



December 10, 2024

**BY E-MAIL AND HAND DELIVERY**

Montgomery County Board of Appeals  
Stella Werner Council Office Building  
100 Maryland Avenue, Room 217  
Rockville, Maryland 20850

RE: Petition of DK Property Holdings LLC  
Special Exception Case Numbers CBA-2180, CBA-2180-A, and S-254  
Request for Transfer of Special Exception Holder and Administrative Modification to  
reflect existing Property conditions  
5011 Olney Laytonsville Road, Olney, Maryland 20832

Dear Members of the Board:

We are submitting this request on behalf of DK Property Holdings LLC, the purchaser and new owner of the property located at 5011 Olney Laytonsville Road, Olney, Maryland 20832 (the “Property”). The Property is located in the County’s AR Zone, and the existing uses on the Property (horticultural nursery/commercial greenhouse/landscape contractor) operate pursuant to special exception approvals issued by the Board in Case Numbers CBA-2180, CBA-2180-A, and S-254. The previous owner and seller of the Property is Johnson Family Enterprises, LLC (f/k/a Johnson Family Enterprises Limited Partnership).

The purpose of this letter is to advise the Board that the Property was sold recently and to request a transfer of the special exception approvals for the Property from Johnson Family Enterprises, LLC to DK Property Holdings LLC. The new special exception holder, DK Property Holdings LLC, will operate the special exception approvals in accordance with the existing approvals and conditions.

Additionally, given the time period that has elapsed since the Board last reviewed the Property in 2006, DK Property Holdings LLC would like the Board of Appeals record to include the attached ALTA Survey, which reflects existing Property conditions. While there appears to be general consistency, there may be some minor discrepancies between the Board’s prior approved Special Exception plans that the Board has on file and the attached

ALTA Survey. For example, it does not appear that the ALTA Survey reflects a relocated existing greenhouse marked as circle #5 on the 2006 Special Exception plan. There may be other very minor discrepancies. The new Property owner would like the Board to have an updated plan reflecting existing Property conditions.

The nature, character, or intensity of the use and the operations at the Property will not change as a result of this Special Exception transfer or administrative modification to reflect the existing conditions. Any proposed future changes to the Property or the Special Exception approvals proposed by DK Property Holdings LLC will be handled by separate application.

We are enclosing the filing fee in the amount of \$756.25 and copies of the following materials in support of this request:

- Letter of consent from Johnson Family Enterprises, LLC.
- Letter of consent from DK Property Holdings LLC.
- 2024 ALTA Survey.
- A list of adjoining and confronting property owners and community associations in list and label formats.

We would appreciate it if the Board could schedule this matter for its next available work session and grant this request administratively. The deed reflecting the conveyance is not on record with the County Land Records yet, but we will try to bring a copy of the deed to the work session. If you have any questions, please do not hesitate to contact us at the number above.

Thank you very much in advance for your consideration of this request.

Very truly yours,



Stuart Barr

Attachments, as described

December 9, 2024

Montgomery County Board of Appeals  
Stella Werner Council Office Building  
100 Maryland Avenue, Room 217  
Rockville, Maryland 20850

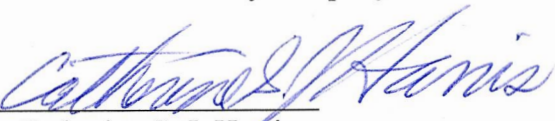
RE: Special Exception Case Numbers CBA-2180, CBA-2180-A, and S-254  
Transfer of Special Exception Holder  
5011 Olney Laytonsville Road, Olney, Maryland 20832

Dear Members of the Board:

This letter confirms that Johnson Family Enterprises, LLC (f/k/a Johnson Family Enterprises Limited Partnership) consents to the transfer of Special Exception Case Numbers CBA-2180, CBA-2180-A, and S-254 to DK Property Holdings LLC, the new owner of the property located at 5011 Olney Laytonsville Road, Olney, Maryland 20832.

Thank you for your consideration.

Johnson Family Enterprises, LLC a  
Maryland limited liability company

By:   
Name: Catherine S. J. Harris  
Title: Authorized Agent

December <sup>4<sup>th</sup></sup>1, 2024

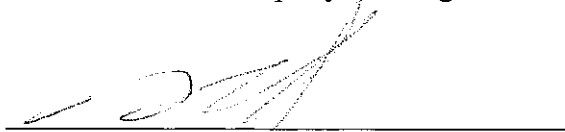
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RE: Special Exception Case Numbers CBA-2180, CBA-2180-A, and S-254  
Transfer of Special Exception Holder  
5011 Olney Laytonsville Road, Olney, Maryland 20832

Dear Members of the Board:

This letter confirms that DK Property Holdings LLC, the new owner of the property located at 5011 Olney Laytonsville Road, Olney, Maryland 20832, consents to the transfer of Special Exception Case Numbers CBA-2180, CBA-2180-A, and S-254 to DK Property Holdings LLC. The new special exception holder, DK Property Holdings LLC, will operate the special exceptions in accordance with the existing approvals and conditions. DK Property Holdings LLC further consents to the administrative modification request filed by Lerch Early & Brewer to reflect existing conditions on the property as of the date of this letter. Any proposed future changes to the property or the special exception approvals proposed by DK Property Holdings LLC will be handled by separate application. Thank you for your consideration.

On behalf of DK Property Holdings LLC:



Signature

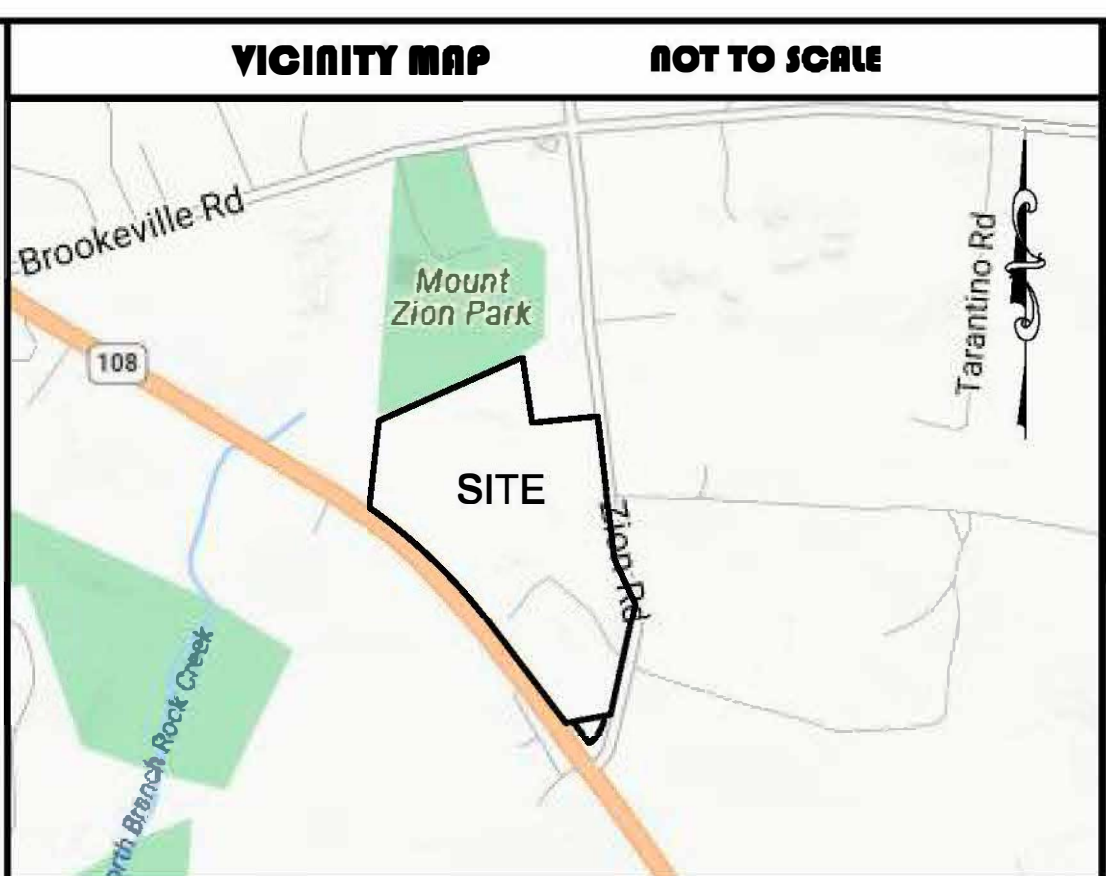
David M. Duber

Printed Name

Authorized Representative

Title





**ZONING**

The subject property is zoned "AR" Agricultural Reserve Zoning within the "URC" Upper Rock Creek Overlay District.

Front Setback: 50 ft.  
 Street Side Setback: 50 ft.  
 Interior Side Setback: 20 ft / 15 ft.  
 Rear Setback: 35 ft.

Maximum Building Height: 50 ft.  
 Minimum Lot Size: 40,000 sq.ft.  
 Minimum Lot Width/ Frontage and Depth: 125 ft. Width from front building line/ 25 ft.

Maximum Density: 10% lot coverage, 40% lot coverage where agricultural products are grown  
 Minimum Number of Parking Spaces Required: 6 Parking Spaces per 1,000 Square Feet Sales Area (Table 6.2.4B) (5,722 Square Feet ÷ 1,000 Square Feet = 5.722 x 6 Spaces = 34 Parking Spaces)

Zoning data obtained from Zoning Report #62 28611 dated August 9, 2024 prepared by Global Zoning.

- SITE DATA**
- PROPERTY IS KNOWN AS ACCOUNT ID: 08-01634520 (PARCEL ONE) & 08-00703485 (PARCEL TWO) IN THE 8TH ELECTION DISTRICT OF MONTGOMERY COUNTY, MARYLAND.
  - LOT AREA  
 PARCEL ONE (ACCT. 08-01634520) = 10,240 S.F. OR 0.2351 AC.  
 PARCEL TWO (ACCT. 08-00703485) = 1,234,694 S.F. OR 28.3447 AC.
  - PARKING PROVIDED - REGULAR - 90 SPACES  
 HANDICAP - 2 SPACES  
 TOTAL SPACES PROVIDED = 92
  - THE SUBJECT PROPERTY HAS ACCESS TO OLNEY LAYTONSVILLE ROAD & ZION ROAD BOTH PUBLIC RIGHT-OF-WAYS.
  - THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THIS SURVEY.
  - THIS PLAN IS VALID ONLY WHEN SIGNED IN COLORED INK AND EMBOSSED WITH A RAISED IMPRESSION SEAL AND WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARD OF ACCURACY OF THE STATE IN WHICH THE PROJECT IS LOCATED.
  - THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
  - COPYRIGHT ©2024, FIRST ORDER, LLC. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED, OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE SURVEYOR. COPIES OF THIS PLAN WITHOUT A RAISED IMPRESSION SEAL ARE NOT VALID.
  - IN RESPONSE TO ALTA/NSPS TABLE A ITEM 16, THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
  - IN RESPONSE TO ALTA/NSPS TABLE A ITEM 17, THERE ARE NO KNOWN CHANGES IN STREET RIGHT OF WAY LINES EITHER PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTIONS. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTIONS OR REPAIRS.
  - THERE WAS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
  - THERE WAS NO OBSERVABLE EVIDENCE OF CEMETERIES FOUND AT THE TIME OF THIS SURVEY.
  - THE SUBJECT PARCEL CREATES A MATHEMATICALLY CLOSED BOUNDARY. THE SURVEYOR OBSERVED NO GAPS, GORES, OR STRIPS ALONG COMMON BOUNDARY LINES AND RIGHTS OF WAY.
  - THE SURVEYOR DID NOT OBSERVE ANY STREAMS, PONDS OR MARKERS DELINEATING WETLANDS ON THE SUBJECT PROPERTY AT THE TIME OF THE FIELD SURVEY.

**FLOOD NOTE**

BY GRAPHICAL REPRESENTATION ONLY THIS PROPERTY IS LOCATED IN FLOOD HAZARD ZONE "X" (UNSHADED) AS SHOWN ON FLOOD INSURANCE RATE MAP, 24031C0215D COMMUNITY PANEL No. 240049 WHICH HAS AN EFFECTIVE DATE OF 09/29/2008 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. FIELD SURVEYING WAS NOT PERFORMED TO DETERMINE THIS ZONE. AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR AN AMENDMENT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

TYPE OF SURVEY: ALTA / NSPS LAND TITLE SURVEY

**FIRST ORDER, LLC**  
 4383 HECKTOWN ROAD  
 BETHLEHEM, PA 18020  
 Phone (610) 365-2907 Fax (610) 365-2958

CLIENT: EBI CONSULTING  
 CLIENT PROJECT NO.: 021938-PR

JOB NO: F240318 DRAWN BY: PV/JPM APPROVED BY: JWG

DATE: AUGUST 1, 2024

REVISIONS:

No.	DATE	DESCRIPTION
1	08-14-24	ZONING
2	09-04-24	NETWORK COMMENTS
3	09-10-24	NETWORK COMMENTS
4	09-13-24	NETWORK COMMENTS
5	10-24-24	NETWORK COMMENTS

Scale: 1" = 100'

SHEET 1 OF 2

**SURVEYOR'S CERTIFICATION**

To: DK Property Holdings LLC, a Delaware limited liability company, First American Title Insurance Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6a, 6b, 7a, 7b, 7c, 8, 9, 13, 14, 16 & 17 of Table A thereof.

The fieldwork was completed on July 19, 2024.

DIGITALLY SIGNED BY  
 JACK W. SHOENMAKER  
 DATE: OCTOBER 24, 2024

Jack W. Shoemaker  
 Professional Land Surveyor 21043, exp. 1/22/2026  
 In the State of Maryland  
 Date of Survey: August 1, 2024  
 Date of Last Revision: October 24, 2024

Survey Performed By:  
**First Order, LLC**  
 4383 Hecktown Road, Suite B  
 Bethlehem, PA 18020  
 Phone 610-365-2907  
 Fax 610-365-2958  
 Email: jshoemaker@firstorderllc.net  
 Project No. F240318

THE CERTIFICATION IS MADE TO ONLY NAMED PARTIES FOR PURCHASE AND/OR MORTGAGE OF HEREIN DELINEATED PROPERTY BY THE NAMED PURCHASER. NO RESPONSIBILITY OF LIABILITY IS ASSUMED BY SURVEYOR FOR THE USE OF SURVEY FOR ANY OTHER PURPOSE, INCLUDING BUT NOT LIMITED TO, USE OF SURVEY APPLICANT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY.

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	131.87'	193.18'	39°06'42"	S32°33'21"W	129.32'
C2	804.88'	2690.00'	17°08'37"	N45°49'31"W	801.88'

**LEGAL DESCRIPTION**

The Land referred to herein below is situated in the County of Montgomery, State of Maryland, and is described as follows:

PARCEL ONE: ALL THAT PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE EIGHTH ELECTION DISTRICT OF MONTGOMERY COUNTY, MARYLAND, BEING A PART OF PARCEL 3 AS CONVEYED BY CHARLOTTE E. G. FARQUHAR, WIDOW AND UNMARRIED TO SAMUEL RIGGS IV BY DEED DATED JUNE 22, 1962 AND FILED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 2981, FOLIO 297, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A CONCRETE MONUMENT FOUND ON THE EASTERLY SIDE OF MARYLAND STATE ROUTE NO. 108, SAID MONUMENT ALSO BEING ON THE 1ST LINE OF SAID CONVEYANCE, 111.78 FEET FROM THE BEGINNING THEREOF, THENCE RUNNING WITH THE EASTERLY SIDE OF ROUTE NO. 108 AND WITH THE REMAINDER OF THE SAID 1ST LINE,

(1) NORTH 37° 46' 41" WEST 129.83 FEET TO AN IRON PIPE SET, THENCE LEAVING SAID ROUTE NO. 108, AND RUNNING WITH PART OF THE 2ND LINE OF SAID CONVEYANCE,

(2) NORTH 80° 31' 55" EAST, 154.98 FEET TO A CONCRETE MONUMENT FOUND ON THE WESTERLY SIDE OF MT. ZION ROAD AS NOW ESTABLISHED, THENCE RUNNING WITH THE WESTERLY SIDE OF SAID MT. ZION ROAD THE TWO (2) FOLLOWING COURSES AND DISTANCES,

(3) SOUTH 13° 00' 00" WEST 20.25 FEET TO A CONCRETE MONUMENT FOUND, THENCE

(4) RUNNING ALONG THE ARC OF A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 131.87 FEET, A RADIUS OF 193.18 FEET AND A CHORD BEARING AND LENGTH OF SOUTH 32° 33' 21" WEST, 129.32 FEET TO THE PLACE OF BEGINNING, CONTAINING A COMPUTED AREA OF 0.2364 ACRES OF LAND, ACCORDING TO A PLAN OF SURVEY MADE BY COLT & GALLALEE, INC., REGISTERED LAND SURVEYORS, DATED OCTOBER 15, 1973.

PARCEL TWO: ALL THAT PIECE OR PARCEL OF GROUND, SITUATE, LYING AND BEING IN MONTGOMERY COUNTY, MARYLAND, BEING THE SAME LAND WHICH THE SAID PARTIES OF THE FIRST PART OBTAINED BY DEED FROM LOUIS P. GATTI, WIDOWER, ET AL., BY DEED RECORDED IN LIBER 3620, AT FOLIO 445, RECORDED AMONG THE AFORESAID LAND RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL THAT PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE QUILTY DISTRICT, MONTGOMERY COUNTY, MARYLAND, THE SAME BEING PART OF THE LANDS CONVEYED FROM A. D. BLACK, UNMARRIED, TO MARY A. GATTI, BY DEED DATED MAY 19, 1941, AND RECORDED IN THE LAND RECORDS OF THE AFORESAID COUNTY IN LIBER 925 AT FOLIO 416; THE SAME BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A POINT ON THE FIRST LINE OF THE AFORESAID CONVEYANCE NORTH 66° 03' 00" EAST 392.84 FEET FROM A LARGE BLACK OAK TREE FOUND AT THE BEGINNING OF SAID LINE; SAID POINT BEING ON THE EASTERN LINE OF AN ELECTRIC TRANSMISSION LINE RIGHT-OF-WAY, 250 FEET IN WIDTH, AS DESCRIBED IN A CONVEYANCE FROM LOUIS P. GATTI, WIDOWER, MICHAEL L. GATTI AND FLORENCE M. GATTI, HIS WIFE, AND STEPHEN M. GATTI AND LYDIA S. GATTI, HIS WIFE, TO PERCO BY DEED DATED JUNE 29, 1965, AND RECORDED IN THE AFORESAID LAND RECORDS IN LIBER 3376 AT FOLIO 387 AND RUNNING THENCE WITH SAID FIRST LINE (1) NORTH 66° 03' 00" EAST 744.83 FEET TO AN IRON PIPE FOUND AT THE REAR CORNER OF LOT 1, GAITHER'S ADDITION TO MT. ZION AS SHOWN IN THE AFORESAID LAND RECORDS IN PLAT BOOK 79 AT PLAT 264; THENCE IN PART WITH THE REAR LINES OF LOTS 1 AND 2 AS SHOWN ON SAID PLAT; (2) SOUTH 08° 10' 21" EAST 312.10 FEET TO A FENCE POST FOUND; PASSING OVER A STONE FOUND 179.45 FEET FROM THE BEGINNING HEREOF; THENCE (3) NORTH 54° 51' 06" EAST 311.54 FEET TO THE CENTER LINE OF THE MT. ZION ROAD AS IT NOW EXISTS, PASSING OVER A FENCE POST ON LINE 22.37 FEET FROM THE END HEREOF; THENCE RUNNING GENERALLY WITH SAID CENTER LINE THE FOLLOWING THREE COURSES AND DISTANCES: (4) SOUTH 68° 26' 51" EAST 676.50 FEET, PASSING BY A STONE FOUND ON THE NORTHEAST RIGHT-OF-WAY LINE OF SAID MT. ZION ROAD 15.00 FEET THEREFROM; THENCE (5) SOUTH 25° 41' 51" EAST 237.03 FEET; THENCE (6) SOUTH 12° 28' 53" WEST 541.00 FEET; THENCE LEAVING SAID CENTER LINE AND RUNNING IN PART WITH THE NORTHERN LINE OF PARCEL 3 OF A CONVEYANCE FROM CHARLOTTE E. FARQUHAR, WIDOW, TO SAMUEL RIGGS IV, BY DEED DATED JUNE 22, 1962, AND RECORDED IN THE AFORESAID LAND RECORDS IN LIBER 2981 AT FOLIO 297; (7) SOUTH 79° 59' 35" WEST 215.78 FEET TO INTERSECT THE NORTHEAST RIGHT-OF-WAY LINE OF MARYLAND STATE ROUTE #108 AS SHOWN ON STATE ROADS COMMISSION CONTRACT #M-145; THENCE WITH SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES AND DISTANCES: (8) NORTH 37° 15' 12" WEST 583.44 FEET; THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2690.00 FEET AN ARC DISTANCE OF (9) 804.88 FEET (CHORD BEARING AND DISTANCE NORTH 45° 49' 31" WEST 801.88 FEET) TO INTERSECT THE AFORESAID EASTERN RIGHT-OF-WAY LINE OF THE ELECTRIC TRANSMISSION LINE; THENCE LEAVING THE SAID NORTHEAST RIGHT-OF-WAY LINE OF MARYLAND STATE ROUTE #108 AND WITH THE SAID EASTERN LINE; (10) NORTH 06° 08' 33" EAST 409.35 FEET TO THE POINT OF BEGINNING, CONTAINING 28.3449 ACRES OF LAND, IN ACCORDANCE WITH A SURVEY MADE BY JOSEPH C. RODGERS, NUMBER 307-A, AND DATED NOVEMBER, 1966.

SAVING AND EXCEPTING THOSE RIGHTS TRANSFERRED BY DEED OF TRANSFER OF DEVELOPMENT RIGHTS (TDR) BY AND BETWEEN J.H. BURTON AND SONS OF HYATTSVILLE, INC. AND THE HALLOWELL CORPORATION, DATED OCTOBER 8, 1986 AND RECORDED OCTOBER 24, 1986 IN LIBER 7362, FOLIO 197, AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

Being the same tract of land described in a Title Report provided by First American Title Insurance Company, Commitment No. NCS-1225545-MD-61, dated September 30, 2024.

**SYMBOLS**  
 (THIS IS A STANDARD LEGEND. NOT ALL ITEMS ARE ON THE SURVEY.)

- MONUMENT FOUND
- MONUMENT TO BE SET
- ⊕ BENCHMARK TOPO
- (R) RECORD DATA
- (S) SURVEYED DATA
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- R/W RIGHT OF WAY
- SBL SET BACK LINE
- ROP REINFORCED CONC PIPE
- CMP CORRUGATED METAL PIPE
- PVC PLASTIC PIPE
- HDPE HIGH DENSITY POLYETHYLENE PIPE
- CIP CAST IRON PIPE
- DIP DUCTILE IRON PIPE
- L/S LANDSCAPING
- U.G. UNDER GROUND
- - - FENCIBLE
- C - CABLE TELEVISION LINE
- E - ELECTRICAL LINE
- G - GAS LINE
- T - TELEPHONE LINE
- W - WATER LINE
- OH - OVERHEAD ELECTRIC WIRE
- - - GUIDERAIL
- - - TREELINE
- ⊙ SPOT LIGHT
- ⊙ POWERPOLE
- ⊙ QTY WIRE
- ⊙ LIGHT POLE
- ⊙ STREET LIGHT POLE
- ⊙ ELEC. TRANSFORMER
- ⊙ AIR CONDITIONER
- ⊙ ELEC. MANHOLE
- ⊙ ELECTRIC METER
- ⊙ ELECTRIC BOX
- ⊙ CABLE BOX
- ⊙ UNDERGROUND CABLE MARKER
- ⊙ TRAFFIC POLES
- ⊙ TRAFFIC SIGNAL
- ⊙ TRAFFIC MANHOLE
- ⊙ TRAFFIC SIGNAL BOX
- ⊙ SEWER MANHOLE
- ⊙ CLEAN OUT
- ⊙ STORM DRAIN MANHOLE
- ⊙ STORM INLET
- ⊙ CURB INLET
- ⊙ ROUND STORM INLET
- ⊙ UNKNOWN MANHOLE
- ⊙ DECIDUOUS TREE
- ⊙ EVERGREEN TREE
- ⊙ WATER MANHOLE
- ⊙ WATER VALVE
- ⊙ WATER METER
- ⊙ HYDRANT / FDC
- ⊙ GAS MANHOLE
- ⊙ GAS VALVE
- ⊙ GAS METER
- ⊙ UNDERGROUND GAS MARKER
- ⊙ PROPANE TANK
- ⊙ TELEPHONE MANHOLE
- ⊙ TELEPHONE BOX
- ⊙ UNDERGROUND TELEPHONE MARKER
- ⊙ KEYPAD
- ⊙ FLAG POLE
- ⊙ BOLLARD
- ⊙ LIGHT BOLLARD
- ⊙ BORE HOLE
- ⊙ MONITORING WELL
- ⊙ MAIL BOX
- ⊙ SIGN
- ⊙ METAL TANK COVER
- ⊙ AIR COMPRESSOR
- ⊙ ADA PARKING
- ⊙ YARD DRAIN
- ⊙ IRRIGATION CONTROL VALVE

**SCHEDULE B EXCEPTIONS**

- First American Title Insurance Company, Commitment No. NCS-1225545-MD-61, dated September 30, 2024.
- (5) Transfer of Development Rights (TDR) Easement dated October 8, 1986, made by and between J. H. Burton and Sons of Hyattsville, Inc., a Maryland corporation and Montgomery County, Maryland, and recorded on October 24, 1986 among the Land Records of Montgomery County, Maryland in Liber 7362, folio 188 - NOT PLOTTED ON SURVEY. BLANKET IN NATURE, COVERS PARCEL TWO OF SUBJECT PROPERTY; as impacted by Deed of Transfer of Development Rights (TDR) dated October 8, 1986, made by and between J. H. Burton and Sons of Hyattsville, Inc. and The Hollowell Corporation, a Maryland corporation, and recorded on October 24, 1986 among the Land Records of Montgomery County, Maryland in Liber 7362, folio 197 - NOT PLOTTED ON SURVEY. BLANKET IN NATURE, COVERS PARCEL TWO OF SUBJECT PROPERTY.
- (6) Easement dated March 15, 1988, made by and between J. H. Burton and Sons of Hyattsville, Inc., a Maryland corporation, and Washington Gas Light Company, a corporation, its successors and assigns and recorded on October 20, 1988 among the Land Records of Montgomery County, Maryland in Liber 8523, folio 427 - PLOTTED ON SURVEY.

**SIGNIFICANT OBSERVATIONS**

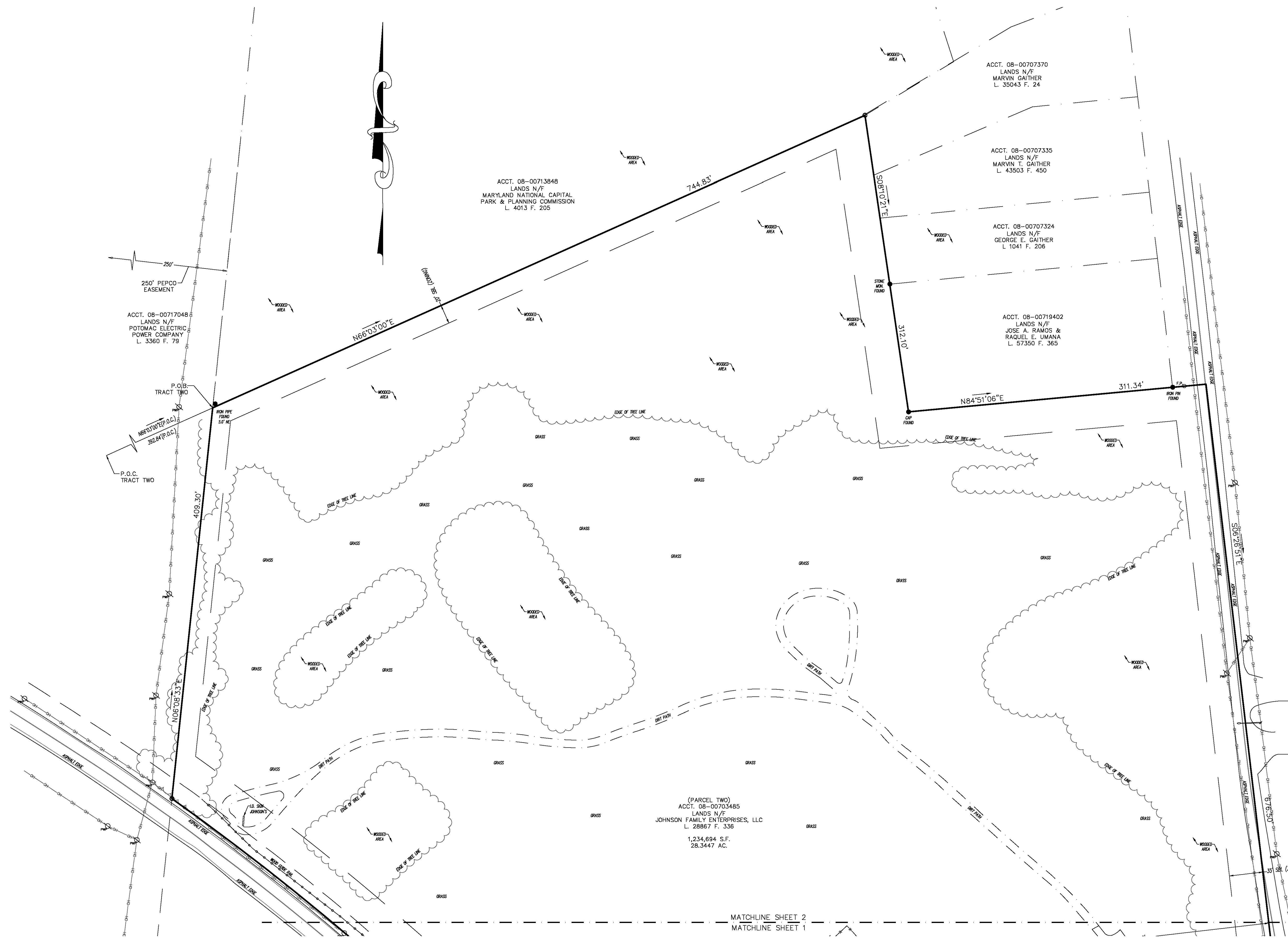
NONE OBSERVED



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- ⊕ MAIL BOX
- ⊕ SIGN
- ⊕ METAL TANK COVER
- ⊕ AIR COMPRESSOR
- ⊕ ADA PARKING
- ⊕ YARD DRAIN
- ⊕ IRRIGATION CONTROL VALVE



**STATE OF MARYLAND**  
JACK W. SHOEMAKER  
PROFESSIONAL LAND SURVEYOR  
DIGITALLY SIGNED BY  
JACK W. SHOEMAKER  
DATE: OCTOBER 24, 2024

Survey Performed By:  
**First Order, LLC**  
4383 Hecktown Road, Suite B  
Bethlehem, PA 18020  
Phone 610-365-2907  
Fax 610-365-2958  
Email: jshoemaker@firstorderllc.net  
Project No. F240318

TYPE OF SURVEY: ALTA / NSPS LAND TITLE SURVEY

**First Order, LLC**  
Professional Land Surveyors

**FIRST ORDER, LLC**  
4383 HECKTOWN ROAD  
BETHLEHEM, PA 18020  
Phone (610) 365-2907 Fax (610) 365-2958

SITE ADDRESS: 5011 OLNEY LAYTONSVILLE ROAD, OLNEY, MD  
TOWN OF OLNEY  
MONTGOMERY COUNTY, MARYLAND

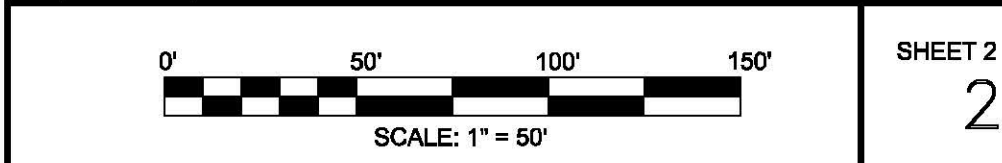
CLIENT: EBI CONSULTING  
CLIENT PROJECT NO.: 021938-PR

JOB NO: F240318    DRAWN BY: PV/JPM    APPROVED BY: JWG

DATE: AUGUST 1, 2024

REVISIONS:

No.	DATE	DESCRIPTION
1	08-14-24	ZONING
2	09-04-24	NETWORK COMMENTS
3	09-10-24	NETWORK COMMENTS
4	09-13-24	NETWORK COMMENTS
5	10-24-24	NETWORK COMMENTS





MONTGOMERY COUNTY, MD

APPROVED BY Kam

When Recorded Return To Michael Keub  
First American Title Insurance Company  
National Commercial Services  
250 W Pratt St, Suite 650  
Baltimore, MD 21201  
File No. NCS 1225545

NOV 27 2024

RECORDATION TAX PAID  
TRANSFER TAX PAID

AFTER RECORDING, PLEASE RETURN TO:  
Patrick W. Lincoln, Esq.  
c/o Venable LLP  
1850 Towers Crescent Plaza, Suite 400  
Tysons, Virginia 22182

STATE AGRIC. TRANSFER  
TAX PAID \$

Tax Account Number: 08-01634520; 08-00703485

SPECIAL WARRANTY DEED

**THIS SPECIAL WARRANTY DEED** (this "Deed"), dated as of October 29, 2024, from **JOHNSON FAMILY ENTERPRISES, LLC**, a Maryland limited liability company ("Grantor"), to **DK PROPERTY HOLDINGS LLC**, a Delaware limited liability company ("Grantee").

**WITNESSETH**, that in consideration of the sum of \_\_\_\_\_ the actual consideration paid and other good and valuable consideration, the receipt of which is hereby acknowledged, the said Grantor does hereby grant, bargain, sell, convey, and assign to Grantee, its successors and assigns, to have and to hold in fee simple, the real property located in Montgomery County, Maryland, all as legally and more particularly described on Exhibit A attached hereto ("Property").

**BEING** all of the same property described in, and conveyed to, Grantor, by Confirmatory Deed, dated November 17, 2004, and recorded December 15, 2004, among the Land Records of Montgomery County, Maryland in Liber 28867, folio 336.

**TOGETHER WITH** all of the buildings, structures, facilities, installations and other improvements of every kind and description now or hereafter in, on, over and under the above-described property.

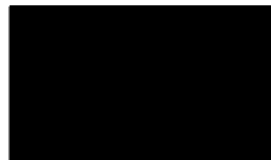
**AND TOGETHER WITH** all of Grantors' right, title and interest, if any, in and to all easements, rights-of-way, appurtenances and other rights and benefits associated with the above-described property and to all public or private streets, roads, avenues, alleys or passways, open or proposed, on or abutting the above-described property.

**SUBJECT TO** any and all easements, rights-of-way, conditions, covenants, restrictions, reservations and exceptions of record.

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Montgomery County  
11/20/24  
DATE

AGRICULTURE TRANSFER TAX IN THE  
AMOUNT OF \$ LETTER INTENT  
SIGNATURE [Signature] 11/20/24

AG. TAX For 1.5 Ac



Total  
Ag Tax

AND the said Grantor does hereby covenant that it will warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

**TO HAVE AND TO HOLD** the tract of land and premises above described to the said Grantee, its successors and/or assigns, in fee simple.

*[Remainder of Page Intentionally Left Blank]*



IN WITNESS WHEREOF, Grantor has executed this Deed under seal as of the date first above written.

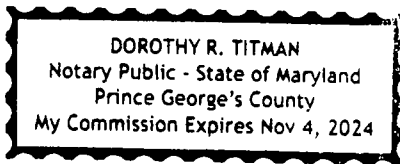
GRANTOR:  
JOHNSON FAMILY ENTERPRISES, LLC

By: Catherine S. J. Harris (SEAL)  
Name: Catherine S. J. Harris  
Title: Authorized Agent

STATE OF Maryland )  
 )ss:  
COUNTY OF Prince Georges )

I HEREBY CERTIFY that on the 28<sup>th</sup> day of October, 2024, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Catherine S. J. Harris, who acknowledged ~~himself~~ <sup>herself</sup> to be the Authorized Agent of Grantor, a Maryland entity, and that ~~he~~ <sup>she</sup> being authorized to do so, executed this document for the purposes contained in the document, by signing the name of the Authorized Agent in such capacity.

WITNESS my hand and official seal this 28 day of October, 2024.



Dorothy R Titman  
Notary Public


[Notarial Seal]

My Commission Expires: 11-4-24



**CERTIFICATION**

I HEREBY CERTIFY THAT I, the undersigned, an attorney at law who has been admitted to practice before the Supreme Court of Maryland, has prepared the within instrument.

  
\_\_\_\_\_  
Ann Marie Melchior, Esq.

Grantee's Mailing Address for Tax Bills:

1001 Pennsylvania Avenue NW  
Suite 220 - South  
Washington, DC 20004  
Attn: DK Property Holdings LLC



**EXHIBIT A**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MONTGOMERY, STATE OF MARYLAND, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE: ALL THAT PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE EIGHTH ELECTION DISTRICT OF MONTGOMERY COUNTY, MARYLAND, BEING A PART OF PARCEL 3 AS CONVEYED BY CHARLOTTE E. G. FARQUHAR, WIDOW AND UNMARRIED TO SAMUEL RIGGS IV BY DEED DATED JUNE 22, 1962 AND FILED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 2981, FOLIO 297, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A CONCRETE MONUMENT FOUND ON THE EASTERLY SIDE OF MARYLAND STATE ROUTE NO. 108, SAID MONUMENT ALSO BEING ON THE 1ST LINE OF SAID CONVEYANCE, 111.79 FEET FROM THE BEGINNING THEREOF, THENCE RUNNING WITH THE EASTERLY SIDE OF ROUTE NO. 108 AND WITH THE REMAINDER OF THE SAID 1ST LINE,

(1) NORTH 37° 46' 41" WEST 129.83 FEET TO AN IRON PIPE SET, THENCE LEAVING SAID ROUTE NO. 108, AND RUNNING WITH PART OF THE 2ND LINE OF SAID CONVEYANCE,

(2) NORTH 80° 31' 55" EAST, 154.98 FEET TO A CONCRETE MONUMENT FOUND ON THE WESTERLY SIDE OF MT. ZION ROAD AS NOW ESTABLISHED, THENCE RUNNING WITH THE WESTERLY SIDE OF SAID MT. ZION ROAD THE TWO (2) FOLLOWING COURSES AND DISTANCES,

(3) SOUTH 13° 00' 00" WEST 20.25 FEET TO A CONCRETE MONUMENT FOUND, THENCE

(4) RUNNING ALONG THE ARC OF A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 131.87 FEET, A RADIUS OF 193.18 FEET AND A CHORD BEARING AND LENGTH OF SOUTH 32° 33' 21" WEST, 129.32 FEET TO THE PLACE OF BEGINNING, CONTAINING A COMPUTED AREA OF 0.2364 ACRES OF LAND, ACCORDING TO A PLAT OF SURVEY MADE BY COLT & GALLALEE, INC., REGISTERED LAND SURVEYORS, DATED OCTOBER 15, 1973.

PARCEL TWO: ALL THAT PIECE OR PARCEL OF GROUND, SITUATE, LYING AND BEING IN MONTGOMERY COUNTY, MARYLAND, BEING THE SAME LAND WHICH THE SAID PARTIES OF THE FIRST PART OBTAINED BY DEED FROM LOUIS P. GATTI, WIDOWER, ET AL, BY DEED RECORDED IN LIBER 3620, AT FOLIO 445, RECORDED AMONG THE AFORESAID LAND RECORDS, BEING MORE



PARTICULARLY DESCRIBED AS FOLLOWS: ALL THAT PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE OLNEY DISTRICT, MONTGOMERY COUNTY, MARYLAND; THE SAME BEING PART OF THE LANDS CONVEYED FROM A. D. BLACK, UNMARRIED, TO MARY A. GATTI, BY DEED DATED MAY 19, 1941, AND RECORDED IN THE LAND RECORDS OF THE AFORESAID COUNTY IN LIBER 825 AT FOLIO 416; THE SAME BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A POINT ON THE FIRST LINE OF THE AFORESAID CONVEYANCE NORTH 66° 03' 00" EAST 392.84 FEET FROM A LARGE BLACK OAK TREE FOUND AT THE BEGINNING OF SAID LINE; SAID POINT BEING ON THE EASTERN LINE OF AN ELECTRIC TRANSMISSION LINE RIGHT-OF- WAY, 250 FEET IN WIDTH, AS DESCRIBED IN A CONVEYANCE FROM LOUIS P. GATTI, WIDOWER, MICHAEL L. GATTI AND FLORENCE M. GATTI, HIS WIFE, AND STEPHEN M. GATTI AND LYDIA S. GATTI, HIS WIFE, TO PEPCO BY DEED DATED JUNE 29, 1965, AND RECORDED IN THE AFORESAID LAND RECORDS IN LIBER 3376 AT FOLIO 387 AND RUNNING THENCE WITH SAID FIRST LINE (1) NORTH 66° 03' 00" EAST 744.83 FEET TO AN IRON PIPE FOUND AT THE REAR CORNER OF LOT 1, GAITHER'S ADDITION TO MT. ZION AS SHOWN IN THE AFOREMENTIONED LAND RECORDS IN PLAT BOOK 76 AT PLAT 7544; THENCE IN PART WITH THE REAR LINES OF LOTS 1 AND 2 AS SHOWN ON SAID PLAT; (2) SOUTH 08° 10' 21" EAST 312.10 FEET TO A FENCE POST FOUND; PASSING OVER A STONE FOUND 178.45 FEET FROM THE BEGINNING HEREOF; THENCE (3) NORTH 84° 51' 06" EAST 311.34 FEET TO THE CENTER LINE OF THE MT. ZION ROAD AS IT NOW EXISTS, PASSING OVER A FENCE POST ON LINE 22.37 FEET FROM THE END HEREOF; THENCE RUNNING GENERALLY WITH SAID CENTER LINE THE FOLLOWING THREE COURSES AND DISTANCES; (4) SOUTH 06° 26' 51" EAST 676.50 FEET, PASSING BY A STONE FOUND ON THE NORTHEAST RIGHT-OF-WAY LINE OF SAID MT. ZION ROAD 15.00 FEET THEREFROM; THENCE (5) SOUTH 25° 41' 51" EAST 237.03 FEET; THENCE (6) SOUTH 12° 28' 53" WEST 541.00 FEET; THENCE LEAVING SAID CENTER LINE AND RUNNING IN PART WITH THE NORTHERN LINE OF PARCEL 3 OF A CONVEYANCE FROM CHARLOTTE E. G. FARQUHAR, WIDOW, TO SAMUEL RIGGS IV, BY DEED DATED JUNE 22, 1962, AND RECORDED IN THE AFOREMENTIONED LAND RECORDS IN LIBER 2981 AT FOLIO 297; (7) SOUTH 79° 59' 35" WEST 215.78 FEET TO INTERSECT THE NORTHEAST RIGHT-OF-WAY LINE OF MARYLAND STATE ROUTE #108 AS SHOWN ON STATE ROADS COMMISSION CONTRACT #M-145; THENCE WITH SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES AND DISTANCES; (8) NORTH 37° 15' 12" WEST 583.44 FEET; THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2690.00 FEET AN ARC DISTANCE OF (9) 804.88 FEET (CHORD BEARING AND DISTANCE NORTH 45° 49' 31" WEST 801.88 FEET) TO INTERSECT THE AFOREMENTIONED EASTERN RIGHT-OF-WAY LINE OF THE ELECTRIC TRANSMISSION LINE; THENCE LEAVING THE SAID NORTHEAST RIGHT-OF-WAY LINE OF MARYLAND STATE ROUTE #108 AND WITH THE SAID EASTERN LINE; (10) NORTH 06° 08' 33" EAST 409.35 FEET TO THE POINT OF BEGINNING, CONTAINING 28.3449 ACRES OF LAND, IN ACCORDANCE WITH A SURVEY MADE BY JOSEPH C. RODGERS, NUMBER 307-A, AND DATED NOVEMBER, 1966.

SAVING AND EXCEPTING THOSE RIGHTS TRANSFERRED BY DEED OF TRANSFER OF DEVELOPMENT RIGHTS (TDR) BY AND BETWEEN J.H. BURTON AND SONS OF HYATTSVILLE, INC. AND THE HALLOWELL CORPORATION, DATED OCTOBER 8, 1986 AND RECORDED OCTOBER 24, 1986 IN LIBER 7362, FOLIO 197, AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.



MARYLAND FORM WH-AR

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

2024

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor JOHNSON FAMILY ENTERPRISES, LLC

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

5011 OLNEY-LAYTONSVILLE ROAD, OLNEY, MD 20832

3. Reasons for Exemption

Resident Status [ ] As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

[x] Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence [ ] Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name

\*\*Date

Signature

3b. Entity Transferors

Witness/Attest

JOHNSON FAMILY ENTERPRISES, LLC

Name of Entity

By

Name

\*\*Date

Title

\*\* Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

State of Maryland Land Instrument Intake Sheet

Baltimore City County: Montgomery

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

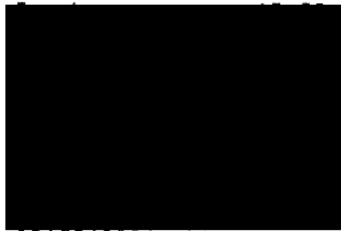
Main form containing sections 1-11: Type(s) of Instruments, Conveyance Type, Tax Exemptions, Consideration and Tax Calculations, Fees, Description of Property, Transferred From, Transferred To, Other Names to Be Indexed, Contact/Mail Information, and Assessment Information.

Space Reserved for County Validation

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) KAB 68651, p. 0182, MSA\_CE63\_68608, Date available 12/05/2024. Printed 12/10/2024.



LR - Deed (w Taxes)  
Recording only \$20.00  
Name: DK Property  
Holdings LLC  
Ref:  
LR - Deed (with Taxes)



12/02/2024 10:45  
CC15-CP  
#18563678 CC0602 -  
Montgomery  
County/CODE 02.00 -  
Register 0E



**DOCUMENT VALIDATION PAGE**  
**FOR CLERK'S USE ONLY**  
**(EXCLUDED FROM PAGE COUNT FOR CERTIFIED COPY)**

---

**KAREN A. BUSHELL**  
Clerk of the Circuit Court for Montgomery County  
50 Maryland Avenue  
Rockville, Maryland 20850  
Recording and Licensing  
(240) 777-9470

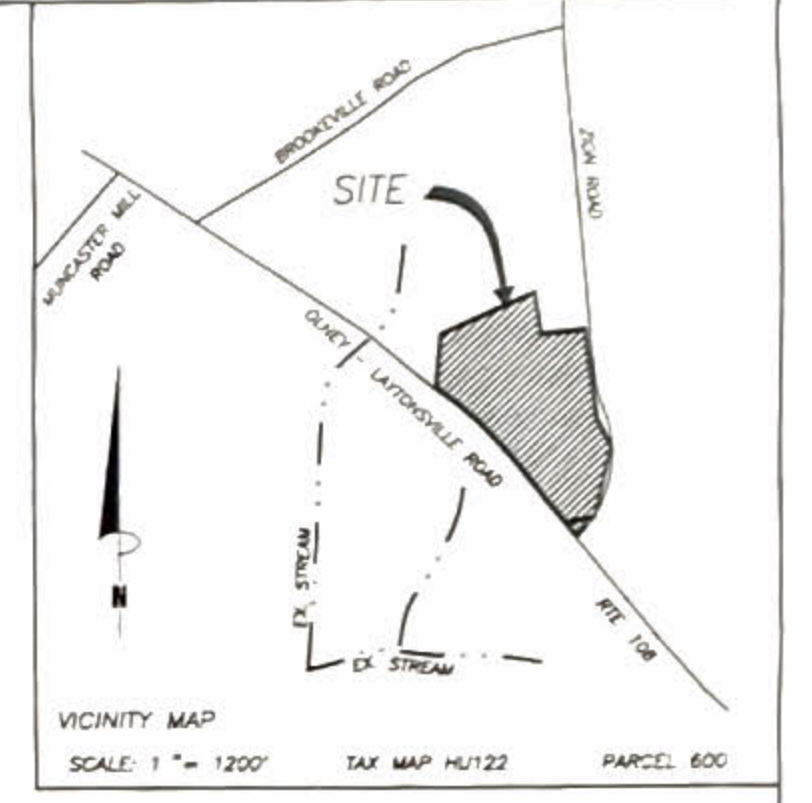


# CBA-2180

## WS

### 11-29-06

- GENERAL NOTES**
1. GRASS TRACT AREA 28,344 AC ±
  2. DISTRICT ZONING: RPT
  3. PROJECT ADDRESS: JOHNSON'S FLOWER & GARDEN CENTER 5011 LAYTONSVILLE ROAD OLNEY, MD 20831
  4. BUILDING/STRUCTURE/LANDSCAPING MODIFICATIONS REQUESTED PROPOSED BUILDING USE MODIFICATIONS: (SEE CIRCLED BUILDING #S)
  5. HOURS OF OPERATION REQUESTED: RETAIL HOURS 9:00AM - 8:00PM, 7 DAYS/WEEK DURING SPRING SEASON (APRIL - MAY); RETAIL HOURS 9:00AM - 6:00 PM 7 DAYS/WEEK DURING SUMMER, FALL & WINTER SEASONS
  6. NO ADDITIONAL IMPERVIOUS SURFACE IS CREATED IN THE LOCATION OF THE PROPOSED NEW GREENHOUSE
  7. EXISTING STORAGE AREAS REMAIN UNCHANGED
  8. EXISTING LIGHTING REMAINS UNCHANGED
  9. EXISTING SIGNAGE TO REMAIN AND BE UPDATED TO DISPLAY THE NAME OF THE FACILITY
  10. EMPLOYEES REQUESTED: 50 MAXIMUM ON SITE AT ANY ONE TIME (APPROXIMATELY 40 EMPLOYEES FOR RETAIL AND ON-SITE WORK AND 10 EMPLOYEES FOR OFF-SITE WORK)
  11. NO UNDERGROUND UTILITIES EXIST TWO ABOVE GROUND (SEWER, GAS AND ONE RECYCLING TANK EXIST TO SERVE THE LANDSCAPE CONTRACTOR)
  12. NO TANKS OF LIQUID CHEMICALS ARE STORED ON SITE. DRY CHEMICALS ARE LICENSED FOR STORAGE IN AN EXISTING BLOCK BUILDING #18
  13. INTERIOR WALL PARTITIONS MAY BE MOVED DURING USE OF THE FACILITY
  14. LIST OF EXISTING VEHICULAR EQUIPMENT:
    - 1 PICK UP TRUCK
    - 1 STAFF/BOY TRUCK
    - 18 BOB TRUCKS
    - 14 BOB TRUCKS
    - 1 SKID LOADER
    - 2 FORD LPIS
    - 1 TOWER-CLIMB ELECTRIC CART
    - 5 TEN TON TRUCKS WITH DUMP
    - 1 STAFF/BOY TRUCKS W/ DUMP
    - 3 PICK-UPS TRUCKS
    - 2 TRAILERS 3000 GROSS WT
  15. RENOVATION OF APPROX. 8,800 S.F. OF EXISTING INDOOR RETAIL AND 200 S.F. OFFICE TO APPROXIMATELY 7,000 S.F. OF INDOOR RETAIL AND 3,444 S.F. OF OFFICE STORAGE AND PRODUCT DESIGN.
  16. BUILD 18,800 S.F. OF NEW INDOOR RETAIL IN PLACE OF APPROXIMATELY 1,370 S.F. OF EXISTING INDOOR RETAIL. RELOCATE EXISTING GREENHOUSE STRUCTURE USED FOR EXISTING INDOOR RETAIL TO LOCATION (D) LONGER FOR GREENHOUSE USE.
  17. REMOVE 38,250 S.F. OF OUTDOOR RETAIL TO 38,250 S.F. OF OUTDOOR RETAIL.
  18. RESTRUCTURE EXISTING PARKING LOT TO CREATE HANDICAP PARKING AND TWO POOL AREAS.
  19. RELOCATE EXISTING RETAIL GREENHOUSE TO BECOME GREENHOUSE FOR SHOWING ONLY AND CUSTOMER ACCESS.
  20. RELOCATE EXISTING GATE TO NEW LOCATION.
  21. ENHANCE EXISTING EVERGREEN BUFFER WITH 6" - 8" HORIZONTAL SPRUCE ALONG MT. ZION ROAD.
  22. REPLACE EXISTING CHAIN LINK AND SPLIT RAIL FENCE WITH 6" ALUMINUM AND BLACK CHAIN LINK SECURITY FENCE.
  23. EXISTING SALES OF PROPANE TO REMAIN THE SAME.
  24. EXISTING OUTDOOR RETAIL SALES, 2,250 S.F. TO REMAIN THE SAME.
  25. EXISTING OUTDOOR RETAIL SALES, 5,250 S.F. TO REMAIN THE SAME.
  26. PROPOSED HOOPHOUSE, 2,400 S.F.
  27. RETAIN TWO EXISTING ABOVE GROUND DIESEL FUEL TANKS AND ONE OIL RECYCLING TANK.
  28. STORAGE OF DRY CHEMICALS IN EXISTING BLOCK BUILDING #18.
  29. MARK ALL EXISTING PARKING SPACES TO COUNTY STANDARDS.



**SITE DEVELOPMENT CRITERIA**

1. REQUIRED SETBACKS: 50' FRONT, REAR, AND SIDE
2. EXISTING RETAIL SQUARE FOOTAGE (SEE APPROVED IMPROVED PLAN)
  - EX. FRAME PAVILION, OUTDOOR RETAIL: 2,250 S.F.
  - EX. GREENHOUSE, INDOOR RETAIL: 1,370 S.F.
  - EX. ONE STORY BUILDING, INDOOR RETAIL: 6,200 S.F.
  - EX. SHED, INDOOR RETAIL: 1,270 S.F.
  - EX. SHED HOUSE, OUTDOOR RETAIL: 2,250 S.F.
  - EX. OUTDOOR RETAIL: 18,250 S.F.
  - EX. SALES OF PROPANE, OUTDOOR RETAIL: 380 S.F.
  - TOTAL INDOOR RETAIL: 11,140 S.F.
  - TOTAL OUTDOOR RETAIL: 22,850 S.F.
  - TOTAL RETAIL: 33,990 S.F.
3. PROPOSED RETAIL SQUARE FOOTAGE (SEE SPECIAL EXCEPTION PLAN MODIFICATION)
  - INTERIOR RENOVATION OF EX. INDOOR RETAIL: 7,000 S.F.
  - NEW GREENHOUSE, INDOOR RETAIL: 18,800 S.F.
  - REMODELED OUTDOOR RETAIL: 38,250 S.F.
  - EX. SALES OF PROPANE, OUTDOOR RETAIL: 380 S.F.
  - EX. FRAME PAVILION, OUTDOOR RETAIL: 2,250 S.F.
  - EX. SHED HOUSE, OUTDOOR RETAIL: 2,250 S.F.
  - EX. OUTDOOR RETAIL: 18,250 S.F.
  - TOTAL INDOOR RETAIL, PROPOSED: 25,800 S.F.
  - TOTAL OUTDOOR RETAIL, PROPOSED: 41,100 S.F.
  - TOTAL RETAIL: 66,900 S.F.
4. PARKING CALCULATIONS @ 5 SPACES PER 1000 SQ. FT.
  - EX. PAVED PARKING FOR INDOOR RETAIL: 233 SPACES
  - EX. OVERLAP PARKING FOR OUTDOOR RETAIL: 130 SPACES
  - TOTAL EX. PARKING: 363 SPACES
  - REQUIRED PAVED PARKING FOR INDOOR RETAIL: 120 SPACES
  - REQUIRED OVERLAP PARKING FOR OUTDOOR RETAIL: 231 SPACES
  - TOTAL PARKING REQUIRED: 351 SPACES
  - PROPOSED PAVED PARKING FOR INDOOR RETAIL: 231 SPACES
  - PROPOSED OVERLAP PARKING FOR OUTDOOR RETAIL: 130 SPACES
  - TOTAL PARKING PROPOSED: 361 SPACES
5. SUMMARY OF BUILDING SQUARE FOOTAGE:
 

EX. BUILDING	EXISTING S.F.	PROPOSED S.F.
A. INDOOR RETAIL	11,140	25,800
B. OUTDOOR RETAIL	22,850	41,100
C. HOOPHOUSE & GREENHOUSE	4,670	48,700
D. CHEMICAL STORAGE	350	48,700
E. CONSTRUCTION SHOP & STORAGE	2,210	2,210
F. OFFICE	3,790	8,110
G. CARE TAKER'S RESIDENCE	790	790
<b>TOTAL</b>	<b>46,900</b>	<b>231,000</b>
6. PROPOSED BUILDING HEIGHT: 28'0"

**JOHNSON FAMILY ENTERPRISES LIMITED PARTNERSHIP**

LIBER 15997 FOLIO 427  
PARCEL ONE - PART ONE  
28.3449 AC ±

EXISTING LINER STOCK FIELD

EXISTING LINER STOCK AREA

6' WOOD STUDS AND FINES

DD-2-500 Gd Tds

6' Gc

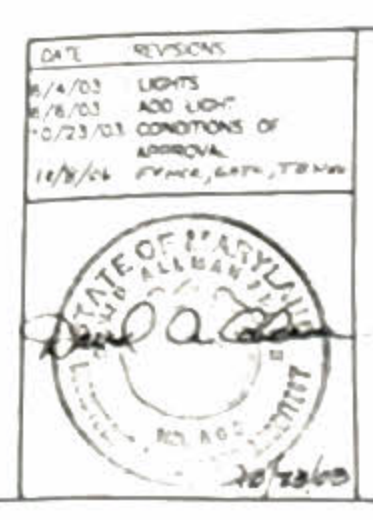
MARYLAND ROUTE #108  
(OLNEY-LAYTONSVILLE ROAD)

# CBA-2180

## WS 11-29-06

11/08/06 Modification

- LEGEND**
- LPO = EX. LIGHT 20' POLE
  - PLO = PROPOSED LIGHT 20' POLE
  - WV = EX. WATER VALVE
  - SOM = EX. STORM DRAIN MANHOLE
  - T.B.R. = TO BE REMOVED
  - = 50% BOUNDARY



CBA 2180 & S-254  
SPECIAL EXCEPTION PLAN MODIFICATION  
LANDS COVERED TO  
JOHNSON FAMILY ENTERPRISES LTD. PARTNERSHIP

LIBER 15997 FOLIO 427  
3011 LAYTONSVILLE ROAD  
OLNEY DISTRICT #68  
MONTGOMERY COUNTY, MARYLAND  
SCALE 1" = 50' SHEET 1 OF 2  
VANMAR ASSOCIATES, INC.