

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
 15024 Allison Road  
 W/S Allison Road, 713' N of \* DEPUTY ZONING COMMISSIONER  
 C/1 Stansbury Mill Road \* OF BALTIMORE COUNTY  
 10th Election District \* Case No.: 94-59-SPH  
 3rd Councilmanic District \* (Item 63)  
 Eric L. Bergland  
 Petitioner

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Deputy Zoning Commissioner as a Petition For Special Hearing filed by the legal owner of the subject property, Eric L. and Ann Bergland, by and through their attorney, J. Carroll Holzer, Esquire, in which the Petitioner requests the transfer of one existing density unit from property described by Deed 6935/341 to an adjoining parcel owned by the Berglands identified by Deed 6935/342 containing no density units. The request by the Berglands is to transfer one (1) density from the 2.26 acre parcel to the 4.00 acre parcel so that each parcel shall contain one density unit.

Appearing on behalf of the Petitioners was J. Carroll Holzer, the Petitioners Eric and Ann Bergland, Douglas Small, and James Patton, engineer.

Testimony indicated that at present there are two (2) density units contained on the 2.26 acre parcel currently occupied by the Berglands. The Berglands also acquired from Douglas Small a 4.00 acre parcel which has been previously determined by this Deputy Zoning Commissioner in Case No.: 92-466-SPH to contain no density unit.

Case No.: 92-466-SPH was appealed by the Berglands and is currently before the Baltimore County Board of Appeals on that issue. The Berglands proffered testimony along with the statement of Mr. Douglas Small that this present request is an effort to resolve the dispute between all of the parties and the community. Testimony was proffered that Mr. James Constable of the Monkton Community Association is on record before the County Board of Appeals supporting the request that is before me today. Further, no protestants appeared at the hearing to object to the Berglands' request. There are no comments by Baltimore County in opposition to this request.

The testimony of James Patton, engineer, qualified to testify, was to the effect that this request would not create additional density and would not negatively impact the adjacent community and was consistent with the spirit and intent of the RC zones.

I therefore find that the transfer of one (1) density unit from the 2.26 acre parcel described by Deed 6935/341 be transferred to the 4.00 acre parcel described by Deed 6935/342.

THEREFORE IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23<sup>rd</sup> day of September, 1993, that one (1) density unit be transferred in accordance with the above opinion to the 4.00 acre parcel described in Deed 6935/342 as identified on Petitioner's Exhibit 1 Plat to accompany Petition For Zoning Special Hearing, all subject to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the thirty (30) day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded and the Petitioner required to file a new Petition.

IT IS FURTHER ORDERED that the Petition For Special Hearing requesting the transfer of one density unit to the parcel described in Deed 6935/342 is hereby granted.

*Timothy M. Kotrocco*  
 Timothy M. Kotrocco  
 Deputy Zoning Commissioner  
 for Baltimore County

State Hill Courthouse  
 440 Washington Avenue  
 Towson, MD 21284

J. Carroll Holzer, Esquire  
 305 W. Chesapeake Avenue, Suite 118  
 Towson, Maryland 21284

RE: PETITION FOR SPECIAL HEARING  
 W/S Allison Road, 713' N of Allison Road  
 (10th Election District)  
 Eric L. Bergland, et al. vs. Deputy Zoning Commissioner  
 Case No. 94-59-SPH

Dear Mr. Bergland:  
 Enclosed please find a copy of the decision rendered in above captioned matter. The decision is in accordance with the attached order.

In the event any party feels the decision rendered above is not final, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this letter. The appeal process, including filing an appeal, please contact the Zoning Administration and Zoning Management Office at 903-1991.

*J. Carroll Holzer*  
 J. Carroll Holzer  
 Esquire  
 305 W. Chesapeake Avenue  
 Suite 118  
 Towson, Maryland 21284

Eric L. Bergland  
 15024 Allison Road, Towson, MD 21284

Timothy M. Kotrocco

ORDER RECEIVED FOR FILING  
 Date 9/23/93  
 By JCH

LAW OFFICES  
 HOLZER MAHER DENILO  
 305 W. CHESAPEAKE AVENUE  
 SUITE 118  
 TOWSON, MARYLAND  
 21284  
 (410) 825-6960  
 FAX (410) 825-6964

ORDER RECEIVED FOR FILING  
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 (410) 825-6960  
 FAX (410) 825-6964

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

District 10 Date of Posting 9/23/93  
 Posted for Eric L. Bergland  
 Petitioner Eric L. Bergland  
 Location of property 15024 Allison Road, Towson, MD 21284  
 Location of Sign 15024 Allison Road, Towson, MD 21284  
 Remarks about 100' north of the street  
 Posted by JCH Date of return 9/23/93  
 Number of Signs 1

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

District 10 Date of Posting 9/23/93  
 Posted for Eric L. Bergland  
 Petitioner Eric L. Bergland  
 Location of property 15024 Allison Road, Towson, MD 21284  
 Location of Sign 15024 Allison Road, Towson, MD 21284  
 Remarks about 100' north of the street  
 Posted by JCH Date of return 9/23/93  
 Number of Signs 1

**Petition for Special Hearing**  
 to the Zoning Commissioner of Baltimore County  
 for the property located at 15024 Allison Road  
 which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the finding that in accordance with Section 1800.4 of the Resource Conservation Zones which states that "...Final Subdivision plats shall be required in the manner prescribed under Subsection 1801.3 and for the purpose of this Subsection all references to D.R. zones shall include the R.C. Zones." Hence, based on Section 1801.3B, that the parcel of deed 6935/341 of the owners be found to contain 2 density units and the parcel of deed 6935/342 be found to contain 0 density units, and further that a density transfer be permitted so that each parcel shall contain 1 density unit.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of 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.

Contractor/Plumber/Engineer  
 N.A.  
 Signature  
 Address  
 City State Zip  
 Attorney for Petitioner  
 J. Carroll Holzer  
 305 W. Chesapeake Ave. 825-6960  
 Towson MD 21284  
 Eric L. Bergland  
 15024 Allison Rd. 666-1289  
 Monkton MD 21111  
 J. Carroll Holzer  
 305 W. Chesapeake Ave. 825-6960  
 Towson MD 21284

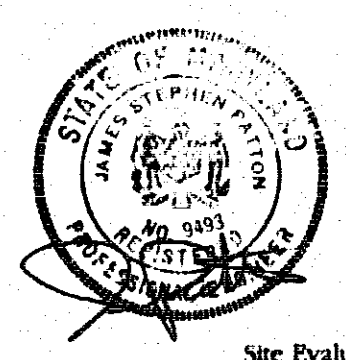
No REVIEW  
 8-5-93  
 WCR

Patton Consultants, Ltd. 94-59-SPH  
 305 West Chesapeake Avenue • Suite 118 • Towson, MD 21284  
 (410) 286-2140 • FAX (410) 286-0419

**ZONING DESCRIPTION FOR 15024 Allison Road, DEED 6935/341**  
 Election District 10 Councilmanic District 3

Beginning at a point on the west side of Allison Road which is 30' wide at a distance of 713 ft. north of the centerline of the improved intersecting street Stansbury Mill Road which is 25' wide.

As recorded in Deed Liber 6935, Folio 341, the following courses and distances South 4 degrees 29 minutes East, 244 feet; South 86 degrees 47 minutes 30 seconds West, 472.04 feet to a pipe; North 4 degrees 12 minutes 30 seconds West, 174.04 feet; North 77 degrees 48 minutes East, 161.36 feet; and North 77 degrees, 06 minutes 20 seconds East, 314.68 feet to the place of beginning.



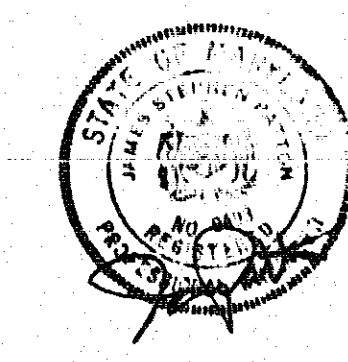
Site Planners and Engineers  
 Site Evaluation • Land Development Consulting • Expert Testimony • Zoning

Patton Consultants, Ltd. 94-59-SPH  
 305 West Chesapeake Avenue • Suite 118 • Towson, MD 21284  
 (410) 286-2140 • FAX (410) 286-0419

**ZONING DESCRIPTION FOR 15024 Allison Road, Deed 6935/342**  
 Election District 10 Councilmanic District 3

Beginning at a point on the west side of Allison Road which is 30' wide at a distance of 169' north of the centerline of the nearest improved intersecting street Stansbury Mill Road which is 25' wide.

As recorded in Deed Liber 6935, Folio 342, the following courses and distances South 86 degrees 47 minutes 30 seconds West 472.04 feet; North 4 degrees 12 minutes 30 seconds West 174.04 feet; South 77 degrees 48 minutes West 10.29 feet; South 4 degrees 12 minutes 30 seconds East 169.83 feet; South 38 degrees 22 minutes 10 seconds East 636.17 feet; North 65 degrees 53 minutes East 168.60 feet; North 6 degrees 18 minutes 20 seconds West 360.31 feet; North 4 degrees 29 minutes West 108.93 feet to the place of beginning.



Site Planners and Engineers  
 Site Evaluation • Land Development Consulting • Expert Testimony • Zoning

CERTIFICATE OF PUBLICATION

TOWSON, MD. Aug 19, 1993

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Aug 19, 1993

THE JEFFERSONIAN,

A. Henrickson LEGAL AD. - TOWSON

NOTICE OF HEARING The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21284, on August 11, 1993, at 9:00 a.m. in Room 106, County Office Building.

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21284

(410) 887-3353

AUGUST 11, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21284

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:

CASE NUMBER: 94-59-SPH (Item 63)

15024 Allison Road

N/S Allison Road, 713' W of c/l Stansbury Mill Road

10th Election District - 3rd Councilmanic

Petitioner(s): Eric L. Bergland and Ann A. Bergland

HEARING: WEDNESDAY, SEPTEMBER 15, 1993 at 9:00 a.m. in Rm. 106, County Office Building.

Special Hearing to approve that the parcel of deed 6935/341 of the owners to be found to contain 2 density units and the parcel of deed 6935/342 be found to contain 0 density units, and further that a density transfer be permitted so that each parcel shall contain 1 density unit.

Arnold Jablon Director

cc: Eric and Ann Bergland J. Carroll Holzer, Esq.

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

THE PATENT OFFICE PUBLISHING COMPANY August 11, 1993 Issue - Information

Please forward billing to:

Eric and Ann Bergland 15024 Allison Road Towson, Maryland 21284 410-666-1289

NOTICE OF HEARING

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Lawrence E. Schmidt

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

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Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21284

(410) 887-3353

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Arnold Jablon Director

cc: Eric and Ann Bergland J. Carroll Holzer, Esq.

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Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21284

(410) 887-3353

September 3, 1993

J. Carroll Holzer, Esquire 305 West Chesapeake Avenue Towson, Maryland 21284

RE: Case No. 94-59-SPH, Item No. 63 Petitioner: Eric L. Bergland, et ux Petition for Special Hearing

Dear Mr. Holzer:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. If additional comments are received from other members of ZAC, 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 August 5, 1993, and a hearing was scheduled accordingly.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 August 5, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



O. James Lighthizer Secretary Hal Kassoff Administrator

8-13-93

Ms. Helene Kehring Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 71204

Re: Baltimore County Item No. 465 (w/c)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-3350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small John Contestabile, Chief Engineering Access Permits Division

My telephone number is 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-452-5082 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration and Development Management DATE: August 12, 1993

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s): Item Nos. 40, 41, 45, 53, 54, 55, 56, 57, 59, 61 and 63.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

PK/JL:lw

ZAC 40/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: August 10, 1993

FROM: Jerry J. Pfeiffer, Captain Investigative Services

SUBJECT: August 23, 1993 Meeting

- #40 Proposed building shall comply with the 1991 Life Safety Code.
#41 Proposed building shall comply with the 1991 Life Safety Code.
#45 No comments.
#46 No comments.
#47 No comments.
#48 No comments.
#49 No comments.
#50 No comments.
#51 No comments.
#52 No comments.
#53 No comments.
#54 No comments.
#55 No comments.
#56 No comments.
#57 No comments.
#58 No comments.
#59 No comments.
#60 Building shall comply with the 1991 Life Safety Code.
#61 Proposed addition shall comply with the 1991 Life Safety Code.
#63 No comments.

JLP/dsl cc: lll

RECEIVED AUG 14 1993

ZADM

10/28/92 - Following parties notified of hearing set for January 6, 1993 at 10:00 a.m.:

Mr. Eric Bergland  
 Mr. Douglas R. Small  
 Stephen J. Nolan, Esquire  
 Manor Area Association  
 J. Carroll Holzer, Esquire  
 People's Counsel for Baltimore County  
 Public Services  
 P. David Fields  
 Lawrence E. Schmidt  
 Timothy M. Kotroco  
 W. Carl Richards, Jr.  
 Docket Clerk - Zoning  
 Arnold Jablon

10/26/92 - Letter recvd from Doug Burgess, Esquire /Counsel for Douglas Small -- requesting early hearing date if possible. Est. hearing time 7/4 hours.

10/28/92 - Letter recvd from Carroll Holzer, Counsel for Mr. Eric Bergland /response to above letter /believes full day should be allotted; agrees that all parties should agree to any early date given.

10/29/92 - Letter to D. Burgess /case has been scheduled; no other date available at this time; availability of all parties will be confirmed prior to any rescheduling.

1/06/93 - Possible settlement being pursued; additional time needed by all parties. Mutual request for stay to work out details put on records; plat entered by Counsel for Mr. Small as Petitioner's Exhibit "A" and matter continued to Thursday, April 29, 1993 at 10:00 a.m. /notices to be sent.

1/7/93 - Notice of POSTPONEMENT AND REASSIGNMENT sent to above parties - new date of April 29, 1993 at 10:00 a.m.

4/20/93 - Ltr from D. Burgess, counsel for Petitioner /requesting PP to some time in late July due to hospitalization of his client, Mr. Small. To be PP'd and reset to 7/28.

4/21/93 - Notice of PP and Reassignment sent to parties; case rescheduled to Wednesday, July 28, 1993 at 10:00 a.m.

7/28/93 - Hearing scheduled; settlement agreement put on record by counsel; Board to hold this case pending filing of Petition for Special Hearing with Zoning; order to be issued by the Board in Case No. 92-866-SPH upon finalization of attendant matter before Zoning Commission (resulting from above-referenced Petition for Special Hearing regarding density transfer).

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER  
 W/S Allison Rd., 713' N of C/L  
 Stansbury Mill Rd. (15024 : OF BALTIMORE COUNTY  
 Allison Rd.), 10th Election  
 Dist., 3rd Councilmanic Dist. : Case No. 94-59-SPH  
 ERIC L. AND ANN A. BERGLAND,  
 Petitioners

ENTRY OF APPEARANCE

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

Peter Max Zimmerman  
 Peter Max Zimmerman  
 People's Counsel for Baltimore County  
 Carole S. Demilio  
 Deputy People's Counsel  
 Room 47, Courthouse  
 400 Washington Avenue  
 Towson, Maryland 21204  
 (410) 887-2188

I HEREBY CERTIFY that on this 25th day of August, 1993,  
 a copy of the foregoing Entry of Appearance was mailed to J. Carroll  
 Holzer, Esquire, 305 W. Chesapeake Ave., Towson, MD 21204, Attorney  
 for Petitioners.

Peter Max Zimmerman  
 Peter Max Zimmerman  
 RECEIVED  
 AUG 26 1993  
 ZADM



PATTON CONSULTANTS, LTD.  
 305 W. Chesapeake Avenue, Suite 118  
 Towson, Maryland 21204  
 (410) 296-2140  
 Fax (410) 296-0419

TRANSMITTAL

Date: 7/14/93  
 Proj. No. 92-866-SPH  
 RE: BERGLAND PROPERTY  
 SPECIAL HEARING

TO: ZONING COMMISSIONER  
 BALTIMORE COUNTY  
 TOWSON, MD 21204

TRANSMITTED VIA  
 Fax No.  
 Messenger

WE ARE PLEASED TO SEND YOU:  
 Attached  Under separate cover

THE FOLLOWING ITEMS:  
 Sketch Drawings  Plans  Reports   
 Prints  Specifications  Copy of Letter

COPIES	DATE	DESCRIPTION	DWG. NO.
3		PETITION FOR SPECIAL HEARING	
12	7/30/93	PLAT OF PROPERTY	
3		PROPERTY DESCRIPTION - 2 PARCELS	
1		ZONING MAP	
1		CHECK FILING FEE \$50.00	

THIS TRANSMITTAL IS:  
 For your approval  For hearing  Approved with exceptions noted  
 For your use  Your documents returned after loan  Returned for corrections  
 At your request  to us   
 For review and comment  Approved as submitted

FURTHER ACTION REQUIRED:  
 Resubmit copies for approval  Submit copies for distribution  Return corrected prints

REMARKS:  
 RECEIVED  
 AUG 4 1993  
 ZADM  
 AUG 14 1993  
 ZONING OFFICE  
 COPY TO: Caroll Holzer, Esq  
 Eric L. and Ann A. Bergland  
 SIGNED: [Signature]

Baltimore County Government  
 Office of Zoning Administration and Development Management

111 West Chesapeake Avenue  
 Towson, MD 21286 (410) 887-2153

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS AND PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

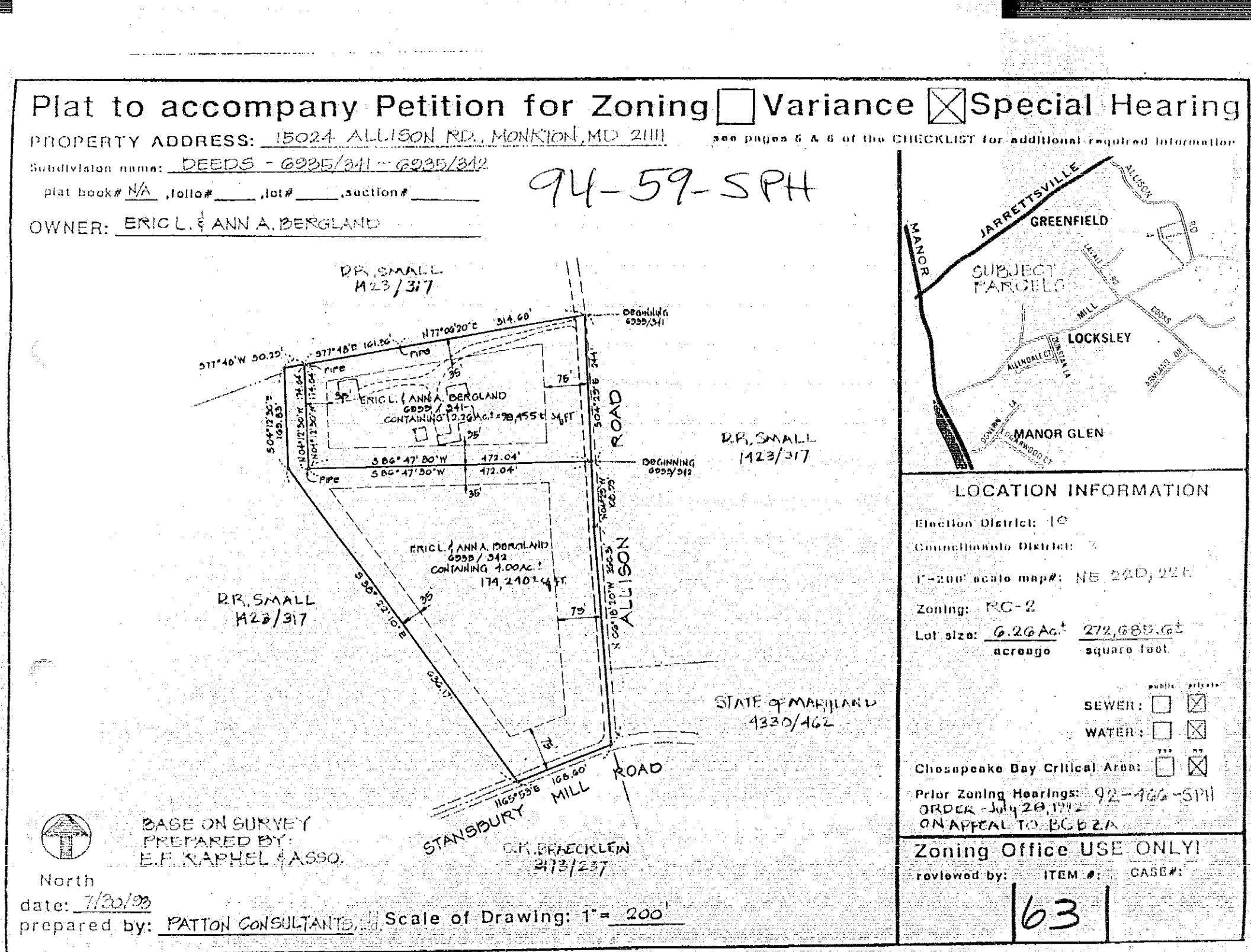
- Posting fees will be assessed and paid to this office at the time of filing.
- Billing for legal advertising, via upon receipt, will also be issued and should be remitted directly to the newspaper.

For newspaper advertising:  
 Case No.: \_\_\_\_\_ Item No.: 63  
 Petitioner: ERIC L. BERGLAND + ANN A. BERGLAND  
 LOCATION: 15024 ALLISON ROAD  
 PLEASE FORWARD ADVERTISING BILL TO:  
 NAME: ERIC + ANN BERGLAND  
 ADDRESS: 15024 ALLISON ROAD  
 MONKTON MD 21111  
 PHONE NUMBER: 666-1289

Aligns (Revised 7/29/93)

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Ann A. Bergland	15024 Allison Rd
Eric L. Bergland	Monkton, MD 21111



AMENDED Petition for Special Hearing  
 for the property located at 15101 Allison Road  
 which is presently zoned R.C.2

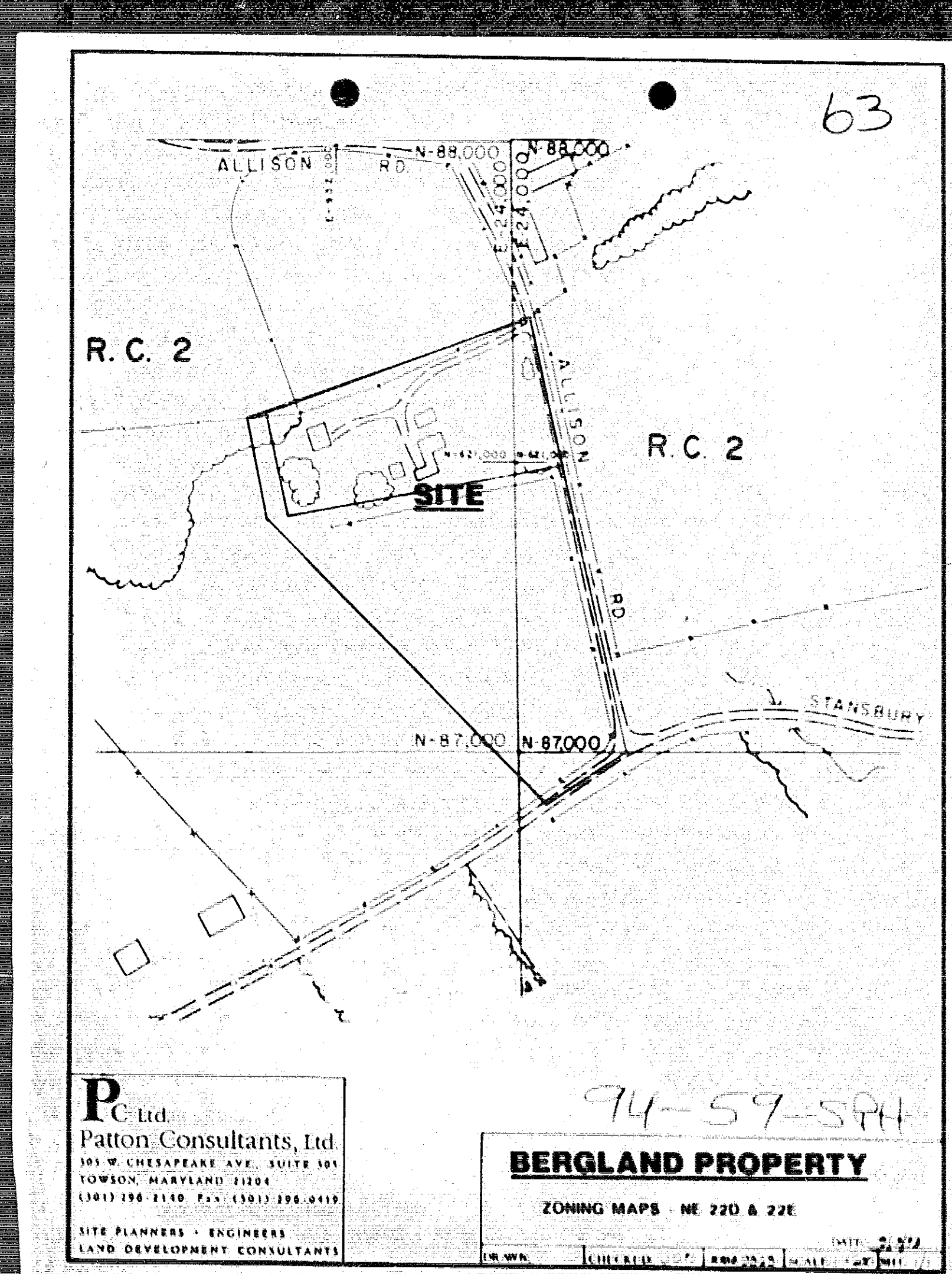
Legal Description:  
 Douglas R. Small  
 Signature: [Signature]

Legal Description:  
 LINDSEY D. DRYDEN, JR.  
 Signature: [Signature]

15101 Allison Road 666-2356  
 Monkton MD 21111

Stephen J. Nolan, Esquire  
 210 W. Pennsylvania Avenue 823-7800  
 Towson MD 21204

ESTIMATED LENGTH OF HEARING  
 Unavailable for Hearing  
 All other: \_\_\_\_\_ DATE



RONALD L. MAHER  
 CAROL L. HOLZER  
 CAROLE S. DEMILIO  
 THOMAS F. LEE

LAW OFFICES  
 HOLZER, MAHER, DEMILIO & LEE  
 305 W. CHESAPEAKE AVENUE  
 SUITE 101  
 TOWSON, MARYLAND 21204  
 (410) 825-4960  
 FAX (410) 825-0964

SUITE 700  
 1725 INSALES STREET, N.W.  
 WASHINGTON, D.C. 20036

Direct Dial  
 825-6961

September 8, 1993  
 #6672

Honorable Lawrence Schmidt  
 Zoning Commissioner for  
 Baltimore County  
 Old Courthouse  
 Towson, Maryland

Re: Petition for Special Hearing  
 Eric L. Bergland, et ux  
 Case No. 94-59-SPH

Dear Commissioner Schmidt:

As you are aware, we are having some difficulty in setting the above captioned case in for a hearing. Both September 14 and 15 are not available on my calendar. Currently, this hearing is scheduled for 2:00 p.m. on Tuesday, September 14. Because I have a hearing on September 14 at 2:30 in the Villa Julie matter, I must respectfully request that we postpone the scheduled hearing. I have the following dates available:

September 20, all day  
 September 21, all day  
 September 23, all day  
 October 1, all day

I appreciate your attention in this matter and hope we can reschedule the hearing at your earliest convenience.

Very truly yours,  
 J. Carroll Holzer  
 J. Carroll Holzer

RECEIVED  
 SEP 15 1993  
 ZADM

JCH:mig