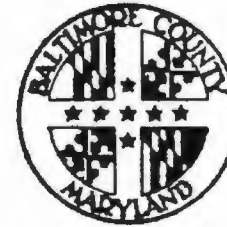


# USE PERMIT



IT IS ORDERED by the Director of the Department of Permits, Approvals and Inspections of Baltimore County, this 24<sup>th</sup> day of July, 2017, that Susan Himmel + Henry Belsky located at 1420 Shore Rd should be and the

(Individual or business name)  
(Street address)

same is hereby granted permission to operate a: "mother-in-law apartment" - renewal to  
Feb. 3, 2018

#156116  
Permit (or Receipt) Number

Carl J. [Signature]  
Director, Permits, Approvals and Inspections

Planner's Initials RJ

### Declaration of Understanding

This Declaration of Understanding (hereinafter referred to as "Declaration") is made on this

22 day of January, 2014 and between Susan Himmel and Henry Belsky (hereinafter referred to as the "Declarant") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

### Recitals

- A. The Declarants who are the owners of this property have filed an application for a use permit to add an accessory apartment. Part of this will be a new construction addition and part of it will be renovation of the existing home as shown in the attached floor plans to be made a part hereof. The property is located at 1420 Shore Rd., Baltimore, MD 21220 and is more particularly described by metes and bounds in Exhibit A (The Property) and Exhibit B (The use permit or hearing plans) attached hereto and made a part hereof. The property is zoned DR 5.5, which is the particular zone in which the property is located.
- B. PAI has approved the Declaration request to create an Accessory Apartment complete with dedicated bathing and cooking facilities, located on this owner-occupied property. The accessory apartment will be the housing for Edward and Jodie Silverman, son and daughter-in-law of Susan Himmel, who occupies the principal dwelling on the first level of the home. The other resident of the property is Ira Himmel, husband of Susan Himmel who also occupies the principal dwelling on the first level of the home. The use permit must be renewed with PAI every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval.
- C. As a condition of approval of the Declarant(s) request, Bill No. 49-11 requires the filing of this Declaration among the land Records of Baltimore County, to provide notice to any future owners, subsequent bona fide purchasers or users of the Property that no part of any improvement or addition on the Property may be used for separate living quarters and that all such improvements shall only be used as a single-family residence, unless otherwise approved by and at the discretion of PAI.

## Declarations

1. Any and all improvements now existing or to be constructed on the Property shall be used only as a single-family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit. The kitchen for the Accessory Apartment will be constructed as part of the Property and shall be accessory to the principal use of the Property as a single-family residence. The Accessory Apartment shall house only the immediate family members listed in this Declaration and it is not to be used as an independent residential unit, nor is it to be used for compensation, and it shall not be used by any other person or for any other reason. The use permit and this Declaration are subject to the order, conditions or restrictions of any required zoning hearing. The hearing order is to be made part of this Declaration when it is recorded in Land Records.
2. Once the Accessory Apartment is no longer occupied by the persons named in this Declaration or if the property is sold, or the use permit has not been renewed within the 2 year temporary use permit time limit, the use permit shall terminate, and any proposed changes in occupancy to the Accessory Apartment by the property owner or subsequent purchaser shall require a new request for a use permit.
3. Upon use permit termination: A. In the Accessory Apartment in the principal dwelling use permit termination requires removal of the second kitchen and the former Accessory Apartment space to be occupied by the Declarants or subsequent purchaser. B. The Declarants upon termination of the use permit will provide written notification to PAI for the closing of the Department file.
4. The covenant, conditions, and restrictions stated above shall run with and bind the Property and shall be enforceable by Baltimore County, MD and by the owners of all or any portion of the Property.
5. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or person violation or attempting to violate any of the covenants, either to restrain the violation or to recover damages.

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written

WITNESS:

John K. Himmel

John K. Himmel

John K. Himmel

Susan Himmel

State of Maryland, County of Baltimore to wit:

I HEREBY CERTIFY that on this 22 day of January, 2014, before the Subscriber, a Notary Public of the State of Maryland, personally appeared Susan Himmel and Henry Belsky, the Declarants herein, who are the owners of this property, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and who acknowledged that they executed for the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.

My Commission expires: 3/13/16

Susan K. Himmel

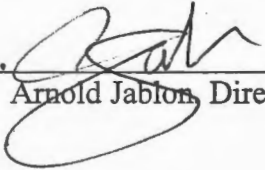


The Declaration of Understanding for the Accessory Apartment at:

1420 Shore Road

Address of property

is approved: \_\_\_\_\_

  
Arnold Jablon, Director-PAI

2/3/14  
Date

EXHIBIT A

1420 SHORE ROAD

All that piece or parcel of land lying, situate and being in the 15th Election District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a ¾ inch diameter capped iron pipe now set on the South side of Shore Road (40 foot Right-of-Way) (formerly Riverside Boulevard) at a distance of 57.64 feet from the intersection of the South side of Shore Road with the East side of Stansbury Avenue as shown on the subdivision plat of the Land of Charles H. Miller, recorded among the land records of Baltimore County in plat liber W.P.C. 7, folio 142, and in the last or South 76 degrees East 15 foot line of the parcel of land, which by a deed dated, June 22, 1998, and recorded among the land records of Baltimore County in deed liber S.M. 12959, folio 600 was conveyed by Jeffrey Kormann, Sr. and Donald Kormann Jr. to Henry L. Belsky and Brenda K. Belsky, his wife, and Susan Silverman, at a distance of 7.51 feet from the beginning of said last line, running thence on the said South side of Shore Road, and for a part on the remainder of said last line, and on the South 76 degrees East 20 foot line of Lot 5, as shown on the aforesaid plat of Charles H. Miller, as now surveyed and referring the courses of this description to the Maryland coordinate system, NAD 83-91,

1. South 81 degrees 31 minutes 20 seconds East 27.51 feet to a ¾ inch diameter iron pipe heretofore set at the division line between Lot 5 and Lot 6, thence leaving said South side of Shore Road and running and binding on the Southeasternmost lines of Lot 5 as shown on the aforesaid plat of Charles H. Miller, the 2 following lines viz;
2. South 08 degrees 36 minutes 12 seconds West 182.22 feet to a ½ inch diameter iron pipe heretofore set; and
3. South 29 degrees 06 minutes 23 seconds West 123.47 feet to a sea wall on the waters of Middle River, thence running and binding on said sea wall the 4 following lines viz;
4. North 65 degrees 11 minutes 11 seconds West 3.13 feet,
5. North 48 degrees 20 minutes 29 seconds West 67.07 feet,
6. South 88 degrees 12 minutes 56 seconds West 3.96 feet, and
7. North 50 degrees 35 minutes 13 seconds West 21.00 feet, thence leaving said sea wall and Middle River and running for new lines of division, the 2 following lines viz;
8. North 40 degrees 56 minutes 14 seconds East, passing over a ¾ inch diameter capped iron pipe now set at a distance of 1.24 feet, in all, 169.37 feet to a ¾ inch diameter capped iron pipe now set; and
9. North 11 degrees 58 minutes 00 seconds East 107.39 feet to the point of beginning.

Containing 0.368 acres of land more or less. Said improvements known as 1420 Shore Road



# PLAN TO ACCOMPANY DECLARATION OF UNDERSTANDING

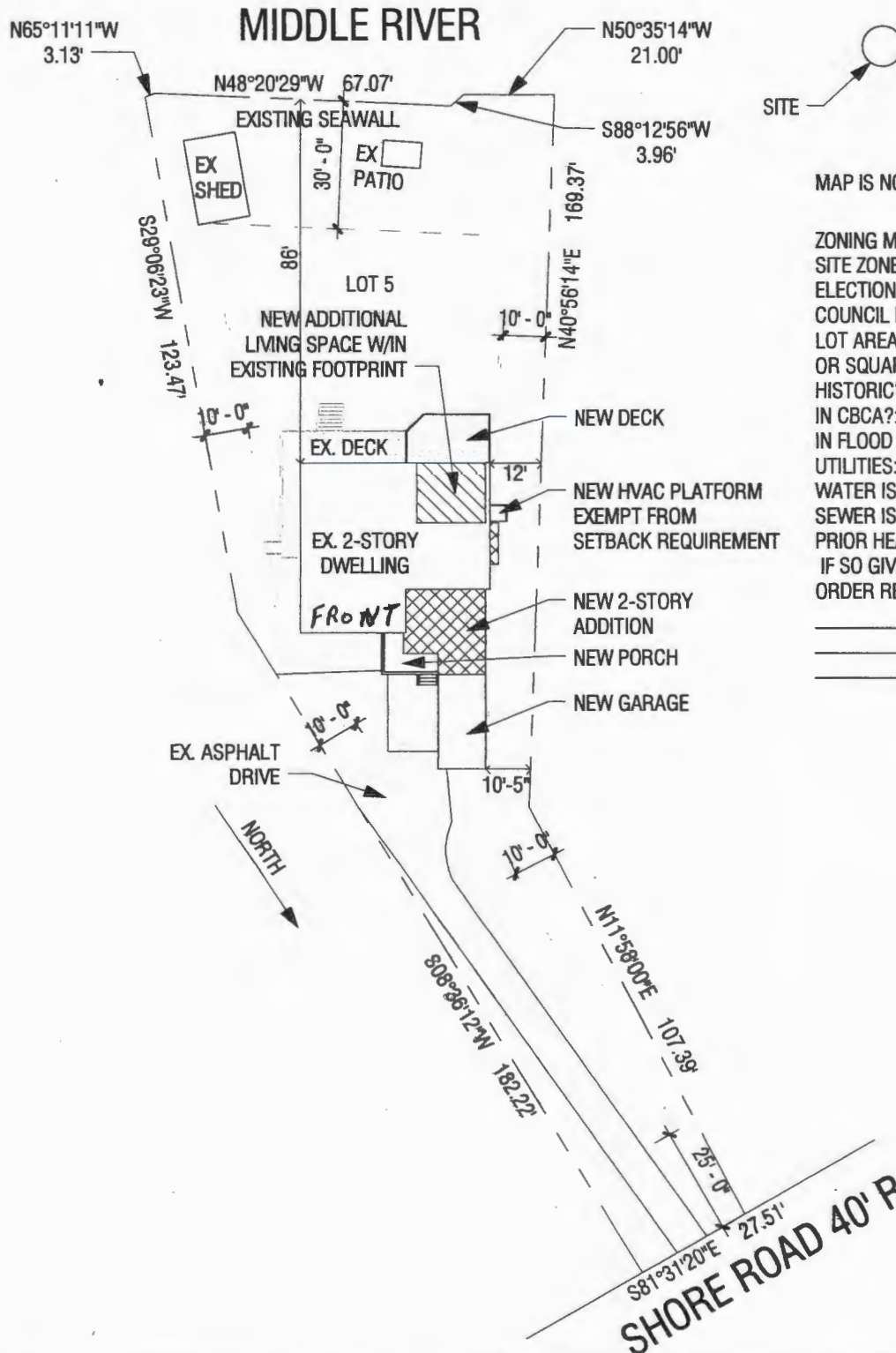
ZONING HEARING PLAN FOR VARIANCE \_\_\_\_\_ FOR SPECIAL HEARING \_\_\_\_\_

SITE VICINITY MAP

ADDRESS: 1420 SHORE ROAD OWNER(S) NAME(S): Susan L. Himmel and Henry L. Belsky

SUBDIVISION NAME: N/A LOT #: 5 BLOCK #: N/A SECTION #: N/A

PLAT BOOK #: 7 FOLIO #: 142 10 DIGIT TAX #: 2400009109 DEED REF. #: 21286/00691



MAP IS NOT TO SCALE

ZONING MAP #: 091A3

SITE ZONED: DR5.5

ELECTION DISTRICT: 15

COUNCIL DISTRICT: 6

LOT AREA ACREAGE: 0.368

OR SQUARE FEET: 16,030

HISTORIC?: NO

IN CBCA?: YES

IN FLOOD PLAIN?: YES

UTILITIES:

WATER IS PUBLIC X PRIVATE \_\_\_\_\_

SEWER IS PUBLIC X PRIVATE \_\_\_\_\_

PRIOR HEARING?: NO

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

SILVERMAN RESIDENCE

1420 SHORE RD, MIDDLE RIVER, MD

21220

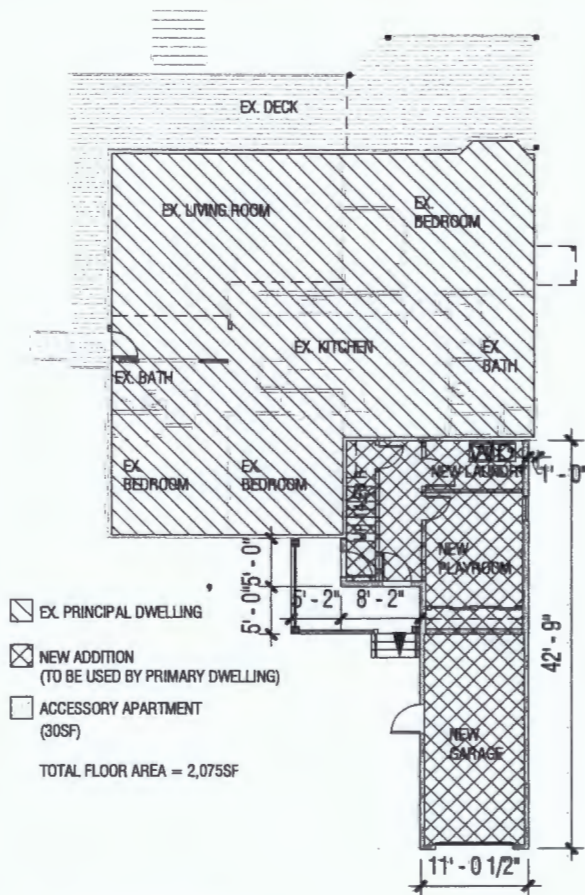
USE PERMIT SITE PLAN

DATE: 1.22.14

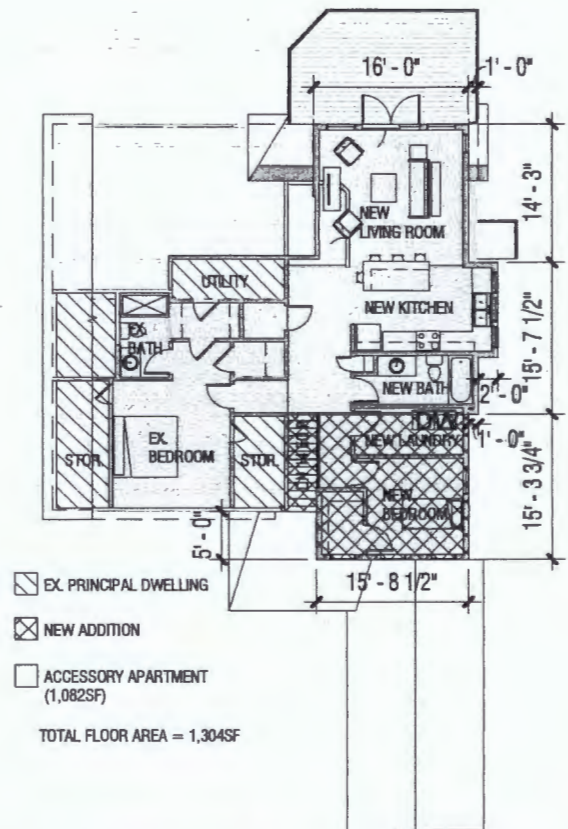
SHANNON COMER ARCHITECTS, INC.

MEADOW MILL AT WOODBERRY  
3600 CLIPPER MILL ROAD, SUITE 301  
BALTIMORE, MARYLAND 21211





1ST FLOOR PLAN  
SCALE: 1 INCH = 20 FEET



NOTE: ACCESSORY APARTMENT WILL NOT HAVE SEPARATE UTILITY METERS

2ND FLOOR PLAN  
SCALE: 1 INCH = 20 FEET

#### BILL NO. 49-11

#### SECTION 101.1 DEFINITIONS

ACCESSORY APARTMENT - A SECOND LIVING QUARTER WITHIN A PRINCIPAL SINGLE FAMILY DETACHED DWELLING...AND IN COMPLIANCE WITH SECTION 400, WITH DEDICATED BATHING AND COOKING FACILITIES, AND LOCATED ON OWNER-OCCUPIED PROPERTY, SUBJECT TO THE FOLLOWING:

- (A) THE OWNER MAY OCCUPY EITHER THE PRINCIPAL DWELLING OR THE ACCESSORY APARTMENT;

**\*\*OWNER TO OCCUPY PRINCIPAL DWELLING\*\***

- (B) THE OCCUPANT(S) OF THE ACCESSORY APARTMENT AND THE OCCUPANT(S) OF THE PRINCIPAL SINGLE FAMILY DETACHED DWELLING SHALL BE IMMEDIATE FAMILY, RELATED AS GRANDPARENTS, PARENTS OR PARENTS' CHILDREN BY BLOOD, MARRIAGE OR ADOPTION

**\*\*OCCUPANTS OF ACCESSORY APARTMENT TO BE SON, DAUGHTER-IN-LAW, AND GRANDSON OF OWNER OCCUPANTS OF PRINCIPAL DWELLING\*\***

- (C) THE ACCESSORY APARTMENT IS PROVIDED WITHOUT COMPENSATION

**\*\*NO RENT IS TO BE PAID FOR ACCESSORY APARTMENT\*\***

- (D) THE ACCESSORY APARTMENT...SHALL COMPLY WITH ALL LAWS, REGULATIONS, AND CODES AFFECTING RESIDENTIAL OCCUPANCY.

**\*\*TO ARCHITECT'S KNOWLEDGE, ACCESSORY APARTMENT SHALL COMPLY\*\***

#### SECTION 400.4 ACCESSORY APARTMENT

##### A. IF LOCATED WITHIN AN EXISTING SINGLE-FAMILY DETACHED DWELLING:

A. THE SIZE OF THE ACCESSORY APARTMENT MAY NOT EXCEED ONE THIRD OF THE OVERALL FLOOR AREA OF THE DWELLING OR 2,000 SQUARE FEET, WHICHEVER IS LESS;

**\*\*SEE CALCULATIONS BELOW\*\***

B. ANY AND ALL IMPROVEMENTS TO BE DEDICATED AS AN ACCESSORY APARTMENT SHALL BE USED SOLELY AS A SINGLE-FAMILY RESIDENCE

**\*\*ACCESSORY APARTMENT WILL COMPLY\*\***

C. THE ACCESSORY APARTMENT MAY NOT HAVE SEPARATE UTILITY METERS, SUCH AS GAS AND ELECTRIC SERVICE.

**\*\*ACCESSORY APARTMENT WILL COMPLY\*\***

OVERALL FLOOR AREA OF DWELLING = 3,379SF  
3,379 / 3 = 1,126SF

FLOOR AREA OF ACCESSORY APARTMENT = 1,112SF

SILVERMAN RESIDENCE

1420 SHORE RD, MIDDLE  
RIVER, MD

21220

FLOOR PLANS

DATE: 1.22.14

SHANNON COMER ARCHITECTS, INC.

MEADOW MILL AT WOODBERRY  
3600 CLIPPER MILL ROAD, SUITE 301  
BALTIMORE, MARYLAND 21211







KEVIN KAMENETZ  
*County Executive*

ARNOLD JABLON  
*Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections*

January 31, 2014

Ira K. Kimmel  
10 E. Baltimore Street  
Suite 901  
Baltimore, MD 21202

Dear Mr. Kimmel,

After reviewing the submitted Declaration of Understanding, the following items need to be addressed:

- adjust the recital in Section A to reflect the plural usage and correct misspelling
- add missing information on site plans

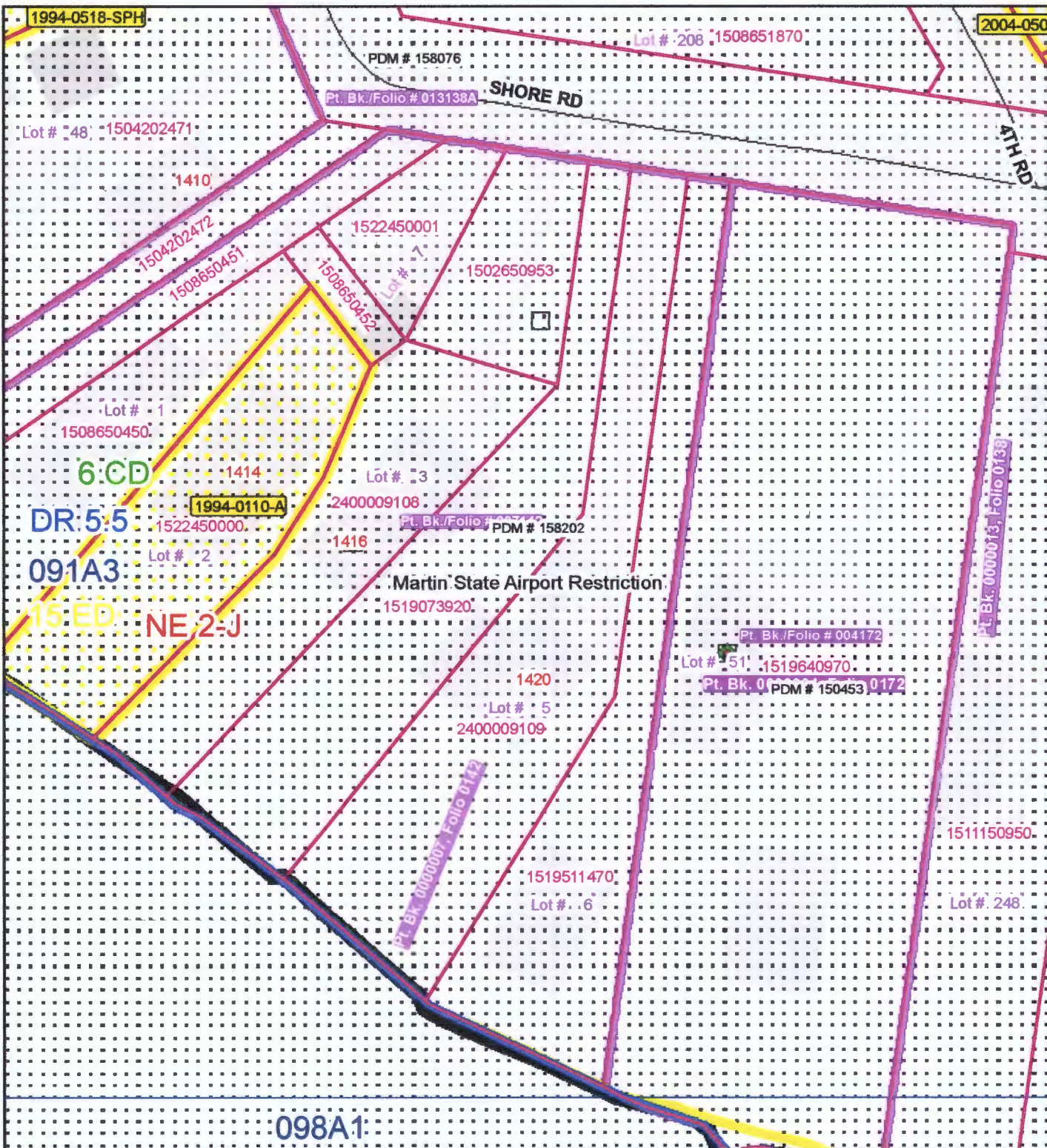
When completed, return these papers to this office for our director's signature.

Sincerely,

A handwritten signature in blue ink, reading "R. David Duvall".

R. David Duvall  
Planner II  
Zoning Review

# 1420 Shore Road



Publication Date: 1/29/2014



Publication Agency: Permits, Approvals & Inspections  
Projection/Datum: Maryland State Plane,  
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet



PAID RECEIPT

BUSINESS ACTUAL FILE  
 7/25/2017 7/24/2017 10:28:45  
 REG 8801 WALTON LJP  
 RECEIPT # V31837 7/24/2017  
 Dept 5 MD DRUG VERIFICATION  
 CR ISL 156116  
 People Tot 1100.00  
 1100.00 0.00 0.00 CA  
 Baltimore County, Maryland

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS CASH RECEIPT**

**Nº 156116**

Date: 7/24/17

| Fund | Dept | Unit | Sub Unit | Rev     | Sub  | Dept Obj | BS Acct | Amount             |
|------|------|------|----------|---------|------|----------|---------|--------------------|
|      |      |      |          | Source/ | Rev/ |          |         |                    |
| 001  | 806  | 0200 |          | 6150    |      |          |         | 8100 <sup>00</sup> |
|      |      |      |          |         |      |          |         |                    |
|      |      |      |          |         |      |          |         |                    |
|      |      |      |          |         |      |          |         |                    |
|      |      |      |          |         |      |          |         |                    |
|      |      |      |          |         |      |          |         |                    |

Total: 8100<sup>00</sup>

Rec From: Susan Himmel & Henry Belsky  
 For: re-newal of Dec of Understanding  
- mother in law apartment

**CASHIER'S  
 VALIDATION**

**DISTRIBUTION**  
 WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING  
**PLEASE PRESS HARD!!!!**