

MEMORANDUM

DATE: November 19, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0331-XA - Appeal Period Expired

The appeal period for the above-referenced case expired on November 16, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

**IN RE: PETITIONS FOR SPECIAL
EXCEPTION AND VARIANCE
(14538 Old York Road)
10th Election District
3rd Council District
Creech Company, LLC
Legal Owner
Lerch Brothers, LLC
Lessee
Petitioners**

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2018-0331-XA**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Exception and Variance filed for property located at 14538 Old York Road. The Petitions were filed on behalf of Creech Company, LLC, legal owner and Lerch Brothers, LLC, lessee ("Petitioners"). The Special Exception petition seeks approval to use the subject property for a landscape service company in the RC zone. The Petition for Variance seeks approval: (1) for an existing internal roadway located 1 ft. from a property line in lieu of the required 25 ft.; and (2) for an existing accessory structure (barn) located 25 ft. from a property line in lieu of the required 50 ft. A site plan was marked as Petitioners' Exhibit 1.

Appearing at the hearing in support of the petitions were John Lerch, Tom Lerch, landscape architect David Martin and environmental specialist Henry Leskinen. Lawrence E. Schmidt, Esq. represented Petitioners. Several neighbors, represented by J. Carroll Holzer, Esq., opposed the requests. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations (BCZR). Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Department of Environmental Protection and Sustainability (DEPS). Neither agency opposed the request.

ORDER RECEIVED FOR FILING

Date

10/17/18

By

Sen

The subject property is approximately 49.34 acres in size and is zoned RC-2. The property is improved with a single-family dwelling, pool, barn and other accessory buildings. The large site has several paddocks with sheds for horses and a portion of the property is in agricultural production.

The Lessee has for approximately five years operated its landscaping business at the site without obtaining a special exception. A complaint was filed recently with Code Enforcement, and Petitioners were informed a special exception was required for a "landscape service operation" in an RC-2 zone. BCZR §1A01.2.C.15. Several neighbors vehemently oppose the special exception request, contending that the Lessee's storage of materials on the property is unsightly and that the business operations are noisy and disturb the tranquility of this rural area. The protestants also argue that the Lessee is in fact a general contractor (not a landscape company), a use not permitted in the RC-2 zone.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

Landscape architect David Martin, who was accepted as an expert, described the site plan which he prepared and also reviewed numerous photographs of the site and surrounding areas. He noted the site is large and is fairly well-screened by forest and topographical features. He opined

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By Sen

Petitioners satisfied all requirements in BCZR Section 502.1 (as well as Section 404.3 concerning landscape service operations) and the Maryland case law interpreting that provision.

Henry Leskinen, an ecologist accepted as an expert, testified the Lessee was cited by Baltimore County for placing fill material and pallets in the forest buffer on site. Mr. Leskinen testified he is working with DEPS and has developed a plan that will eliminate the violation. He said the proposal is to remove all debris from the buffer area, install a silt fence, and have a surveyor determine how much fill needs to be removed from the buffer area to restore the *status quo*. He opined that if the plan is implemented Petitioners will be in compliance with all regulations concerning environmental features on the subject property.

Other than their testimony as briefly described above, Protestants did not offer any evidence which would tend to establish that the detrimental impacts of the use at this location would be above and beyond those inherently associated with a landscaping company, regardless of its location in the zone. As such I believe the petition for special exception should be granted.

In other words, the negative impacts identified by Protestants are ones that are inherent in the operation of a landscape service operation. As Mr. Lerch testified, such businesses have trucks, utility trailers, mowers and other power equipment. They also store landscaping materials on-site, including mulch, pavers, timbers and other hardscaping materials. This type of commercial equipment can be loud and the storage of landscaping materials can be fairly described as unsightly. But the Baltimore County Council is presumed to have been aware of these impacts when it permitted such a use by special exception. As recognized by Maryland's highest court, most if not all special exception uses have such adverse impacts. *Montgomery County v. Butler*, 417 Md. 271, 297 (2010) ("Most [uses for which a special exception is required] are regarded as potentially troublesome because of noise, traffic, congestion, or other associated problems").

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By

Sen

Part of the difficulty in a special exception case concerns the nomenclature. While Baltimore County uses the term "special exception," throughout the country the more familiar term is "conditional use." The latter term correctly identifies that the use can be conducted subject to certain conditions imposed by the zoning board to protect surrounding properties. The "special exception" terminology leads members of the community to believe (mistakenly) that the petitioner is seeking an exception to existing regulations. That is not the case. The County Council in Section 1A01.2.C of the BCZR has identified more than 30 uses (many of which, including the landscape service operation, are commercial in nature) which are presumptively and conditionally appropriate in the RC-2 zone.

Protestants also contend Petitioners are operating a general contracting or masonry business at the site. They described hearing very loud noises emanating from the site which they believe are associated with masonry and/or contracting work. Protestants presented internet postings by Lerch Brothers advertising that they build outdoor kitchens, pools, pool houses, etc. Prot. Ex. 1-I. They also submitted a printout for a business known as "Masonry Repair Services," which lists the business address at the subject property. Prot. Ex. 1-B.

Mr. Lerch testified that in his opinion landscaping involves everything that is built outside of the home. He also testified he formerly ran a masonry business online using subcontractors, but is no longer affiliated with "Masonry Repair Services" even though the Old York Road address is still used on the website.

The BCZR defines a "landscape service operation" as one "primarily engaged in the designing, installing, planting or maintaining of lawns, gardens or other plantings at off-site commercial or residential uses." BCZR §101.1. That definition was adopted in 1992, and while it does use the word "primarily," it fails to specifically enumerate the many other tasks routinely

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undertaken by landscape companies. Mr. Lerch testified landscaping companies frequently install patios, walkways and other features using stone or other durable material, which is often referred to as "hardscaping." Tom Dembeck, who has been a landscape contractor for many years and has clients in the vicinity of the subject property, testified he "never cuts grass." In response to a question from Petitioner's counsel he acknowledged he has constructed for clients water features, patios, pavers and walls, all of which he considers to be within the domain of a landscape service operation.

The reality is that the dividing line between a landscape business and general contractor is unclear, and the BCZR is of little assistance in resolving the inquiry. In fact, the zoning regulations define a "contractor's shop" as a business involved in the "construction, improvement or maintenance of buildings or landscaping of grounds." BCZR §101.1 (emphasis added). A "contractor's equipment storage yard" is defined as the space used for "storage or keeping of contractor's equipment or machinery, including landscaping equipment and associated materials." Id. (emphasis added). Based just on the above definitions, one could argue that a business which stores "landscaping equipment" is operating a contractor's equipment storage yard, which is not permitted in the RC 2 zone.

Leaving aside those inconsistencies, it is clear a general contracting or masonry business cannot be operated lawfully at the subject property, and Petitioners have not made such a request. The Protestants could have, but did not, file a petition for special hearing seeking a determination of whether the operation at the site was a general contracting business or landscape operation. Whether or not the Lessee is operating unlawfully at the site must be determined in a code enforcement/zoning violation proceeding, not in a special exception case. Having said that, a restriction will be included in the order below to prevent the Lessee from breaking, recycling, or

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By Sen

sorting stone or concrete at the site, which I do not believe are activities associated with a landscape service operation.

VARIANCES

A variance request involves a two-step process, summarized as follows:

1. It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
2. If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The large property has irregular dimensions and topographical changes across the site. As such the property is unique. If the B.C.Z.R. were strictly interpreted Petitioners would suffer a practical difficulty since they would be required to raze or relocate the internal driveway and barn, both of which have been in existence for many years. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety, and general welfare. Conditions will be included in the order below to help ensure that the potential impacts upon the community are minimized.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 17th day of **October, 2018**, that the Petition for Special Exception for approval to use the subject property for a landscape service operation in the RC zone, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance: (1) for an existing internal roadway located 1 ft. from a property line in lieu of the required 25 ft.; and (2) for an existing accessory structure (barn) located 25 ft. from a property line in lieu of the required 50 ft., be and is hereby GRANTED.

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10/17/18

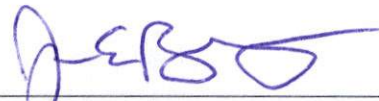
By

sen

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. No signage pertaining to the landscape service operation may be installed at the subject property.
3. No showroom and/or retail sales shall be permitted at the subject property.
4. Petitioners are not permitted to break, sort, recycle or otherwise process concrete or stone materials at the subject property.
5. Petitioners must comply with the ZAC comments submitted by the DOP and DEPS, copies of which are attached hereto.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 10/17/18

By sen



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 14538 Old York Road which is presently zoned RC 2

Deed References: 29016/367 10 Digit Tax Account # 2 1 0 0 0 0 1 9 7

Property Owner(s) Printed Name(s) Creech Company, LLC

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for a landscape service company in the RC 2 zone.

3. X a **Variance** from Section(s)

From Section 404.1.A for an existing internal roadway located 1 foot from a property line in lieu of the required 25 feet.
From Section 404.1.B for an existing accessory structure (barn) located 25 feet from a property line in lieu of the required 50 feet.
Also, for such further relief as the Administrative Law Judge may require.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

SEE ATTACHED

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Adam M. Rosenblatt, Esquire

Name- Type or Print

Adam Rosenblatt
Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 410-494-6271 amrosenblatt@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Adam M. Rosenblatt, Esquire

Name - Type or Print

Adam Rosenblatt
Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 410-494-6271 amrosenblatt@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2018-0331-X1

Filing Date

6/1/18

Do Not Schedule Dates:

Reviewer JS

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date

10/17/18

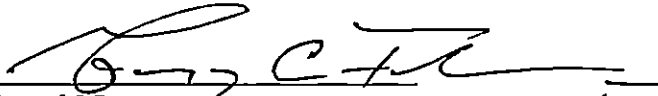
By

Sen

**ATTACHMENT TO PETITION
FOR SPECIAL EXCEPTION**

OWNER

Name: Creech Company, LLC

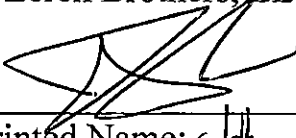
By: 
Printed Name: Gregory C. Franks
Authorized Representative

2018-0331-XA

**ATTACHMENT TO PETITION
FOR SPECIAL EXCEPTION**

LESSEE

Name: Lerch Brothers, LLC

By: 

Printed Name: John LERCH

Authorized Representative

2018-0331-X4

MARTIN

MARTIN
&
PHILLIPS

&

PHILLIPS

DESIGN ASSOCIATES, INC.

LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
222 BOSLEY AVENUE, SUITE B1, TOWSON, MARYLAND 21204

ZONING DESCRIPTION

May 21, 2018

Lerch Brothers Landscape Contractors
14538 Old York Road
Phoenix, MD 21131-1444
Election District 10
Councilmanic District 3



Beginning for the description of a 49.342 acre tract identified as Parcel 0353 Tax Map 0035, at a point at the centerline intersections of Old York Road and Glenberry Court thence S 30° 38' 22" W 54.43' (feet) more or less to a point of beginning at the northwestern most corner of the subject property thence the following courses:

- 1) S 80° 08' 22" E, 34.43', thence
- 2) S 35° 07' 35" E, 189.40' to a point on a curve to the right
having a radius of 605.03', length of 545.85' a chord bearing of S 08° 15' 38" E and
a chord length of 527.52' thence
- 3) S 19° 40' 32" W, 526.17', thence
- 4) N 72° 10' 45" W, 518.00', thence
- 5) S 18° 08' 07" W, 1043.40', thence
- 6) N 71° 49' 32" W, 457.40', thence
- 7) N 07° 18' 38" W, 279.96', thence
- 8) N 59° 20' 00" W, 320.44', thence
- 9) N 21° 33' 00" E, 973.11', thence
- 10) N 54° 36' 19" W, 371.02' thence
- 11) N 59° 19' 44" E, 387.33' to a point on a curve to the right
having a radius of 629.12', length of 409.31', a chord bearing of N 78° 06' 24" E
and a chord length of 402.13, thence
- 12) S 83° 08' 10" E, 422.02' to a point on a curve to the left
having a radius of 476.61', length of 337.84', a chord bearing of N 76° 26' 31" E
and a chord length of 330.81' thence back to the point of beginning;

Containing 2,149,337.52 Square Feet or 49.342 Acres of Land more or less.

The above bearings are based on the Maryland State Coordinate System (NAD83/91).

NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT
TO BE USED FOR CONTRACTS, CONVEYANCES OR AGREEMENTS.

TELEPHONE: 410.321.8444, TOLL FREE: 866.395.8595
FAX: 410.321.1175

2018-0331-X4

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

8/21/2018

Order #: 11598984
Case #: 2018-0331-XA
Description:

Case Number: 2018-0331-XA - Notice of Zoning Hearing



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2018-0331-XA

14538 Old York Road

NW/s Old York Road, southeast of Glenberry Court

10th Election District - 3rd Councilmanic District

Legal Owners: Creech Company, LLC

Lessee: Lerch Brothers, LLC

Special Exception to use property for a landscape service company in the RC zone. Variance for an existing internal roadway located 1 foot from a property line in lieu of the required 25 ft. For an existing accessory structure (barn) located 25 ft. from a property line in lieu of the required 50 ft. Also, for such other and further relief as the Administrative Law Judge may require.

Hearing: Monday, September 10, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

ARNOLD JABLON,
Director of Permits,

Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

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

au21



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5682609

Sold To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON, MD 21204-5304

Bill To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON, MD 21204-5304

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jun 28, 2018

NOTICE OF ZONING HEARING
The Administrative Law Judge 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: 2018-0331-XA
14538 Old York Road
NW/s Old York Road, southeast of Glenberry Court 10th Election District
- 3rd Councilmanic District
Legal Owners: Creech Company, LLC
Lessee: Lerch Brothers, LLC
Special Exception to use property for a landscape service company in the RC zone. Variance for an existing internal roadway located 1 foot from a property line in lieu of the required 25 ft. For an existing accessory structure (barn) located 25 ft. from a property line in lieu of the required 50 ft. Also, for such other and further relief as the Administrative Law Judge may require.
Hearing: Monday, July 30, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204
/s/Arnold Jablon, Director of Permits, Approvals and Inspections for Baltimore County
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.
JEFFERSONIAN 6/28/2018 #5682609

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/13/2018

Case Number: 2018-0331-XA

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~
R. MIDDLETON EVANS

Date of Hearing: OCTOBER 5, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
14538 OLD YORK ROAD

The sign(s) were posted on: SEPTEMBER 13, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



1st Sign Background Photo



2nd Sign Background Photo

14538 Old York Road

Case # 2018-0331-XA Posted 9/13/2018

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 8/19/2018

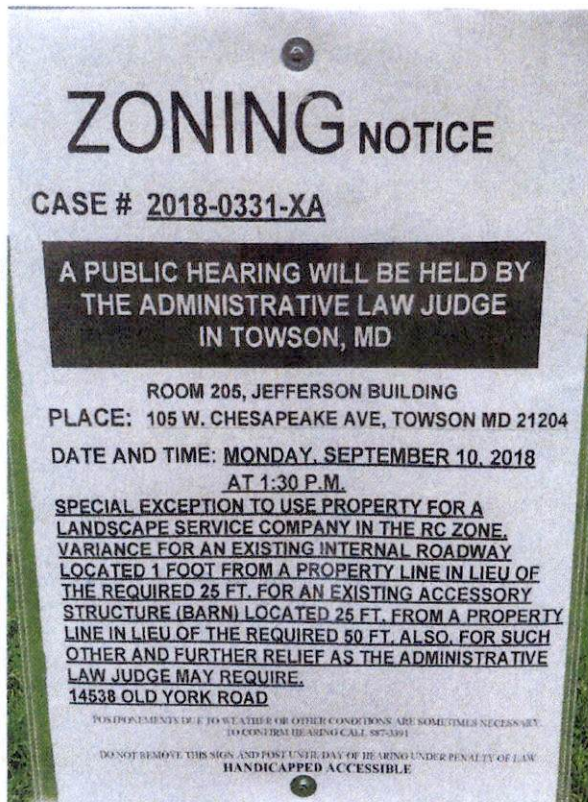
Case Number: 2018-0331-XA

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ.

Date of Hearing : SEPTEMBER 10, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
14538 OLD YORK ROAD

The sign(s) were posted on: AUGUST 19, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



DONALD I. MOHLER III
County Executive

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

August 30, 2018

NEW NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2018-0331-XA

14538 Old York Road
NW/s Old York Road, southeast of Glenberry Court
10th Election District – 3rd Councilmanic District
Legal Owners: Creech Company, LLC
Lessee: Lerch Brothers, LLC

Special Exception to use property for a landscape service company in the RC zone. Variance for an existing internal roadway located 1 foot from a property line in lieu of the required 25 ft. For an existing accessory structure (barn) located 25 ft. from a property line in lieu of the required 50 ft. Also, for such other and further relief as the Administrative Law Judge may require.

Hearing: Friday, October 5, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
R. Middleton Evans, 14514 Old York Road, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPTEMBER 15, 2018.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: THE DAILY RECORD
Tuesday, August 21, 2018 Issue

Please forward billing to:

Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6271

NOTICE OF ZONING HEARING

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

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Hearing: Monday, September 10, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

August 1, 2018

NEW NOTICE OF ZONING HEARING

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14538 Old York Road
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Hearing: Monday, September 10, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 21, 2018.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE OFFICE
AND VARIANCE
14538 Old York Road; NW/S Old York Road,* OF ADMINISTRATIVE
1328' SE of intersection of Glenberry Court * HEARINGS FOR
10th Election & 3rd Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Creech Company, LLC *
Contract Purchaser(s): Lerch Brothers, LLC *
Petitioner(s) * 2018-331-XA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

JUN 15 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of June, 2018, a copy of the foregoing Entry of Appearance was mailed to Adam Rosenblatt, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2018-0331-XA

Property Address: 14538 OLD YORK ROAD

Property Description: _____

Legal Owners (Petitioners): CREECH COMPANY LLC

Contract Purchaser/Lessee: LERCH BROTHERS LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA LUKASOVICH

Company/Firm (if applicable): VENABLE

Address: 210 W. PENN AVE Ste 500
TOWSON, MD 21204

Telephone Number: 4104946271

PAID - RECEIVED

Date: 6-1-8

BUSINESS	ACTUAL	TIME	DRW
6/05/2018	6/06/2018	19:35:54	5

USOE WALKING LRB

EXPIR # 955793 12/04/2018

5 528 ZONING VERIFICATION

10-10-78

Rest Tot	\$1,000.00
----------	------------

\$1,000.00 CK 1.00 04

Bell County, Texas

Total: \$ 1000.00

Rec From: CREECH COMPANY / VENABLE

For: 2018-0331-XA

**CASHIER'S
VALIDATION**

DISTRIBUTION

WHITE CASHIER

PINK AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!



DONALD I. MOHLER III
County Executive

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

September 26, 2018

Creech Company, LLC
C/O Lawrence E. Schmidt, Esquire
600 Washington Ave, Suite 200
Towson, MD 21204

RE: Case Number: 2018-0331-XA, Address: 14538 Old York RD

Dear Mr. Schmidt,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 1, 2018. This letter is not an approval, but only a **NOTIFICATION**.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Date: 6/11/18

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2018-0331-XA

*Special Exception Variance
Creech Company, LLC, Gregory C. Franks
14538 Old York Road*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

10-5

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: July 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0331-XA
Address 14538 Old York Road
(Creech Company, LLC Property)

Zoning Advisory Committee Meeting of **June 18, 2018**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Reviewer: Regina Esslinger

9-10

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-331



INFORMATION:

Property Address: 14538 Old York Road
Petitioner: Creech Company, LLC
Zoning: RC 2
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for a special exception to use the property for a landscape service company in the RC 2 Zone and a variances to allow an existing internal roadway located 1 foot from a property line and existing accessory structure (barn) located 25 feet from a property line in lieu of the required 25 feet and 25 feet respectively.

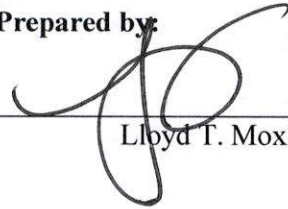
Old York Road is a Baltimore County scenic route. The Baltimore County Comprehensive Manual of Development Policies (CMDP) establishes an approval process for development on a scenic route.

The Department can support granting the petitioned zoning relief upon the petitioners successfully addressing the following:

- Any plan submitted to the Baltimore County Landscape Architect shall include vegetative screening consisting of a mix of coniferous and deciduous plantings along the common property line with #'s 3, 5 and 7 Glenberry Ct. and adjacent to the parking and storage areas intervening between those areas and the scenic route.
- Provide to the contact person listed below a plan addressing all requirements that are listed on page 185 of the CMDP.

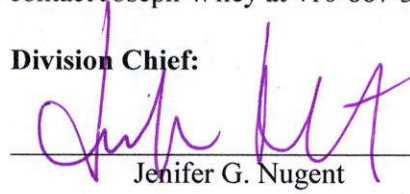
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Joseph Wiley
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Adam M. Rosenblatt, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 18, 2018
Item No. 2018-0331-XA

DATE: July 5, 2018

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

If Special Exception and Zoning Relief is granted, a Landscape Plan is required per the requirements of the Landscape Manual. A lighting Plan is also required.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 8/23/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-331

INFORMATION:

Property Address: 14538 Old York Road
Petitioner: Creech Company, LLC
Zoning: RC 2
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for a special exception to use the property for a landscape service company in the RC 2 Zone and a variances to allow an existing internal roadway located 1 foot from a property line and existing accessory structure (barn) located 25 feet from a property line in lieu of the required 25 feet and 25 feet respectively.

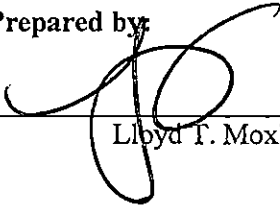
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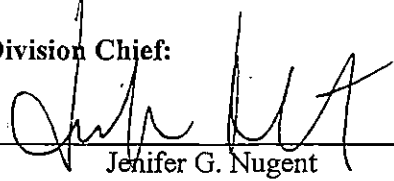
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Joseph Wiley

James Hermann, R.L.A., Department of Permits, Approvals and Inspections

Adam M. Rosenblatt, Esquire

Office of the Administrative Hearings

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: July 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0331-XA
Address 14538 Old York Road
(Creech Company, LLC Property)

Zoning Advisory Committee Meeting of **June 18, 2018**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Reviewer: Regina Esslinger

Case No.: 2018-0331-X

Exhibit Sheet - Continued

Petitioner/Developer

DW
11-19-18

Respondent

Sen 10-17-18

No. 13 1	Site plan (redline)	Packet of Materials provided by Mr. Middleton Evans
No. 14 2	Photo w/ property overlay	
No. 15 3	Leskinen CV	
No. 16 4	4A > Eco-Science letter 4B > and BC response	
No. 17 5	David Martin CV	
No. 18 6	Photos A-S	
No. 19 7	Photos A-R	
No. 20		
No. 21		
No. 22		
No. 23		
No. 24		

Eco-Science Professionals, Inc.



CONSULTING ECOLOGISTS

Henry A. Leskinen

**Principal/Ecologist
Eco-Science Professionals, Inc.**

Active Registration: Year First Registered/Discipline

1993 - USACOE Certified Wetland Delineator Certification # WDGP93MD0310006A
1993 - MD DNR Forest Conservation Act - Qualified Professional

Education: Degree(s)/Year/Specialization

Bachelor of Science w/Honors/1983/Biology, St. Marys College of Maryland

Experience & Qualifications:

Mr. Leskinen, a field ecologist and U.S Army Corps of Engineers Certified Wetland Delineator, has worked as a natural resources consultant for 31 years, the last 25 years for Eco-Science Professionals, Inc. During that time he has participated and managed over 1500 wetland delineations projects throughout the Mid-Atlantic region. He has obtained numerous Section 404 and Maryland Nontidal Wetlands permits for clients and maintains an excellent relationship with regulatory personnel. He has prepared wetland mitigation plans for both nontidal and tidal wetlands. Mr. Leskinen is certified to perform Wetland Evaluation Techniques by the Federal Highway Administration and is well-versed in the New England Wetland Functional Assessment techniques. Mr. Leskinen has completed over 800 Forest Stand Delineations and Conservation Plans and maintains a thorough knowledge of current environmental regulations. Additionally, he has performed breeding bird surveys, floral surveys, and rare, threatened, and endangered species surveys throughout the State of Maryland.

Prior to establishing Eco-Science Professionals, Inc., Mr. Leskinen worked as a consultant for the firm of Envirens, Inc. and its sister company, Sylva Native Plant Nursery. He served as nursery manager for Sylva, a company which specialized in growing native trees and shrubs for reforestation and wetland restoration projects.

Expert Testimony:

Mr. Leskinen has been accepted as an expert in wetland delineation, forest conservation, natural resources inventories and assessments, and wildlife issues. He has testified numerous times in the following forums: Baltimore County Zoning Commissioner, Baltimore County Board of Zoning Appeals, State Board of Public Works, Maryland Public Service Commission

Additional Training:

Hydric Soils and Use of Field Indicators of Hydric Soils in the United States (Updated). Sponsored by the U.S. Army Corps of Engineers. March 2015

U.S. Army Corps of Engineers 2nd Maryland Consultants Workshop, March 2004

Hydrogeomorphic Wetland Classification and Assessment Techniques. U. S. Army Corps of Engineers, February, 1997.

Stream Restoration Workshop, Ecosystem Recovery Institute and Brightwater Consulting, October 1990.

Unified Federal Wetland Delineation Training Course, Wetland Training Institute, April 1989.

A New Tree Biology, Appalachian State University, November 1988.

Wetland Evaluation Techniques (WET II) Training Course, Federal Highway Administration, February 1989.

MD Department of Natural Resources Non-Tidal Wetlands Training Course, July 1987.

Affiliations:

Member, Town of Manchester, Maryland Planning and Zoning Commission, 2002-Present

Member, Town of Manchester, Maryland Tree Commission, 1999-Present, *Chairman* 2002-Present

Member, Town of Manchester, Maryland Board of Zoning Appeals, 1999-2002

Member, Maryland Ornithological Society

Teaching Experience:

Carroll County Bird Club . Current. Leads birding field trips to various sites.

Basic Tree Identification. June 2005. Class taught to Carroll County Chapter of the Maryland Society of Land Surveyors.

Gunpowder Tours, 1994-1999 - Mr. Leskinen served as a nature guide, leading plant and bird identification walks through Gunpowder Falls State Park. This work was done in conjunction with Mr. Wally Vait of On The Fly fishing shop.

Selected Project Experience:

Fort George G. Meade, Anne Arundel County, MD. Performed rare, threatened, and endangered (RTE) survey of 1,600 acre military installation under contract to the Nature Conservancy. Flora and fauna lists and vegetative community assessments were performed for the entire installation. The survey identified a plant that was believed to have been extirpated in the State of Maryland.

MD DNR Wetland Mapping Interpretation, Maryland's Eastern Shore. Project manager for contract with the Maryland Water Resources Administration to provide services to groundtruth aerial photographic interpretations of 164 wetlands in five eastern shore counties of Maryland. Tasks performed included: dominant and co-dominant vegetative community identification by strata, soil boring interpretation and identification, and Cowardin wetland classification. Each of the 164 sites included a wetland and upland sample point.

Bishops Meadow, Baltimore County, MD. Performed wetland delineation, steep slopes/erodible soils analysis, forest stand delineation, and prepared forest conservation plan for proposed residential subdivision

MD Route 25 Geometric Improvements, Baltimore County, MD. Performed wetland delineation and forest stand delineation adjacent to approximately 5 miles of highway. Resource assessment was needed to facilitate geometric improvements to highway.

Lakeside, Harford County, MD. Project manager, scope of work included wetland delineation, permit application, and Phase I & II mitigation design. The business park development project required 5.6 acres of wetland creation. In addition to plan preparation, served as coordinator and manager for installation, maintenance and monitoring of created wetland.

CEL No 4

Eco-Science
Professionals, Inc.
Consulting Ecologists



P.O. Box 5006 Glen Arm, Maryland 21057

Telephone (410) 832-2480 Fax (410) 832-2488

September 28, 2018

Mr. Gris Batchelder
Baltimore County Department of Environmental Protection
and Sustainability
111 W. Chesapeake Avenue, Room 319
Towson, MD 21204

RE: Lerch Brothers Landscape Contractors
14538 Old York Road, Phoenix, Baltimore County, MD

Dear Gris,

I appreciated your prompt review of my original summary letter and our additional discussions Wednesday morning and this morning regarding the area in question behind the barn. Based on our talks and yours and Jim Blevin's meeting with John Lerch on Wednesday, below find a revised summary of the proposed actions to be taken to resolve this matter:

1. Lerch Brothers will *manually* install a regular silt fence immediately in front of (to the north and west of) the white board-on-board fence located below the fill area. They will notify you and Jim Blevins that this silt fence has been installed and allow you the opportunity to inspect the fence and make sure it is properly installed.
2. Once you have approved the silt fence installation, Lerch Brothers will be allowed to remove all of the pallets of stone, landscape material, etc. from along the edge of the board-on-board fence (the area between the toe of the fill slope and the fence). Upon completion of this work, all disturbed areas will be seeded with a 50:50 mixture of rough bluegrass (*Poa trivialis*) and annual rye (*Lolium multiflorum*) seeded at a rate of 120 lbs/acre. Lerch Brothers will notify you and Jim Blevins upon completion of this work to allow you to inspect and verify that work was completed satisfactorily. Once you have approved the work, Lerch Brothers will install a super silt fence around the base of the fill area. They will notify you and Jim Blevins when the installation is complete so that you can inspect and approve the installation.

It was agreed that Tasks 1 and 2 could proceed with verbal authorization from you and Jim Blevins.

Concurrent with this effort, I will begin to prepare a forest buffer restoration plan to address the unauthorized fill in the forest buffer. It was agreed that for the purposes of the restoration plan, the preliminary forest buffer limits would be established at 120 feet to the north of the white board-on-board fence that is located to the south of the fill area and 100

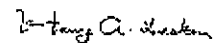
feet from the offsite stream/wetland complex to the east. It was agreed that this forest buffer would be called preliminary at this time because final buffer limits cannot be established until a formal wetland delineation and buffer determination are performed, which will not occur until grading plans for future site work are prepared. The following items will be included in the restoration plan:

1. The fill will be removed from the forest buffer. Lerch Brothers will hire a licensed surveyor to determine how much fill was placed in the buffer. County GIS topography will be used as the pre-disturbance reference elevation and the surveyor will shoot current elevations to determine the amount of fill to be removed. Cut stakes will be placed within the fill area to tell the excavator the amount of fill that needs to be removed. Lerch Brothers will notify you and Jim Blevins once the cut stakes have been installed so you can inspect. Upon your approval, the fill will be removed and disposed of at a suitable upland site onsite or removed from the site.
2. A four (4) inch layer of topsoil shall be spread over the buffer area once the fill has been removed and the area stabilized with a native meadow seed mixture. The super silt fence will not be removed until the site is stabilized to yours and Jim Blevin's satisfaction. The outer limits of the preliminary forest buffer will be marked with permanent protective signage and a super silt fence to prevent intrusion into this area. The limits of the fence and signage may need to be adjusted once a formal wetland delineation and buffer determination are performed. A living fence along the limits of the forest will not be planted until the formal buffer determination is completed. DEPS will not entertain the installation of a landscape berm along the outer limits of the forest buffer until the formal buffer determination is performed.
4. Lerch Brothers will post a financial security based on a cost estimate I establish for the work proposed on the plan and which is approved by you. Release of the security will be in accordance with Baltimore County protocol.

I would appreciate confirmation that the above accurately represents what we has been agreed to at this point. I would like to begin work on the plan but do not want to proceed until I receive your confirmation.

Please feel free to call me if you have any questions. I thank you for your efforts to help resolve this matter.

Sincerely,



Henry A. Leskinen

cc: Mr. John Lerch, Lerch Brothers
Mr. David Martin, Daft-McCune-Walker
Mr. Lawrence Schmidt, Smith, Gildea & Schmidt



DONALD I. MOHLER III
County Executive

VINCENT J. GARDINA, *Director*
Department of Environmental Protection
and Sustainability

October 3, 2018

Mr. Henry Leskinen
Eco-Science Professionals
P.O. Box 5006
Glen Arm, MD 21057

Re: Lerch Brothers Landscape Contractors
14538 Old York Road

Dear Mr. Leskinen:

Environmental Impact Review received your letter on September 28, 2018 regarding the unauthorized fill at 14538 Old York Road. Our office approves of the methodology outlined in the letter to remove the fill from the preliminary forest buffer and return the property to its natural grade. Please note, the location of the super silt fence discussed in Step 2 on the first page of your letter may need to be adjusted as the fill is removed to account for any changes to the wetland edge. As indicated in your letter, EIR requires a forest buffer restoration plan for review and approval to address the unauthorized fill in the preliminary forest buffer.

If you have any questions regarding this correspondence, please contact me at (410) 887-3980.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Gris Batchelder".

Gris Batchelder
Environmental Impact Review

cc: Jim Blevins, Sediment Control

S:\Gris\Restoration Plans\14538 Old York Road 10 3 18.doc

Cell No 4

Eco-Science
Professionals, Inc.
Consulting Ecologists

P.O. Box 5006 Glen Arm, Maryland 21057

Telephone (410) 832-2480 Fax (410) 832-2488

September 28, 2018

Mr. Gris Batchelder
Baltimore County Department of Environmental Protection
and Sustainability
111 W. Chesapeake Avenue, Room 319
Towson, MD 21204

RE: Lerch Brothers Landscape Contractors
14538 Old York Road, Phoenix, Baltimore County, MD

Dear Gris,

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Petitioner's Exhibit A

feet from the offsite stream/wetland complex to the east. It was agreed that this forest buffer would be called preliminary at this time because final buffer limits cannot be established until a formal wetland delineation and buffer determination are performed, which will not occur until grading plans for future site work are prepared. The following items will be included in the restoration plan:

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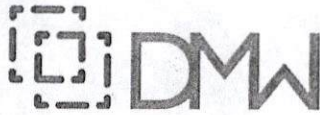
Please feel free to call me if you have any questions. I thank you for your efforts to help resolve this matter.

Sincerely,



Henry A. Leskinen

cc: Mr. John Lerch, Lerch Brothers
Mr. David Martin, Daft-McCune-Walker
Mr. Lawrence Schmidt, Smith, Gildea & Schmidt



Lab No 5

DAVID L. MARTIN, RLA
VICE PRESIDENT

LICENSURE AND ACCREDITATION

Landscape Architect, Maryland, No. 776
Landscape Architect, Pennsylvania, No. 573-E

EDUCATION

The Pennsylvania State University, BS, Landscape Architecture, 1971

PROFESSIONAL SUMMARY

Professional practice includes 47 years of land planning, landscape architecture, comprehensive zoning, PUD master planning, site planning, and expert witness testimony regarding land use and zoning issues. Mr. Martin has been practicing in the Greater Baltimore Metropolitan region since 1987 and has been qualified as an expert in land planning, site planning, and zoning cases in Anne Arundel County, Baltimore County, Howard County, Harford County, Cecil County, Bel Air, Aberdeen, Havre de Grace, Perryville, Port Deposit and Federal District Court of Baltimore.

Prior to his relocation to Maryland, Mr. Martin practiced landscape architecture and land planning in Pennsylvania, Florida, Massachusetts, Alabama, The Commonwealth of the Bahamas and Jamaica. As Vice President of DMW and formerly President of Martin & Phillips Design Associates, Inc. Mr. Martin supervises community planning, site development, subdivision development plans, and master planning efforts. He also offers zoning testimony and interpretation on land planning issues before zoning commissioners, boards of appeals, planning commissions, and elected bodies. Mr. Martin facilitates community input meetings and presents Development Plans in Baltimore County and oversees the preparation of special exception and variance plan requests. He also directs the design of parks, amenity features, lighting plans and landscape plans associated with residential, commercial and institutional projects.

Significant projects include Developments of Regional Impact (DRI) in the State of Florida including; Palm Coast, Florida - 10,000 acre master plan, Beverly Hills, Florida - 6,500 acre master plan, and Doral Park, Florida - 2000 acre master plan. Representative local projects include: Hollywoods, Monmouth Meadows, Greenbriar, Bainbridge Development, Forge Landing, Owings Mills Commerce Center, The Avenue at Whitemarsh, Cedar Lane Farms P.U.D., Westwicke, Beaverbrook, Biddison Property, Bridle Ridge, Green Spring Station, Home Depot of Owings Mills, Bel Air and Timonium, Ashland Market Place, Powell Property, and Baker Property, Highlands Corporate Park, Preston Gateway North Industrial Park, Catholic Charities Senior Housing at the Village Crossroads (HUD). Baltimore County planned Unit developments include: Brandywine PUD, Chapel Springs PUD (HUD), The Residences at Soldier's Delight PUD and Loch Raven Commons PUD.

Mr. Martin has prepared numerous comprehensive-zoning petitions in Baltimore County during the quadrennial CZMP processes and has a thorough understanding of the principles of Euclidean zoning and their application throughout the Baltimore Metro region. He also served on an ad-hoc committee that authored the Service Employment (SE) Zone of Baltimore County and the Public Affairs Committee for NAIOP. He has extensive experience dealing with all the Baltimore Regional Area County's development regulations.

MEMBERSHIPS AND ASSOCIATIONS

American Society of Landscape Architects, Member
Chairman Baltimore County Design Review Panel – Executive Appointment

PROFESSIONAL EXPERIENCE

Daft-McCune-Walker, Inc., Towson, MD - Martin & Phillips Design Associates, Inc.
Bradshaw, Gill, & Fuster, PA – Greenhorne & O'Mara, Inc. – M. Robert Fenton & Assoc.

Rel No 6



Petitioner's Exhibit A



Petitioner's Exhibit B



Petitioner's Exhibit C



Petitioner's Exhibit D



Petitioner's Exhibit E



Petitioner's Exhibit F











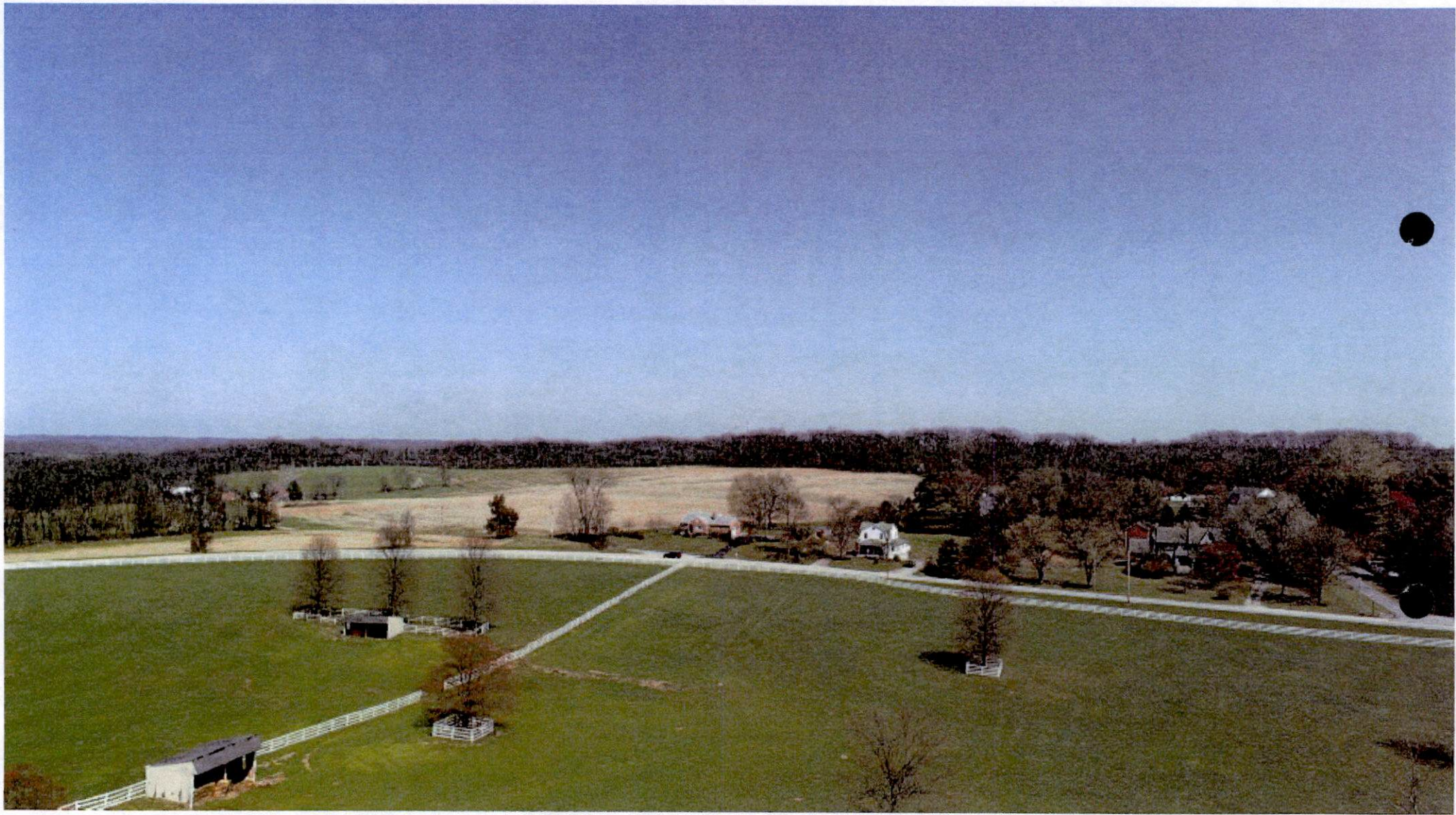
Petitioner's Exhibit K



Petitioner's Exhibit L

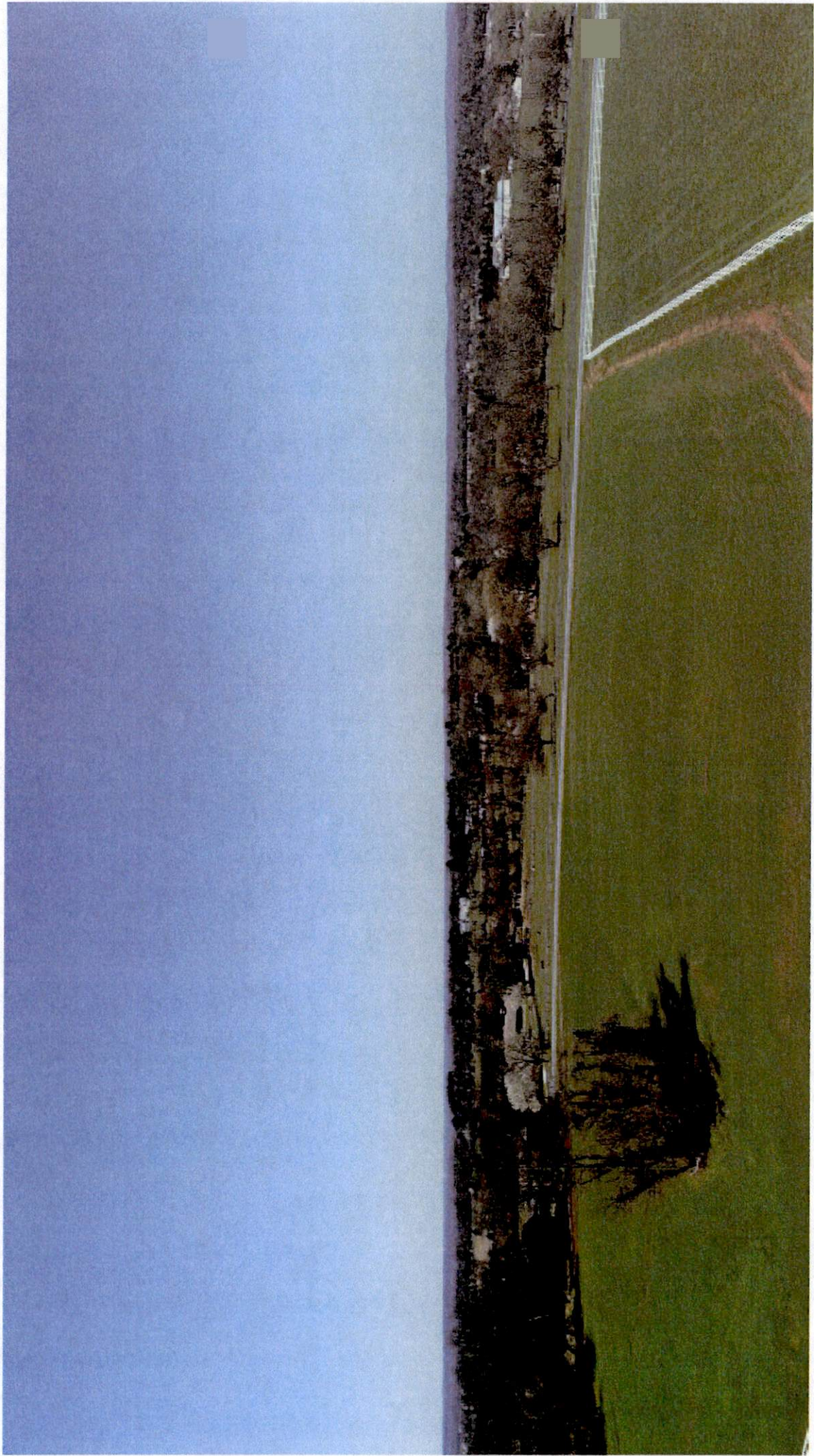


Petitioner's Exhibit M



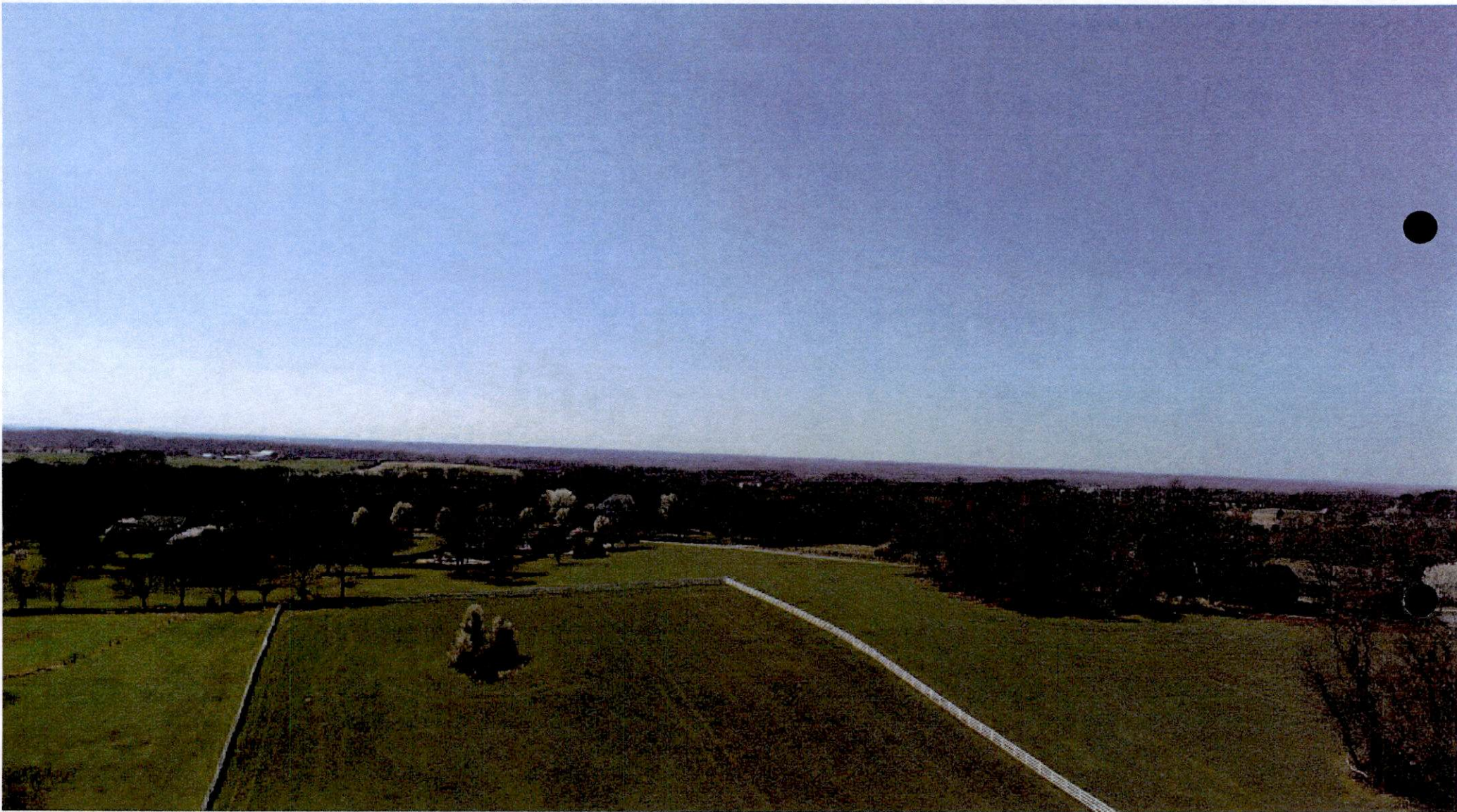








Petitioner's Exhibit R



Petitioner's Exhibit S



ZONING NOTICE

CASE # 2012-0331-XA

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: ROOM 205, JEFFERSON BUILDING
165 IVY CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: FRIDAY, OCTOBER 5, 2012
AT 1:30 P.M.

SPECIAL EXCEPTION TO USE PROPERTY FOR A
LANDSCAPE ARCHITECTURE COMPANY IN THE R-1 ZONE
VARIANCE FOR A EXISTING INTERNAL ROADWAY
LOCATED 1 FOOT FROM A PROPERTY LINE IN LIEU
OF THE PROPOSED SETBACK FOR AN EXISTING
ACCESSORY STRUCTURE (BARN) LOCATED 2.5 FT.
FROM A PROPERTY LINE IN LIEU OF THE REQUIRED
30 FT. ALSO THE SIGN OTHER AND FUTURE SETBACK
AS THE ADMINISTRATIVE LAW JUDGE MAY REQUIRE
14133 OLD YORK ROAD

FOR FURTHER INFORMATION, CONTACT THE TOWSON PLANNING DEPARTMENT
AT (410) 326-7000 OR VISIT THE TOWSON PLANNING DEPARTMENT WEBSITE
AT WWW.TOWSONMD.GOV

BLANKET NO. 11-11-0001







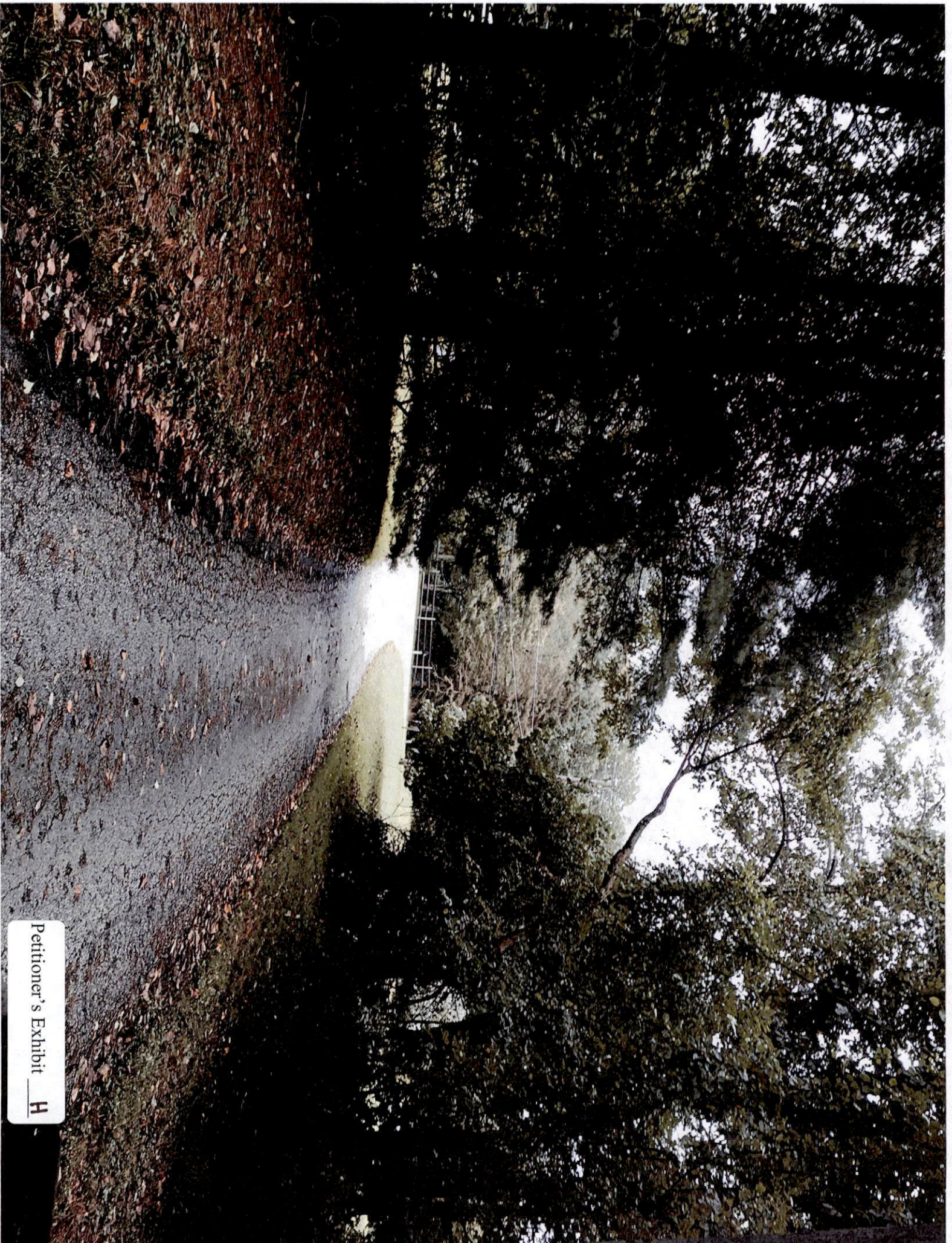
Petitioner's Exhibit D



Petitioner's Exhibit ***E***

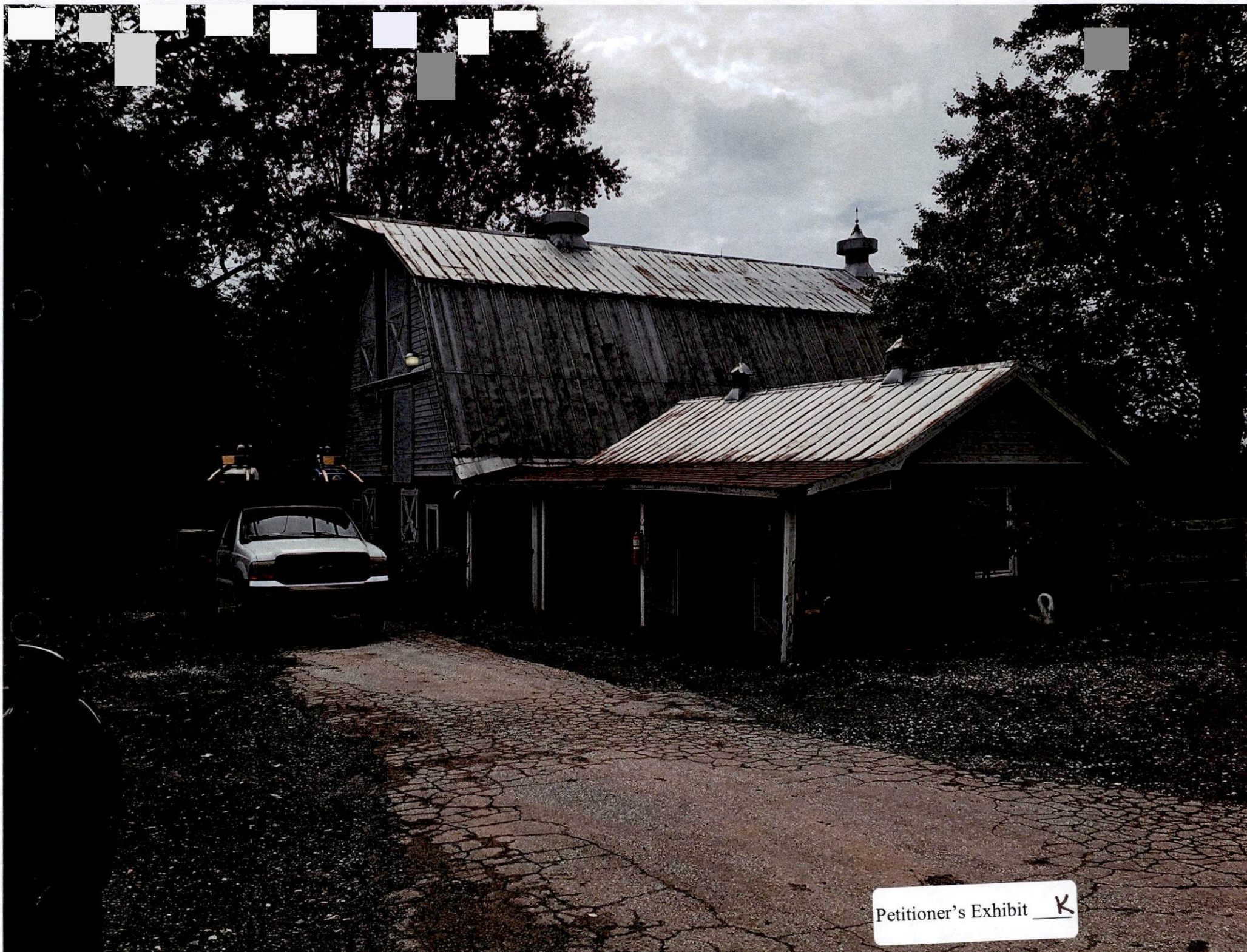












Petitioner's Exhibit K



Petitioner's Exhibit L







Petitioner's Exhibit 10



Petitioner's Exhibit

P





Petitioner's Exhibit R

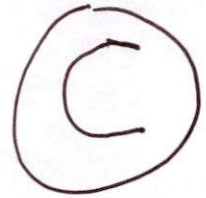
Documents List for Case # 2018-0331-XA for 14538 Old York Road 10/5/2018

- A. Zoning map of or community with Green Acres Farm (#14538) at center
- B. Screen shot from 2/2018 of Masonry Repair Services address on website
The 2nd page of document describes a full blown masonry company.
- C. Code Violations and other Complaints from Baltimore County government
- D. Complaint letter from neighbor, Mike Epstein, of 14510 Old York Road
- E. Photograph taken by Middleton Evans (neighbor) on June 28, 2018 showing hardscape dumpster operation
- F. Photograph taken by Middleton Evans on April 6, 2018 showing Lerch work yard filled with presumed masonry/hardscaping materials
- G. Photograph taken by Middleton Evans on March 28, 2018 showing close-up of presumed masonry materials at Lerch work yard
- H. Promotional article credited to John Lerch dated July 30, 2013 indicating that they are contractors who provide hardscape and construction services
- I. Screen shot of LerchBrothers.com website showing drop-down "Services" menu where majority of the services provided relate to hardscaping, masonry and construction
- J. Instagram page for Lerch Brothers depicting mostly masonry jobs
- K. Complaint letter from neighbor, Janie Ginsberg, of 14520 Old York Road
- L. Page from Lerch June 1, 2018 Site Plan, showing plans to install chain link fence around work yard, which would be viewable to neighbors
- M. Photograph taken by Middleton Evans on March 28, 2018 of Lerch dump
- N. Complaint letter from neighbor, Robert Groves, of 14521 Old York Road
- O. Photograph taken by Middleton Evans on April 6, 2018 showing fill dirt operation to cover up dump area
- P. Photograph by Middleton Evans taken on April 9, 2018 showing completion of fill dirt operation that covered up the dump area
- Q. Complaint Report and other docs by Baltimore County relating to September code violations by Lerch concerning fill dirt project/ Info provided by Jim Blevins, Sediment Control Supervisor for Baltimore County
- R. Maryland Dept. of Assessments & Taxation Renewal Application for Masonry Repair Services MD by Tom Lerch dated July 26, 2018 Note business location.
- S. Maryland.Gov screen shots showing Masonry Repair Services still has active account at 14538 Old York Road
- T. Screen shot of Masonry Repair Services website from 10/2018 showing no business address, just an active phone number (phone # recently verified)
- U. Online references to possible prior address of Lerch Brothers in Cockeysville
- V. BaltimoreCounty.gov/MyNeighborhood screen shot to confirm zoning status of 203 Cockeysville Road as ML for "Manufacturing, light."

Evidence presented by: Middleton Evans
14514 Old York Road
Phoenix, MD 21131



Department of Permits, Approvals & Inspections Complaint Report



Record Id: CC1802165

Comments Detail

3/15/2018: 3/15/18 met the business owner Tom who said he has been at this location about 4 years ,researching

3/30/2018: BCZR 404.3---1A01.2.2c15

Operating a landscaping service without a granted Special Exception--obtain or cease all activity at this location

BCZR 1A01.1

Operation of a Masonry Repair Service in an RC2 Zone is not allowed cease all activity at once

For questions contact this inspector or the Balto. Co. Zoning section. 410/887/3391

4/5/2018: 3/30/18 issued notice for operating a landscaping service without a granted special exception and for the operation of a masonry repair service in an RC2 zone that is not allowed pop up4/30/18

4/6/2018: 4/6/18 called the compl.410/336/9567 left a message regarding the issued correction notice

4/6/2018: complainant called office. claims this property now has a Bulldozer on-site. 4/6/18

5/1/2018: 5/1/18 office has extended the case to 6/1/18 see attached e-mail, spoke to the compl. Middleton Evans 410-336-9657

5/17/2018: Adam Rosenblatt:

I was just retained to resolve the attached correction notice for 14538 Old York Road. I am going to be filing a petition for special exception for the existing landscape service company but cannot get the petition filed by the April 30 deadline on the Correction Notice. As we discussed, I will connect the owner with a consultant to prepare a site plan and file the petition on or before June 1, 2018. I would ask that any and all code enforcement action be stayed pending the outcome of the zoning case.

LAW OFFICES OF
MICHAEL A. EPSTEIN, LLC

ATTORNEYS AT LAW
102 W. PENNSYLVANIA AVENUE, SUITE 500
TOWSON, MARYLAND 21204
WWW.MEPSTEINLAW.COM

MICHAEL A. EPSTEIN
ATTORNEY
DIRECT LINE: (410) 616-0847
MEPSTEIN@MEPSTEINLAW.COM
ALSO ADMITTED IN: DC, PA, VA

TELEPHONE: (410) 616-0845
FACSIMILE: (410) 853-7092

PEGGY DAVENPORT
PARALEGAL
DIRECT LINE: (410) 616-0846
PDAVENPORT@MEPSTEINLAW.COM

October 2, 2018

Judge John E. Beverungen
Office of Administrative Hearings
105 West Chesapeake Avenue
Suite 103
Towson, MD 21204

RE: Case No.2018-0331-XA, Property at 14538 Old York Road, Phoenix, MD.

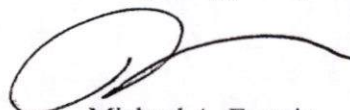
Dear Judge Beverungen:

I am writing to express my concerns over an application for a Special Permit to utilize the above-property for various commercial business activities. I live about 300-500 yards from 14538 Old York Road. On numerous occasions my wife has mentioned that she has heard "blasting noises" at the property. Presumably, they are utilizing heavy equipment to break rocks, move earth and create a landfill. The machinery creating a ruckus is not your typical apparatus utilized in a land scape business.

In addition to the disruptive noises, I have serious concerns about water contamination. We don't want materials either buried or chemicals seeping into our well water. It is wholly improper for the business to be utilizing the property as a dump. The haphazard burying of raw materials and waste could be very easily create an environmental nightmare. Our neighbors and I enjoy a rural and peaceful milieu that should neither be interfered with nor trespassed upon by commercial businesses. I certainly do want our property values affected by such activity.

Please consider all of the above prior to ruling on the Exception. Thank you very much for your anticipated consideration.

Very truly yours,



Michael A. Epstein





Department of Permits, Approvals & Inspections Complaint Report

Q

Record Id: CG1800163

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CG1800163	Jeffrey Kuessner	09/13/2018	09/13/2018	Monitor	09/20/2018	

Complaint Description: Dumping debris and covering it up with dirt within 100 ft of a stream.

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
14538 OLD YORK RD PHOENIX, MD 21131-1444 Tax Id: 2100000197	CREECH COMPANY LLC 23 GLENBERRY CT PHOENIX, MD 21131-1413	Middleton Evans 14514 Old York Rd Phoenix MD, 21131 410-336-9567

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Jeffrey Kuessner	09/13/2018	Initial Inspection	Correction Notice Issued	Correction Notice Issued	
Jeffrey Kuessner	09/28/2018	Re-Inspection	Monitor	Monitor	
Jeffrey Kuessner		Re-Inspection	Scheduled		

Lien Information - No Lien

Comments Detail

9/13/2018: Grading over 5000 sq. ft. without a permit (owner must obtain grading permit). Correction issued. ***JK/lk

9/28/2018: 9/14/18 Visited site with owners of Learch Brothers and EIR Inspector. Area behind the barn has been filled with 6 ft. of dirt and debris. The neighbor (complainant) Middleton Evans video taped the process of the violation. A Stop Work Order has been issued to obtain a grading permit to remove the fill and restore the area to the original grade. R/C 9/28/18

***JWB

9/26/18 Met in office with owner of Learch Brothers landscape. John Lerch has hired a consulting Ecologists and is in progress of obtaining the proper grading permit. JWB/lk R/C 10/10/18

***JWB/lk



Baltimore County P.A.I.
EROSION AND SEDIMENT CONTROL
INSPECTION REPORT

PROJECT: 14538 OLD YORK RD Dist: 10
DATE: 9-12-18 TIME: _____ PERMIT #: _____
☒ Correction Notice ☐ Stop Work order

Phone: (410)887-3226

An erosion and sediment control inspection was performed at the above referenced project, and the following deficiencies were found in violation of Baltimore County code, Article 33, Title 5, Section 105.

- | | | |
|---|--|---|
| ☐ Construction Entrance | ☐ Dewatering | ☐ Ult. Stream Crossing |
| ☐ Silt Fence | ☐ Outlet Protection | ☐ Temporary Seeding |
| ☐ Storm Drain Inlet Protection | ☐ Riprap | ☐ Permanent Seeding |
| ☐ SSF/SFD | ☐ Stone Check Dams | ☐ Dust Control |
| ☐ Diversion Dike | ☐ Level Spreader | ☐ Mud Tracking |
| ☐ Sediment Trap | ☐ Stream Bank Stabilization | ☐ Sequence of Construction |
| ☐ Sediment Basin | ☐ Temporary Stabilization | ☐ Swale(Temp) |
| ☐ Temporary Vehicular | ☐ Soil Stabilization | ☐ Land Disturbance Outside |
| Stream Crossing | Blankets and Matting | of Approved Limits |
| ☐ Other: _____ | | |

Comments:

- GRADING OVER 5000 SQ. FT. WITHOUT A PERMIT
(OWNER WILL NEED TO GET A PERMIT
GRADING)

The violations checked above must be corrected no later than: (IMMEDIATE) Failure to comply and complete the required work, may result in penalization by way of monetary fine, imprisonment, or both, pursuant to Article 1, Section 217, and Article 33, Section 5 of the Baltimore County Code.

☐ An erosion and sediment control inspection was conducted at the above referenced project and no deficiencies were found.

A Copy of this inspection report shall be maintained on site and available for review by County Inspectors.

Inspected by: (Print) JEFF KUESNER (Signature) [Signature]
Received by: (Print) SUSANNE ELGIE (Signature) [Signature]
ADMIN. ASSISTANT



Baltimore County P.A.I.
EROSION AND SEDIMENT CONTROL
INSPECTION REPORT

PROJECT: 14538 OLD YORK RD Dist: 10
DATE: 9-17-18 TIME: _____ PERMIT #: _____
☐ Correction Notice ☒ Stop Work order
Phone: (410)887-3226

An erosion and sediment control inspection was performed at the above referenced project, and the following deficiencies were found in violation of Baltimore County code, Article 33, Title 5, Section 105.

- | | | |
|---|--|---|
| ☐ Construction Entrance | ☐ Dewatering | ☐ Ult. Stream Crossing |
| ☐ Silt Fence | ☐ Outlet Protection | ☐ Temporary Seeding |
| ☐ Storm Drain Inlet Protection | ☐ Riprap | ☐ Permanent Seeding |
| ☐ SSF/SFD | ☐ Stone Check Dams | ☐ Dust Control |
| ☐ Diversion Dike | ☐ Level Spreader | ☐ Mud Tracking |
| ☐ Sediment Trap | ☐ Stream Bank Stabilization | ☐ Sequence of Construction |
| ☐ Sediment Basin | ☐ Temporary Stabilization | ☐ Swale(Temp) |
| ☐ Temporary Vehicular | ☐ Soil Stabilization | ☐ Land Disturbance Outside |
| ☐ Stream Crossing | ☐ Blankets and Matting | ☐ of Approved Limits |

☒ Other: GRADING WITHOUT A PERMIT
BURNING DEBRIS

Comments:

- STOP ALL GRADING, DUMPING AND FILLING ON THIS SITE
- GRADING OVER 5000 SQ. FT. WITHOUT A PERMIT
- BURNING DEBRIS WITH DIRT
- WORKING WITHIN 100 FEET OF A STREAM
- OBTAIN GRADING PERMIT TO REMOVE ALL OF THE FILL AND DEBRIS
- INSTALL SUPER SILT FENCE TO CONTAIN THE AREA NEEDED TO REMOVE ALL FILL
- RETURN THE PROPERTY TO THE ORIGINAL GRADES

The violations checked above must be corrected no later than: (9-28-18) Failure to comply and complete the required work, may result in penalization by way of monetary fine, imprisonment, or both, pursuant to Article 1, Section 217, and Article 33, Section 5 of the Baltimore County Code.

☐ An erosion and sediment control inspection was conducted at the above referenced project and no deficiencies were found.

A Copy of this inspection report shall be maintained on site and available for review by County Inspectors.

Inspected by: (Print) JEFF KUESSNER (Signature)

Received by: (Print) _____ (Signature) _____

MAILED TO CREECH COMPANY LLC
23 GLENBERRY CT
PHOENIX MD 21131
EMAILED TO JLERCH@LERCHBROTHERS.COM



29

Date: 03/19/2018

LERCH BROTHERS, LLC
14538 OLD YORK RD
PHOENIX MD 21131-1444

(R)

Renewal Application- Fee \$25

Trade Name: MASONRY REPAIR SERVICES MD, LLC
ID Number: T00367634
Date Registered: 08/27/2013
Lapse Date: 08/27/2018

The trade name filing described above will lapse unless this application and filing fee of \$25 are received at this office by the lapse date. If this trade name is no longer in use, do not file this form and the trade name will lapse automatically.

Below is the address currently in the public record. If you renew this trade name, please check this address for accuracy and make any changes in the space provided. Only the business address may be changed by using this form. In order to change any other information, you must obtain an "Amendment Certificate" form and file it with the Department.

Place of business:
MASONRY REPAIR SERVICES MD, LLC
14538 OLD YORK ROAD
PHOENIX MD 21131

Make changes to business address here:

P.O. BOX 43
PHOENIX, MD
21131

I certify that the above trade name continues to be in use and I hereby apply for another five years.

Owner's signature

THOMAS K. LERCH

member

Authorized Title

Date

7/26/2018

Charter Division
Balto. metro area (410)
Outside metro area (800)

CUST ID: 0003675719
WORK ORDER: 0004892296
DATE: 08-31-2018 09:28 AM
AMT. PAID: \$25.00

Please make checks payable
with this entire form

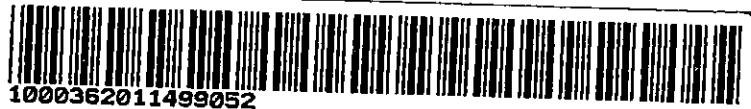
and send payment

TRADE NAME APPROVAL SHEET

**

EEP WITH DOCUMENT

100367634



1000362011499052

TRANSACTION TYPE

FEES REMITTED

TN - Trade Name Registration

TA - Amendment

TA1 - Amendment Owner Added

TA2 - Amendment Owner Deleted

TA3 - Amendment Owner Name Change

TA4 - Amendment Location Added

TA5 - Amendment Location Deleted

TA6 - Amendment Location Changed

TC - Cancellation

TR - Renewal

Certified Copies

Copy Fee.

Certificates

Certificate of Fact Fee

Affix Text Label Here

ID # T00367634 ACK # 1000362011499052

PAGES: 0002

MASONRY REPAIR SERVICES MD, LLC

07/30/2018 AT 03:11 P WO # 0004892296

TOTAL FEES

25

Other Change(s)

NO FEE TRANSACTION TYPES

99T - Departmental Action

99TA - Departmental Action - Name Change

220T - Void Non-Payment

220TA - Departmental Action - Amendment

220TA1 - Departmental Action - Owner Added

220TA2 - Departmental Action - Owner Deleted

220TA3 - Departmental Action - Owner Name Change

220TA4 - Departmental Action - Location Added

220TA5 - Departmental Action - Location Deleted

220TA6 - Departmental Action - Location Changed

220TC - Departmental Action - Cancellation

220TR - Departmental Action - Renewal

Credit Card

Check

Cash

Documents on Checks

Approved By

Keyed By

COMMENT(S):

Code

Attention

Mail to Address

LERCH BROTHERS, LLC
14538 OLD YORK RD
PHOENIX MD 21131-1444

CUST ID: 0003675719

WORK ORDER: 0004892296

DATE: 08-31-2018 09:28 AM

AMT. PAID: \$25.00

Stamp Work Order and
Customer Number HERE

Acrobat Reader File Edit View Window Help

Baltimore County - My Neighborhood

bcgis.baltimorecountymd.gov/myneighborhood/

Most Visited Getting Started Manage Credit Card... Bank of America

Baltimore County - My Neighborhood

Select a Property from the Map

Enter ADDRESS or 10-DIGIT TAX ACCOUNT

203 Cockeysville Road Cockeysville, MD 21030

Search

Property Report - COCKEYSVILLE RD

COCKEYSVILLE RD

Tax Account Number: 0815010100

Owner Name: LAKER PARTNERS LLC

Premise Address: COCKEYSVILLE RD

Tax Map: 0042

Parcel: 0250

Real Property Report: [More info](#)

StreetView: [Click for StreetView](#)

ZONING INFORMATION

Zoning: ML IM

SCHOOL DISTRICTS

Elementary School District: Mays Chapel ES

Middle School District: Cockeysville MS

High School District: Dulaney HS

CIVIC - GOVERNMENT

Police Precinct: Cockeysville

Councilmanic District: 3

Congressional District: 2

Legislative District: 11

Election District: 8

Voting Precinct: 08-007

ECONOMIC

Commercial Revitalization District: No Feature Found

Enterprise Zone: No Feature Found

Economic Park Center Name: Cockeysville Rd Industrial Park

Economic Park Center Name: Sherwood Park

Economic Park Center Type: BUSINESS PARK

ENVIRONMENTAL

Watershed Name: Loch Raven Reservoir

River Basin Name: Gunpowder River

Subshed Name: Beaver Dam Run

Soil Name: Urban land 0 to 8 percent slopes

HISTORIC

National Register: No Feature Found

Home Tools ML-1.pdf x ML-1.pdf

welcome to Baltimore County, Maryland

Baltimore County Zoning Report

Zoning Information for ML

Zone Description: Manufacturing, Light

Intent: Manufacturing, Light

Typical Uses Permitted by Right: Industrial Uses Requiring Assembly, Production, Processing, Packaging, Or Treatment Of Various Elements, Laboratory, Office, Medical Clinic, Excavation Not Involving Explosives, Equipment And Material Storage Yard, Brewery.

Typical Uses Permitted by Special Exception: Excavation Using Explosives, Landfill, Truck Stop And Trucking Facility.

For more information see: [The Citizen's Guide to Planning and Zoning \(PDF\)](#)



Are licensed, insured, and bonded in the state of Maryland
Offer quality masonry repair and construction **services**

Serving Ellicott City, Catonsville, Columbia, Timonium, Lutherville, Guilford, Homeland, Annapolis, Ruxton,
Roland Park, Canton, Federal Hill, Fells Point, Parkville, Towson, Owings Mills, Reisterstown, Glyndon,
Cockeysville, Glen Burnie, Severna Park, Severn, Arnold

Interested in one of our services? **Contact Masonry Repair Services today at 410-891-0270 to receive
a free estimate!**

[HOME](#)

[OUR SERVICES](#)

[WHO WE ARE](#)

[WHAT WE DO](#)

[PHOTO-GALLERY](#)

[REVIEWS](#)

[CONTACT US](#)



Masonry Repair Services

(410) 891-0270

Baltimore Masonry Repair & Construction

(410) 891-0270

©2018 All Rights Reserved. [PRIVACY POLICY](#) [SITE MAP](#)

REACHLOCAL
POWERED

Lerch Brothers reviews | Home Services at 203 Cockeysville Road ...

<https://reviews.birdeye.com/lerch-brothers-857408128> ▼

203 Cockeysville Road, Cockeysville, MD 21030. Call business. [http:// lerchbrothers.com](http://lerchbrothers.com) · Landscaping, Home & Garden. Closed now. Facebook · Suggest edits ...



Property valuation of Cockeysville Road, Baltimore, MD: 109 (109 ...

www.city-data.com › ... › Baltimore County, MD property tax assessment data ▼

Property valuation of Cockeysville Road, Baltimore, MD: 109, 120, 127, 128, 130, 201, 203, 205, 207, 209 (tax assessments)

Lerch Brothers Landscape Contractors Cockeysville MD, 21030 ...

<https://www.manta.com> › ... › Lawn and Garden Services › Landscape Contractors ▼

Directions. **Lerch Brothers Landscape Contractors. 203 Cockeysville Road Cockeysville, MD 21030.** Get Directions. View Contact Info 39.480755 - 76.649483.

Landscape Contractors Companies in Cockeysville, Maryland - Manta

<https://www.manta.com> › ... › Landscape Contractors › United States › Maryland ▼

203 Cockeysville Road Cockeysville, MD 21030. (410) 825-8644. View Contact Info. Website · Outdoor Living SpacesHardscapinglandscape contractors.

Lawn and Garden Services Companies in Cockeysville, Maryland ...

<https://www.manta.com> › ... › Lawn and Garden Services › United States › Maryland ▼

203 Cockeysville Road Cockeysville, MD 21030. (410) 825-8644. View Contact Info. Website · Outdoor Living SpacesHardscapinglandscape contractors.

Contractors in Timonium - TrustedPros

<https://trustedpros.com/md/timonium> ▼

203 Cockeysville Road, Cockeysville MD 21030 | Service area includes Timonium. Swimming Pools.

Have you hired Lerch Brothers? Write a review and share

Page 2 of about 10 results (0.1 seconds)

Sparks Remodeling Handyman Lutherville opening hours 100 W ...

<https://find-open.com> › Builders Lutherville, MD ▼

Lerch Brothers Landscape Contractors. 203 Cockeysville Road,. Cockeysville, MD, 21030. Closed now. Opens in 17 h 17 min. F M Harvey Construction & Co ...

Hammonds Small Engines Cockeysville opening hours 11942 Falls ...

<https://find-open.com> › Lawn Care & Garden Maintenance Cockeysville, MD ▼

Lerch Brothers Landscape Contractors. 203 Cockeysville Road,. Cockeysville, MD, 21030. Closed now. Opens in 16 h 3 min ...

Home Services at The Home Depot Cockeysville opening hours 125 ...

<https://find-open.com> › Builders Cockeysville, MD

Lerch Brothers Landscape Contractors. 203 Cockeysville Road,. Cockeysville, MD, 21030. Closed now. Opens in 2 days 2 h 47 min ...

mulch in Cockeysville, MD - YellowBot

<https://www.yellowbot.com/tags/mulch/Cockeysville,%20MD/page1.html> ▼

Listings 1 - 20 of 200 - Lerch Brothers. Love It Hate It. 0 0. 203 Cockeysville Road, Cockeysville, MD 21030. Phone: (410) 825-8644. 0.3 mi ...

Schultz Overhead Door Company, Cockeysville, MD - Cylex

<https://www.cylex.us.com> › Construction & Contractors › Builders ▼

STREET 21030 Cockeysville, MD. Lerch Brothers Landscape Contractors 132 ft. Details About us Blog. 203 COCKEYSVILLE ROAD 21030 Cockeysville, MD.

Contractors near Mavs Chapel - TrustedPros

PLEASE

DATE _____

Lentil

2018-33

10/9/18

PETITIONER'S SIGN-IN SHEET

E - MAIL

[illegible]

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER

DATE _____

2018-331-XA
5-2018

CITIZEN'S SIGN - IN SHEET

[illegible]

Debra Wiley

From: Debra Wiley
Sent: Thursday, November 08, 2018 12:26 PM
To: Suzanne Cohen
Subject: Case No. 2018-0331-XA (14538 Old York Rd.)
Attachments: 20181108122415544.pdf

Good Afternoon,

Per your request, please find attached a copy of the Opinion and Order in reference to the above matter.

Have a great day !

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Thursday, November 08, 2018 12:24 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 11.08.2018 12:24:15 (-0500)

Queries to: adminhearingscpr@baltimorecountymd.gov



RE: 14538 OLD YORK ROAD

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2018-331-XA

E/S of Old York Road
10th Election District
3rd Councilmanic District

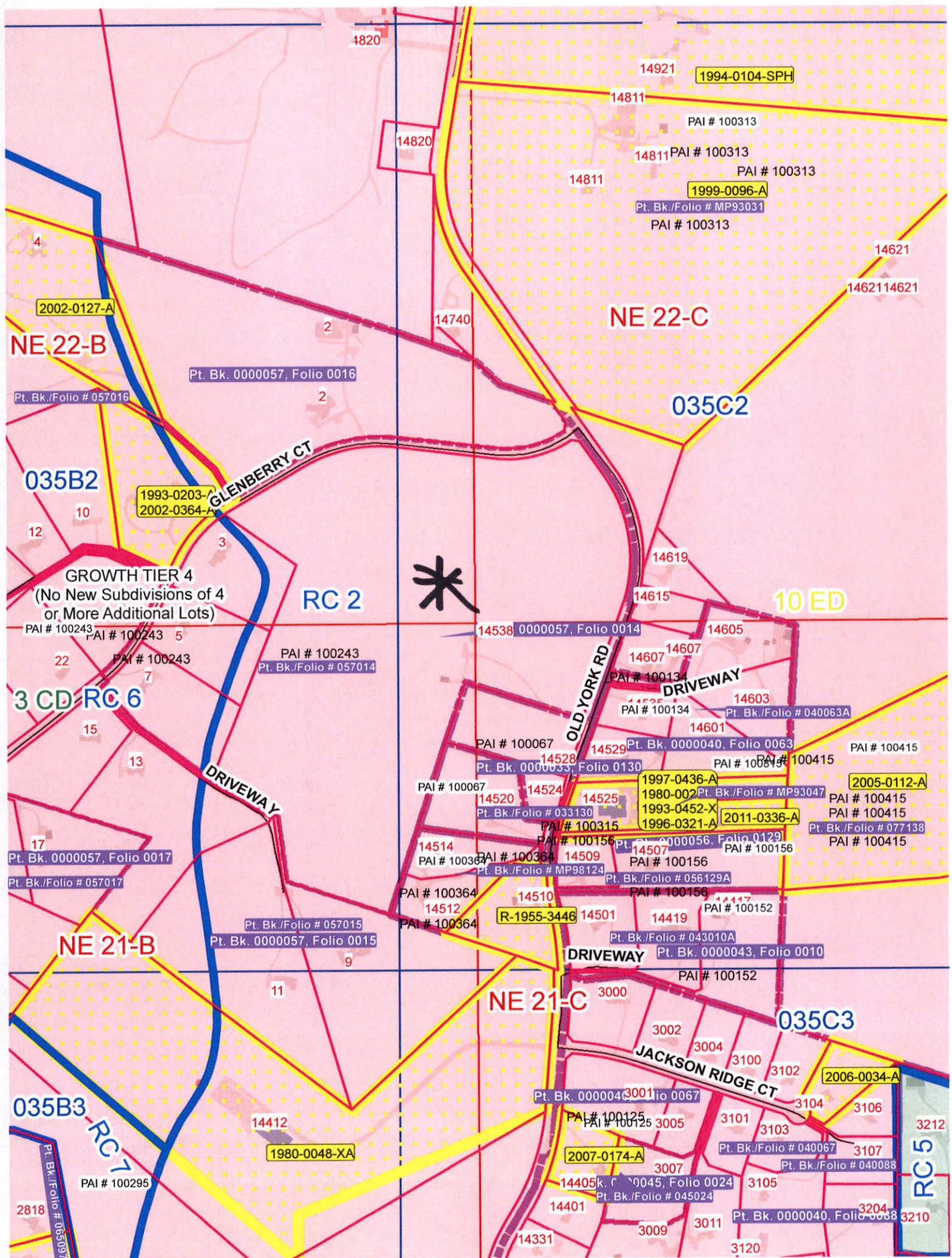
* * * * *

ENTRY OF APPEARANCE

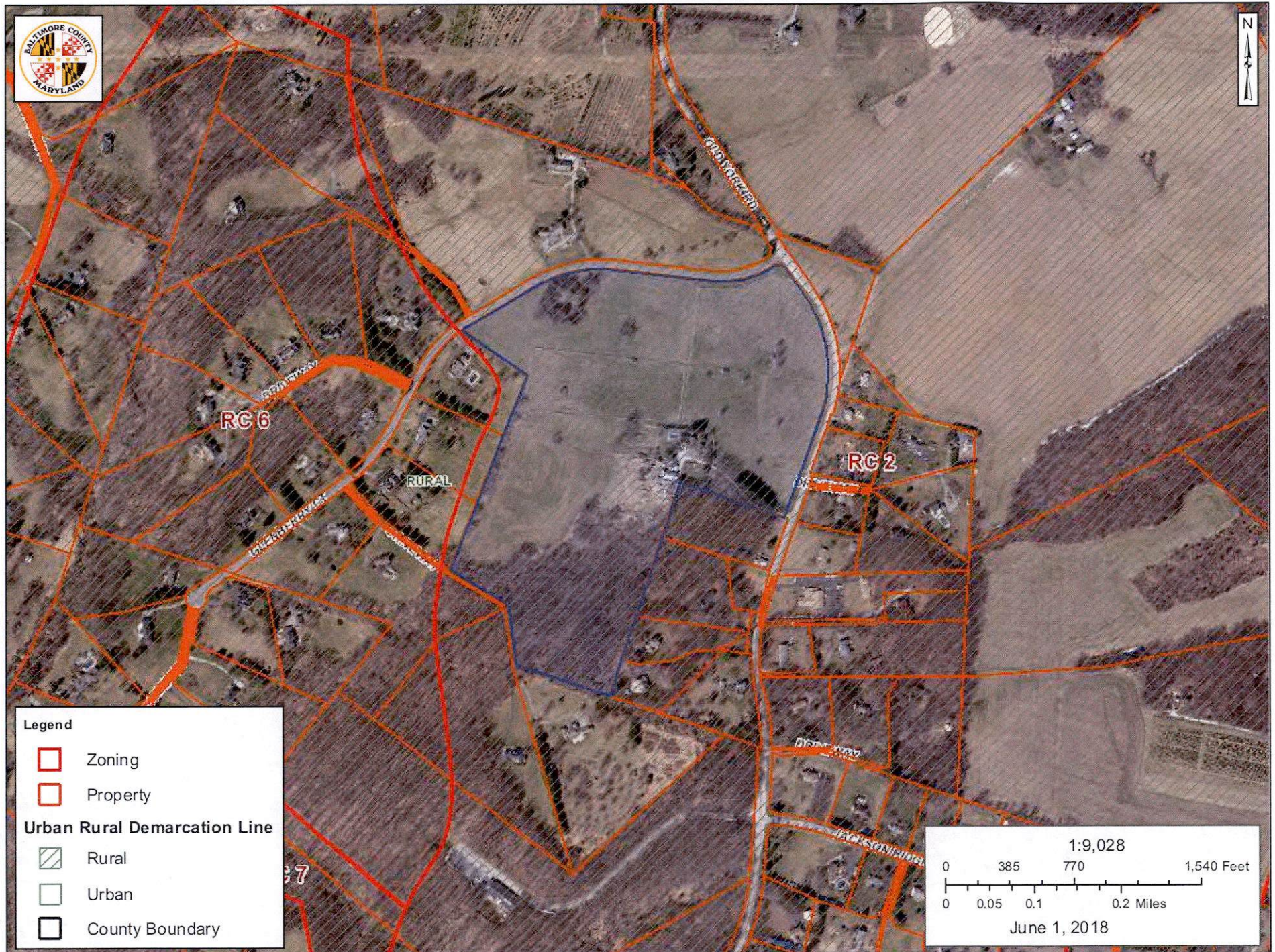
Please enter the appearance of Smith, Gildea & Schmidt LLC on behalf of Lerch
Brothers, LLC in the above captioned case.

Respectfully submitted,

Lawrence E. Schmidt
Smith, Gildea & Schmidt, LLC
600 Washington Ave., Suite 200
Towson, MD 21204
410-821-0070
lschmidt@sgs-law.com lerch



14538 Old York Road



Legend

-  Zoning
-  Property

Urban Rural Demarcation Line

-  Rural
-  Urban
-  County Boundary

1:9,028

0 385 770 1,540 Feet
0 0.05 0.1 0.2 Miles

June 1, 2018

Debra Wiley

10/5
1:30 PM

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Tuesday, October 02, 2018 9:21 PM
To: Administrative Hearings
Subject: 2nd Certifications Case # 2018-0031-XA ~ 2019-0067-SPHX ~ 2019-0008-A
Attachments: Old York Rd. 2nd Cert..jpeg; Old York Rd. Photo.docx; Owings Mills Blvd 2nd Cert..jpeg; Owings Mills Blvd. Photo.docx; Francke Ave. 2nd Cert..jpeg; Francke Ave. photo.docx

Hi Sherry,

I have some new 2nd Certifications for you. Case # 2018-0031-XA - Old York Rd. Case # 2019-0067-SPHX - Owings Mills Blvd. & Case # 2019-0008-A - Francke Ave.

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com



SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 10/2/2018

Case Number: 2018-0331-XA

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~

R. MIDDLETON EVANS

Date of Hearing: OCTOBER 5, 2018



This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
14538 OLD YORK ROAD

The sign(s) were posted on: SEPTEMBER 13, 2018

The sign(s) were re-photographed on: OCTOBER 2, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



2nd Sign Re-Photographed 10/2/2018 @ 14538 Old York Rd.
CASE # 2018-0331-XA





Department of Permits, Approvals & Inspections Complaint Report

Record Id: CC1802165

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CC1802165	Paul Cohen	03/12/2018	03/12/2018	Correction Notice Mailed	04/30/2018	

Complaint Description: Landscaping business being ran from the property
masonry services repair Maryland
Creech brothers landscaping
both have website

***3/26/18, 2ND COMPL, CAN CALL IF ADDITIONAL INFO NEEDED, ROBERT BROVES, 410 459-4365

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
14538 OLD YORK RD PHOENIX, MD 21131-1444 Tax Id: 2100000197	CREECH COMPANY LLC 23 GLENBERRY CT PHOENIX, MD 21131-1413	ANONYMOUS

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Paul Cohen	03/30/2018	Initial Inspection	Correction Notice Issued	Correction Notice Issued	
Paul Cohen		Re-Inspection	Scheduled		

Lien Information - No Lien



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CC1802165

Comments Detail

3/15/2018: 3/15/18 met the business owner Tom who said he has been at this location about 4 years ,researching

3/30/2018: BCZR 404.3—1A01.2.2c15

Operating a landscaping service without a granted Special Exception—obtain or cease all activity at this location

BCZR 1A01.1

Operation of a Masonry Repair Service in an RC2 Zone is not allowed cease all activity at once

For questions contact this inspector or the Balto. Co. Zoning section. 410/887/3391

4/5/2018: 3/30/18 issued notice for operating a landscaping service without a granted special exception and for the operation of a masonry repair service in an RC2 zone that is not allowed
pop up 4/30/18

4/6/2018: 4/6/18 called the compl. 410/336/9567 left a message regarding the issued correction notice

4/6/2018: complainant called office. claims this property now has a Bulldozer on-site. 4/6/18

5/1/2018: 5/1/18 office has extended the case to 6/1/18 see attached e-mail, spoke to the compl. Middleton Evans 410-336-9657

5/17/2018: Adam Rosenblatt:

I was just retained to resolve the attached correction notice for 14538 Old York Road. I am going to be filing a petition for special exception for the existing landscape service company but cannot get the petition filed by the April 30 deadline on the Correction Notice. As we discussed, I will connect the owner with a consultant to prepare a site plan and file the petition on or before June 1, 2018. I would ask that any and all code enforcement action be stayed pending the outcome of the zoning case.

August 21, 2018

Mr. Arnold Jablon
Director, Department of Permits
Approvals & Inspection
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Jablon:

I am requesting a postponement of the Special Exception hearing set for Monday, September 10 at 1:30. The Case # is 2018-0331-XA. I am traveling to Monterey, California from September 4-12 and will be photographing birds for the upcoming book, *Photographic Atlas of North American Birds*, tentatively to be published by Smithsonian Books. The trip is timed for the peak of seabird activity, and I am currently scheduled to be out with Shearwater Journeys for all-day trips on September 7 and 9. I have included copies of the reservations for the hotel, airfare and pelagic trips to document the trip dates, which was scheduled months ago. I am a professional photographer specializing in birds at this point in my career.

I am the neighbor to 14538 Old York Road who discovered that an illegal business was operating on this former horse farm. I reported the offense to Inspector Paul Cohen of Code Enforcement in March, and shared his contact information with other neighbors who were concerned about all the racket relating to their masonry business operating here. Numerous homes are well within earshot of the illegal industrial activity. I have also been keeping my neighbors informed of any developments with the case as it progresses. Most importantly, I am the only neighbor that has been collecting photographic and video evidence of the Lerch Brothers masonry activity, which is clearly forbidden on RC-2 land, especially considering the proximity of many neighbors. It is imperative that I be able to testify at the hearing, but this important trip cannot be re-scheduled due to its precise timing.

I can be reached at 410.336.9567 or email at middleton63@gmail.com. Please inform us of your decision well before my departure date of September 4, if you are able. I am in town after the California trip for the rest of September and October as well, and any date after September 14 would be fine for a new hearing date.

Sincerely,



R. Middleton Evans
14514 Old York Road
Phoenix, MD 21131

From: Middleton Evans middleton63@gmail.com
Subject: Fwd: Schedule Changes That Impact Your Upcoming Trip
Date: August 20, 2018 at 12:34 PM
To: Kristie Evans KristieandSterling@gmail.com



----- Forwarded message -----
From: Delta Air Lines <DeltaAirLines@n.delta.com>
Date: Tue, Jul 10, 2018 at 10:30 AM
Subject: Schedule Changes That Impact Your Upcoming Trip
To: MIDDLETON63@gmail.com

See your updated flight information.



Hello ROBERT MIDDLETON,

Your Trip Confirmation #: **GZHW39**

[MANAGE MY TRIP >](#)

A change in our flight schedule impacts your upcoming trip.

HERE'S YOUR NEW ITINERARY.

FLIGHT/DATE	DEPART	ARRIVE
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UPDATE

DELTA 1580 Tue, September 4	Baltimore, Maryland 7:30 am	Salt Lake City, Utah 10:11 am
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~~DELTA 2560
Tue, September 4~~

DELTA 1747 Tue, September 4	Salt Lake City, Utah 11:15 am	San Jose, California 12:06 pm
--------------------------------	----------------------------------	----------------------------------

UPDATE

DELTA 1791 Wed, September 12	San Jose, California 1:55 pm	Minneapolis - St Paul, Minnesota 7:33 pm
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~~DELTA 1429
Wed, September 12~~

San Jose, California 12:45 pm	Atlanta, Georgia 8:27 am
--	---

Wed, September 12

12:45 pm

0:27 pm

UPDATEDELTA 1101
Wed, September 12Minneapolis - St Paul,
Minnesota
8:28 pmBaltimore, Maryland
11:59 pm~~DELTA 1924~~
~~Wed, September 12~~~~Atlanta, Georgia~~
~~9:11 pm~~~~Baltimore, Maryland~~
~~11:10 pm~~**FLIGHT****SEAT**DELTA 1580
DELTA 1747
DELTA 1791
DELTA 1101Main Cabin
Main Cabin
Main Cabin
Main Cabin[23F](#)
[18D](#)
[Choose Seat](#)
[Choose Seat](#)

We're sorry for the inconvenience and promise to keep you updated on any future changes. For the most up-to-date flight changes, seat assignments, and gate and terminal information, visit delta.com or use the [Fly Delta app](#). Questions? Please contact [Delta Reservations](#).

Thanks for choosing Delta. We'll see you aboard.

Was this email helpful? Please click [here](#) to let us know how we can do better.

ARE THE STARS REALLY BRIGHTER IN THE DESERT?
GO SEE WITH SKYMILES.



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Copyright Information

Delta Blvd., P.O. Box 20706 Atlanta, GA 30320-6001.
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From: Middleton Evans middleton63@gmail.com
Subject: Fwd: Reservation confirmed.
Date: August 20, 2018 at 12:36 PM
To: Kristie Evans KristieandSterling@gmail.com



----- Forwarded message -----
From: <Reservations@portolahotel.com>
Date: Tue, Jul 31, 2018 at 3:05 PM
Subject: Reservation confirmed.
To: middleton63@gmail.com

PORTOLA HOTEL & SPA
AT MONTEREY BAY



Dear Mr. Evans,

Thank you for choosing the Portola Hotel & Spa at Monterey Bay. We have the pleasure to confirm the following reservation:

RESERVATION DETAILS:

CONFIRMATION NUMBER: 3110810

GUEST NAME: Robert Evans

ARRIVAL DATE: Tuesday, September 4, 2018

DEPARTURE DATE: Wednesday, September 12, 2018

ROOM TYPE:	Studio Suite King
NUMBER OF ROOMS:	1
# OF GUESTS:	2
NUMBER OF NIGHTS:	8
FIRST NIGHT RATE:	\$ 327.00
RATE CHANGE ON Sep 6 2018:	\$ 319.00
RATE CHANGE ON Sep 7 2018:	\$ 463.00
RATE CHANGE ON Sep 8 2018:	\$ 479.00
RATE CHANGE ON Sep 9 2018:	\$ 303.00

Check-in time is after 4:00pm
Check-out is by 12:00pm

Please note that quoted rate does not include any applicable taxes or parking fees.

Reservations must be cancelled at least 48 hours prior to arrival. Late cancellation will result in a charge equal to the first night's room and tax. To avoid an early departure fee, please advise the hotel at least 24 hours in advance of your early departure.

Thank you again for selecting the Portola Hotel & Spa. Please contact our Reservations staff at (888) 222-5851 or info@portolahotel.com, if we may be of further assistance. For additional information on our hotel and the Monterey Peninsula, please visit our website at www.portolahotel.com.

All guestrooms at the Portola Hotel & Spa at Monterey Bay are non-smoking. We are a pet friendly hotel and have a fee for this service

We look forward to having you as our guest.

Warm Regards,
The Reservations Department

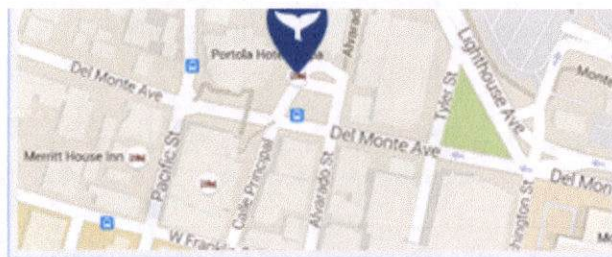
Hotel Information

Portola Hotel & Spa
Two Portola Plaza
Monterey, CA 93940
(888) 222-5851
www.portolahotel.com



www.portolahotel.com

Portola Hotel & Spa is located in downtown Monterey. The Hotel and parking garage is located on the right hand side of Del Monte Avenue, just past Fisherman's Wharf.



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[View the Menu and Reserve Your Table Now](#)

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Two Portola Plaza | Monterey, CA 93940 | (888) 222-5851

www.portolahotel.com

Middleton Evans
Ravenwood Press, Inc.
2400 Boston Street
Suite 102
Baltimore, MD 21224
Office: 410-336-9567
www.ravenwoodpress.com

SEAWATER JOURNEYS, INC.
MONTEREY BAY & MONTEREY SEAVALLEY

WELCOME ABOARD! Shearwater Journeys, Inc. is pleased to have you join us on our exciting nature trip to observe some of the most fascinating wildlife at Monterey Bay. Please read the following information carefully as it will add to your enjoyment of the trip. We have offered pelagic trips from Monterey since 1976!

CONFIRMATION: This is your receipt for \$ 140 and confirmation of 1 reservation(s) for the SEP. 7 FRI. boat trip. Please go to CHRIS' FISHING SHOP on FISHERMANS WHARF IN MONTEREY at 7:00 a.m.

SHARP. They will direct you to the boat. The boat will depart immediately after the pre-trip briefing. Please be PROMPT. The boat will NOT wait for latecomers. We will return at 3 p.m. Allow at least 10 minutes to park your car and walk down the wharf.

WARM CLOTHING should be brought in large quantities, including rain gear, headwear, gloves and non-skid shoes or boots. *Persons in open-toed shoes will not be admitted to the boat.* A large man's handkerchief is good for wiping spray from glasses. The boat will go out in rain or small craft warnings, at the captain's discretion, so be prepared. Ponchos must be secured about the waist with a belt. Bring sunscreen. It can be cool any time of the year, including summer, on the ocean.

SNACKS are NOT available, as there is no galley on board. Bring ample food, crackers and liquids. There is a "head" or bathroom on board.

CAMERAS and **BINOCULARS** are essential, however, telescopes, tripods, folding chairs or stools, are not permitted on the boat. Bring plastic bags to protect your equipment from spray. Bring field guides, too. Shearwater Journeys cannot be liable for loss or damage to your personal property while on the trip.

SEASICK PILLS are highly recommended, and to be effective, they must be taken one hour prior to boarding. If you have never taken them before, check with your doctor first, and be sure to read the warnings on the label. There is no need to be embarrassed about this common problem, but it does require your attention. The best cure for seasickness is prevention. Eat a non-greasy, high protein breakfast (A full stomach is less likely to betray you). Don not drink alcoholic beverages the night prior to your trip. Pretzels and carbonated beverages during the trip can be helpful to settle your stomach. Avoid the use of colognes and perfumes. Go to bed early. The number one cause of seasickness is lack of sleep. Ginger and wrist bands generally do NOT work. Take a pill. **Remember, the key to avoiding seasickness is to take preventative measures PRIOR to your trip.**

WEATHER is rarely a problem inside sheltered Monterey Bay. If it is raining (unlikely), or foggy (likely), do NOT assume that the trip is canceled. Please do not call me the night prior to the trip, as I will not be there. We usually do not make decisions regarding cancellation until the morning of the trip. Sometimes, the wind will kick up in the afternoon, forcing an earlier return. The trip may proceed for several hours and need to be canceled before completion. This may cause a pro-rated fee to be charged. If the trip is more than 4 hours complete, the full rate will be charged. If the trip is weathered out, a \$10 processing fee will be deducted from your refund.

REFUNDS can ONLY be made if Shearwater Journeys is notified THIRTY DAYS, in writing before the date of your trip, using the postmark date of your letter as the cancellation date. NO REFUNDS WILL BE MADE FOR ANY REASON SHOULD YOU CANCEL YOUR RESERVATION AFTER THE THIRTY DAY CUT-OFF PERIOD.

There are NO exceptions to this policy. You must cancel in writing as answering machines, and email are unreliable. If you cancel your reservation thirty days before your trip, you will receive a refund in 30 days. There is a \$20 processing fee for EACH canceled reservation. You may reschedule (switch to another date) on another trip 30 days in advance in writing. There is a \$20 rescheduling fee. Trips may be canceled by Shearwater Journeys, Inc. due to undersubscription, hazardous weather conditions or Acts of God. *If the trip is canceled due to weather or terrorists, by the captain you will receive a refund, less a \$10 processing fee, within 30 days.* In no event, however shall our liability exceed the obligation to refund more than the amount you paid to us. If you should miss your trip due to airline changes, cancellations, terrorist acts, acts of war, or related incidents, your fee will not be refundable unless Shearwater Journeys, Inc. cancels the entire trip. **See your travel agent for trip cancellation insurance which we highly recommend purchasing.**

SAFETY reasons prevent pregnant women from being admitted to the boat. The facilities cannot accommodate wheelchairs. Please consult with Debra Shearwater for making a reservation for anyone under the age of 12 years.

SMOKING is NOT permitted on the boat. This is for everyone's comfort. To improve the quality of your pelagic trip, we request that you please turn off **CELL PHONES** and pagers while on the boat. Soliciting of any sort is not permitted without the express permission of Debra Shearwater.

PARKING is available in the public lot near the wharf is best. This is a very confusing area and it is best to allow ample time, or to scope it out the day prior to the trip. From Del Monte Ave, turn right on Washington Street into the main parking lot. Take a ticket upon entering, get a validation coupon from Chris Fishing, and it will cost you much less on exiting at the end of the day. Be aware that there are two different wharves. If you go to the commercial wharf, you will miss the boat.

MOTELS in the surrounding area can be very expensive. It is wise to reserve rooms in advance.

Receipt of this contract acknowledges your acceptance of the above conditions. The leaders and Shearwater Journeys, Inc. assume no responsibility for personal injury. Our trips typically have several experienced leaders. If you have questions, please be sure to ask them. IF weather conditions allow, we will head offshore to the edge of the continental shelf, where we hope to find albatrosses and other seabirds. Come well-rested and be prepared for excitement!

3/16 DS

Shearwater Journeys, Inc. PO Box 190, Hollister, CA 95024

Phone: 831.637.8527

debi@shearwaterjourneys.com

www.shearwaterjourneys.com

SHEARWATER JOURNEYS, INC.
ALBACORE GROUNDS: OFFSHORE MONTEREY

WELCOME ABOARD! Shearwater Journeys, Inc. is pleased to have you join us on our exciting, new nature trip to observe some of the most fascinating marine wildlife. Please read the following information carefully as it will add to your enjoyment of the trip.

CONFIRMATION: This is your receipt for ^{SUN 1} \$198 and confirmation of 1 reservation(s) for the SEP. 9 boat trip. Please go to CHRIS' FISHING SHOP on FISHERMANS WHARF IN MONTEREY at 5:15 a.m. **SHARP**. They will direct you to the boat. The boat will depart immediately at 5:30 a.m. Please be **PROMPT**. **The boat will NOT wait for latecomers.** We will return at 5:30 p.m.

WARM CLOTHING should be brought in large quantities, including rain gear, headwear, gloves and non-skid shoes or boots. *Persons in open-toed shoes will not be admitted to the boat.* A large man's handkerchief is good for wiping spray from glasses. The boat will go out in rain or small craft warnings, at the captain's discretion, so be prepared. Ponchos must be secured about the waist with a belt. Bring sunscreen. It can be cool any time of the year, including summer, on the ocean.

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4/16 DS

Shearwater Journeys, Inc. PO Box 190, Hollister, CA 95024

Phone: 831.637.8527

debi@shearwaterjourneys.com

www.shearwaterjourneys.com

Kristen L Lewis

From: Lawrence Schmidt <lschmidt@sgs-law.com>
Sent: Tuesday, August 21, 2018 1:52 PM
To: Arnold Jablon
Cc: Kristen L Lewis
Subject: RE: 2018-331xa

Thanks Arnold. I've emailed my clients and asked if they have any objections. I told them that the County usually grants one PP per side but I'm sure they'd like to know who is asking and why.

Larry

Lawrence E. Schmidt | Partner
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
lschmidt@sgs-law.com | www.sgs-law.com

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From: Arnold Jablon [mailto:ajablon@baltimorecountymd.gov]
Sent: Tuesday, August 21, 2018 1:36 PM
To: Lawrence Schmidt
Cc: Kristen L Lewis
Subject: RE: 2018-331xa

I will ask Kristin to scan and send you a copy of the letter.

From: Lawrence Schmidt [mailto:lschmidt@sgs-law.com]
Sent: Tuesday, August 21, 2018 1:09 PM
To: Arnold Jablon <ajablon@baltimorecountymd.gov>
Cc: arosenblatt@Venable.com; Alyssa Moyers <amoyers@sgs-law.com>
Subject: RE: 2018-331xa

Arnold: This is the Lerch Bros. property (landscape service operation) and this property has already been posted for a hearing on 9/10/18.. Who asked for the postponement? And why? I entered my appearance (replacing Adam because he had a conflict) on July 10. I haven't been copied or seen any request for postponement. Can you let me know who is requesting the pp and why and then I'll ask the client and let you know. I would like to run this by my client before I respond.

Thanks.

Larry

Lawrence E. Schmidt | Partner
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
lschmidt@sgs-law.com | www.sgs-law.com

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From: Arnold Jablon [<mailto:ajablon@baltimorecountymd.gov>]
Sent: Tuesday, August 21, 2018 12:28 PM
To: Lawrence Schmidt
Subject: FW: 2018-331xa

Larry, see below. Any issue?

From: Rosenblatt, Adam M. [<mailto:AMRosenblatt@Venable.com>]
Sent: Tuesday, August 21, 2018 12:22 PM
To: Arnold Jablon <ajablon@baltimorecountymd.gov>
Cc: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: RE: 2018-331xa

I had to refer this case to Larry Schmidt due to a conflict. Can I forward your email or do you want to separately email him?

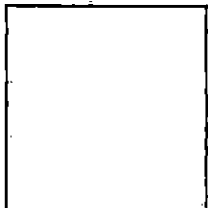
Adam M. Rosenblatt, Esq.
Venable LLP
t 410.494.6271 | m 410.294.9430
210 W. Pennsylvania Avenue
Suite 500
Towson, MD 21204

From: Arnold Jablon <ajablon@baltimorecountymd.gov>
Date: Tuesday, Aug 21, 2018, 12:18 PM
To: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Cc: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: 2018-331xa

FYI, I received a request from a neighbor for a pp. I will pp, however, the neighbor will be advised a new date must be agreed upon as quickly as the ALJ's calendar permits. New advertisement would not be required but the re-posting would have to be paid by

the party requesting the pp. Kristin, notify Mr. Evans I will pp. Check John's schedule for the earliest dates he is available, then have Mr. Evans contact Adam immediately, and they can agree to a new date.

CONNECT WITH BALTIMORE COUNTY



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www.baltimorecountymd.gov

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C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
7/5	DEPS (if not received, date e-mail sent _____)	Comment
8/28	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	Comment NOT OPPOSED
6/11	STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING	NO Objection
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. CC 1802165)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 8/21/18	
SIGN POSTING (1 st)	Date: 9/13/18	by O'Keefe
SIGN POSTING (2 nd)	Date: 10/2/18	by O'Keefe
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:			Special Tax Recapture:							
Exempt Class:			AGRICULTURAL TRANSFER TAX							
Account Identifier:			District - 10 Account Number - 2100000197							
Owner Information										
Owner Name:			CREECH COMPANY LLC				Use:		AGRICULTURAL	
Mailing Address:			23 GLENBERRY CT PHOENIX MD 21131-1413				Principal Residence:		NO	
							Deed Reference:		/29016/ 00367	
Location & Structure Information										
Premises Address:			14538 OLD YORK RD PHOENIX 21131-1444				Legal Description:		49.342 AC 14538 OLD YORK RD BROOKFIELD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	1
0035	0017	0353		0000	1		1	2017	Plat Ref:	0057/0014
Special Tax Areas:				Town:				NONE		
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1940		1,998 SF				49.3400 AC		05		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
2	YES	STANDARD UNIT	SIDING	1 full						
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2017		07/01/2018		07/01/2019	
Land:			205,200		205,200					
Improvements			153,700		157,400					
Total:			358,900		362,600		361,367		362,600	
Preferential Land:			7,200						7,200	
Transfer Information										
Seller: FRANKS GREGORY				Date: 12/28/2009				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /29016/ 00367				Deed2:		
Seller: GREENE MARK				Date: 03/09/2009				Price: \$857,850		
Type: ARMS LENGTH IMPROVED				Deed1: /27752/ 00451				Deed2:		
Seller: BAQUOL RONALD L				Date: 06/30/1998				Price: \$500,000		
Type: ARMS LENGTH IMPROVED				Deed1: /12984/ 00297				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019				
County:		000		0.00						
State:		000		0.00						
Municipal:		000		0.00 0.00		0.00 0.00				
Tax Exempt:			Special Tax Recapture:							
Exempt Class:			AGRICULTURAL TRANSFER TAX							
Homestead Application Information										
Homestead Application Status: No Application										
Homeowners' Tax Credit Application Information										

Homeowners' Tax Credit Application Status: No Application **Date:**

SITE DATA:
OWNER: CREECH COMPANY LLC
% TOM & JOHN LERCH
23 GLENBERRY COURT
PHOENIX, MD 21131-1413
LOT ADDRESS: 14538 OLD YORK ROAD,
PHOENIX, MD 21131
PETITIONER: CREECH COMPANY LLC
% TOM & JOHN LERCH
23 GLENBERRY COURT
PHOENIX, MD 21131-1413
PHONE 410-415-9274

TAX ACCOUNT ID - 10-2100000197
TAX MAP: 0035, GRID 0017, PARCEL 0353

ELECTION DISTRICT: 10
COUNCILMANIC DISTRICT: 03
GIS FILE/ZONING: 03582, 0356C2

SITE INFORMATION:

1. TOTAL PROPERTY AREA: 49.34 ACRES (2,149,250.4 S.F.)
2. ZONING: RC-2 - GROWTH TIER 4
3. AREA OF SPECIAL EXCEPTION: 49.34 ACRES (2,149,250.4 S.F.) ZONED RC-2
4. EXISTING USE: FARM
5. PROPOSED USE: LANDSCAPE CONTRACTOR BUSINESS AND EQUIPMENT STORAGE
6. ZONING HISTORY: NONE
7. THERE IS AN OUTSTANDING ZONING VIOLATION ON THIS PROPERTY
8. OLD YORK ROAD IS A PUBLIC ROAD AND IS NOT A BALTIMORE COUNTY SCENIC ROUTE PER THE BALTIMORE COUNTY MASTER PLAN 2020.
9. THERE IS A 100 YEAR FLOODPLAIN ON OR IMMEDIATELY ADJACENT TO THIS PROPERTY BASED ON A DRAINAGE AREA ENCOMPASSING 30 ACRES.
10. PROPERTY WATERSHED - LOCH RAVEN RESERVOIR
11. THE PROPERTY IS NOT LOCATED WITHIN A BALTIMORE COUNTY HISTORIC DISTRICT AND THERE ARE NO STRUCTURES ON THE SITE LISTED ON THE BALTIMORE COUNTY FINAL LANDMARKS LIST.
12. THE PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
13. THIS PROPERTY IS SERVED BY PRIVATE WELL AND SEPTIC NOT BY PUBLIC UTILITIES.
14. AMENITY OPEN SPACE: N/A; FLOOR AREA RATION (FAR): N/A
15. PARKING REQUIRED FOR THIS PROPOSED USE AS FOLLOWS:
CONTRACTOR'S EQUIPMENT STORAGE YARD
The use of any space, whether inside or outside a building, for the storage or keeping of contractor's equipment or machinery, including building materials storage, construction equipment storage or landscaping equipment and associated materials (Bill No. 149-1987).
SPACES = 1000 S.F. @ 3.5 1000 S.F. = 5 SPACES
CONTRACTOR'S EQUIPMENT STORAGE = 1 EMPLOYEE ON LARGEST SHIFT = 7 SPACES
TOTAL PARKING PROVIDED = 20 SPACES

KEY TO SYMBOLOLOGY

PROPERTY BOUNDARY

EX. BLDGS.

EX. PAVEMENT

EX. CONTOURS

ZONING LINE

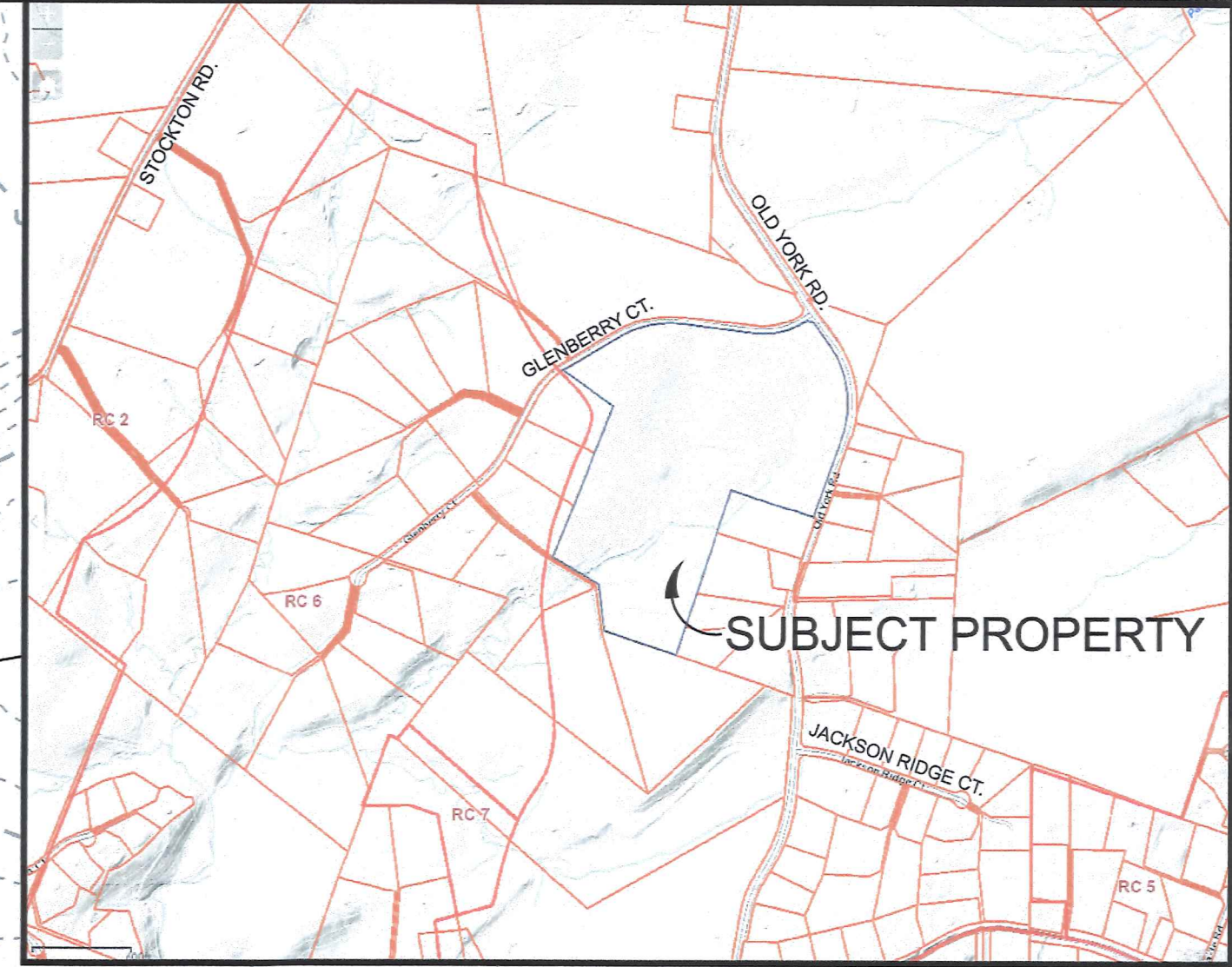
SOLAR PANELS

LIMIT OF SPECIAL EXPOSITION AREA & 6' HIGH CLF.

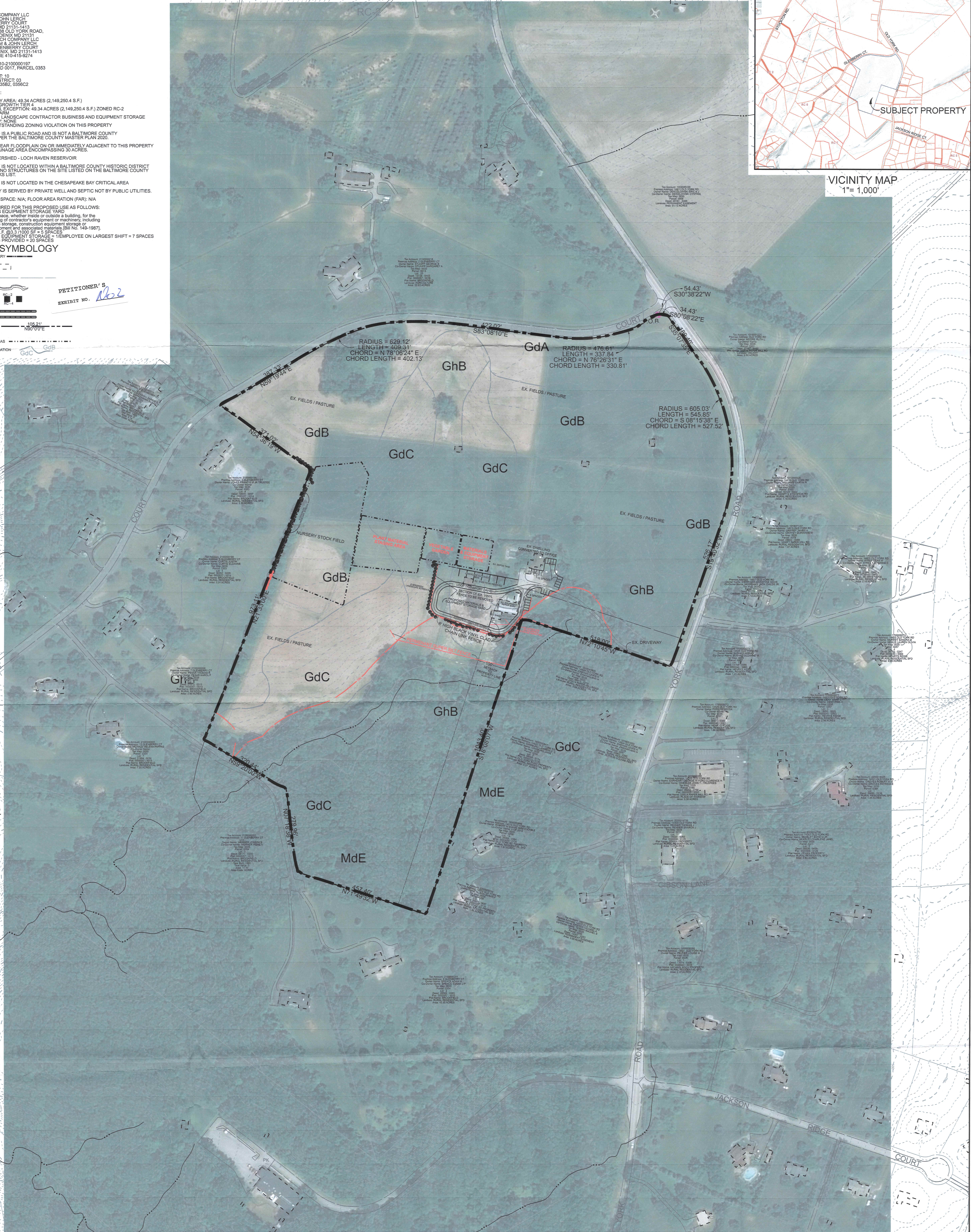
PROPOSED USE AREAS

EX. SOILS CLASSIFICATION

PETITIONER'S
EXHIBIT NO. *1602*



VICINITY MAP
1"= 1,000'



REDLINED
CASE # 2018-0331-XA
PLAT TO ACCOMPANY
REQUEST FOR ZONING RELIEF

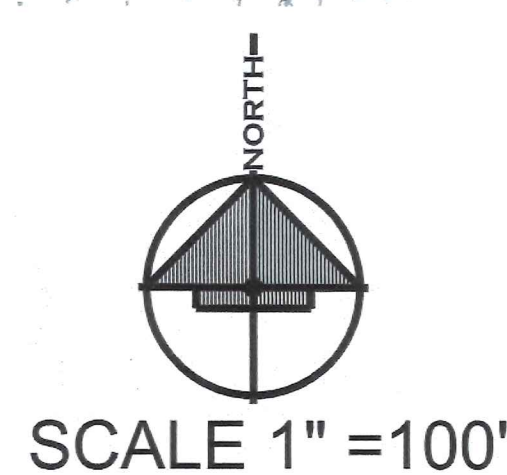
**14538 OLD YORK ROAD
LERCH BROTHERS
LANDSCAPE CONTRACTORS**

**14538 OLD YORK ROAD
PHOENIX, MD 21131**

ELECTION DISTRICT 10
COUNCILMANIC DISTRICT 03

MARTIN & PHILLIPS
DESIGN ASSOCIATES, INC.

LAND PLANNING, CIVIL, ENGINEERING, LANDSCAPE ARCHITECTURE, ENVIRONMENTAL CONSULTING, ZONING
222 BOULEVARD AVENUE, SUITE B1
TOWSON, MARYLAND 21204
TELE (410) 321-8444 / FAX (410) 321-1175



SITE DATA:
OWNER: CREECH COMPANY LLC
15 YORK & JOHN LERCH
23 GLENBERRY COURT
PHOENIX, MD 21131
LOT ADDRESS: 14538 OLD YORK ROAD,
PHOENIX, MD 21131
PETITIONER: CREECH COMPANY LLC
15 YORK & JOHN LERCH
23 GLENBERRY COURT
PHOENIX, MD 21131-1413
PHONE: 410-415-9274
TAX ACCOUNT ID - 10-2100000197
TAX MAP: 0335, GRID 0017, PARCEL 0353
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COUNCILMANIC DISTRICT: 03
GIS TILE/ZONING: 03582, 0356C2

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CONTRACTOR'S EQUIPMENT STORAGE YARD
The use of any space, whether inside or outside a building, for the storage or keeping of contractor's equipment or machinery, including building materials storage, construction equipment storage or landscaping equipment and associated materials (Bill No. 149-1987).
OFFICE: 1500 S.F. 600 S.F. = 5 SPACES
CONTRACTOR'S EQUIPMENT STORAGE = 1 EMPLOYEE ON LARGEST SHIFT = 7 SPACES
TOTAL PARKING PROVIDED = 20 SPACES

KEY TO SYMBOLLOGY

PROPERTY BOUNDARY

EX. BLDGS.

EX. PAVEMENT

EX. CONTOURS

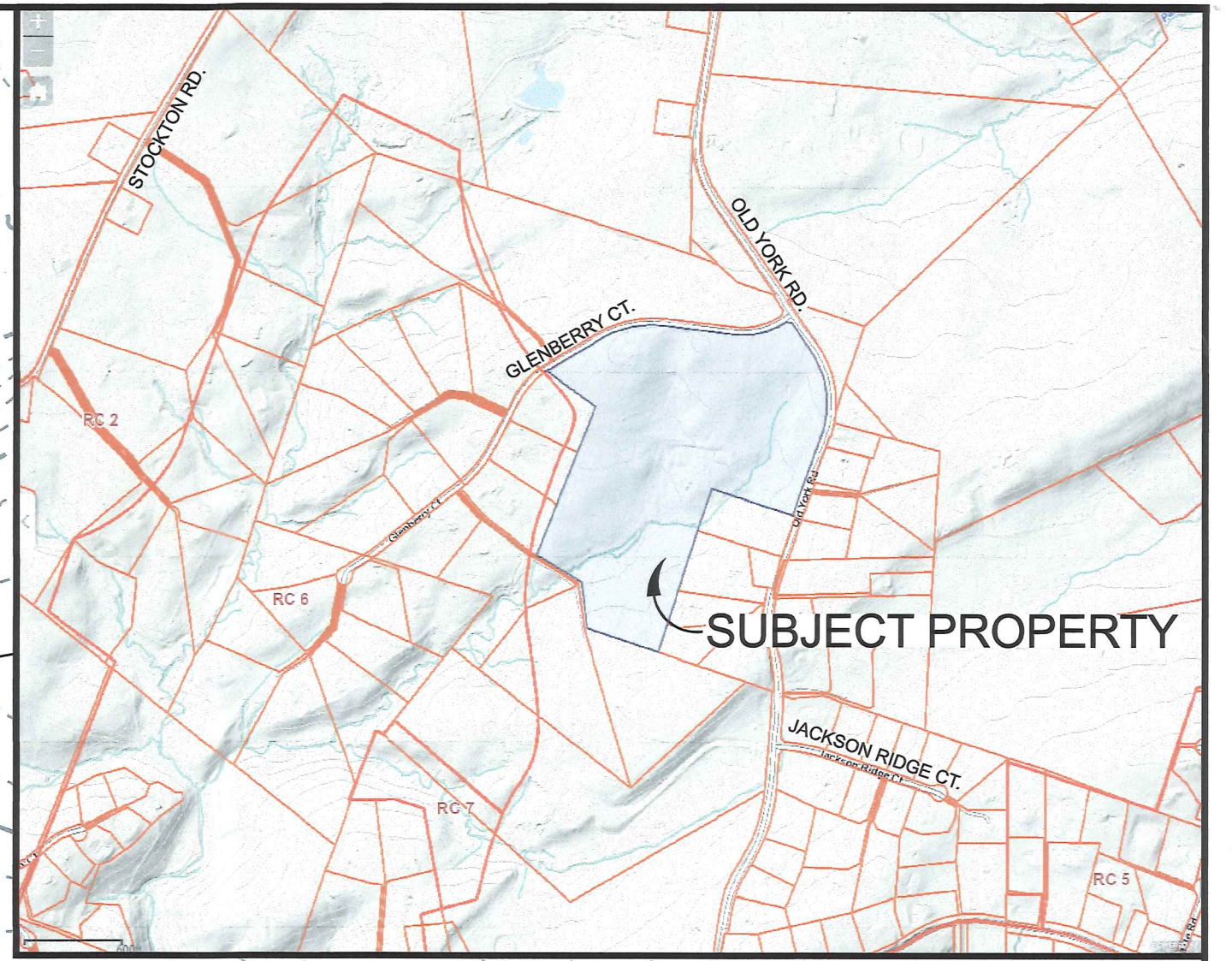
ZONING LINE

SOLAR PANELS

LIMIT OF SPECIAL

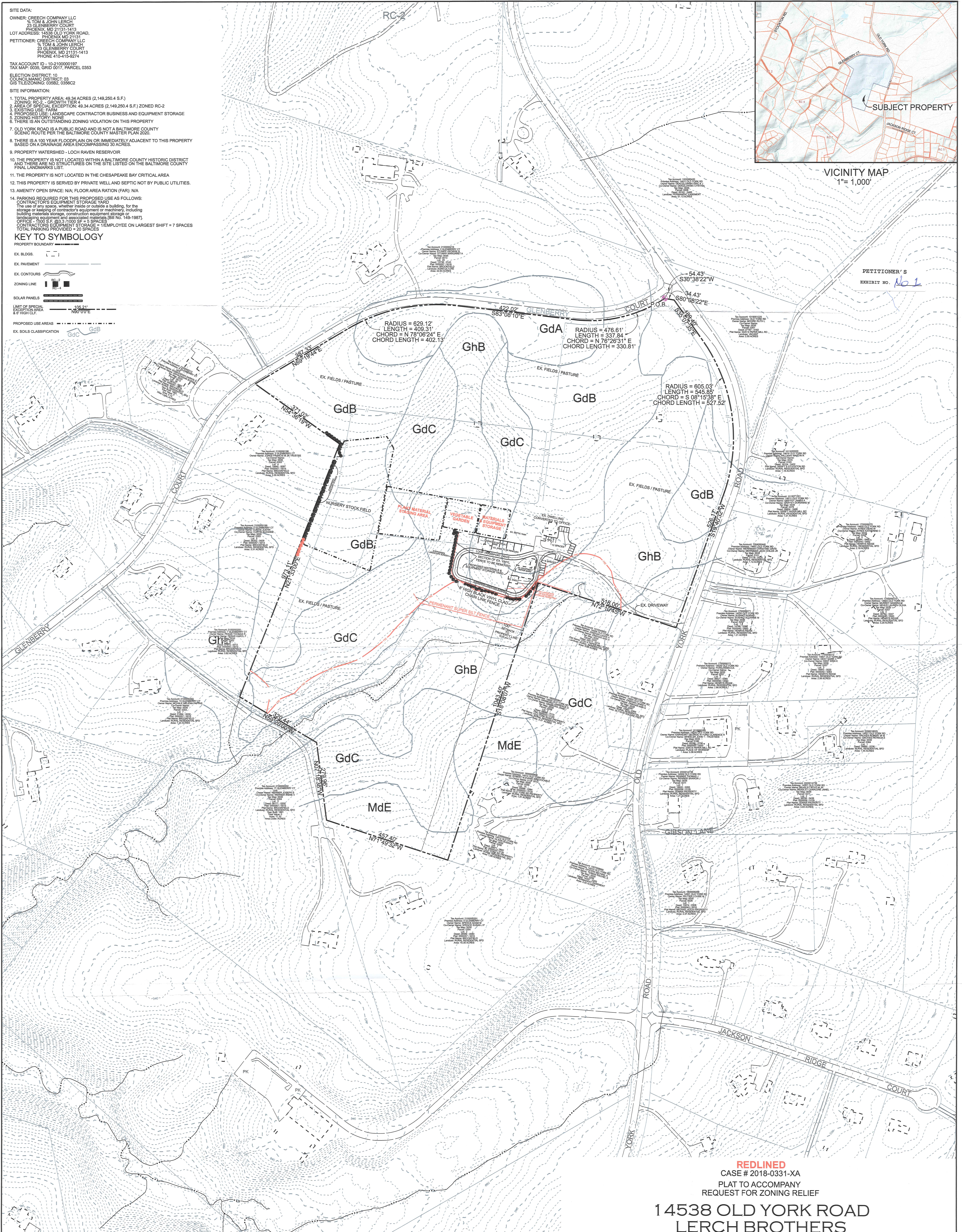
PROPOSED USE AREAS

EX. SOLS. CLASSIFICATION



VICINITY MAP
1"= 1,000'

PETITIONER'S
EXHIBIT NO. No. 1



REDLINED
CASE # 2018-0331-XA
PLAT TO ACCOMPANY
REQUEST FOR ZONING RELIEF

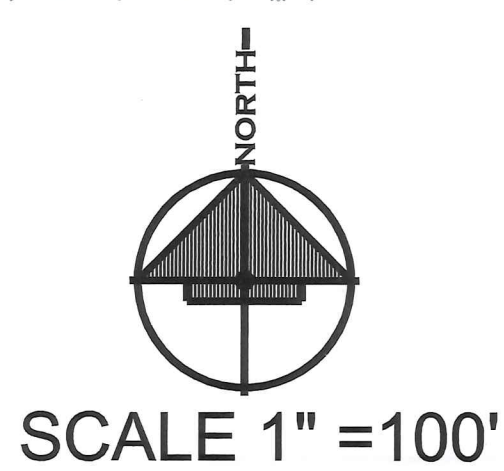
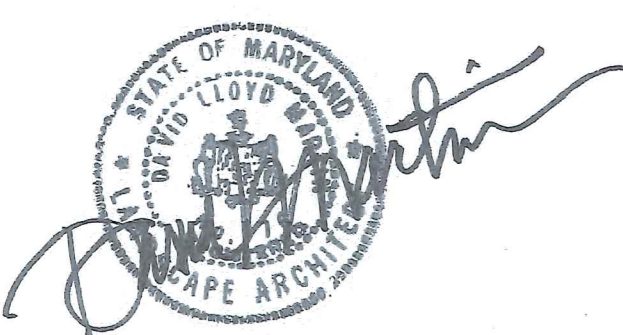
14538 OLD YORK ROAD
LERCH BROTHERS
LANDSCAPE CONTRACTORS

14538 OLD YORK ROAD
PHOENIX, MD 21131

ELECTION DISTRICT 10
COUNCILMANIC DISTRICT 03

MARTIN & PHILLIPS

DESIGN ASSOCIATES, INC.
LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
2222 BOULEVARD AVENUE, SUITE B1
TOWSON, MARYLAND 21204
TELE: 410-351-0844/FAX: 410-351-1175



REVISED: 10/26/2018
DATE: 09/21/2018
P.N. 18-1273

E



F



G



Lerch Brothers Landscape Contractors Relocate to Phoenix, MD

After a long search for a new office location, Lerch Brothers Landscape Contractors have found a larger property to accommodate the company's growing needs.

PHOENIX, MD (PRWEB) JULY 30, 2013

Having outgrown their former office in Cockeysville, MD, Lerch Brothers Landscape Contractors have recently moved to a new location in Phoenix, MD.

"We needed a bigger space to accommodate our expanding staff and the growing list of equipment, so we rented a property in Phoenix and remodeled an old building into the new office," shared Tom Lerch, one of the brothers behind the Maryland landscaping company.

The 48-acre lot is located in the Jacksonville, MD area further from the interstate highway than the former office in the heart of Cockeysville, MD. The property is surrounded by farmland and private residences, which makes for scenic location fit for a landscaping company.

Lerch added that the brothers have big plans for the property, which include creating a selection center to showcase landscape designs and let customers browse through the variety of landscaping products, materials and solutions Lerch Brothers have to offer.

After spending more than 15 years in the **Baltimore landscaping** business, Lerch Brothers Landscape Contractors have grown significantly, now employing a staff of 16 and owning a variety of in-house landscaping equipment from pruners to tractors.

Starting out on the maintenance side of the business, the brothers eventually evolved into skilled designers, offering a wide array of services, including landscape design and installation, masonry and hardscape, outdoor structure construction, grading, drain system installation and other services for both old and new constructions.

The new office is located at 14538 Old York Rd., Phoenix, MD 21131 and is currently open for business.

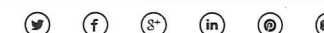
About Lerch Brothers Landscape Contractors

Founded in 1995, Lerch Brothers Landscape Contractors have been working on residential landscaping in Baltimore County and surrounding areas for more than a decade. The company's portfolio includes elaborate landscape designs and installations, masonry work, decks, porches and many other outdoor structures. For more information about the company, please visit <http://www.lerchbrothers.com>.



Tom & John Lerch, the founders of Lerch Brothers Landscape Contractors

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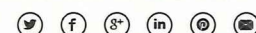
TOM LERCH

Lerch Brothers Landscape Contractors
410.825.8644
Email >

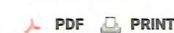
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Baltimore Landscapers | Maryl...

https://www.lerchbrothers.com/about-lerch-brothers

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ABOUT

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Landscape Designs

Gardens & Plantings

Backyard Retreats

Lighting

Hardscape & Masonry

Walkways

Walls

Steps

Driveways

Custom Stonework

Custom Brickwork

Decks, Porches & Patios

Water Features & Pools

Pools, Spa & Water Features

Pool Houses & Pool Landscaping

Outdoor Living Spaces

Outdoor Kitchens

Fireplaces & Fire Pits

Pavilions & Pergolas

Other Services

Retaining Walls

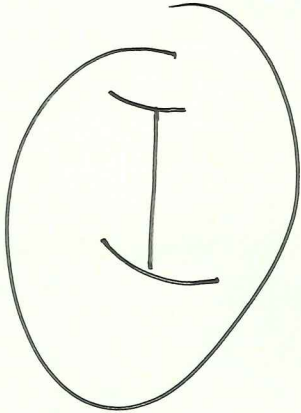
Grading

Sodding

Drainage & Waterproofing

Maintenance





LERCH BROTHERS

Tom and John Lerch founded Lerch Brothers Landscaping Contractors in 1995. Starting out, Tom and John worked together doing what they love- cultivating and maintaining homeowners yards and landscaping. Based in the rolling country side of Baltimore County, Lerch Brothers learned on their jobs and through their experience the art of beautiful outdoor living and how to deliver this unique lifestyle to their clients.

In each individual project, on site or behind the scenes, both brothers are involved. From initial meetings, to refining architectural plans and examining materials, to project completion, they are determined to ensure the Lerch standard of craftsmanship is evident in each individual custom project.

Through the years Tom and John recognized how quality custom hardscaping can improve your outdoor living experience, and compliment your landscape design and lifestyle. From custom designed entry ways, walkways, courts, to backyard escapes featuring outdoor kitchens, fireplaces and pool areas, Lerch Brother's plans function as the meeting point of landscape and living.

Depending on the scope of each project, we collaborate with each homeowner to understand the vision, and use of each area. Teamed with talented landscape architects and designers, we then collaborate our resources to create a beautiful, functional, custom, yet competitively priced project. No matter the scale of the project, Lerch Brothers are committed to cultivating artfully crafted, beautiful designed spaces you will enjoy for a lifetime.

SCHEDULE A CONSULTATION

Name*

Phone Number*

Email*

Service Needed

Tell Us About Your Project

☐ I'm not a robot

reCAPTCHA

Send

summary-of-the-key-pro...in-hr1.pdf

10-2-486 10-minute-...view.pdf

AiG Order-2...8.46 AM



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Nome Mayor's Office

↓ (OVER)

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Inbox (7,259) - middleton63@Landscapers in Baltimore, MD

https://www.lerchbrothers.com

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410.415.9040

ABOUTSERVICESPROCESSPORTFOLIORESOURCESCONTACT

Landscape Designs

- Gardens & Plantings
- Backyard Retreats
- Lighting

Hardscape & Masonry

- Walkways
- Walls
- Steps
- Driveways
- Custom Stonework
- Custom Brickwork
- Decks, Porches & Patios

Water Features & Pools

- Pools, Spa & Water Features
- Pool Houses & Pool Landscaping

Outdoor Living Spaces

- Outdoor Kitchens
- Fireplaces & Fire Pits
- Pavilions & Pergolas

Other Services

- Retaining Walls
- Grading
- Sodding
- Drainage & Waterproofing
- Maintenance

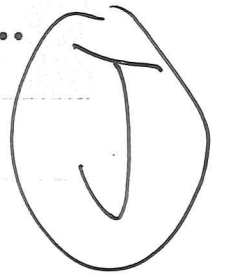
summary-of-the-key-pro...in-hr1.pdf10-2-486.10-minute-...view.pdfAiGOrder-2...8.46 AM

Office

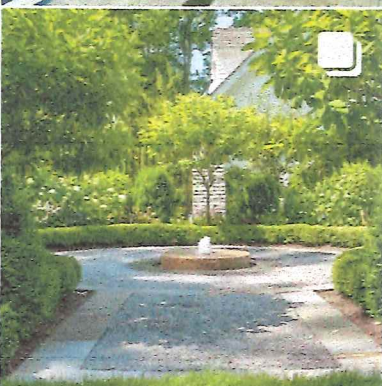
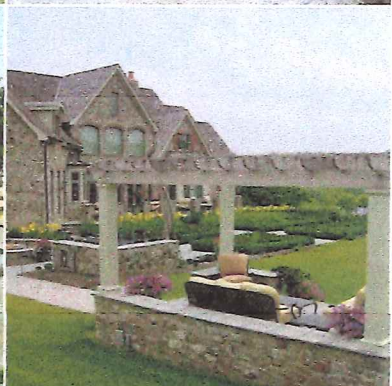
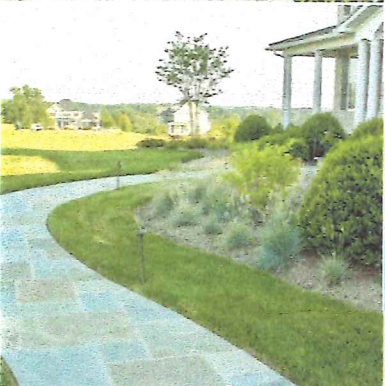
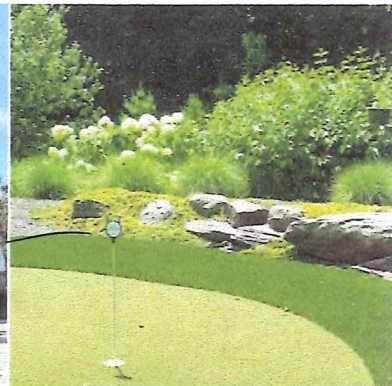
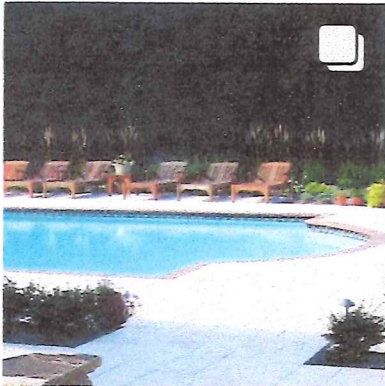
CONSTRUCTION
IS NOT
AGRICULTURE



lerchbrotherslandscapes



lerchbrothers.com/



Judge John E. Beverungen,

October 1, 2018

My name is Janie Ginsburg and our property abuts the property, 14538 Old York Rd. Phoenix, MD. on which Lerch Brothers Landscaping has been operating for the past couple of years. Although I could not be at court today I did want to voice my complaints about the business that is being run there.

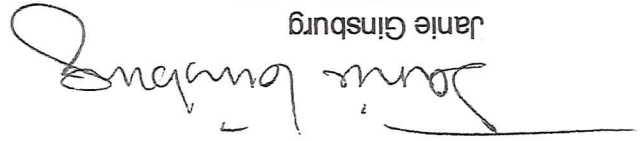
As much as The Lerch Brothers claim that they are running a landscaping business on this property, I see no plants growing there. The property is full of cement, machinery, containers, big trucks, etc.

The noise from this operation is very disturbing to our peaceful country home. The noise starts early in the morning, often before we get up, and continues throughout the day. It consists of large trucks coming in and out, repetitive banging of machines breaking up concrete, and other various indistinguishable noises. The sound of all of these comes right into our house.

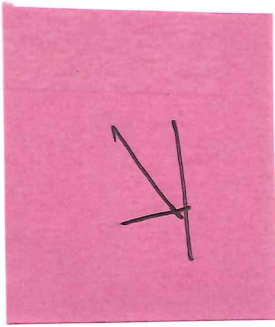
We would be happy to have a landscaping business next to us. It would beautify our neighborhood with the beautiful plantings. I love driving by the landscaping business which is right up the road and looking at the beauty it brings to our community. That is not what we live next to. There are no plants growing in the fields, there is only a hill entirely covered with man made debris. It is an eyesore in our back yard.

Please stop the illegal use by Lerch Brothers of the land which we live next to. We miss watching horses run on the land and the peace and quiet of our home.

Sincerely,



Janie Ginsburg
14520 Old York Rd.
Phoenix, Md 21131



EX. FIELDS / PASTURE

GdB

GdC

GdC

FUTURE VEGETABLE GARDEN EXPANSION

PLANT MATERIAL STAGING AREA

VEGETABLE GARDEN

EX DWELLING CONVERTED TO OFFICE

EX SEPTIC TANK

12 SPACES

LOOP TRANSPORT DRIVE

PROPOSED MATERIALS & EQUIPMENT STORAGE YARD

EX EQUIPMENT REPAIR BARN

8 SPACES

LANDSCAPE MATERIALS STORAGE

LOOP TRANSPORT DRIVE

EARTH FILL STOCKPILE

STONE & BRICK STORAGE

EQUIPMENT STORAGE

8' HIGH CHAIN LINK FENCE WITH GREEN MESH

100' SETBACK TO PROPERTY LINE
BC2R 404.1.6

Tax Account: 10100450
Premise Address: 14528 OLD
Owner Name: ZHANG HAN JEN
Co-Owner Name: ZHANG HAN A
Tax Map: 0120
Parcel: 0220
Ded: 05913-0018
Plot Name: 2700 N PACIFIC
Land Use: RURAL RES
Area:

M

POSTED
PRIVATE PROPERTY
NO TRESPASSING
VIOLATORS WILL BE PROSECUTED

John E. Beverungen, Esquire
Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Ave., Suite 103
Towson, MD 21204 CASE # 2018-0331-XA

20, September 2018

Your Honor,

Thank you for hearing this case today. My name is Robert Groves and I live at 14521 Old York Road. I wish to write you due to me being unable to attend today in person because I feel that you should know other resident's opinions as well about the business at 14538. I am writing to ask the court to deny the special exception to the company in question. The reasons for my asking to deny this is on the following grounds:

I had a meeting with the Lerch Brothers on April 17, 2018 and sat down and expressed my concerns. They wanted to meet with the whole community, but schedules did not permit all of us getting together. In this meeting I addressed four key points that I wanted them to address, these things were reasonable I believe for a community member to be requesting a business to perform to be operating in a residential area. Prior to this hearing I also spoke to their former council Adam Rosenblatt on June 16, 2018 and as he verified with me I shared these same concerns on these issues and he even saw my neutrality in this issue hoping that we could all get along; sadly this is not the case.

- a. The first thing was that an environmental plan be put into place for the property because of the use of commercial fuels such as hydraulic fluid and engine oils as well as routine maintenance. I asked for this because through an environmental class at work, the Maryland State Highway Administration, we have been informed that a quarter size drop of hydraulic fluid could stay in the soil for up to ten years. This could pose and issue to surrounding residences as we are on well water. I was told by the brothers that they use the same water but I also spoke with their attorney advising him that I would like to see a plan in place and I was told by him they would be addressing this issue. Here we are almost six months later and still no plan to protect us as a community.
- b. As being my neighbor across the street I requested that loud noises such as dumping concrete be reconsidered and possibly dumped before returning to this site in question. They have continued to dump things in their dumpsters and making all sorts of noises disturbing the tranquility that we have worked hard for and paid for in this area.
- c. I also had shared that at the church I work at across the street we have to follow MDE and permitting guidelines within Baltimore County and I shared with former council that I felt that as they have been operating next to a residence zoning, that they are not within the limits of the law for the neighborhood. Please note that with this I asked the council to have the proper operation of the law be brought up because if a church has to be held to the standards within the state of Maryland why can't a landscaping business do the same?
- d. Lastly, I requested that the work schedules be reconsidered and not have their trucks pulling in and unloading in the evenings. Their trucks are still coming in as late as 7:00pm and they still seem to ignore that this is a residential area and not a commercial setting.

These four things are all reasonable for a company operating in a residential setting, yet all have not been addressed. If this business wishes to continue to operate within this community then they should be working to respect the residents. When I left the meeting, I thought and felt they truthfully cared about what I shared with them and where going to address somethings, since then nothing has changed. I hope that we will could all get along but since nothing has changed I feel that may never happen.

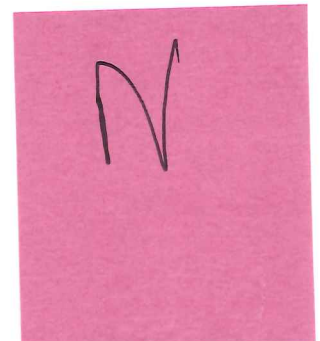
In conclusion the owners themselves would not want this operation in their backyard and yet they operate this business around our properties without thought to us. If they did this on their own property I am sure that their own neighbors would not deal with it either. This operation is not just a average Joe towing a zero turn mower with a F-150, this is a full blown commercial business operating in our backyards.

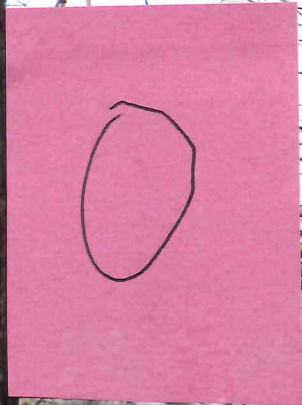
Thank you for your consideration with this matter and hope that this will help you decide on behalf of the families residing in My Ladies Manor.

Sincerely,



Robert Warren Groves
14521 Old York Road
Phoenix, MD 21131





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Property Report - 14538 OLD YORK RD

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Owner Name CREECH COMPANY LLC

Premise Address 14538 OLD YORK RD

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Congressional District 2

Legislative District

Election District 10Voting Precinct 10-001

ECONOMIC

Commercial No Feature Found

Revitalization District

Enterprise Zone	No Feature Found
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Economic Park Center	No Feature Found
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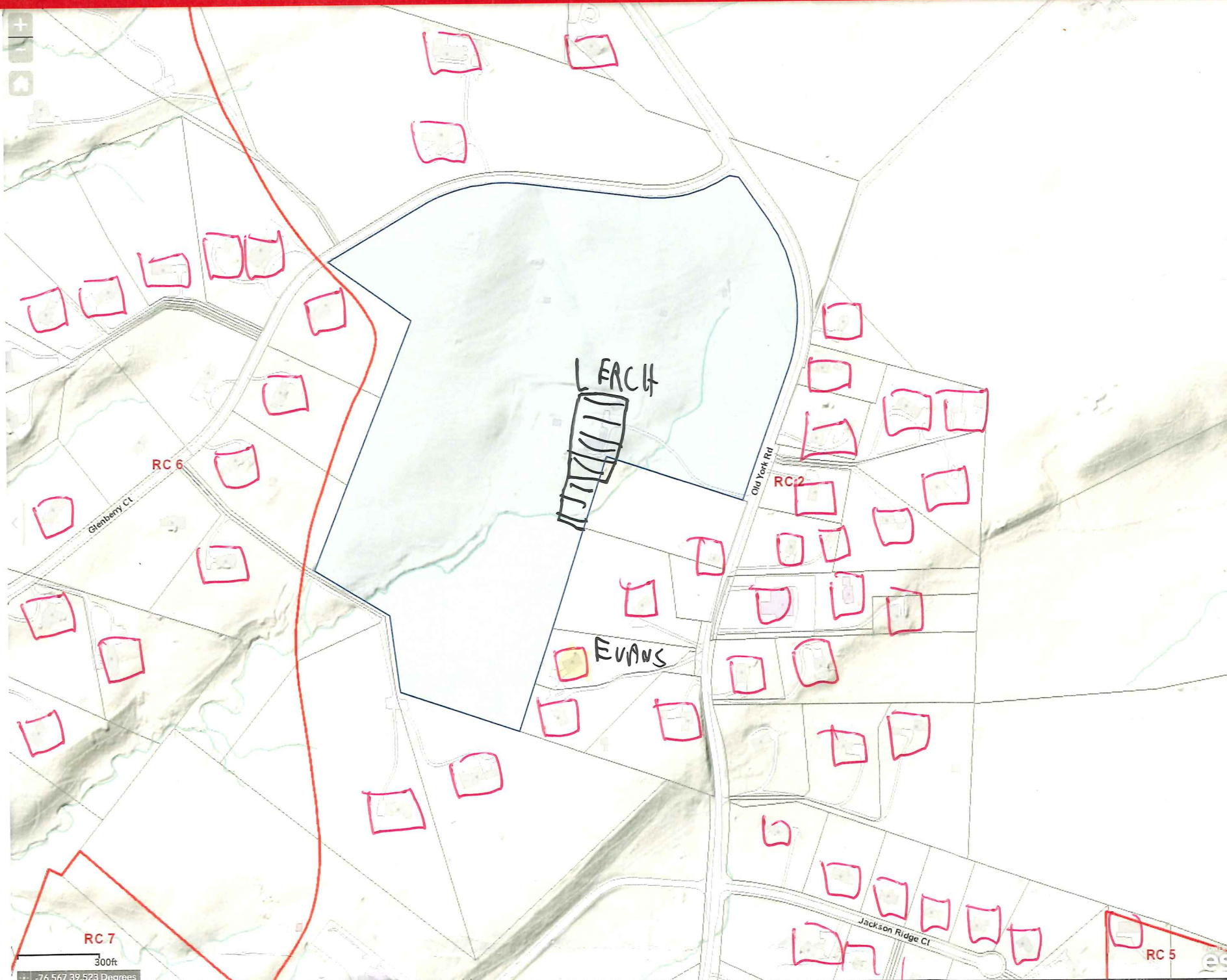
Name _____

ENVIRONMENTAL

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Watershed Name Little Gunpowder Falls

River Basin Name Gunpowder River



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General Information

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14538 OLD YORK RD
PHOENIX MD 21131-1444

Location: MASONRY REPAIR SERVICES MD,
LLC
14538 OLD YORK ROAD
PHOENIX MD 21131

Renewal Date: 03/19/2018

Expiration Date: 08/27/2023

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[14538 OLD YORK RD](#)

[PHOENIX MD 21131-1444](#)

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[14538 OLD YORK ROAD](#)

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