

Sayers, Margery

From: Harmony Builders, Inc. <getharmony@comcast.net>
Sent: Wednesday, April 19, 2017 10:46 AM
To: CouncilMail
Cc: Smith, Gary; getharmony@comcast.net
Subject: Lot Number Correction to Written Testimony of Harmony Builders, Inc. Regarding the Closing of Forest Avenue

The Honorable Jon Weinstein, Chair

Howard County Council

3430 Courthouse Drive

Ellicott City, MD 21043

RE: Petition to Close a Portion of Forest Avenue by Meadowlark, LLC.

Dear Councilman Weinstein,

Please see the correction to the Lot numbers in bold italics below for paragraph 7 of my previous email.

"In 2014, Harmony built and sold a home at 6358 Forest Avenue (Lots 723&724) under building permit B13004208, U&O issued September 16, 2014. That permit was processed through all necessary departments of Howard County using a Plot Plan. However, to provide Water and Sewer service for 6358 Forest Avenue (Lots 723&724), we were required by Howard County to install an extension to the Public Water & Sewer in Forest Avenue that would provide service to 6358 Forest Avenue (Lots 723&724) and **future 6354 Forest Avenue (lots 721&722)** under ADO Contract 44-4578. Initial fees to the County were \$10,400.00 and subsequent costs to contractors to install the Public Water & Sewer extension were in excess of \$36,000.00 . Again, Harmony provided a paved driveway on our side of the proposed right of way of Forest Avenue for access to the house as is usually done with a paper street."

I apologize for any inconvenience, I saw the error as soon as I hit send.

Regards,

Scott Godstrey

Harmony Builders, Inc.

4228 Columbia Road

Ellicott City, MD 21042

410.461.0833

No message selected

Sayers, Margery

From: Harmony Builders, Inc. <getharmony@comcast.net>
Sent: Wednesday, April 19, 2017 10:26 AM
To: CouncilMail
Cc: Smith, Gary; getharmony@comcast.net
Subject: Harmony Builders, Inc. Written Testimony on the Petition to Close a Portion of Forest Avenue by Meadowlark, LLC

The Honorable Jon Weinstein, Chair

Howard County Council

3430 Courthouse Drive

Ellicott City, MD 21043

RE: Petition to Close a Portion of Forest Avenue by Meadowlark, LLC.

Dear Councilman Weinstein,

We are in receipt of the March 15, 2017 letter from the Howard County Council regarding the petition by Meadowlark, LLC to close a portion of Forest Avenue.

Harmony Builders, Inc. purchased Lots 721, 722, 723, 724, 725 and 726 on January 27, 2012. At that time, no construction of Forest Avenue as proposed by Meadowlark, LLC had been started.

Prior to buying this property we extensively researched by a Title Search, by contacting various departments within Planning and Zoning and Department of Public Works Real Estate Services. We also reviewed all recorded deeds, agreements, easements and other publicly available records to determine exactly what the status of that section of Forest Avenue was considered to be by the County, Public Road or Paper Street. By all the information we obtained and especially the last paragraph of County Council Resolution 143-2006 that accepted Forest Avenue for dedication;

"AND BE IT FURTHER RESOLVED, if the construction of Forrest Avenue is not commenced on or before December 31, 2008 pursuant to F-06-133 then this resolution shall be null and void without the necessity of further action by the County Council."

we determined that the resolution taking the dedication had become null and void and that Forest Avenue was a paper street.

In 2012, Harmony built and sold a home at 6362 Forest Avenue (Lots 725&726) under building permit B12001319, U&O issued December 14, 2012. That permit was processed through all necessary departments of Howard County using a Plot Plan and we connected to the existing water and sewer and provided a paved driveway on our side of the proposed right of way of Forest Avenue for access to the house as is usually done with a paper street.

In 2014, Harmony built and sold a home at 6358 Forest Avenue (Lots 723&724) under building permit B13004208, U&O issued September 16, 2014. That permit was processed through all necessary departments of Howard County using a Plot Plan. However, to provide Water and Sewer service for 6358 Forest Avenue (Lots 723&724), we were required by Howard County to install an extension to the Public Water & Sewer in Forest Avenue that would provide service to 6358 Forest Avenue (Lots 723&724) and future 6354 Forest Avenue (lots 723&724) under ADO Contract 44-4578. Initial fees to the County were \$10,400.00 and subsequent costs to contractors to install the Public Water & Sewer extension were in excess of \$36,000.00 . Again, Harmony provided a paved driveway on our side of the proposed right of way of Forest Avenue for access to the house as is usually done with a paper street.

Currently, Harmony Builders, Inc. owns Lots 721 & 722 Harwood Park. We have a pending building permit application (6354 Forest Avenue, Elkridge MD 21075) under permit #B16002163, and an issued grading permit #G16000121 to build a small two story home on those lots. We were advised by letter dated June 3, 2016 from the Department of Planning and Zoning that our permit could not be approved because;

"The public road does not exist in this location so it must be extended to this lot".

Harmony Builders, Inc. met with Public Works to try to resolve this in 2016 so we could simply complete building our house by providing paving on our side of Forest Avenue as we had done with the first two homes adjacent to us and no resolution was reached and our permit is still pending.

The exhibit from petitioner shows a "Temporary Tee Turnaround (By Others)" in the middle of Forest Avenue fronting our lots 721&722 but there is no information on who those "Others" are or when that "Tee Turnaround" would be installed. This portion of Forest Avenue is not to be closed but apparently it is not to be actually improved by Meadowlark, LLC either.

Harmony Builders, Inc. did not enter into any agreements with the County or any other entity or obligate itself to install any public improvements except for the Extension to the Public Water & Sewer installed under ADO Contract 44-4578. We are not able to actually use those installed Water and Sewer connections or the Electrical and Gas extensions we installed or build our house due to the absence of a paved public road.

So, at this time, Harmony Builders, Inc. would ask that no decision on the closing of Forest Avenue be allowed to be put to a vote before the County Council until the all Departments of Howard County have either issued pending permits and/or have explained how such a change would impact our property and our ability to acquire a building permit and explain who is responsible for building the public improvements in the section of Forest Avenue that is not to be closed.

Regards,

Scott Godstrey

Harmony Builders, Inc.

4228 Columbia Road

Ellicott City, MD 21042

410.461.0833

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