STOER RECEIVED FOR FILING

IN RE: PETITION FOR SPECIAL HEARING

N/S Harmony Woods Road, 25' E of the c/l

Ridge Valley Drive

(2204 Harmony Woods Road)

8th Election District

3rd Council District

OF BALTIMORE COUNTY

ZONING COMMISSIONER

Case No. 04-231-SPH

BEFORE THE

Sugarman Development Co., Inc.

Petitioner

* * * * * * * *

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Sugarman Development Company, Inc., by Howard P. Sugarman, President, through Deborah C. Dopkin, Esquire. The Petitioner requests a special hearing to amend the final development plan for The Woods, to re-designate Parcel C thereof as Lot 50, and to permit construction of a single-family dwelling thereon. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Howard P. Sugarman, President, Sugarman Development Company, Inc., property owner; Douglas L. Kennedy, the Professional Engineer who prepared the site plan for this property; and Deborah C. Dopkin, Esquire, attorney for the Petitioner. Appearing as an interested person was Fred Kobb, a nearby resident.

Testimony and evidence offered revealed that the subject property is an unimproved parcel located on the north side of Harmony Woods Road, east of Ridge Valley Drive in Owings Mills in the subdivision known as The Woods. As shown on a copy of the record plat for this subdivision, marked as Petitioner's Exhibit 4, the property is identified as Parcel C. The property contains a gross area of 5.52 acres, more or less, split zoned R.C.4 and R.C.5, and is unimproved and generally wooded at the present time. The Woods community is a residential subdivision

consisting of large single-family dwellings on substantial lots. Plat 2 of The Woods subdivision was recorded in 1982 and the community has since been built out.

As noted above, the subject property is designated on the record plat of The Woods as Parcel C. Originally this parcel was not contemplated for development, as there are several factors which limit its potential development. First, as more particularly shown on the plan, the property features a stream that generates a 100-year flood plain. That floodplain crosses the middle of the property and development is prohibited therein under the applicable environmental regulations. Secondly, the property is bisected by an easement in favor of the Transcontinental Gas Pipeline Corporation. Obviously, development cannot occur on that portion of the site. Due to these limitations, the property has not heretofore been developed. However, there is a small area of Parcel C which can be developed residentially that is on the southwest corner of the overall tract and is approximately 1.0 acre in area. The Petitioner proposes development of that area with a single-family dwelling. Thus, the requested special hearing relief is necessary.

The site plan shows the proposed location of the building envelope, the proposed 10,000 sq.ft. septic reserve area as required, and the potential location of the well. The Petitioner has apparently undergone negotiations with the most immediately adjacent neighbors regarding development of this site. These neighbors were concerned about potential development of the property and that the house to be built thereon would be consistent with other dwellings in the neighborhood. Thus, to assure compatibility, declarations were entered into with the adjacent neighbors (see Exhibits 8, 9, 10 and 11), and those neighbors have now endorsed the project. Additionally, a series of photographs depicting the subject property and its immediate neighborhood were submitted at the hearing (see Exhibits 3A through 3L).

Mr. Kobb appeared at the hearing and expressed some concerns about the development. He was primarily concerned about multiple development on the site; however, appeared satisfied that only one single-family dwelling is proposed. As noted above, the environmental constraints and features associated with this lot limit the area for development with but one single-family dwelling. Moreover, any additional subdivision of the property would require an amendment to the final development plan previously approved and recorded.

DATE RECEIVED FOR FILING

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3y

Based upon the testimony and evidence presented, I am persuaded to grant the relief requested. It is to be noted that the overall subdivision is under density and thus, this proposal does not represent an over-development or utilization of the overall tract. In my judgment, the proposal will be consistent with existing uses nearby. It is also to be noted that a Zoning Advisory Committee (ZAC) comment received from the Office of Planning requested that the buildable area be specifically delineated. This has been done within the site plan marked as Petitioner's Exhibit 1, which has been incorporated into the case file.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of January 2004 that the Petition for Special Hearing to amend the final development plan for The Woods, to re-designate Parcel C thereof as Lot 50, and to permit construction of a single-family dwelling thereon, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the recommendations made by the Ground Water Management Division of DEPRM, in a letter dated June 6, 2001 that was entered into evidence as Petitioner's Exhibit 6, a copy of which has been attached hereto and made a part hereof.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

January 16, 2004

Deborah C. Dopkin, Esquire 409 Washington Avenue, Suite 1000 Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
N/S Harmony Woods Road, 25' E of the c/l Ridge Valley Drive
(2204 Harmony Woods Road)
8th Election District – 3th Council District
Sugarman Development Co., Inc. - Petitioners
Case No. 04-231-SPH

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

Mr. Howard P. Sugarman, President, Sugarman Development Co., Inc.
 One Corporate Center, Suite 400, 10451 Mill Run Circle, Owings Mills, Md. 21117
 Mr. Douglas L. Kennedy, KCW Engineering Technologies
 3104 Timanus Lane, Suite 101, Towson, Md. 21244
 Mr. Fred Kobb, 1 Running Brook Court, Owings Mills, Md. 21117
 DEPRM; Office of Planning; People's Counsel; Case/File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at $\frac{2204}{2204}$ HARMONY INDODS ROAD which is presently zoned $\frac{RC-5}{RC-4}$

This Petition shall be filed with the Department of Permits and 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

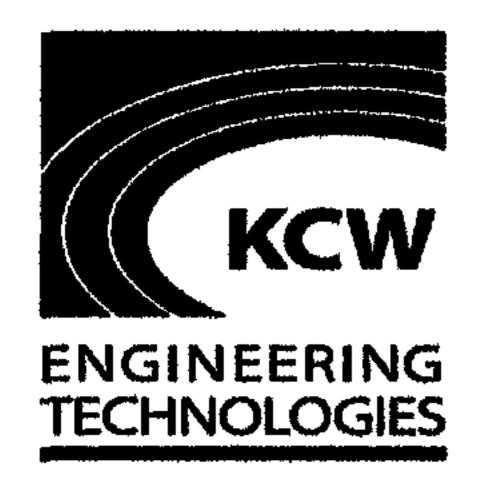
SEE ATTACHED.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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.

SUGARMAN DEVELOPMENT CO., INC.
Name-Type or Print Howard P. Sugarman President
Signature
Name - Type or Print
Signature ONE CORPORATE CENTER- SUITE 400
Address Telephone No.
DWINGS MILLS, MD. 21117
City State Zip Code
Representative to be Contacted:
Douglas I Vannadu
Douglas L. Kennedy Name KCW Engineering Technologies
3104 Timanus Lane, Suite 101
Address 410-281-Jelephone No.
Baltimore, MD 21244
City State Zip Code
OFFICE USE ONLY
EST! MATED LENGTH OF HEARING
UNAVAILABLE FOR HEARING .
Reviewed By D.THOMPSON Date 11 6/03
į

An amendment to the final development plan to re-designate Parcel "C" as Lot 50 and to permit the construction of a single-family dwelling thereon.



ZONING DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL HEARING

Parcel 'C', Plat Two of "THE WOODS"

#2204 Harmony Woods Road

Beginning at a point on the northern right-of-way line of Ridge Valley Drive, 50 ft. wide, at the distance of 25 ft. west of the centerline of Harmony Woods Road, 50 ft. wide, thence:

- 1. along Ridge Valley Drive, N 27°30'32" W 418.18 ft.
- along Ridge Valley Drive, for a curve to the left with a Radius of 525.00 ft. and a Length of 79.55 ft.
- 3. N 53°48'36" E 212.03 ft.
- 4. N 55°54'47" E 246.52 ft.
- 5. S 48°33'59" E 428.25 ft.
- 6. along Harmony Woods Road, S 44°37'25" W 154.38 ft.
- 7. along Harmony Woods Road, for a curve to the right with a Radius of 1050.00 ft. and a Length of 327.44 ft.
- 8. along Harmony Woods Road, S 62°29'28" W 123.27 ft.
- along Harmony Woods Road, N 72°30'32" W 14.14 ft. to the Point of Beginning.

Containing 5.520 acres, more or less.

Being Parcel 'C' on subdivision Plat Two of "The Woods", as recorded in the Land Records of Baltimore County in Plat Book EHK, Jr. 49 folio 97.

Also being known as #2204 Harmony Woods Road and located in the 8th Election District and 2nd Councilmanic District, Baltimore County, Maryland.

11-5-2003

KCW Engineering Technologies, Inc. • 3106 Lord Baltimore Drive • Suite 110 • Baltimore, MD 21244
Tele 410-281-0033 • Fax 410-281-1065

OFFICE O	ORE COUNTY, I F BUDGET & FINA LANEOUS RECI	NCE	No.	
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FROM:		04-231-	SPH BY	

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Maryland on the property identified herein as follows:

Case: #04-231-SPH
2204 Harmony Woods Road 2204 Harmony Woods Road N/side of Ridge Valley Drive, 25 feet west of centerline of Harmony Woods Road 8th Election District 2nd Councilmanic District Legal Owner(s): Sugarman
Development Co., Inc.
Special Hearing: for an
amendment to the final development plan to re-designate parcel "C" as Let 50 and to permit the construction of a single-family dwelling thereon.
Hearing: Friday, January
2, 2004 at 10:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for: **Baltimore County**

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391

3391.

12/167 Dec. 18

CERTIFICATE OF PUBLICATION

12/18/,2003
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 12/18/2003.
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News

LEGAL ADVERTISING

ZONING MOTICE

CASE # 04-231-5PH

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

sist # Q4-23 p 50h

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PLACE: 40' BOSLEY AVENUE SOURTS BUILDING
PLACE: 40' BOSLEY AVENUE
2,204

DATE AND TIME: AT 10.00 A.M.

REQUEST: SPECIAL HEARING FOR AN

1

AMENDMENT TO THE FINAL DEVELOPMENT PLAN

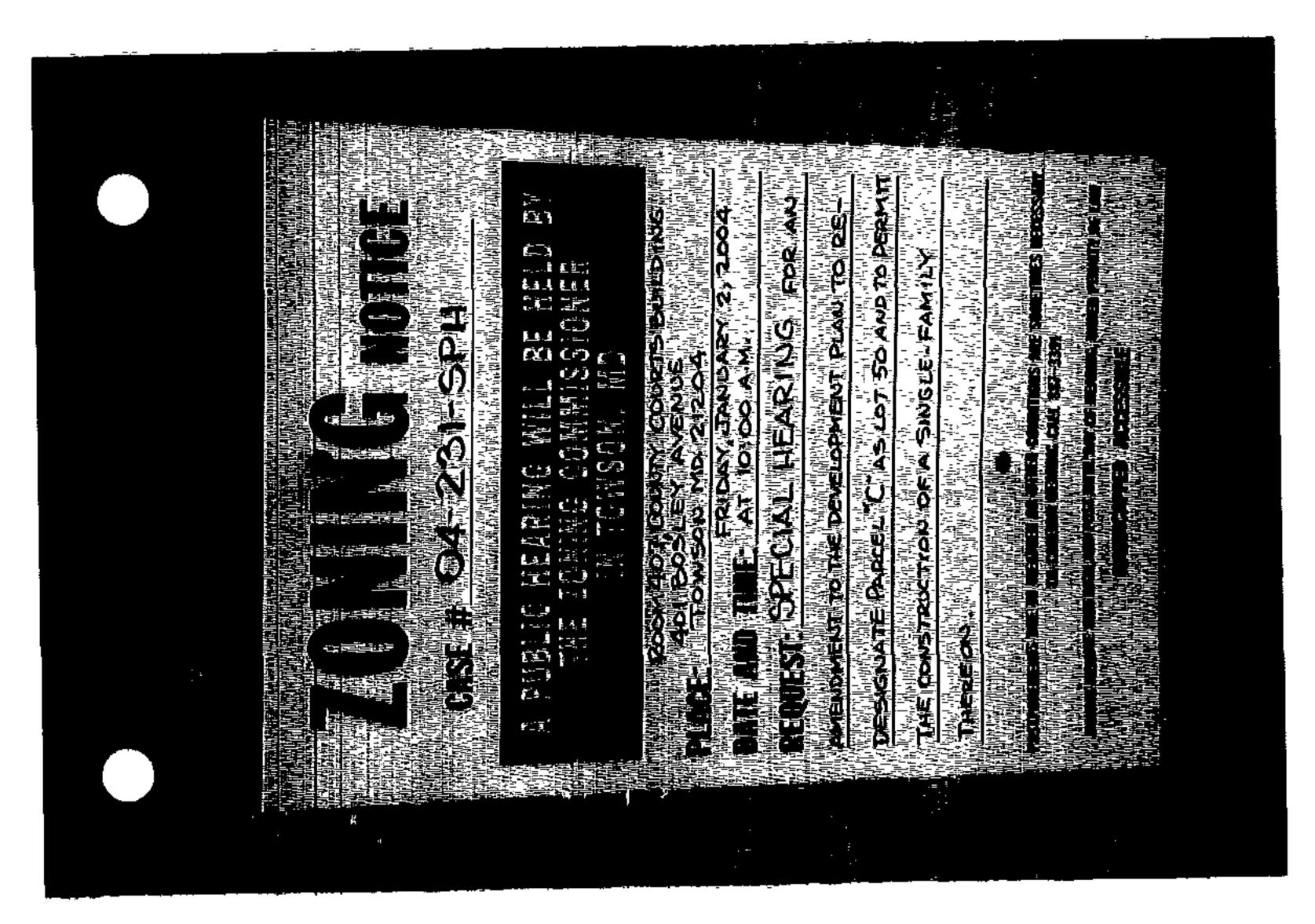
TO RE-DESIGNATE PARCEL "C" AS LOT 50 AND TO

PERMIT THE CONSTAUCTION OF A SINGLE-FAMILY

DUELLING THEREON

POSTIPOMENTS DDE TO WEATHER OR OTHER COMBITIONS ARE SOMETIMES NECESSARY, TO COMFIRM HEARING CALL 887-3391

THE STATE SHOW AND POST ONTE DAY OF HEADING, UNDER PENALTY OF LAND





CERTIFICATE OF POSTING

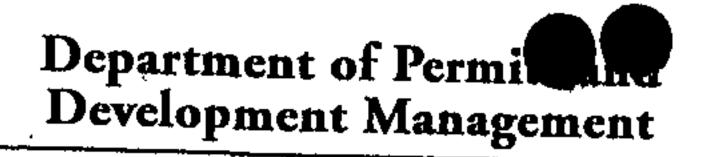
altimore County Department of crmits and Development Management ounty Office Building, Room 111 l 1 West Chesapeake Avenue owson, MD 21204	
Itention: BECKY HART	•
adies and Gentlemen: This letter is to certify under th	ne penalties of perjury that the necessary sign(s) required by
were posted conspicuously on the property located	1 at # 2204 HARMONY WOODS ROAD

he sign(s) were posted on	
• (Mo	onth, Day, Year)
•	Sincerely,
	Darland Di Doore
	(Signature of Sign Poster and Date)
	CHARLANDE, Moore (Printed Name)
	3225 RYERSON CIRCLES (Address)
	TOAUTINIARE, MD. 21227 (City, State, Zip Code)
•	(Telephone Number)
· *	

RE: Case No.: 04-231-5PH

Petitioner/Developer: SUGARIMANI DEV. Co. INC.

Date of Hearing/Closing: JAM, 2, 7004



Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204





Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

November 20, 2003

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-231-SPH

2204 Harmony Woods Road

N/side of Ridge Valley Drive, 25 feet west of centerline of Harmony Woods Road 8th Election District – 2nd Councilmanic District

Legal Owners: Sugarman Development Co., Inc.

Special Hearing for an amendment to the final development plan to re-designate Parcel "C" as Lot 50 and to permit the construction of a single-family dwelling thereon.

Hearings:

Friday, January 2, 2004, at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Deborah Dopkin, 409 Washington Avenue, Ste. 1000, Towson 21204 Sugarman Development, Howard Sugarman, 10451 Mill Run Circle, Owings Mills 21117 Douglas Kennedy, 3104 Timanus Lane, Ste. 101, Baltimore 21244

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, DECEMBER 18, 2003.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY

Thursday, December 18, 2003 Issue - Jeffersonian

Please forward billing to:

Howard Sugarman
One Corporate Center, Ste. 400
10451 Mill Run Circle
Owings Mills, MD 21117

410-581-8900

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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Friday, January 2, 2004, at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing

Zoning Review will ensure that the legal requirements for advertising are satisfied However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

<u>r Newspaper Advertising:</u>	
m Number or Case Number <u>T7EM *231</u> 04.231.5PH	•
titionerSUGARMAN DEVELOPMENT CO, INC.	
dress or Location.	
TO 45T MILL BY #2204 HARMONY WOODS RO	AD
EASE FORWARD ADVERTISING BILL TO	
me: HOWARD P. SUGARMAN	
dress ONE CORPORATE CENTER, SUITE 400	
10451 MILL RUN CIRCLE	
OWINGS MILLS, MD. 21117	
ephone Number: 410-581-8900	



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

November 19, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 17, 2003

Item No.: 220, 221, 223-228, 230, (231)

Dear Ms. Hart:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Nell J. Pedersen, Administrator

MARYLAGO DEPARTMENT OF TRANSPORTATION

Date: //./8.03

Ms. Rebecca Hart Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County

Item No.

Dear. Ms. Hart:

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 affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

1. 1. Andl

#192

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

RECEIVED

DATE: November 20, 2003

NOV 2 5 2003

ZONING COMMISSIONER

SUBJECT: 12204 Harmony Wood Road

INFORMATION:

Item Number: 04-231

Petitioner: Sugarman Development Co. Inc.

Zoning: RC5 and RC 4

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided clearing of the subject parcel/lot is limited to the dwelling site and yard area. Clearly label the FDP to show the buildable area.

For additional information concerning the matters stated herein, please contact Diana Itter at 301-887-3480.

Prepared by:

Section Chief:

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: November 26, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For Item Nos. 222, 223, 225, 226, 227, 228, 229, 230, and 231

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE

2204 Harmony Woods Rd; N/side Ridge

Valley Dr, 25' W of c/line Harmony Woods Rd* Z

8th Election & 2nd Councilmanic Districts

Legal Owner(s): Sugarman Development Co,*

Inc, Howard P Sugarman, President

Petitioner(s) *

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

04-231-SPH

* * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence and documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

NOV 2 0 2003

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue

400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of November, 2003, a copy of the foregoing Entry of Appearance was mailed to Douglas L Kennedy, KCW Technologies, 3104 Timanus Lane, St 101, Baltimore, MD 21244, & to Deborah Dopkin, Esquire, 409 Washington Avenue, St 1000, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

DIEACE	DDINIT	CI = ADI	' V
<i>PLEASE</i>		ULEAN	_ I

CASE NAME	
CASE NUMBER_	
DATE	

CITIZEN'S SIGN-IN SHEET

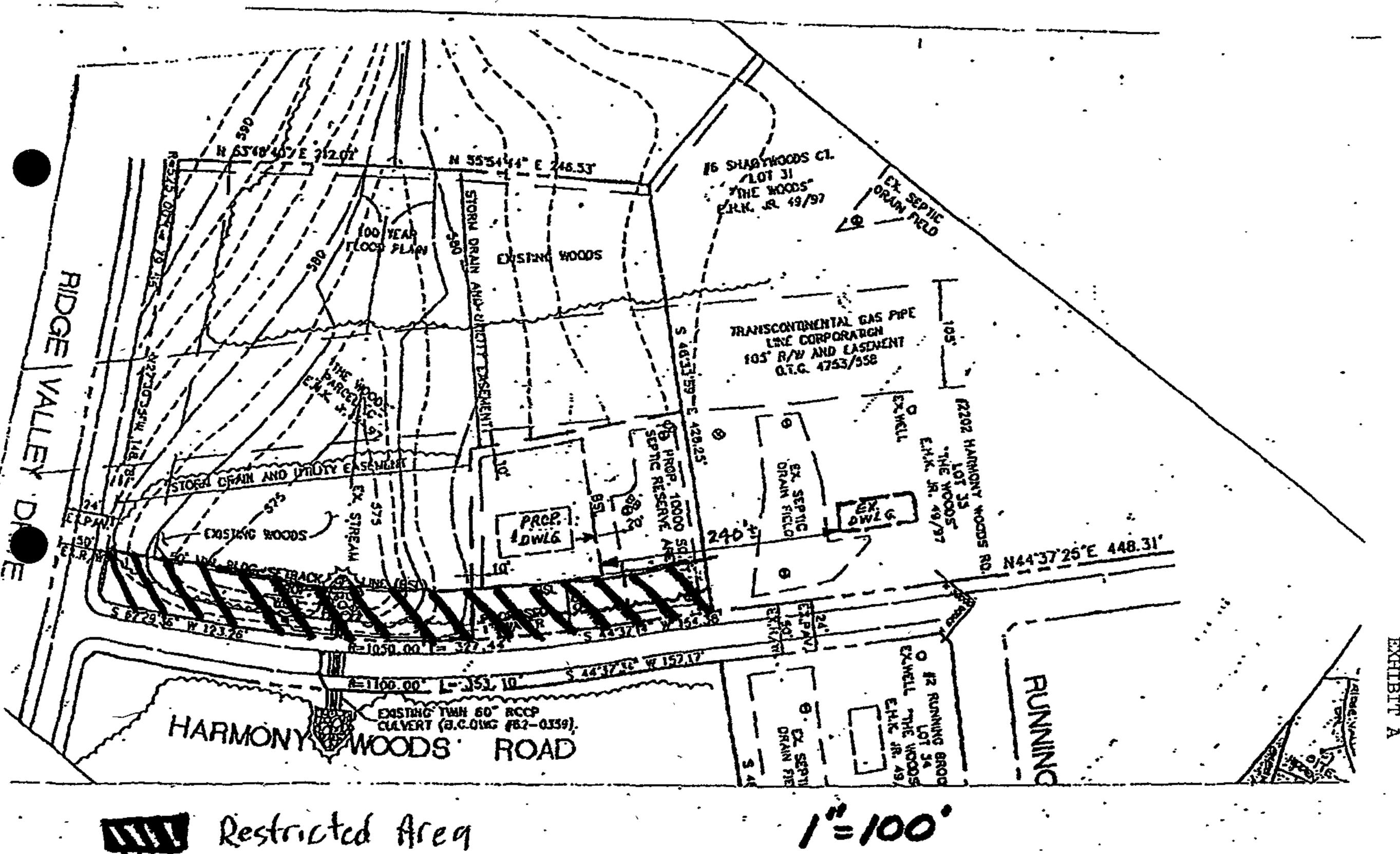
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Fred Kobb	1 Running Brock Ct.	Ours Mus 2117	Fredom westen com
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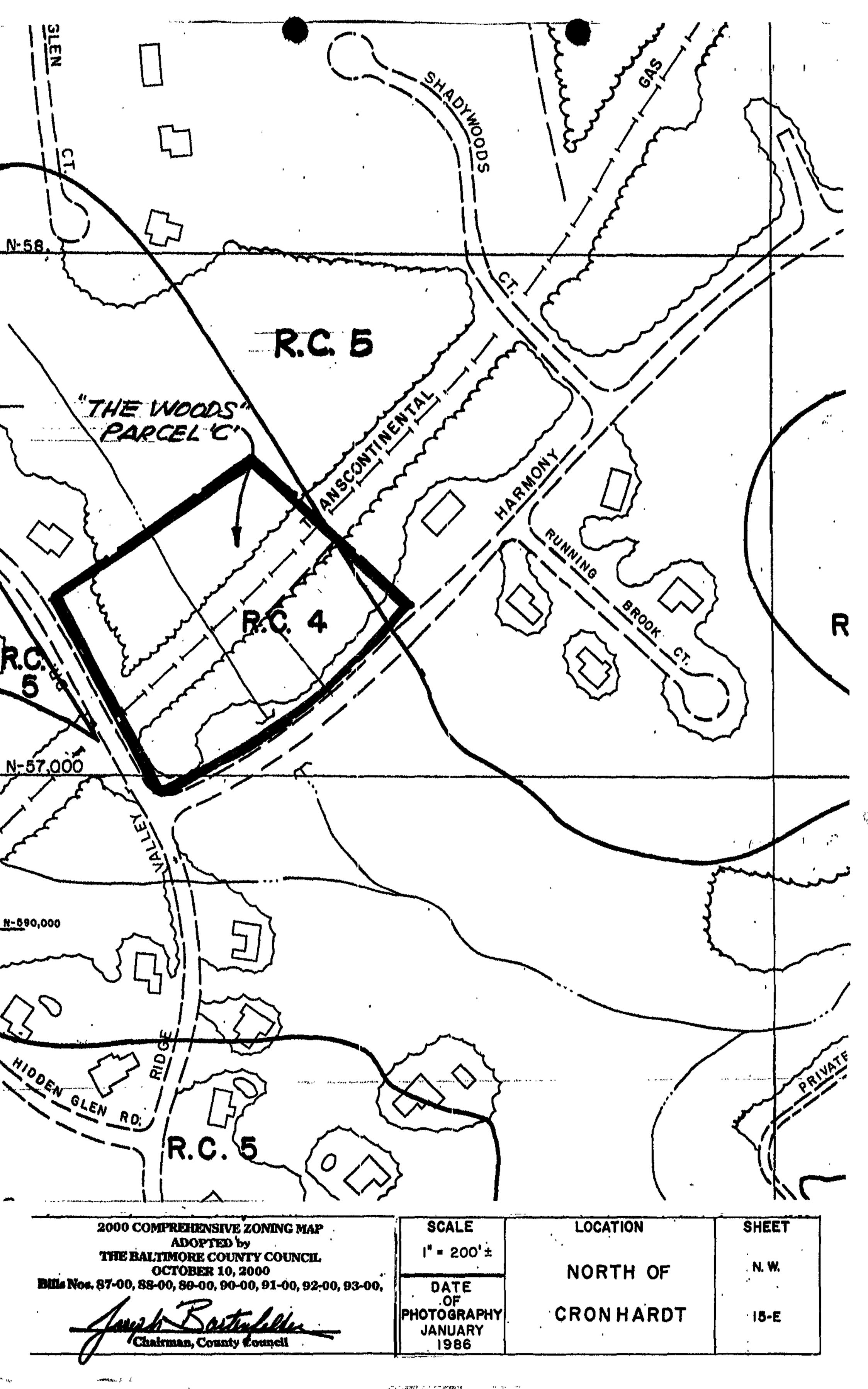
PLEASE PRINT CLEARLY

CASE	NAME_	THE	WOODS -	PARCEL	' C'
CASE	NUMBE	ER			
DATE	JAN.	2,	2004		

PETITIONER'S SIGN-IN SHEET

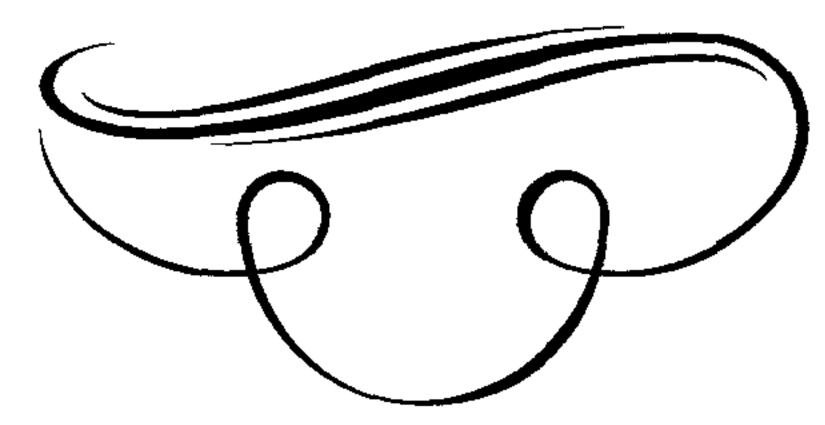
NAME	ADDRESS		CITY, STA	ATE, ZIP	E- MAIL
Sugarman Development Co, Inc	10451 Mill Run Circle	50.to 400	OWINGS Mills	MD 21117	HSugarman@ Capies Inc. com
DOUGLAS L. KENNEDY	409 Washington Ave	21204	TOWSON	21204	
DOUGLAS L. KENNEDY	3106 LORD BALTO. DR.	5-110	BACTO., MD.	21244	DOOKEN @ Dopkin law.com DKennedy @ KCW-ET. con
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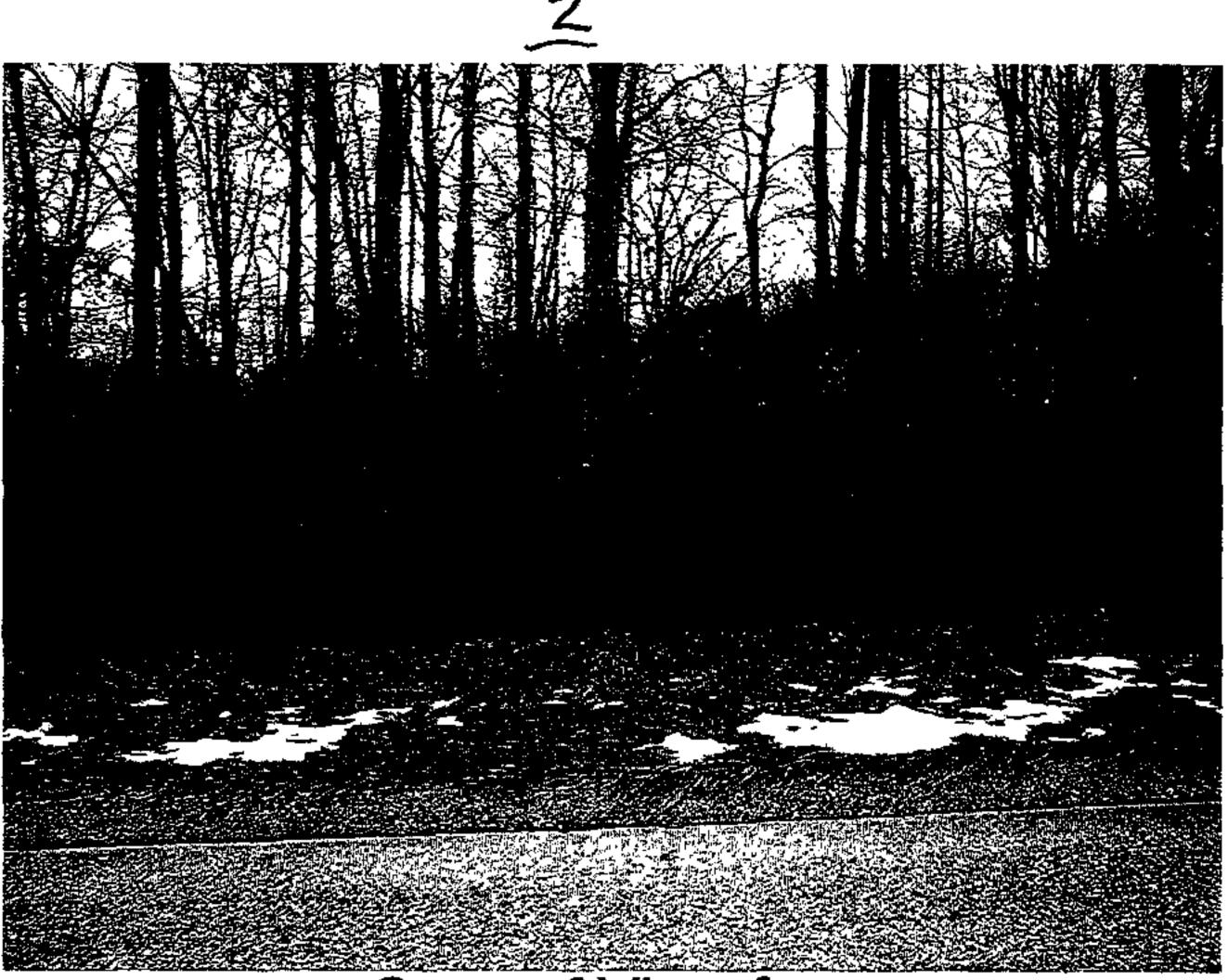




Copy of View of adjacent house Engorn Harmony Woods.JPG



JA JA



Copy of View from Harmony Woods 2.JPG







Copy of view of interior of subj prop.JPG



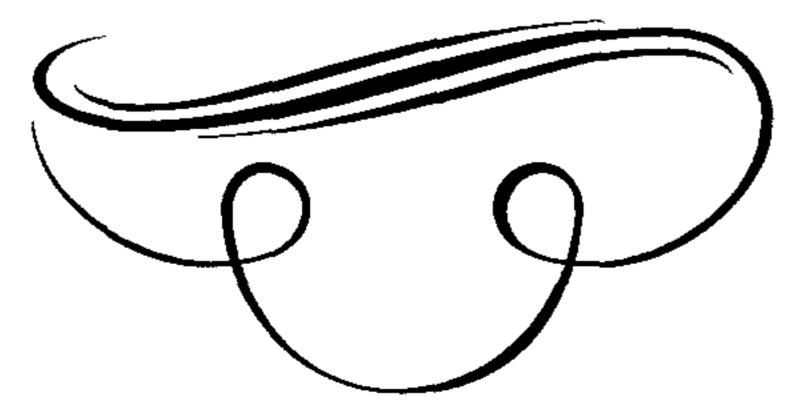


Copy (2) of View from Harmony Woods 2.JPG





View of subject property along Harmony Woods.JPG





View of subject property from Ridge Valley including gas line markers.JPG





View of subject property from Harmony Woods.JPG



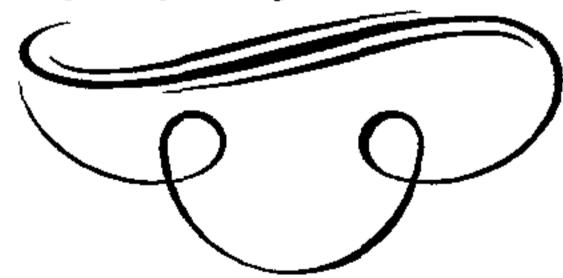


View of subj prop along Harmony Woods.JPG





view of stream on property 2.JPG







view of stream on property.JPG



12



View of property from Ridge Valley.JPG



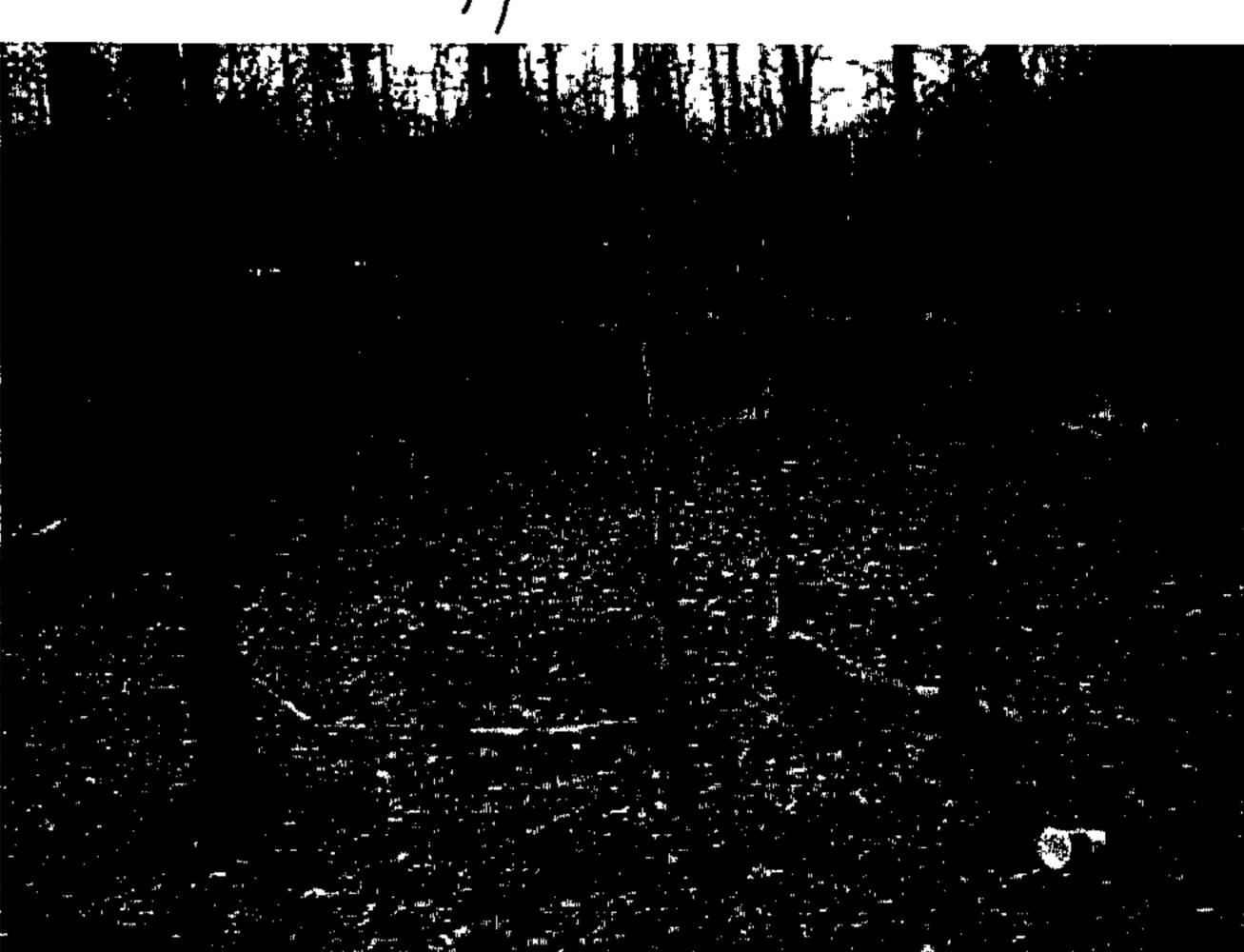
View of Property from Ridge Valley2.JPG



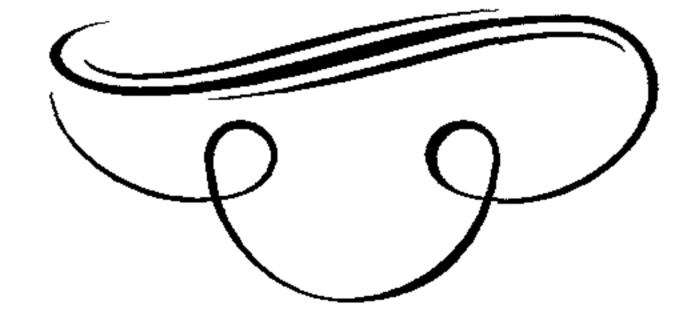
f (

View of property from Conn house with Engorn house at right.JPG





View of interior of subj prop.JPG





View of Conn House from Running Brook Court.JPG



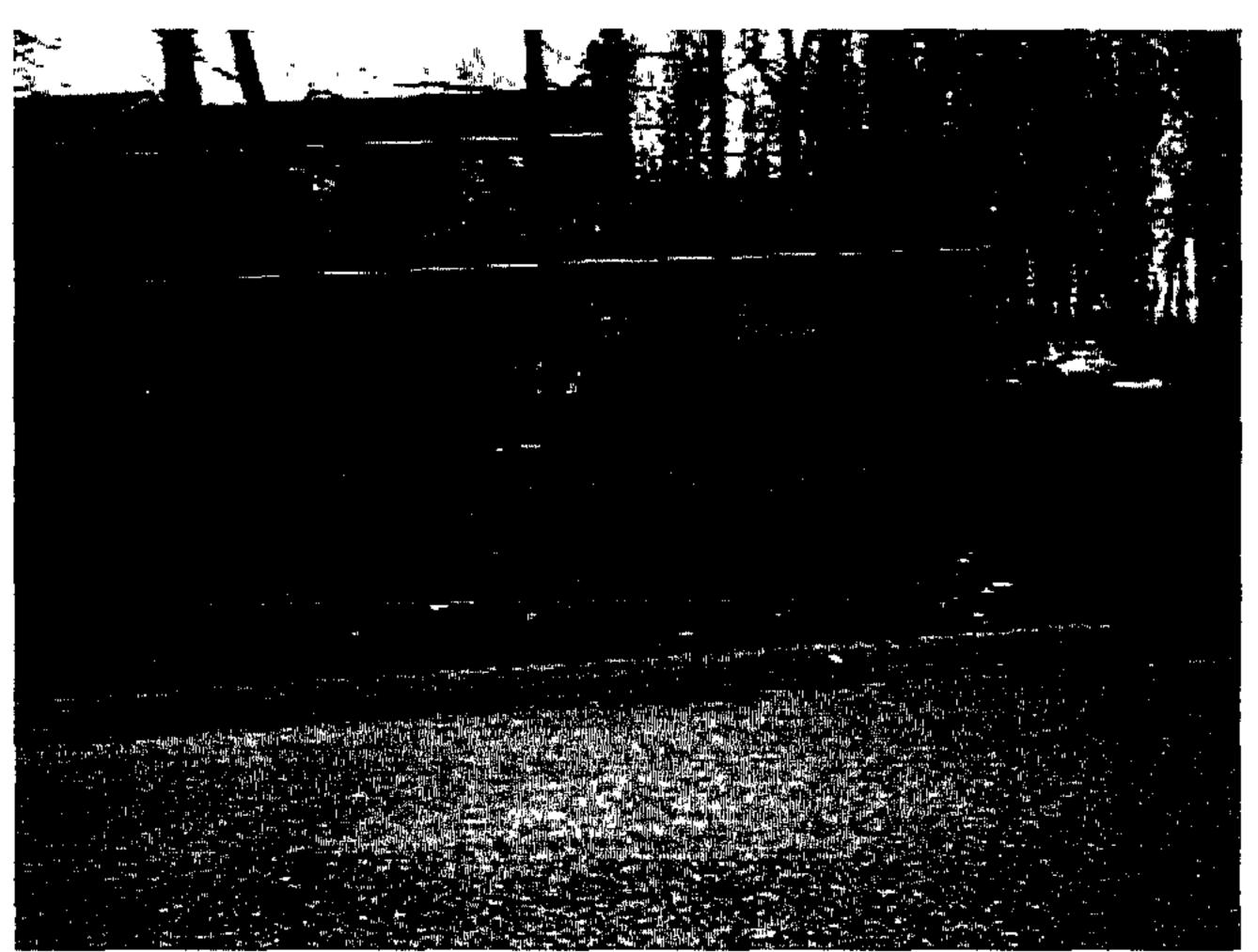




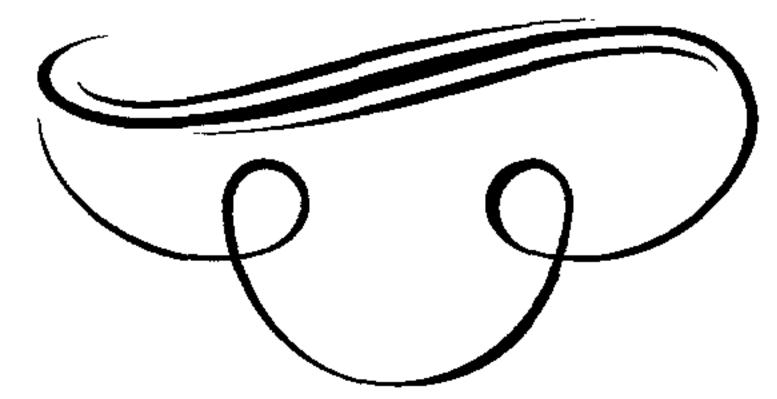


view of interior of subj prop.JPG





View of adjacent house Engorn Harmony Woods.JPG



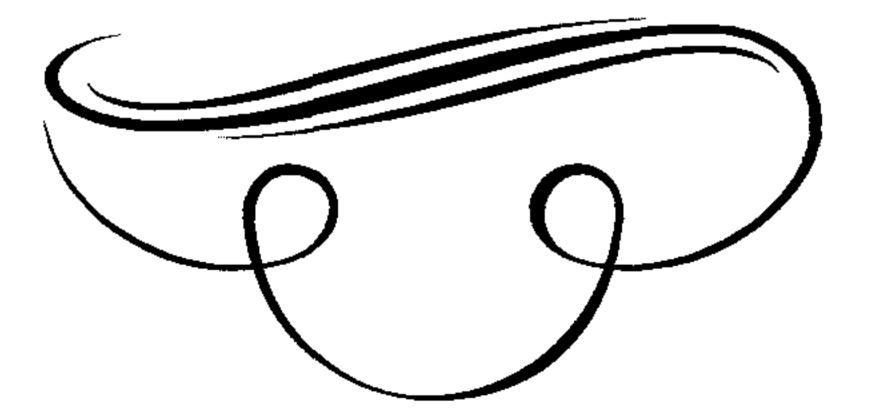


View of adjacent lot fenced side yard Harmony Woods - Engorn.JPG





view of adj house Engorn from prop near proposed house location.JPG



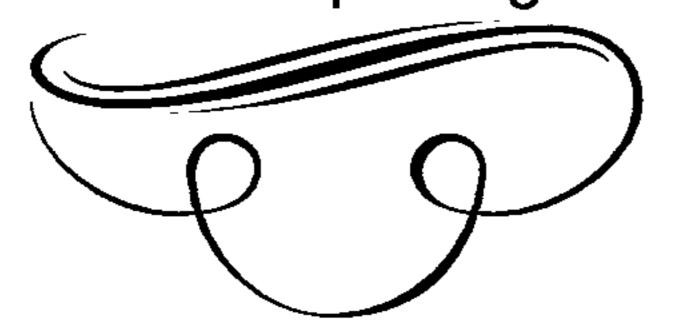


view of adj house Engorn from prop.JPG





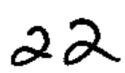
view from Harmony Woods 4 w posting.JPG



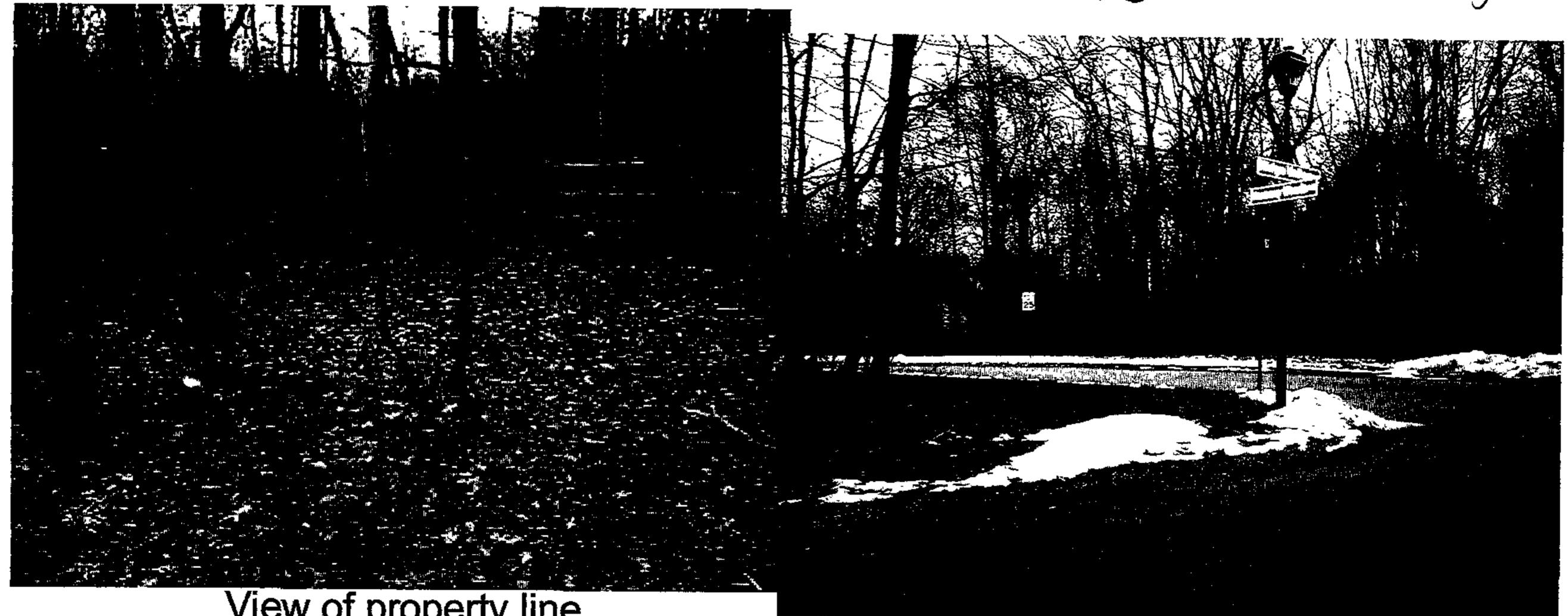


view from Harmony Woods 5.JPG





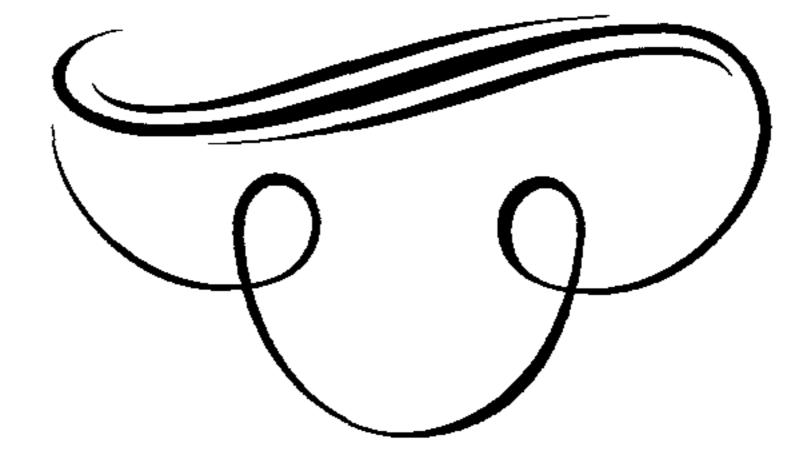




View of property line between Engorn and subject see fence.JPG



Subject property at intersection of Harmony Woods and Ridge Valley.JPG





Baltimore County Department of Environmental Protection and Resource Management

Ground Water Management

June 6, 2001

Mr. Howard P. Sugarman Sugarman Development Co., Inc. • • P.O. Box 218 Owings Mills, MD 21117

RE: Parcel C, The Woods, Harmony Woods Road, D-8

Dear Mr. Sugarman,

At your request, representative(s) of this office reviewed the soil evaluation data on file for the above-referenced property.

Additional soil evaluations will not be required provided there is no alteration to the site plan dated September 16, 1996, and Building Permit Application(s) are submitted within 5 years from the date of this letter. Soil evaluation results will become void without notice at the expiration of this time period. If a Building Permit is submitted, the following information should be considered:

The sewage disposal system for the above-referenced lot will be a sand mound system. Said system shall be designed and plans drawn up by the owner's engineer at owner's expense. Said plans and specifications shall be submitted to this office for review and approval. Plans shall be approved prior tot he issuance of building permits. Prior to building permit approval, the entire 10,000 square foot septic reserve area must be located by survey and fenced off by high visibility orange fencing.

It should be noted, there is an area designated on the site plan for the sewage disposal system and expansion thereof. Under no circumstances shall any permanent structures above or below ground, be permitted within this area. Also, no underground electric lines, water pipes, gas lines, etc., shall be permitted in the disposal system area.

No grading, filling, cutting or vehicular traffic will be permitted in the 10,000 square foot septic reserve area. Any violation of this or incursions into the designated 10,000 square foot septic reserve area may cause revocation of the soil percolation tests approval and denial of any building permits on the subject property.

401 Bosley Avenue, Suite 416 Towson, Maryland 21204

410-887-2762

Fax: 410-887-4817

Mr. Howard P. Sugarman June 6, 2001 Page 2

Where water wells are to be used as a source of water supply, the Baltimore County Code, (Title 35, Article 2, Sec. 35-41), requires that a well meeting the minimum recovery rate of one gallon per minute be drilled prior to issuance of a Building Permit.

Water well yield test reports shall be valid for a period of three years from the date of the yield test. At the expiration of that period of time, a retest must be performed and the report submitted to this office prior to issuance of a building permit.

There are four existing drilled water wells on this property. Well Abandonment Reports must be submitted prior to issuance of a building permit or conveyance of the property. These wells must be backfilled properly with bentonite.

Attached is a copy of the original soil evaluation data for the above-referenced lots.

If you have any questions regarding this matter, please contact this office.

Sincerely,

Clare M. Brunner, R.S. Soil Evaluation Program

J:\PERC LETTERS\2001 PERC LETTERS\Revalidation\The Woods, Parcel C, Harmony Woods Rd.doc

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT SOIL DESCRIPTION SITE/LOCATION hote SOIL MAP UNIT F: .: C GEOLOGIC MATERIAL DESCRIBED BY Depth Color Structure Harizon % Rock In. Matrix | Mottles Texture Grade Type Fragments Notes (Moisture, Density, Biopores, Seepage) 10.15 0-3" 2/3 Sil Crown 11 141 A ... sik 引息 Trage troe day mod SNB SiL 7.m. 30" SL Hickory 30000 Proste Miczy 3,1996 test A Co.3 LRS 3-800.40 NFILTMATION TEST DATA - Depth of Test 50 WATER TABLE 026 LIMITING ZONE 11/18 04 LANDSCAPE Position: Slope: Summit 125 Depression 2 2 Shoulder SidesTope Upland Shape Terrace Footslope

Floodplain

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT SOIL DESCRIPTION

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Restricted Area

MIL AND MRS. STEVEN R. ENGORN 2202 HARMONY WOODS ROAD OWINGS MILLS, MD 21117

JA K

August 7, 1997

Re: Parcel C. The Woods

Owings Mills, MD 21117

(The improvements to be known as 2204 Harmony Woods Road)

TO WHOM IT MAY CONCERN:

We are the owners of 2202 Harmony Woods Road, also known as Lot 33 on Plat entitled Plat 2 "The Woods" which Plat is recorded among the Land Records of Baltimore County in Plat Book No. E.H.K.Jr. No. 49, folio 97. Our house is located within three hundred feet of Parcel "C" as shown on the aforestated Plat ("The Woods"), which Parcel "C" consists of 5.520 acres. The intended improvements on Parcel "C" are to be known as 2204 Harmony Woods Road. We are aware of and consent to the proposal to allow one single-family residence to be built on the said Parcel "C". This consent also includes any necessary revision to the final development plan and/or amendment of the recorded plat to the sole extent of and for the limited purpose of allowing one single-family dwelling residence to be built in said Parcel "C". However, our consent is contingent upon the requirement that the single-family residence to be built on said Parcel "C" shall not violate any of the terms, conditions and covenants in the Declaration of Restrictions, dated August 1, 1984, by Fineland Enterprises, Inc. and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6761, folio 589.

Steven R. Engorn

Jayne A. Engorn

Mr. and Mrs. Lawrence Conn 2 Running Brook Court Owings Mills, Maryland 21117

June 28, 1999

1

Re: Parcel C, The Woods
Owings Mills, Maryland 21117

(The Improvements to be known as 2204 Harmony Woods Road)

TO WHOM IT MAY CONCERN:

We are the owners of 2 Running Brook Court, also known as Lot 34 on the Plat entitled Plat 2 "The Woods" which Plat is recorded among the Land Records of Baltimore County in Plat Book No. E.H.K.Jr. No. 49, folio 97. Our house is located within three hundred feet of Parcel "C" as shown on the aforestated Plat ("The Woods"). Parcel "C" consists of 5.520 ± acres. The intended improvements on Parcel "C" are to be known as 2204 Harmony Woods Road. We are aware of and consent to the proposal to allow one single-family dwelling residence to be built on the said Parcel "C" as shown on the plat attached as Exhibit A hereto: This consent also includes any necessary revision to the final development plan and/or amendment of the record plat to the sole extent of and for the limited purpose of allowing one single-family dwelling residence to be built in said Parcel "C." However, our consent is contingent upon the requirements that the single-family residence to be built on said Parcel "C" shall not violate any of the terms, conditions and covenants in the Declaration of Restrictions, dated August 1, 1984, by Fineland Enterprises, Inc. and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6761, folio 589, or of the Declaration dated July 13, 1999, a copy of which is attached as Exhibit B hereto (the "1999 Declaration") and the original 1999 Declaration having been recorded among the Land Records of Baltimore County.

Lawrence S. Conn

Barbara S. Conn

conn-harmony woods ltr

Exhibit B

10

DECLARATION

THIS DECLARATION ("this Declaration") made this _____day of _____, 1999 by Sugarman Development Co., Inc., a Maryland corporation, (hereinafter referred to as "Declarant")

EXPLANATORY STATEMENT

- A. Declarant is the fee owner of the real property to be known as 2204 Harmony Woods Road, Owings Mills, MD 21117, presently known as Parcel C (the "Lot") as shown on the plat entitled Plat 2 "The Woods" which plat is recorded among the Land Records of Baltimore County in Plat Book No. E.H.K.Jr. No. 49, folio 97; and
- B. Declarant is desirous of establishing an area in which mature healthy trees shall not be removed, except as specified hereinbelow, for the benefit of the Lot; and
- C. Declarant, for the purposes of enhancing the quality of the Lot and protecting its economic interests desires that the lot be subject to covenants, conditions, and restrictions, for the benefit of Declarant and owners of the Lot and Lot 34 (as hereinafter defined) from time to time;

NOW, THEREFORE, in consideration of \$10.00 in hand paid and for other good and valuable consideration, the receipt and adequacy of which hereby are acknowledged, and for the benefit of the Lot and adjoining parcels, including Lot 34, Declarant hereby declares that the Lot described herein shall be held, sold, and conveyed, subject to the following covenants, conditions, and restrictions, that are for the purposes of protecting the value and desirability of, and which shall run with, the real property and shall be binding on all parties having any right, title or interest in the described property, their successors and assigns and shall inure to the benefit of each Owner thereof and of the Owner of Lot 34 as shown on the plat entitled Plat 2 "The Woods" which plat is recorded among the Land Records of Baltimore County in Plat Book No. E.H.K.Jr. No. 49, folio 97, their successors and assigns.

ARTICLE I Definitions

Section 1. "Declarant" shall mean and refer to Sugarman Development Co., Inc., its successors, and assigns.

Section 2. "Owner" shall mean and refer to the then record owner, whether one or more persons or entities, of fee simple title to the Lot (or multiple lots if the Lot is further subdivided from time to time) and, as applicable, Lot 34, but excluding those having such interest merely as security for the performance of an obligation.

Section 3. "Restricted Area" shall mean and refer to the area on which the trees shall not be removed as more particularly described in Exhibit A, attached hereto and made a part hereof.

ARTICLE II Restrictive Covenant

Section 1. Creation: Declarant hereby creates a perpetual restrictive covenant governing the Restricted Area in which mature healthy trees shall not be removed except for the purpose of ingress and egress and normal driveway purposes to and from the Lot and for the installation and maintenance of utilities (including well and septic) as reasonably required to serve the one single-family residence constructed on the Lot.

ARTICLE III General Provisions

Section 1. Severability: Amendment: Invalidation of any one of those covenants, conditions, and restrictions by judgment or court order shall in no way affect any other provision which shall remain in full force and effect. In no event shall this Declaration be modified or amended except by a written amendment executed by each Owner of the Lot and each Owner of Lot 34 and recorded among the Land Records of Baltimore County.

IN WITNESS WHEREOF, the Declarant has executed this Declaration on this day and year first above written.

SUGARMAN DEVELOPMENT CO., INC.

STATE OF MARYLAND, COUNTY OF HARFORD, TO WIT:

I HEREBY CERTIFY, that on this day of ______, 1999, before me, a Notary Public of the State aforesaid, personally appeared Howard Sugarman, known to me (or satisfactorily proven) to be the person whose name in my presence, and acknowledge that he executed the same as the ______ of Sugarman Development Co., Inc., a Maryland corporation, as being so authorized to do, for the purposes therein contained.

WITNESS my hand and Notarial Seal.

Notary Public EDWARD A. CROFT

My Commission Expires:

WITNESS:

2

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410363

DECLARATION

THIS DECLARATION ("this Declaration") made this 13th day of JULY, 1999 by Sugarman Development Co., Inc., a Maryland corporation, (hereinafter referred to as "Declarant")

EXPLANATORY STATEMENT

- A. Declarant is the fee owner of the real property to be known as 2204 Harmony Woods Road, Owings Mills, MD 21117, presently known as Parcel C (the "Lot") as shown on the plat entitled Plat 2 "The Woods" which plat is recorded among the Land Records of Baltimore County in Plat Book No. E.H.K.Jr. No. 49, folio 97; and
- B. Declarant is desirous of establishing an area in which mature healthy trees shall not be removed, except as specified hereinbelow, for the benefit of the Lot; and
- C. Declarant, for the purposes of enhancing the quality of the Lot and protecting its economic interests desires that the lot be subject to covenants, conditions, and restrictions, for the benefit of Declarant and owners of the Lot and Lot 34 (as hereinafter defined) from time to time;

NOW, THEREFORE, in consideration of \$10.00 in hand paid and for other good and valuable consideration, the receipt and adequacy of which hereby are acknowledged, and for the benefit of the Lot and adjoining parcels, including Lot 34, Declarant hereby declares that the Lot described herein shall be held, sold, and conveyed, subject to the following covenants, conditions, and restrictions, that are for the purposes of protecting the value and desirability of, and which shall run with, the real property and shall be binding on all parties having any right, title or interest in the described property, their successors and assigns and shall inure to the benefit of each Owner thereof and of the Owner of Lot 34 as shown on the plat entitled Plat 2 "The Woods" which plat is recorded among the Land Records of Baltimore County in Plat Book No. E.H.K.Jr. No. 49, folio 97, their successors and assigns.

ARTICLE I <u>Definitions</u>

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Section 2. "Owner" shall mean and refer to the then record owner, whether one or more persons or entities, of fee simple title to the Lot (or multiple lots if the Lot is further subdivided from time to time) and, as applicable, Lot 34, but excluding those having such interest merely as security for the performance of an obligation.

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ARTICLE III General Provisions

Section 1. Severability: Amendment: Invalidation of any one of those covenants, conditions, and restrictions by judgment or court order shall in no way affect any other provision which shall remain in full force and effect. In no event shall this Declaration be modified or amended except by a written amendment executed by each Owner of the Lot and each Owner of Lot 34 and recorded among the Land Records of Baltimore County.

IN WITNESS WHEREOF, the Declarant has executed this Declaration on this day and year first above written.

WITNESS:

SUGARMAN DEVELOPMENT CO., INC.

Howard P. Sugarmah, <u>free</u>
STATE OF MARYLAND, COUNTY OF HARFORD, TO WIT:

WITNESS my hand and Notarial Seal.

Notary Public EDWARD 17.

My Commission Expires:

A/5/2000

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day of Floquet, 1987, by FineLand enterprises, INC., a Maryland General Partnership (hereinafter called "Developer").

RECITALS

- the payeroper is the owner in tee simple, of the following lots which constitute FINELAND (and which hereinafter will be referred to as "FINELAND"), lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56 and 57 as shown on the Plat entitled "Plat One, The Woods" which Plat is recorded among the Land Records of Baltimore County in Plat Book EHK, Jr., No. 49, folio 96; Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 31, 32, 33, 34, 35, 38,/41, 42, 43 and 44 as shown on the Plat entitled "Plat Two, The Woods", which Plat is recorded among the Land Records of Baltimore County in Plat Book EHK, Jr., No. 49, folio 97; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 18, 19, 20, 21, 22, 23 and 28 as shown on the Plats entitled "Revised Plat of Morrisville" and "Amendment to Revised Plat of Morrisville", which Plats are recorded among the Land Records of Baltimore County in Plat Book EHK, Jr., No. 46, folio 74 and Plat Book EHK, Jr., No. 47, folio 24, respectively.
- (B) The Developer, for the purposes of creating and maintaining a general scheme of development, desires that the aforesaid lots be subject to the covenants, conditions and restrictions hereinafter set forth.

NOW, THEREFORE, the Developer for itself, its successors and assigns, hereby declares that all the aforesaid lots shall

be subject to the covenants, restrictions, conditions and reservations hereinafter set forth.

I. Lots as shown on the aforesaid plat of Fineland shall be used for private residential purposes only and no dwelling shall be erected, altered, placed or permitted to remain on any lot other than on detached dwelling, said dwelling designed for single-family occupancy. Single-family occupancy shall not be construed to prevent the erection of a dwelling with an attached apartment or living area for use by member or members of the owner's family. Nothing herein contained shall prevent the use of part of a lot as a right of way for use by other lots within the subdivision. Residential use shall not bar a home office use of the property provided the owner of said lot complies with the applicable zoning regulations of Baltimore County.

2. No building, fence, wall, hedge, or other structure shall be commenced, erected, placed or altered in structure or color, on any lot until the plans and specifications and including color scheme and a grading plan showing the location of the structure have been approved in writing by the Developer.

Before commencement of construction, the owners of lots shall present their plans and specifications to the Developer together with a nonrefundable fee of Fifty Dollars (\$50.00) covering the cost of reviewing the plans and specifications. Plans and specifications must be acted on by the Developer within fifteen (15) days after submission. If the Daveloper fails to act on said plans and specifications within said fifteen (15) day period, the plans and specifications shall automatically be approved. The fee charged for reviewing the plans and specifications shall not be charged more than once except if the plans and specifications submitted are for a different house after prior plans and specifications have been approved by the Developer for the same property. The Developer shall have the right to refuse to approve any such plans and specifications, or grading and location plans which are not suitable or desirable, in its opinion, for esthetic or other reasons, and in so passing upon such plans, specifications, or grading or location plans, it shall have the right to take into consideration the suitability of the proposed building or other structure, and of the materials of which it is built, to the site upon which it is proposed to eract the same, the harmony thereof with the surroundings and the effect of the building or other structure or the roadway as planned on the outlook from the adjacent or neighboring properties. In the event of the failure of the purchaser or purchasers of lots in Fineland to obtain the required prior written approval of plans, specifications, and grading studies as established in this paragraph, said purchasers hereby agree to reinburse the Developer or its assigns for all costs and expenses to which it may be put as a result of said failure, including, but not limited to, court costs and attorneys' fees. Any dualling constructed on said lot shall be completed in every exterior detail within thelve (12) months from date of beginning such construction.

- 3. Easements for installation, maintenance of utilities, and drainage facilities are reserved as shown on the aforesaid record plat. In addition thereto, the Baltimore Gas and Electric Company shall have the right to place upon the lots at such locations as may be deemed necessary by the Baltimore Gas and Electric Company, electric transformers, transformer pads, and telephone pedestals.
- 4. No structure of a temporary character, such as but not limited to, a trailer, shack, or tent, shall be placed or used on any of the lots aforesaid as a residence or for storage, or as an auxiliary building, either temporarily or permanently, except that a temporary structure may be placed or used thereon if used and operated solely in connection with the construction of permissible permanent improvements; provided, however, that such temporary structure shall be removed from the premises within thirty (30) days after completion of the construction of the permissible permanent improvements; and provided, further, that such structure be removed within a period of twelve (12) months from the date of its original construction.
- 5. No recreational vehicles, such as, but not limited to, campers, motor homes, and tent vehicles, may be parked or kept on any lot, except those that are stored in a garage or driveway.
- 6. No live poultry, hogs, cattle, horses, ponies, or other similar livestock shall be kept on any lot. A maximum of two (2) dogs and two (2) cats is permitted, provided that they are properly housed and cared for and are restricted to the owner's property.
- 7. Owners of lots shall be responsible for providing driveway access to their lots from the paved portion of the County road abutting the owner's lot. All driveways shall be paved with a hard durable surface, such as macadam, tar and chip, concrete or other similar material. Paving shall be completed one (1) year from the date of commencement of construction of the dwelling on said lot.
- 8. No facilities, including poles and wires for the transmission of electricity, telephone and the like shall be placed or maintained above the surface of the ground on any lot; and, no external or outside antennas of any kind shall be maintained without the prior written approval of the Developer or its duly authorized representatives.
- 9. The owner or owners of lots chall assume the responsibility for and shall bear the cost of extending any and all underground electric service from their projectly line to their respective lots.
- reserves the right to write much portion of the protective coverants placed on this projectly as the Diveloper deems necessary or in the best interest of the diveloperates determined by the Developer. All valvers shall be in writing and a copy thereof shall be filed with the Diveloper and a copy thereof shall be available to all lot owners the request. The Developer also receives the right to change building setback lines and to alter lot lines between lots exhed by the Developer.

11. The provisions herein contained shall run with and bind the land and shall inure to the benefit of and be enforceable by the Developer or the owner of any part of said land included in said plat, their respective legal representatives, heirs, successors and assigns. Failure by the Developer or any such owner or owners to enforce any restriction, condition, covenant or agreement herein contained shall in no event be deemed a waiver of the right to do so thereafter as to the same breach or as to one occurring prior or subsequent thereto.

- 12. These restrictions shall be binding until the first day of September, 2010. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant.
- 13. Invalidation of any of these covenants agreements, restrictions or conditions by judgement or court order shall in no way affect any of the other provisions which shall remain in full force and effect.
- 14. These restrictions shall apply only to the lots as described in Paragraph (A) herein and shall not be binding on any other property of the Developer, its successors and assigns.
- 15. No lot whall be uplit, divided, or subdivided for sale, resale, gift, transfer or otherwise after acquisition frpm the Developer. With respect to any of said lots while owned by the Developer, the Developer expressly reserves the right to further subdivide, to alter property lines, to alter setback lines and to otherwise revise the aforesaid subdivision plats in any respect, subject to applicable Baltimore County reulations and requirements.
- 16. No more than seven thousand (7,000) square feet of wooded area on any lot may be cleared without the express authorization of the Developer.
- 17. No sign or other advertising device of any nature shall be placed on any lot advertising the said lot or the improvements thereon as being for sale unless approved in writing by the Developer. This restriction shall terminate on Ducember 31, 1987.

AS WITHESS, the hand and seal of said Fineland Enterprises, Inc., the Developer, by Jerrold Gottlieb; President of Fineland Enterprises, Inc.

WITNESS:

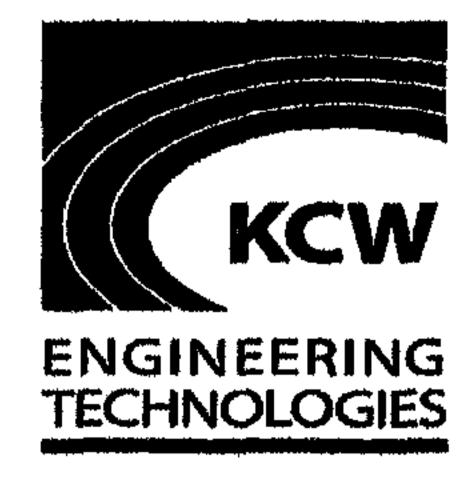
FINELAND ENTERPRISES, INC.

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

HEREBY CERTIFY, that on this 5/5 day of 1984, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Jerrold Gottlieb, President of Fineland Enterprises, Inc. and he acknowledged the foregoing Declaration of Restrictions to be the act and deed of said Corporation.

AS WITNESS my hand and Notarial Seal.

D RC/F 21.00 DECLAR 0 W EHK JR T 21.00 W17430 C002 R02 F0813H 08/09/84



DOUGLAS L. KENNEDY, P.E.

CIVIL ENGINEER

SENIOR VICE-PRESIDENT

RESUME

EDUCATION:

North Carolina State University, 1971,

B.S. Civil Engineering

REGISTRATION:

Professional Engineer, July 1977 Maryland Registration No. 10748

ENGAGEMENTS: 1971 – 1978

Baltimore County Bureau of Engineering

1978 – 1979

Consulting Engineer

1979 – 2004

KCW Engineering Technologies, Inc.

EXPERIENCE:

Civil Engineer responsible for planning, engineering design, plan preparation, coordination, and construction inspection of various municipal, utility company and land development projects. This work involves preparation of topographic and boundary surveys; site planning; zoning analysis; design of roadways, storm drains, water mains, sanitary sewer, telephone conduit, electric conduit, sediment control, and stormwater management; coordination with environmental consultants, geotechnical engineers, mechanical engineers, electrical engineers, structural engineers, and architects; processing plans for permits with County, City, State and Federal agencies; quality control; preparation of construction cost estimates, specifications and contract documents.

