IN RE: PETITION FOR VARIANCE

S/S Mount Wilson Lane, 238' SW of the c/l Orchard Road (107 Mount Wilson Lane)

3rd Election District 2nd Council District

Ashland LLC Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 06-226-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Ashland LLC, by Adam Shpritz. The Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a proposed replacement dwelling on the subject property with a sum of the side yard setbacks of 20 feet in lieu of the required 25 feet. 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 Adam Shpritz and his father, Lee Shpritz, members of Ashland LLC, property owners, and Bernadette Moskunas, on behalf of Site Rite Surveying, Inc., the consultants who prepared the site plan for this property. Appearing as interested citizens/Protestants were Mary H. Greenberg and Elisabeth H. Reamer, adjacent property owners, Jerome Kadden, and Bob Brooks.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the south side of Mount Washington Lane, just west of Orchard Road in the vicinity of the Woodholme Golf Course in Reisterstown. The property contains a gross area of 13,650 sq.fl., more or less, zoned D.R.3.5, and is improved with a small, one-story dwelling, which was built many years ago. The Petitioners recently purchased the property and are desirous of redeveloping the site with a new single-family dwelling. As shown on the site plan, the new house will be a two-story structure, 28' x 64' in dimension, and located in essentially the same footprint as

SET PEGENTED FOR FILING

the existing house, with 10' setbacks provided on each side. The house will have a basement, but there will be no garage.

A negative Zoning Advisory Committee (ZAC) comment was received from the Office of Planning. Apparently, the Petitioners had obtained approval of the subject property as an undersized lot in July 2004. The Office of Planning believes that the Petitioners should be required to amend the instant request to include a lot width variance of 50 feet in lieu of the required 70 feet. In this regard, the D.R.3.5 regulations require a minimum area of 10,000 sq.ft. and a minimum width of 70 feet. Moreover, minimum side yard setbacks of 10 feet each, 25 feet total are required. Thus, although the lot meets the minimum area requirements, the width of the property is deficient. An issue was also raised as to whether Section 305 of the B.C.Z.R. is applicable. That Section permits replacement of damaged or destroyed dwellings provided that area or height deficiencies of the dwelling before the casualty are not increased in any respect. In that the existing dwelling is 26' x 24' in dimension, Section 305 is applicable.

In response to these comments, the Petitioners met with representatives of the Office of Planning and subsequently agreed to reduce the width of the proposed dwelling to 28 feet, thereby increasing the sum of the side yard setbacks to 22 feet. In open hearing, the Petitioners amended their request and submitted a redlined plan showing the width of the house at 28 feet, and side yard setbacks of 10 feet to the east and 12 feet to the west. Additionally, the plan has been amended to reflect a 60-foot right-of-way for Mount Wilson Lane, as requested by the Bureau of Development Plans review. Finally, building elevation drawings of the proposed dwelling will be submitted to the Office of Planning for review and approval prior to the issuance of any permits.

As noted above, Mary Greenberg and Elisabeth Reamer appeared in opposition to the request. They reside immediately adjacent to the subject property and expressed concern that a large mature oak tree would be damaged as a result of the proposed construction. In response to these concerns, the Petitioners noted that the dwelling will be 12 feet from that side of the property and that the driveway that will provide off-street parking, will be placed on the east side of the property away from the Protestant's property.

Based upon all of the testimony and evidence presented, I am persuaded to grant the requested relief. I find that strict compliance with the zoning regulations would cause a practical difficulty and unreasonable hardship for the Petitioner and prevent reasonable use of the property for a permitted purpose. The concerns raised by the Protestants and the Office of Planning have been addressed by the redlined changes made to the plan and the proposal is consistent with the pattern of development in the neighborhood. Thus, it appears that the relief requested can be granted without detrimental impact to adjacent properties or the surrounding locale.

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 December 2005 that the Petition for Variance seeking relief, as amended, from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a proposed replacement dwelling on the subject property with a sum of the side yard setbacks of 22 feet in lieu of the required 25 feet, in accordance with the redlined plan marked as 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) Prior to the issuance of any permits, the Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval to insure compatibility with the neighborhood.

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

Zoning Commissioner for Baltimore County

WJW:bjs



JAMES T. SMITH, JR. County Executive

December 21, 2005

WILLIAM J. WISEMAN III

Zoning Commissioner

Mr. Adam Shpritz Mr. Lee Shpritz 920 S. Conkling Street Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE

S/S Mount Wilson Lane, 238' SW of the c/l Orchard Road (107 Mount Wilson Lane)

3rd Election District – 2nd Council District
Ashland LLC - Petitioners
Case No. 06-226-A

Dear Messrs. Shpritz:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance 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.

WILLIAMS. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

Ms. Mary H. Greenberg & Ms. Elisabeth H. Reamer
 109 Mt. Wilson Lane, Baltimore, Md. 21208
 Mr. Jerome Kadden, 400 Mt. Wilson Lane, Baltimore, Md. 21208
 Mr. Bob Brooks, 8832 Pikesville Road, Baltimore, Md. 21208
 Office of Planning; People's Counsel; Case File



Petition for Variance

which is presently zoned D.R. 3.5

to the Zoning Commissioner of Baltimore County

for the property located at 107 Mount Wilson Lane

This Petition shall be filed with the Department of Peowner(s) of the property situate in Baltimore County and made a part hereof, hereby petition for a Variance from	rmits and Development Management. The undersigned, legal d which is described in the description and plat attached hereto om Section(s) 1802.301
ANDWELLING WITH A SUM OF SIGN OF SIGN	om Section(s) BOZ, 3, C, 1 TO PERMIT DE YARD SETBACKS OF 20 FT,
of the Zoning Regulations of Baltimore County, to the (indicate hardship or practical difficulty)	e zoning law of Baltimore County, for the following reasons:
Suattrebud	
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertising regulations and restrictions of Baltimore County adopted pursu	i nasina etc sna turaei salee lo shu ete lo de douilded dy life zoillis.
	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/Lessee:	<u>Legal Owner(s):</u>
	Ashland LLC , Adam Shpritz, Member
Name - Type or Print	Name - Type or Print
Signature	Signature
Address Telephone No.	Name - Type or Print
City State Zip Code	
Attorney For Petitioner:	920 S. Conkling St (410) 488-3124 Address Telephone No.
**************************************	Baltimore MD _21224 City State Zip Code
Name - Type or Print	Representative to be Contacted:
Signature	<u>representative to be contacted.</u>
Company	Site Rite Surveying, Inc. Name
Address Telephone No.	200 E. Joppa Road, #101 (410) 828-9060 Address Telephone No.
Address - Telephone No.	Towson MD 21286
City State Zip Code	City State Zip Code
	OFFICE USE ONLY
Case No. 16 226 A	ESTIMATED LENGTH OF HEARING
Reviewed	By Date 10/26/05
REV 9/15/98	

#107 Mount Wilson Lane

Reasons for Zoning Variance

1. The existing dwelling is only a one story dwelling with 624 S.F.. It is located on a 50 foot wide lot of record on a plat dated March 1921.

2. The property owner does not own any contiguous property in order to meet current B. C. Z.R. The lot area (13,650 S.F.) is more than sufficient to support the dwelling. Adjacent lots, as described on the recorded plat, are only 50 feet in lot width.

3. The proposed dwelling is within the spirit and intent of the zoning regulations. Granting relief of side yard requirements will not have an adverse impact on the community or the safety of the public.

ZONING DESCRIPTON #107 MOUNT WILSON LANE

BEGINNING at a point on the south side of Mount Wilson Road which is 60 feet wide at the distance of 238 feet southwesterly of the centerline line Orchard Road which is 40 feet wide. Being Lot #60, in the subdivision of "Pikesville Farms" as recorded in Baltimore County Plat Book #7, Folio #7, containing 0.313 acre, more or less. Also known as #107 Mount Wilson Lane and located in the 3rd Election District, 2nd Councilmanic District.

Michael V. M. M. Carlotte

Michael V. Moskunas Reg. No. 21175

Site Rite Surveying, Inc. 200 E. Joppa Road, Suite 101 Towson MD 21286 (410) 828-9060

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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: #06-226-A 107 Mount Wilson Lane
South side of Mount Wilson Lane, 238 feet southwest of Orchard Road.
3rd Election District

3rd Election District
2nd Councilmanic District
Legal Owner(s): Ashaind, LLC,
Adam Shpritz - Member
Variance: to permit a replacement dwelling with a sum of side yard setbacks of 20 feet in lieu of 25 feet.
Hearing: Monday, December 12, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401
Bosley Avenue, Towson 21204.

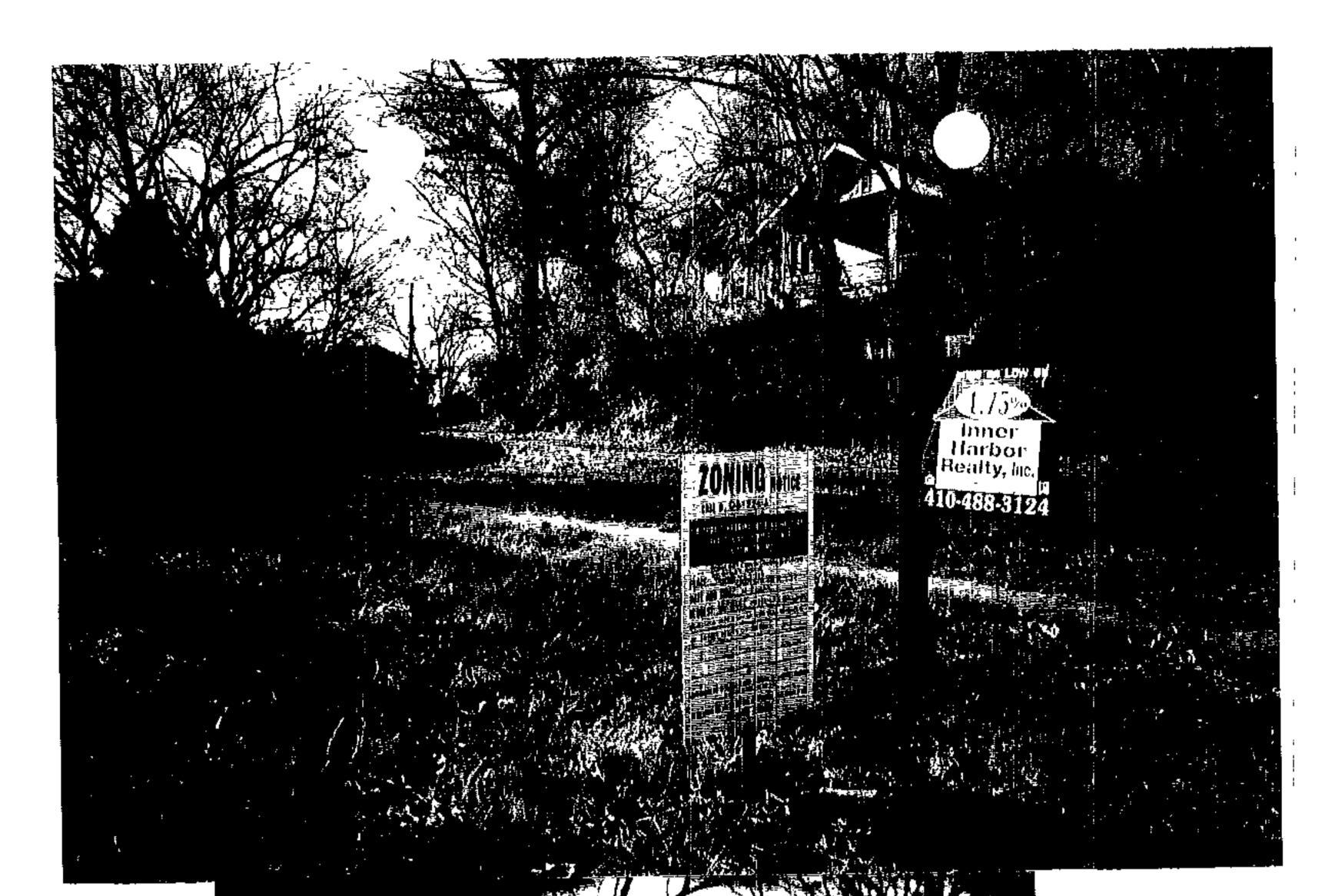
WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible;
for special accommodations Please Contact the
Zoning Commissioner's Office at (410) 887-4386.

(2) For Information concerning the File and/or
Hearing, Contact the Zoning Review Office at (410)
887-3391.
JT/11/710 No22 75946

CERTIFICATE OF PUBLICATION

1123,2005
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 $1/22$,2005.
The Jeffersonian
🗖 Arbutus Times
Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkings

LEGAL ADVERTISING



CASE # 06-226-A A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD PLACE: TOWSON, MD. 2/204 DATE AND TIME: AT 2:00 AM. REQUEST: VARIANCE TO PERMIT A REPLACEMENT DUBLING WITH A SUM OF SIDE YARD SETEACLS DE 20 POUT (N LIEU OF 25 FOR

CERTIFICATE OF POSTING

Baltimore County Department of Permits and Development Management County Office Building, Room 111 11-1-West Chesapeake Avenue Towson, MD 21204	
Attention: Christen Matthews	
Ladies and Gentlemen: This letter is to certify under the per	nalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the propery l	
#107 MOUN	7 WILSON LANE
The sign(s) were posted on $\frac{100}{25}$	(Month, Day, Year)
	Sincerely,
	Barland Date) (Signature of Sign Poster and Date)
	CARLAGEDE, MOORE (Printed Name)
	3225 RYGUSON CIRCLE (Address)
	BAUTIMORE, MD, 21227 (City, State, Zip Code)
	(Telephone Number)

RE: Case No.: 06 - 226-A

Petitioner/Developer: ASHAMA, UC.

Date of Hearing/Closing: DEC, 12, 2005

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

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.

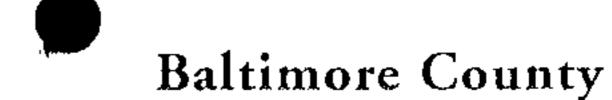
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: $06-226-A$
1011 140111001 01 0030 140111001.
Petitioner: ASMUND LLC.
Address or Location: #107 Mount Wilson Law
·
PLEASE FORWARD ADVERTISING BILL TO:
Name: Ashland LLC
Address: 920 S. Conkling St
Baltimore, MD) 21224
Telephone Number: 410 488-3124

Department of Permits and Development Management

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204





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

November 8, 2005

Tel: 410-887-3353 • Fax: 410-887-5708 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: 06-226-A

107 Mount Wilson Lane

South side of Mount Wilson Lane, 238 feet southwest of Orchard Road.

3rd Election District, 2nd Councilmanic District

Legal Owner: Ashland, LLC, Adam Shpritz-Member

<u>Variance</u> to permit a replacement dwelling with a sum of side yard setbacks of 20 feet in lieu of 25 feet.

Hearing: Tuesday, December 12, 2005 at 2:00 p.m., in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK: clb

C: Ashland, LLC. Adam Shpritz 920 S. Conkling Street Baltimore 21224 Site Rite Surveying, Inc. 200 E. Joppa Road, Rm. 101 Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY NOVEMBER 28, 2005.

- (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

Tuesday, November 22, 2005 Issue - Jeffersonian

Please forward billing to:

Ashland, LLC

410-488-3124

920 S. Conkling Street Baltimore, Maryland 21224

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: 06-226-A

107 Mount Wilson Lane

South side of Mount Wilson Lane, 238 feet southwest of Orchard Road.

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Hearing: Tuesday, December 12, 2005 at 2:00 p.m., in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM WISEMAN

ZONING COMMISSIONER FOR BALTIMORE COUNTY

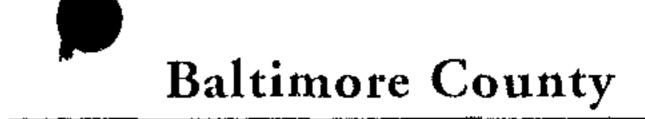
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

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

Department of Permits and Development Management

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





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

December 12, 2005

Ashland, LLC. Adam Shpritz 920 S. Conkling Street Baltimore, Maryland 21224

Dear Mr. Shpritz:

RE: Case Number: 06-226-A, 107 Mount Wilson Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 26, 2005.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours, Call Rillal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Site Rite Surveying, Inc. 200 E. Joppa Road, Rm. 101 Towson 21286



Visit the County's Website at www.baltimorecountyonline.info

12/12

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

DATE: November 23, 2005

NOV 3 0 2005

70MMG COMMISSIONER

SUBJECT:

107 Mount Wilson Lane

INFORMATION:

Item Number:

6-226

Petitioner:

Ashland, LLC

Zoning:

DR 3.5

Requested Action:

Variance

The subject property was the subject of an undersized lot review and approval in July 2004. The lot is a 50-foot wide lot in a DR 3.5 zone. The Ashland LLC now proposes a different house type. The petition for variance is for a sum of side yard setbacks of 20 feet in lieu of 25 feet. The petitioner has not requested a lot width variance for a 50-foot wide lot in lieu of the required 70 feet and has not submitted a revised undersized lot application.

SUMMARY OF RECOMMENDATIONS:

The petitioner should either amend the undersized lot request by submitting a new application for undersized lot, including a revised site plan and architectural drawings, or include a lot width variance in the subject variance case.

In either option, the Office of Planning requests architectural elevation drawings to be submitted for review and approval prior to issuance of any building permits. The building material type and color should be clearly labeled on the drawings.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

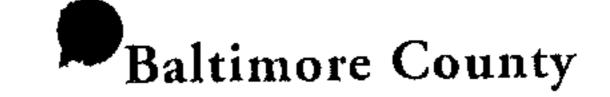
Division Chief:

AFK/LL: CM

Fire Department

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





James T. Smith, Jr., County Executive John J. Hohman, Chief

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

November 9, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of: October 31, 2005

Item No.: 219, 220, 221, 222, 223, 224, 225, (226) 227, 228, 229, 233, 234, 235, 236, 237, 238, 239, 241 and 242

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Acting Lieutenant Don W. Muddiman Fire Marshal's Office 410-887-4880 MS-1102F

cc: File



Visit the County's Website at www.baltimorecountyonline.info

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: November 16, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 7, 2005

Item No. 226

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The ultimate right-of-way for Mount Wilson Lane is 60-foot. Show the right-of-way for Mount Wilson Lane centered on existing 30-foot right-of-way. Setback shall be adjusted accordingly.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 226-11162005.doc



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

Maryland Department of Transportation

Date:

RE:

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

Dear. Ms. Matthews:

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,

Steven D. Foster, Chief

1. J. Gradl

Engineering Access Permits Division

11.15.05

Baltimore County

RE: PETITION FOR VARIANCE

107 Mount Wilson Lave; S/S Mount Wilson

Lane, 238 SW of Orchard Road

3^{1d} Election & 2nd Councilmanic Districts

Legal Owner(s): Ashland, LLC

by Adam Shpritz, Member

BEFORE THE

ZONING COMMISSIONER

FOR

FUR

Petitioner(s) *

BALTIMORE COUNTY

06-226-A

* * * * * * * * *

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 sent and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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

400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of November, 2005, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

NOV 0.7 2005

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

** EXPEDITED SERVICE ** ** KEEP WITH DOCUMENT ** DOCUMENT CODE 10 BUSINESS CODE 20 EXH11/26 Close Stock Nonstock P.A.____ Religious____ Merging (Transferor)_____ Surviving (Transferee)_____ ID # W06315329 ACK # 1000337993000000 LIBER: B00259 FOLIO: 1647 PAGES: 0002 ASHLAND, LLC. 05/29/2001 AT 02:05 P WO # 0000456060 FEES REMITTED (New Name)____ Org. & Cap. Fee: ___ Penalty: State Recordation Tax: State Transfer Tax: Certified Copies: Change of Name Copy Fee: Change of Principal Office Certificates: Change of Resident Agent Certificate Fee: _____ Change of Resident Agent Address Other: ____ Resignation of Resident Agent Designation of Resident Agent TOTAL FEES: and Resident Agent's Address Change of Business Code Credit Card___ Check___ Cash_ ___ Adoption of Assumed Name ___ Documents on ___ Checks Other Change(s)____ APPROVED BY: KEYED BY: CODE___ ATTENTION: Adam SHPRITZ,
MAIL TO ADDRESS: 320/-6 OLD POST COMMENT(S): DO "001\$ # (ITH)

HERERSHEMIS AND TAXATION

BLUJF OF MUKATUND

ASHLAND LLC.

ARTICLES OF ORGANIZATION

THIS IS TO CERTIFY:

That the undersigned, Adam Shpritz, whose	Post Office Address is 3201-	6 Old Post Drive
Baltimore, Maryland 21208, being of full lega	4.1	•
of the United States, and being authorized to		
Record with the Maryland State Department	of Assessments and Taxation	i, hereby certifies
l'hat'		
1. The name of the Limited Liabilit		
'Company") is _Ashland		, LLC.
2. The latest date on which the Con	npany is to dissolve is Decem	iber 31,2050.
3. The object and purpose for which	h, and for any of which this C	Company is formed
and the business to be carried on or promote	ed by it are to do any or all of	the following things.
A. To acquire certain improve	ed real property located at and	l known as
1314 Ashland		
'Property''),		
and to rehabilitate, develop, lease, manage, rehabilitation, development, leasing, managed dispose of, and otherwise deal in and with renature in connection with said Property, and	gement, operation and sale; as eal property and personal prop	nd to acquire, maintain,
B. To engage in any other law State of Maryland, except the business of ac		her within or outside of the
4. The address of the principal office Baltimore, Maryland 21208 The Resident Address is 3201-6 Old Post Drive, Baltimore of the State of Maryland and actually resident	Agent of the Company is Adaore, Maryland 21208. Said R	am Shpritz, whose Post Office
IN WITNESS WHEREOF, icknowledged the same to be my act on this	I have signed these Articles	

I hereby consent to act as Resident Agent in Maryland for the entity named in this

instrument.

COF ORATE CHARTER APPROVA SHEET ** KEEP WITH DOCUMENT **

'DOCUMENT CODE_SO BUSINESS CODE " W06315329 Close ____ Stock ___ Nonstock ___ P A. Religious Merging (Transferor)____ LIBER: 800772 FOLIO: 1031 PAGES: 0002 ASHLAND, LLC. Surviving (Transferec)_____ 03/01/2005 AT 12:49 P WO # 0001020180 New Name FEES REMITTED 25 Change of Name
Change of Principal Office Base Fee: Org. & Cap. Fee: Expédite Fee Change of Resident Agent Penalty ____ _____ Change of Resident Agent Address State Recordation Tax: Resignation of Resident Agent State Transfer Tax. Designation of Resident Agent Certified Copies and Resident Agent's Address Copy Fee: Change of Business Code Certificates Certificate of Status Fee: Adoption of Assumed Name Personal Property Filings: Other: Other Change(s) \$25.00 TOTAL FEES Code ____ Credit Card Check_____ Attention: ADAM SHPRITZ Approved By: 007 920 S CONKLING ST BALTIMORE MD 21224-5216 Keyed By: COMMENT(S). CUST ID:0001577142 WORK ORDER: 0001020180 DATE: 03-03-2005 03:05 PM AMT. PAID:\$100.00

Simili Work Office and Custamor Monney Market

RESOLUTION TO CHANGE PRINCIPAL OFFICE OR RESIDENT AGENT

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		(Name o	of Entity)		₩.							
	organized under the laws of		_, passed the follow	owing resolution:	49							
		(State)										
		[CHECK APPLICABI	LE BOX(ES)]									
	The principal office is change	ged from: (old addres	ss)									
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Ashland, LLC

OPERATING AGREEMENT

This operating agreement (this "Agreement"). is made this 29th day of May, 2001 effective as of May 29th, 2001, by Ashland, LLC, a Maryland corporation ("Adam Shpritz"), being the sole member of the above referenced Maryland limited liability company (the "Company") (Ashland, LLC being sometimes hereinafter referred to as the "Member", and together with additional member(s), if any admitted to the Company following the date hereof, the "Members")

WITHNESSETH:

WHEREAS, Ashland, LLC owns all of the limited liability membership interests in the Company and desires to memorialize the organization of the Company for the purposes and upon the terms and conditions hereinafter set forth:

NOW, THEREFORE, in consideration of the promises herein contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby covenant and agree as follows:

- 1. <u>Organization; Name.</u> Ashland, LLC, hereby memorializes the organization of a limited liability company pursuant to the terms of this Agreement and the Maryland Limited Liability Company Act (the "Act"). The name of the limited liability company shall be "<u>Ashland, LLC"</u> (the "Company").
- 2. <u>Principal Office:</u> The principal office of the Company shall be located at 5634 Belair Road, Baltimore Maryland 21206.
- 3. <u>Purpose:</u> The purpose of the Company shall be to acquire, buy, sell property, and to rehabilitate, develop, lease, manage, operate and sell multiple Properties, or to contract for its rehabilitation, development, leasing, management, operation and sale. The Company shall have the power and is hereby authorized to do all act not inconsistent with law which may be necessary, appropriate or desirable to promote and carry out its purposes.
- 4. <u>Term:</u> The term of the Company shall continue until the first to occur of the following: (a) December 31, 2054, or (b) any other event causing the dissolution of the Company under this Agreement or the Act.
- 5. Resident Agent: The name and address of the resident of the Company are Adam Shpritz, 5634 Belair Road, Baltimore Maryland 21206

- 6. Ownership Percentages of Members: The percentage interest in the Company ("Percentage of Interests") of each Member is set forth on Exhibit "A" attached hereto and herby made a part hereof.
- 7. <u>Capital Contributions.</u> Each Member shall contribute as an initial capital contribution to the Company cash in the amount set forth next to such Members name on Exhibit "A" hereto. No Member shall be required to contribute to the Company any additional cash or other property without such Member's consent.
- 8. <u>Management:</u> All decisions with respect to the operation and management of the Company and its business shall be made upon affirmative vote Members holding a majority of the Percentages Interests. Notwithstanding the foregoing, it is acknowledged that the right to make certain decisions on behalf of the Company, as well as the right to execute certain documents and instruments for and on behalf of the Company, may be delegated by the Company (or by its Members on behalf of the Company) to a management company or other third party,
- 9. <u>Profit and Loss, Distributions.</u> The net profits and losses of the Company shall be allocated, and the cash deemed by the Manager to be available for distribution shall be distributed, as the case may be, among the Members in proportion to their respective Percentages of Interests.
- 10. <u>Liability of Members:</u> Except to extent specifically set forth in any guaranty agreement or indemnity agreement executed by a Member, no Member shall be personally liable for any debit, obligation, expense, liability or undertaking if the Company.

11. Transfer Restrictions:

- (a) Ashland, LLC, shall have the right to voluntarily transfer or assign all or any portion of its interest in the Company to any person or entity. Upon any such transfer or assignment by Ashland, LLC, of its interest in the Company, upon the termination or dissolution of Ashland, LLC, the transferee, assignee or successor in interest (as applicable) shall continue in the Company, and shall become and be a Member by substitution in the Company and to this Agreement and shall have all of the rights thereof upon such substitute's written ratification of this Agreement.
- (b) Except as otherwise provided in Paragraph 11(a) above, no Member shall voluntarily transfer or assign all or any portion of her or its interest in the Company without the unanimous prior written consent of the other Members (which consent may be withheld by any Member in his sole and absolute subjective discretion).
- (c) Except as otherwise provided in Paragraph 11(a) above, upon the death, bankruptcy or incompetecy of a Member, or the termination of a trust, corporation or other entity which is Members the personal representatives, heirs successors in interest, legatees beneficiaries, administrators, trustees, committee or representative, or any person to whom he or she has bequeathed any portion of his or her interest in the Company (as applicable) shall be entitled to receive an assignment of the deceased,

interest, legatees beneficiaries, administrators, trustees, committee or representative, or any person to whom he or she has bequeathed any portion of his or her interest in the Company (as applicable) shall be entitled to receive an assignment of the deceased, bankrupt, incompetent or terminated Member's interest in the Company: provided, however, that no such successor or legal representative, or permitted assignee or transferee (the "Assignee") shall be admitted to the Company as substitute Member unless (1) all of the Members consent thereto in writing, which consent way be withheld by any Member, in the Member's sole and absolute discretion, (2) the Assignee has agreed in writing to be bound by the provisions of the Agreement, as amended, and (3) the Company is reimbursed by the Assignee for all expenses relating to such admission (including, but not limited to, legal and accounting fees). Unless an Assignee becomes a substitute Member, the Assignee shall not be entitled to any of the rights granted to a Member hereunder or under the Act, other than the right to receive the profits, losses, other tax allocations and distributions attributable to the interest of the Assignee.

- 12. <u>No right to Withdraw:</u> No Member shall have the right or power to voluntarily withdraw from the Company.
- orally or in any manner other than by a written agreement may not be amended or terminated Members. This Agreement shall inure to the benefit of, and shall be binding upon, the parties hereto and their respective heirs personal representatives, successors and permitted assigns. This Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of Maryland.

IN WITNESS WHEREOF, the sole Member of the Company has duly executed this Agreement as of the day and year first above written.

Witness:	Ashland LLC,
	By: Ashland LLC, as Authorized Agent
	By: (SEAL)
	Adam M. Shpritz, President

EXHIBIT "A"

Member	Initial Capital Contribution	Percentage of Interests
Ashland LLC		
5634 Belir Road Baltimore, Maryland 21206	\$100.00	100%

Resolution of Articles of Ashland LLC.

This to certify that Adam Shpritz is an authorized agent for Ashland LLC, and has authority to sign all documents, contracts, checks, deeds, mortgages, and notes for said limited liability company.

This resolution is hereby acknowledged this 29th day of May, 2001.

Adam Shpritz

Date

Resolution of Articles of Ashland LLC.

This is to certify that Lee Shpritz is an authorized agent for Ashland LLC, and has authority to sign all documents, contracts, checks, deeds, mortgages, and notes for said limited liability company.

This resolution is hereby acknowledged this 15th day of June, 2001

Adam Shpritz E

Date

6-15-20c

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DATE	CASE NUMBER	CASE NAME
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CITIZEN'S SIGN-IN SHEET

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							PIKESVICLE MID 21208	Pikesville, MD 2128	Bolt NW 21208	Pikesville MD 21208	CITY, STATE, ZIP
										reggreen & act, am	E- MAIL

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PETITIONER'S SIGN-IN SHEET

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					-				920 S, Contily:		920 S. Conhilly	200m 101 1744	200 F. Jobon Pond	ADDRESS
									12012 CAI +1458 12		Ban14 MD 21224		10W002 ND 21286	CITY, STATE, ZIP
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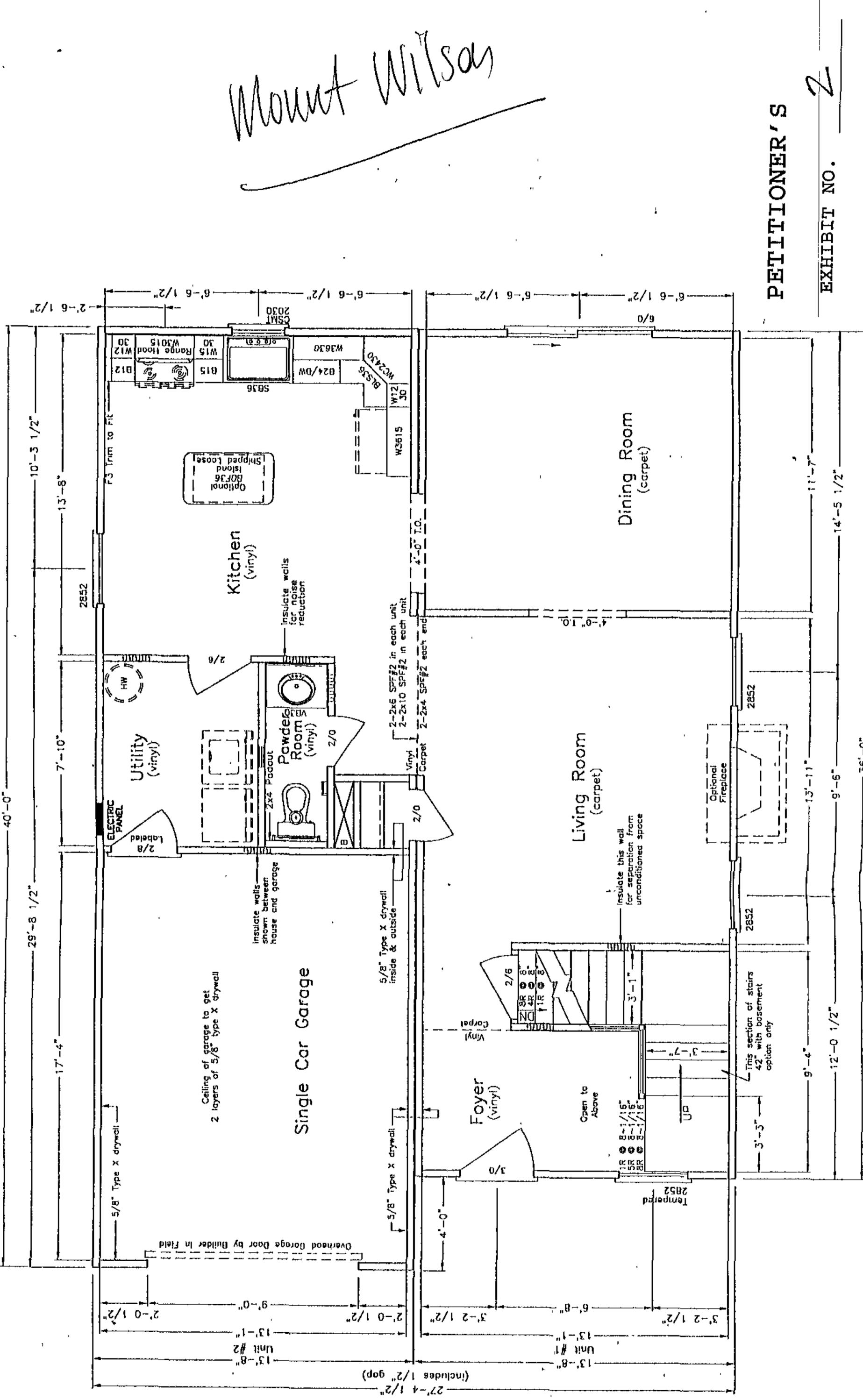
Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site PLAN - amended to	Explisit 1 - 3 Photo's	10
No. 2	BLDC FLEWATIONS REVIEWED AND RETURNED FOR OP FLOOR PLAN ACCEPTED AS EXALIB		
No. 3			·—
No. 4			
No. 5			sus
No. 6			
No. 7			
No. 8			
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COPYRIGHT NOTICE



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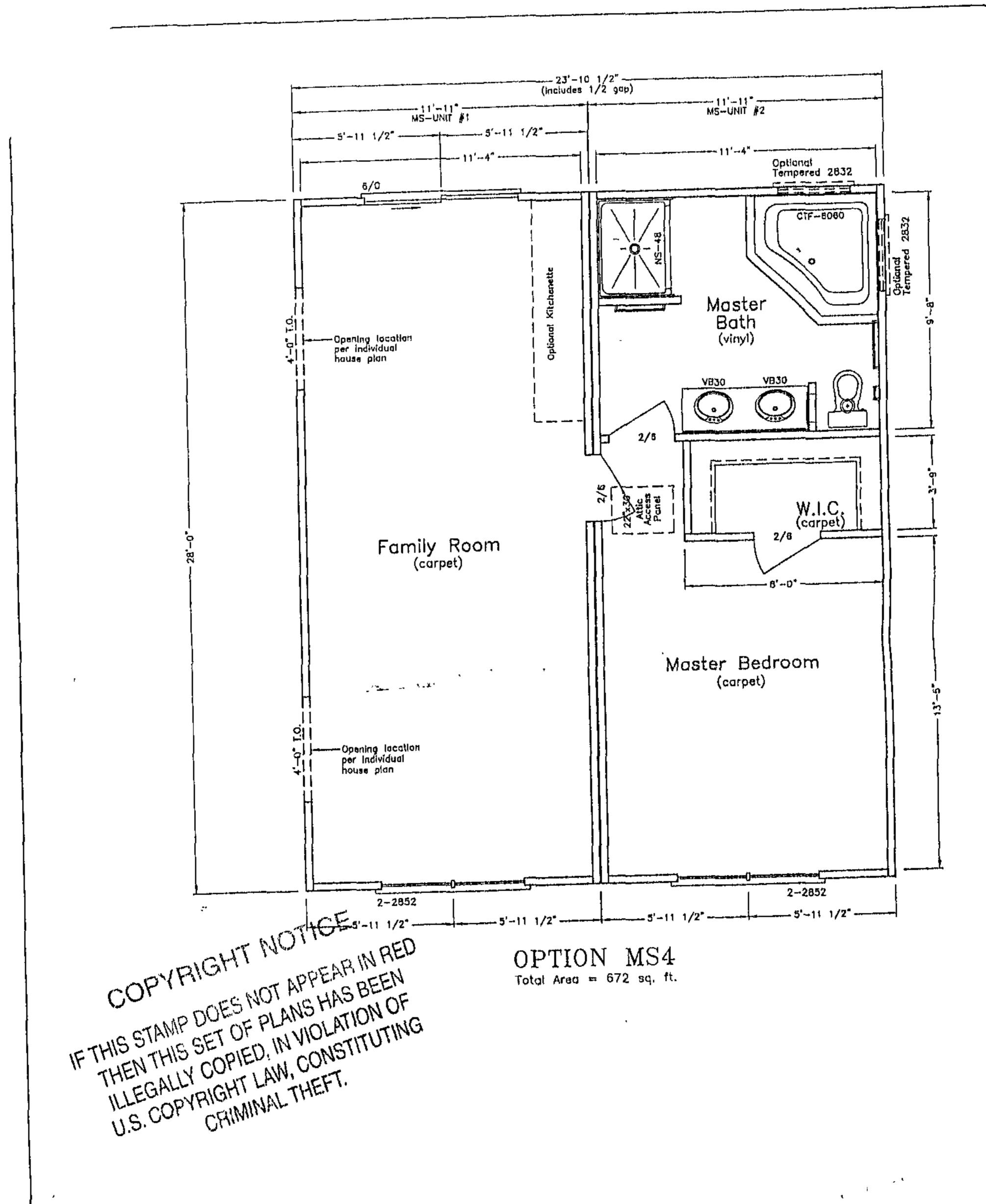
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WODET:

1st Floor

DRAWING:

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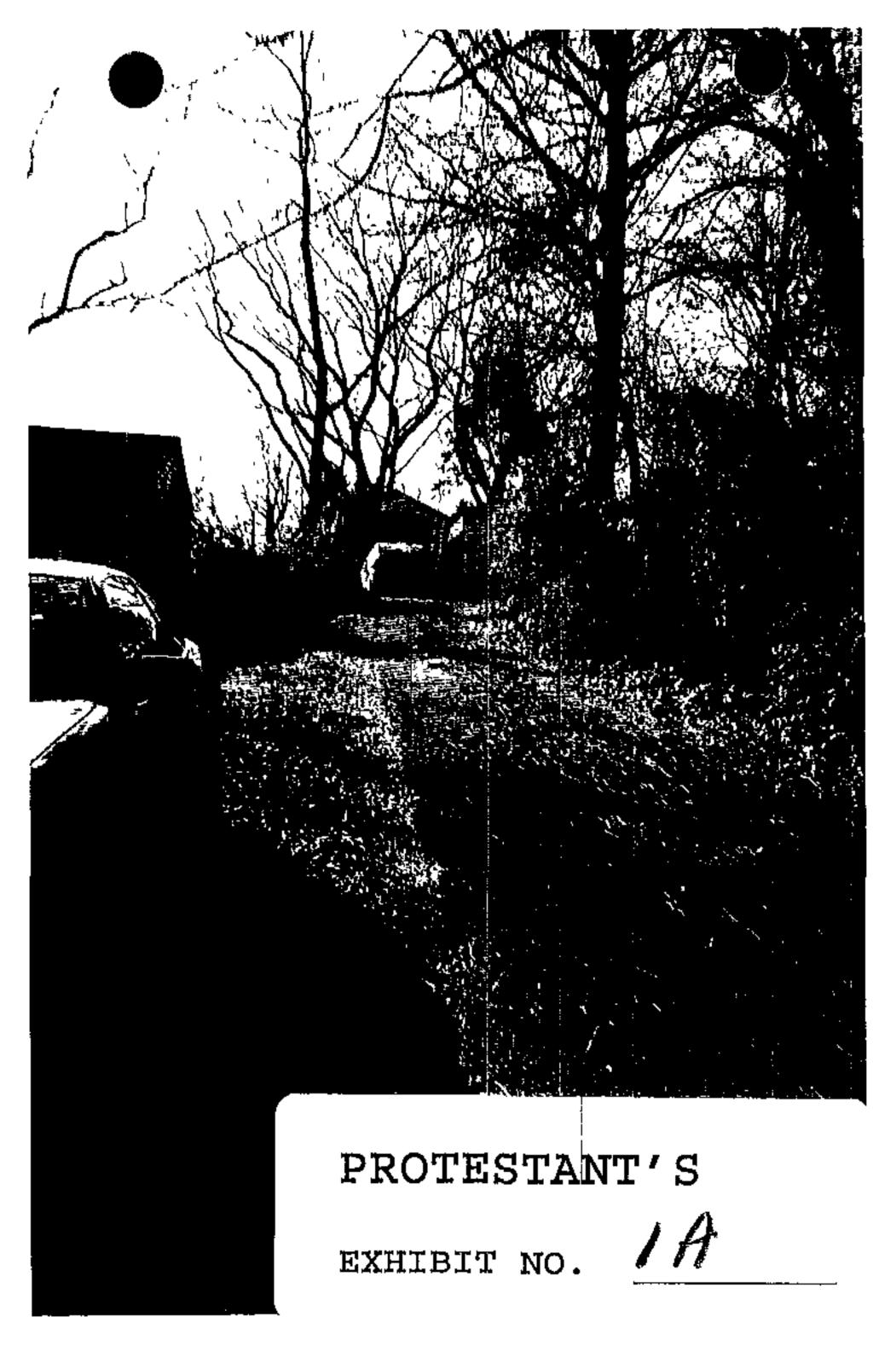
ATTACHED COVER SHEET WILL BE STAMPED IN RED.

RSM: STATE: CO: BUILDER: JOB REF:



Zoning map: 06763 #107 Mount Wilson Lave

2



driveway

Og

Mt.

Wilson

Pesidence

Occupied by ther Family

NA EDNADNZ. NNN- 1 2715

(No. IM) owners. 227
property owners. 227
property owners. 227

Mary Greenberg

Elisabeth Reamer



driveway
109 mT.
Wilson Lane

residence occupied

by the Reamer Family

NA EDNADN2. NAM- 2 2715

Property owners: 229



PROTESTANTS /C

Dearmer I Iriveway 109 Wilson Int. Wilson Lane

residence occupied Reamer Family HA EDNARNZ. NNN- 3 2715

(Ho. ZEIFI) 246 property owners.

Joseph Harmon Mary Greenberg Elisabeth Reamer

