south 38° 10' east, 828.09 feet; thence south 82° 00' east, 115.08 feet; thence south 63° 19' west, 51.34 feet; thence south 57° 19' west, 50.47 feet; thence south 54° 19' west, 50.39 feet; thence south 52° 09' west, 50.78 feet; thence south 51° 57' west, 2094.46 feet; thence north 38° 50' west, 888.56

feet; thence north 26° 58' 21" west, 1472.33 feet; thence north 57° 46' east, 864.52 feet; thence north 59° 23' 30" east, 643.37 feet; thence north 67° 18' east, 182.40 feet; thence north 55° 03' east, 479.39 feet; to the point of beginning.

Comprised of two parcels of land, described by deeds recorded in PRG 4207/108 and RRG 4472/314. The second described deed has men once divided by deed recorded in EHK, Jr 6259/776, dated **bruary 11, 1981.

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

James E. Dyer Advisory Committee Petitioner' Attorney

Dennis F. Rasmussen

The complete was an experience

Location: SW/S Patterson Road, 1300' +- SE Patterson Farm Road

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

() 2. A second means of vehicle access is required for the site.

Fire Prevention Code prior to occupancy or beginning of operation. () 5. The buildings and structures existing or proposed on the site shall

SW/S Patterson Road, approx. 1300' SE of the c/l of Patterson Farm Road 11th Election District, 6th Councilmanic District

Pursuant to the recent hearing held on the subject case, enclosed please find a copy of the decision rendered. Your Petition for Special Hearing has been Granted, subject to the condition noted in the attached Order.

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

Zoning Commissioner

JRH:bjs Enclosures

> cc: Mr. & Mrs. James Trela 2950 Baldwin Mill Road Baldwin, Maryland 21013

> > People's Counsel

BALTIMORE COUNTY, MARYLAND

Mr. J. Robert Haines TO Zoning Commissioner

SUBJECT Zoning Petition No. 88-128-SPH

This office does not usually comment on special hearings; however, it is our opinion that there are no density transfer provisions in the R.C.

Norman E. Gerber, AICP

NEG:KAK:dme

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

INTER-OFFICE CORRESPONDENCE

Date September 22, 1987

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 30, 1987

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 2120

MEMBERS

Board of Education

Industrial

Development

Zoning Administration

Engineering

Mr. John McKenzie, IV 5445 Patterson Road Baldwin, Maryland 21013°

RE: Item No. 46 - Case No. 88-128-SPH Petitioner: John McKenzie, IV, et ux Petition for Special Hearing

Dear Mr. McKenzie:

Department of Traffic Engineering State Roads Commission Bureau of Health Department Project Planning Building Department

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.

> JAMES E. DYER Chairman' Zoning Plans Advisory Committee

JED:kkb Enclosures

cc: Gerhold, Cross & Etzel 412 Delaware Avenue

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER SW/S Patterson Rd., approx. 1300' SE of C/L of Patterson

Farm Rd., 11th District

OF BALTIMORE COUNTY Case No. 88-128-SPH

Petitioners

JOHN McKENZIE, IV, et ux,

::::::: 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 cr final Order.

> Phyllis Cole Fredoran 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 17th day of September, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. John McKenzie, IV, 5445 Patterson Rd., Baldwin, MD 21013, Petitioners; and James and Carol Trela, 2950 Baldwin Mill Ed., Baldwin, MD 21013, Contract Purchasers.

PETITION FOR SPECIAL HEARING

11th Election District - 6th Councilmanic District

Case No. 88-128-SPH

LOCATION: Southwest Cide of Patterson Road, approximately 1300 feet Southeast of Centerline of Patterson Farm Road

DATE AND TIME: Tuesday, October 6, 1987, at 9:45 a.m.

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

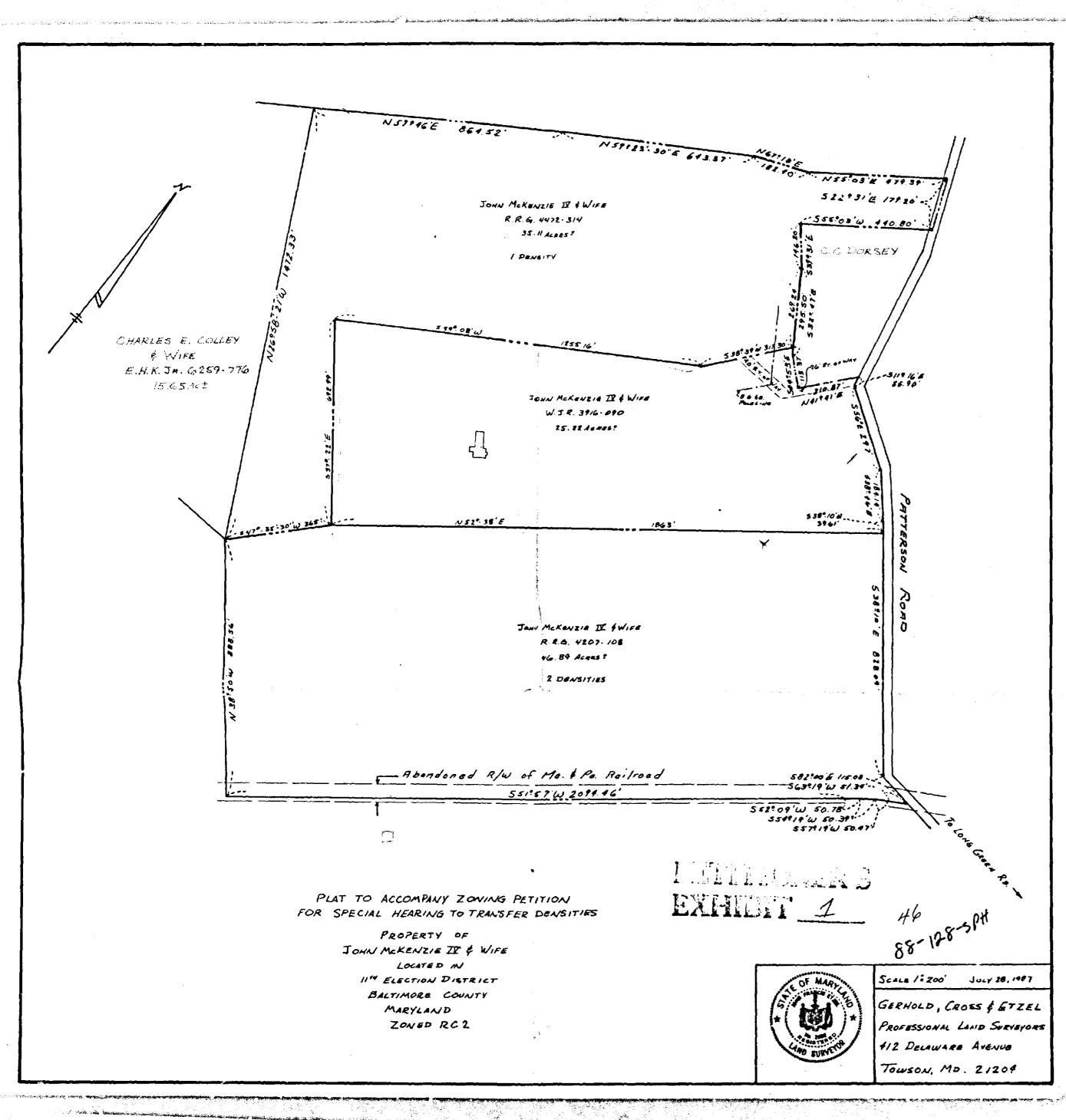
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

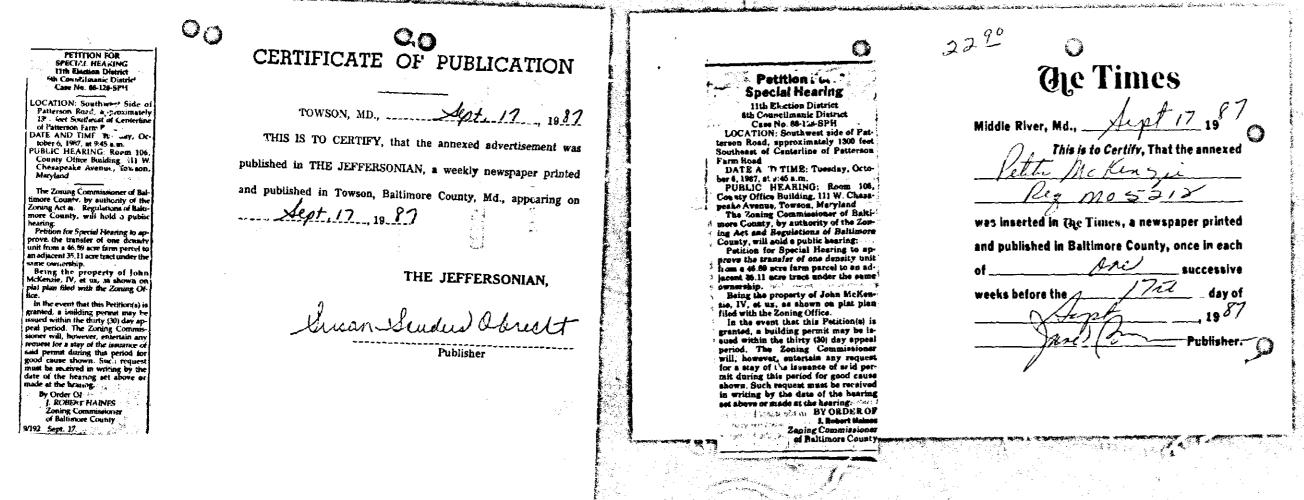
Petition for Special Hearing to approve the transfer of one density unit from a 46.89 acre farm parcel to an adjacent 35.11 acre tract under the same ownership

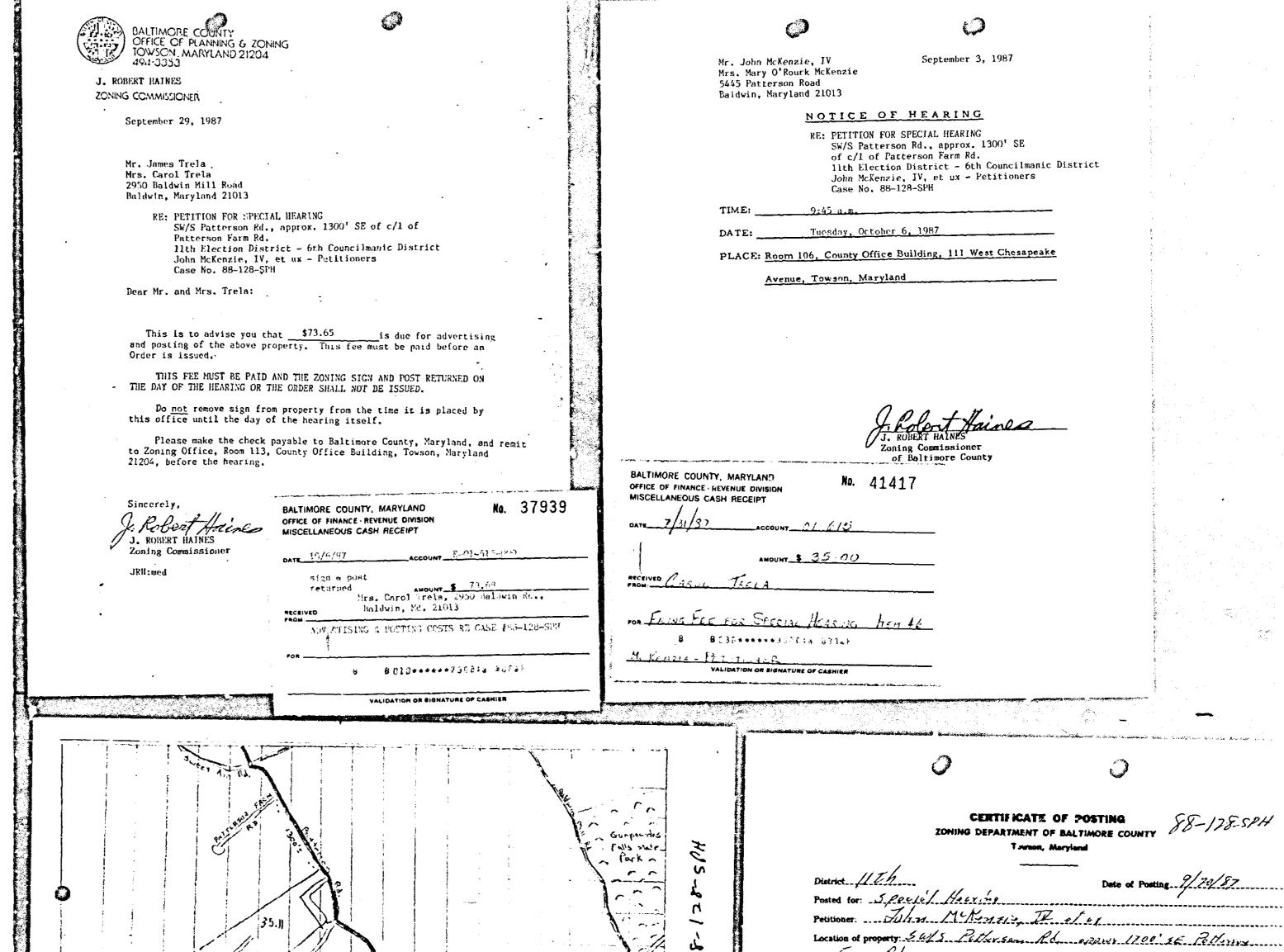
Being the property of <u>John McKenzie</u>, IV, et ux , as shown on plat plan filed with the Zoning Office.

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







1

Scale 1": 1000'

Tele 29,1988

Location of Signer Focisis Potterion Rd. opposes 3' For regulary

on property of Patetioner

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