NOTE FOR FILE

I – Donna L. Mignon - received a telephone call from Kristen Lewis on January 23, 2023 at approximately 10:30 – 11:00 a.m. letting me know that they received an appeal in regard to Case No: 2022-0197-SPHA 2301 Sulphur Spring Road by Terri Mason, Esquire.

Kristen asked me if it was okay for them to drop the appeal off when they bring the files over. I indicated to Kristen that was fine.

Debra Wiley

From: Debra Wiley
Sent: Wednesday, December 21, 2022 9:08 AM
To: Terri D. Mason, Esquire –
Cc: Henry Scherer –; Lisa Smith –; Sundar Narinesingh –; Annie Narinesingh –; Kelsey Hunt –; Brian Bachar –; PAI Enforce; Donna Mignon; County Council; Henry Ayakwah; Jeffery Livingston; Jenifer G. Nugent; PAI Zoning; Peoples Counsel; Vishnubhai K Desai
Subject: Decision - Case No. 2022-0197-SPHA - 2301 Sulphur Spring Road - Blandon
Attachments: 0427_001.pdf

Good Morning,

Please find attached ALJ Mayhew's Opinion and Order in reference to the above matter.

Have a great and safe day.

From: adminhearingcopier@baltimorecountymd.gov <adminhearingcopier@baltimorecountymd.gov>
Sent: Wednesday, December 21, 2022 9:11 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Attached Image

Donna Mignon

From: Administrative Hearings
Sent: Tuesday, December 13, 2022 12:33 PM
To: Terri Mason; Administrative Hearings
Subject: RE: 2022-0197-SPHA 2301 Sulphur Spring Road

Good Afternoon,
Our office is in receipt of the attached Exhibits, however some of the pictures are very unclear.
Please make sure that the original Exhibits are dropped off to our office today. Exhibits (electronically and paper copy) were due two business days prior to the hearing.

Thank you.
Have a great day.

From: Terri Mason <terrimason@terridmason.com>
Sent: Tuesday, December 13, 2022 12:22 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: 2022-0197-SPHA 2301 Sulphur Spring Road

CAUTION: This message from terrimason@terridmason.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Attached, please see exhibits for the above referenced hearing.

Law Offices of Terri Mason, P.C.

Terri D. Mason, Esquire
Law Offices of Terri D. Mason, P.C.
2833 Smith Avenue, Suite 307
Baltimore, Maryland 21209
(Voice) 443-948-7772
(Fax) 443-948-7775
Direct Line: 443-222-8229

http://secure-web.cisco.com/1Od3XoHhHtlj8Fn_r1fLmPwJLv4EDTDp9U-LOruxULb1_DuWIlbnl_5-IKs0iVQcZ4DI6qxFRPPXvYI_I0_TcOqHL-D8MReOBWx3L5-_DBvVpBDqWHHncv0ZwjQloiZkaJZtboOeC8YfWJnE7fJ5QZSzxvuGV4WzPU_7YpQaqnuN2-6f2Aj-73MunRWXqbsvaq3ZnNkxpm_KwHUK6YV4Gbb_EgY9YgTROwA0VaRtWqEdxEgXWb1pagtzpOERvp816eNg8rgmy0X1dYxqgqTEFbl0eBWap90Up_Ls3hMiqRhiYIXHc1G7OYzFkLyHt5pBrjjPTX1K2BMXOmSr6GRl407RM2X16QjzI8-8K46ur-DjpGMzD2goCDmbiUzFJYooCFHM3XkzJOEgNnroAbA-fg6IeLZ5caEDn-pI7MoMpUd_p-sMVOTYnCf41W3xyG_NZsCce8cUG4duxjdSjAa0gjQ/http%3A%2F%2Fwww.terridmason.com

PRIVILEGED ATTORNEY-CLIENT COMMUNICATION:
CONFIDENTIAL ADVICE OF COUNSEL AND/OR ATTORNEY WORK PRODUCT

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Donna Mignon

From: Terri Mason <terrimason@terridmason.com>
Sent: Tuesday, December 13, 2022 12:22 PM
To: Administrative Hearings
Subject: 2022-0197-SPHA 2301 Sulphur Spring Road
Attachments: 3233_001.pdf; 3233_028.pdf

CAUTION: This message from terrimason@terridmason.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Attached, please see exhibits for the above referenced hearing.

Law Offices of Terri Mason, P.C.

Terri D. Mason, Esquire
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(Voice) 443-948-7772
(Fax) 443-948-7775
Direct Line: 443-222-8229

http://secure-web.cisco.com/1Od3XoHhHtlj8Fn_r1fLmPwJLv4EDTDp9U-LOruxULb1_DuWIlbnl_5-lKs0iVQcZ4DI6qxFRPPXvYI_I0_TcOqHL-D8MReOBWx3L5-_DBvVpBDgWHHncv0ZwjQloiZkaJZtboOeC8YfWJnE7fJ5QZSzxvuGV4WzPU_7YpQaqnuN2-6f2Aj-73MunRWXqbsvaq3ZnNkxpm_KwHUK6YV4Gbb_EgY9YgTROwA0VaRtWqEdxEgXWb1pagtzpOERvp816eNg8rgmy0X1dYxqgqTEFbl0eBWap90Up_Ls3hMiqRhiYIXHc1G7OYzFkLyHt5pBrjjPTX1K2BMXOmSr6GRl407RM2X16QjzI8-8K46ur-DjpGMzD2goCDmbiUzFJYooCFHM3XkzJOEgNnroAbA-fg6IeLZ5caEDn-pI7MoMpUd_p-sMVOTYnCf41W3xyG_NZsCce8cUG4duxjdSjAa0gjQ/http%3A%2F%2Fwww.terridmason.com

PRIVILEGED ATTORNEY-CLIENT COMMUNICATION:
CONFIDENTIAL ADVICE OF COUNSEL AND/OR ATTORNEY WORK PRODUCT

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CONFIDENTIALITY NOTICE: This message and the accompanying documents are intended only for the use of the

individual or entity to which they are addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If the reader of this email is not the intended recipient, you are hereby notified that you are strictly prohibited from reading, disseminating, distributing, or copying this communication. If you have received this email in error, please notify the sender immediately and destroy the original transmission.

Debra Wiley

From:	Linda Okeefe <luckylinda1954@yahoo.com>
Sent:	Monday, December 12, 2022 4:17 PM
To:	Administrative Hearings
Subject:	Certification
Attachments:	Sulphur Rd. Cert. .jpeg; Sulphur Spring Rd. Photos.docx

CAUTION: This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Donna,

I am attaching the second Certification for Case # 2022-0197-SPH @ 2301 Sulphur Spring Rd. along with photos for your records.
Have a great evening,

Linda

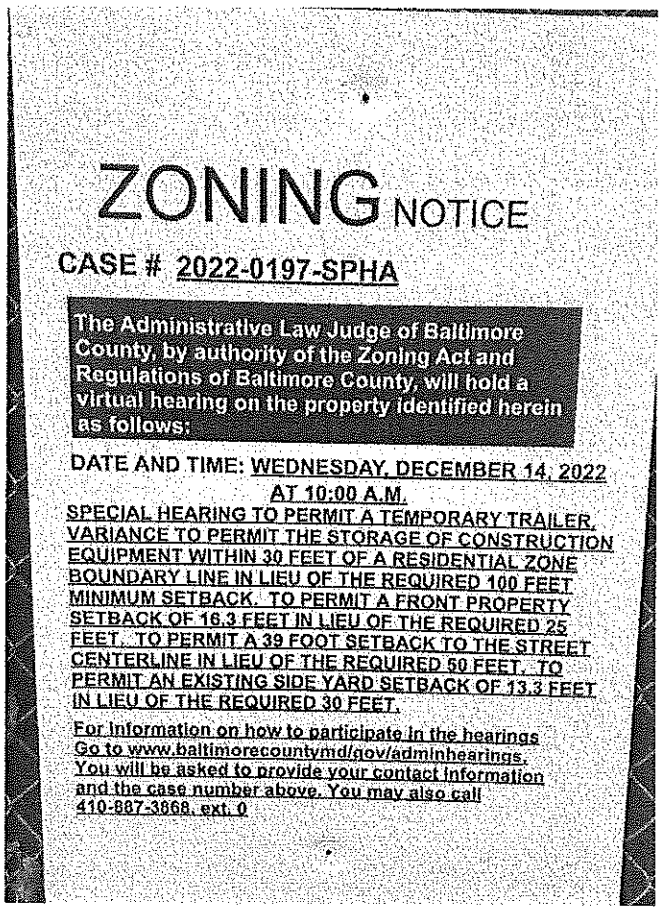
Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com

SECOND CERTIFICATE OF POSTING

ATTENTION: DONNA MIGNON
DATE: 12/12/2022
Case Number: 2022-0197-SPH
Petitioner / Developer: TERRI MASON, ESQ. ~ JOSE BLANDON
Date of Hearing: DECEMBER 14, 2022

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:
2301 SULPHUR SPRING ROAD

The sign(s) were posted on: NOVEMBER 23, 2022
The sign(s) were re-photographed on: DECEMBER 12, 2022



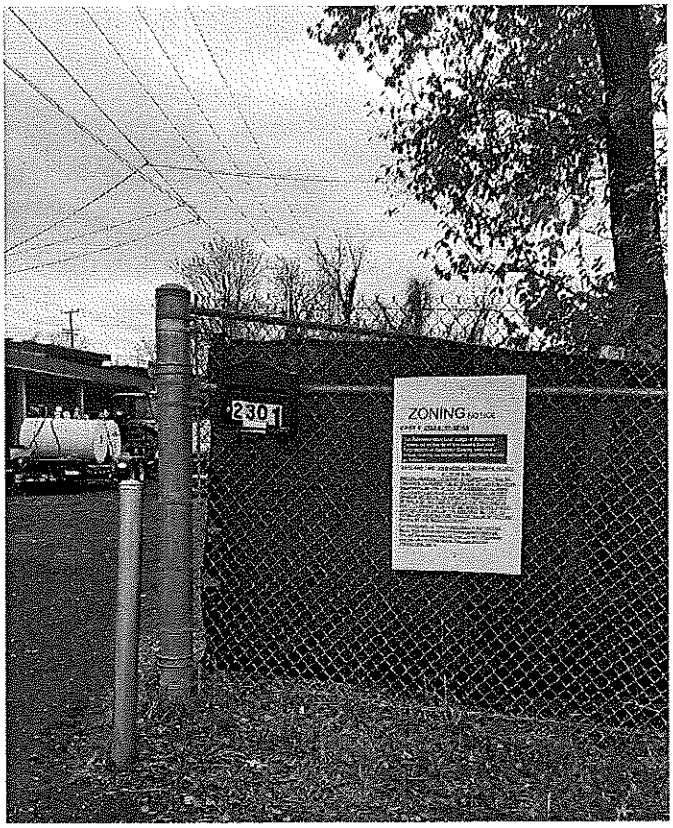
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

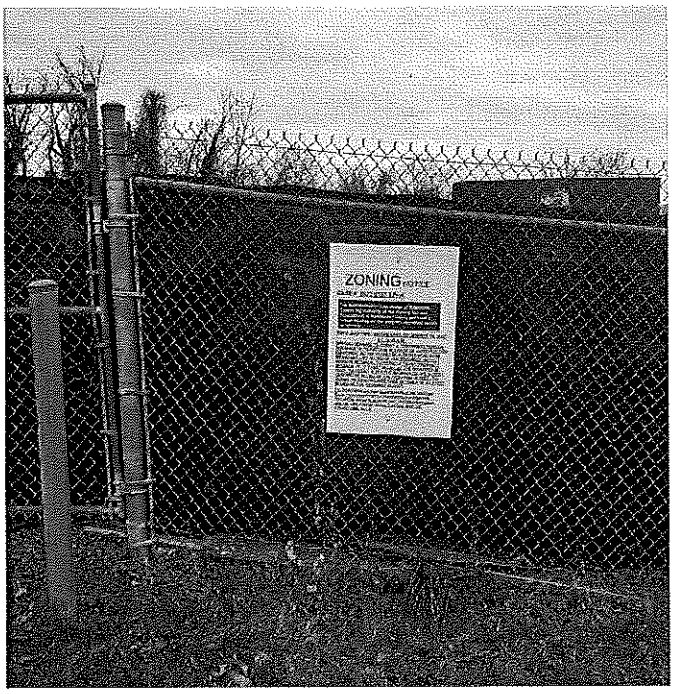
523 Penny Lane
(Street Address of Sign Poster)

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

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



Re-Photographed 1st Sign @ 2301 Sulphur Spring Rd. ~ 12/12/2022



Re-Photographed 2nd Sign @ 2301 Sulphur Spring Rd. ~ 12/12/2022

CASE # 2022-0197-SPH

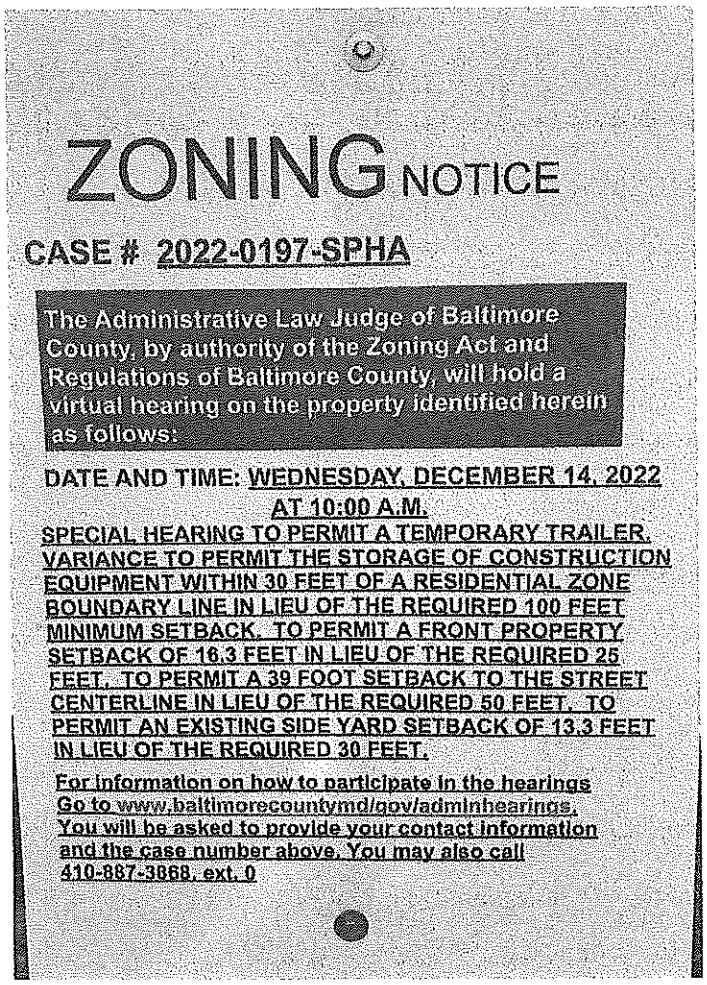
RECEIVED NOV 25 2022

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS
DATE: 11/23/2022
Case Number: 2022-0197-SPHA
Petitioner / Developer: TERRI MASON, ESQ. ~ JOSE BLANDON
Date of Hearing: DECEMBER 14, 2022

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:
2301 SULPHUR SPRING ROAD

The sign(s) were posted on: NOVEMBER 23, 2022



Linda O'Keefe
(Signature of Sign Poster)

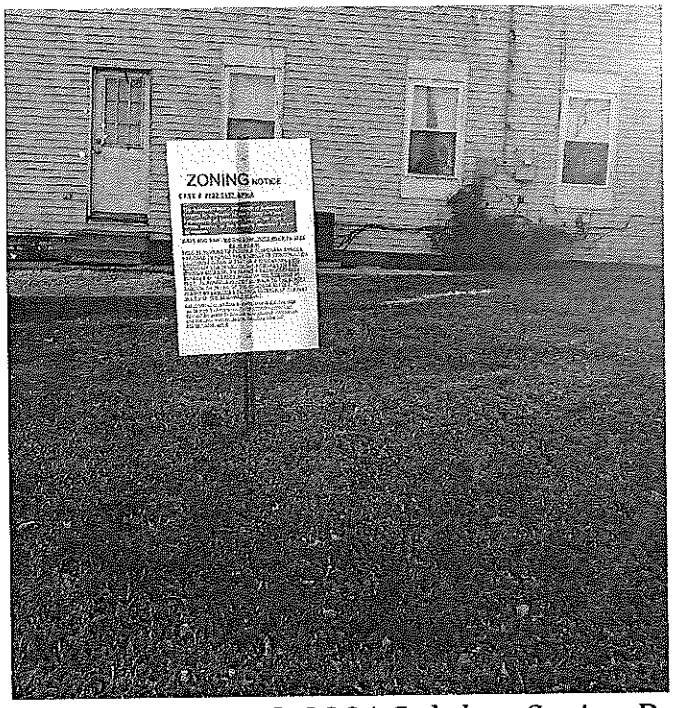
Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

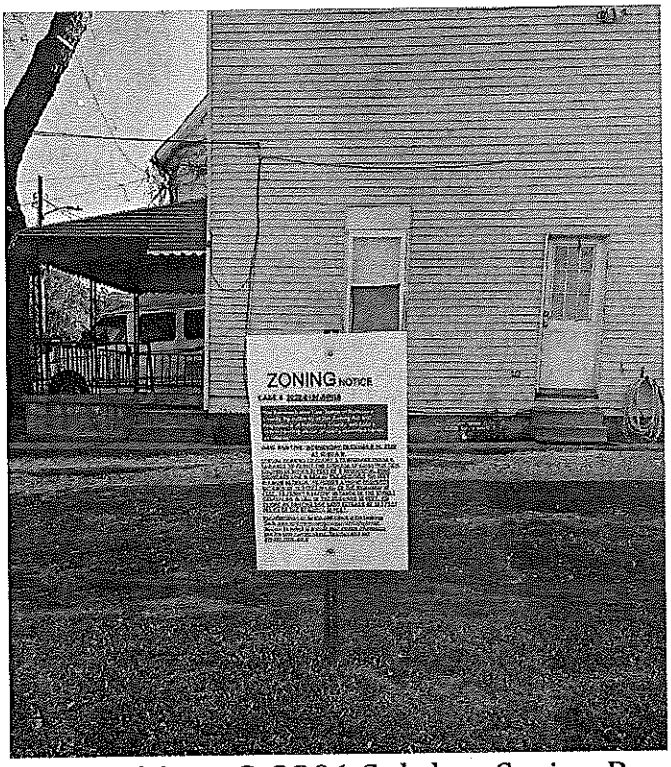
Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

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

RECEIVED NOV 25 2022



Background Photo 1st Sign @ 2301 Sulphur Spring Road ~ 11/23/2022



Background Photo 2nd Sign @ 2301 Sulphur Spring Road ~ 11/23/2022

CASE # 2022-0197-SPHA

The Daily Record
200 St. Paul Place Suite 2480
Baltimore, Maryland 21202
1 (443) 524-8100
www.thedailyrecord.com

Order #: 12174729
Case #: 2022-0197-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2022-0197-SPHA

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:

11/23/2022

Darlene Miller

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2022-0197-SPHA
2301 Sulphur Spring Road
South corner of Sulphur Spring Road and Hammonds Ferry Road
13th Election District - 1st Councilmanic District
Legal Owner: Jose Blandon

Special Hearing to permit a Temporary Trailer. Variance to permit the storage of construction equipment within 30 feet of a residential zone boundary line in lieu of the required 100 feet minimum setback. To permit a front property setback of 16.3 feet in lieu of the required 25 feet. To permit a 39 foot setback to the street centerline in lieu of the required 50 feet. To permit an existing side yard setback of 13.3 feet in lieu of the required 30 feet.

Hearing: Wednesday, December 14, 2022 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Pete Gutwald
Director of Permits, Approvals and Inspections for Baltimore County

n23

TO: THE DAILY RECORD
Wednesday, November 23, 2022 - Issue

Please forward billing to:
Terri Mason
2833 Smith Avenue, Ste. 307
Baltimore, MD 21207

443-222-8229

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2022-0197-SPHA
2301 Sulphur Spring Road
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Pete Gutwald
Director of Permits, Approvals and Inspections for Baltimore County

JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP
Director, Department of Permits, Approvals and Inspections

November 15, 2022

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2022-0197-SPHA
2301 Sulphur Spring Road
South corner of Sulphur Spring Road and Hammonds Ferry Road
13th Election District – 1st Councilmanic District
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Hearing: Wednesday, December 14, 2022 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Pete Gutwald
Director

PW/kl

C: Terri Mason, 2833 Smith Avenue, Ste. 307, Baltimore 21209
Jose Blandon, 3315 Devonshire Drive, Baltimore 21215

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., NOV. 23, 2022**

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 10/17/2022

FROM: Steve Lafferty
Director, Department of Planning

RECEIVED
OCT 18 2022
OFFICE OF
ADMINISTRATIVE HEARINGS

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 2022-0197-SPHA

INFORMATION:
Property Address: 2301 Sulphur Spring Road, Halethorpe, MD 21227
Petitioner: Jose Blandon
Zoning: ML IM
Requested Action: Special Hearing and Variance

The Department of Planning has reviewed the petition for:

Special Hearing:
1. To permit a temporary trailer.

Variances:
2. From Sections 255.1 & 238.1 of BCZR to permit the storage of construction equipment within 30 feet of a residential zone boundary in lieu of the required 100 feet minimum setback;
3. From Sections 255.1 &238.1 of BCZR to permit a front property setback of 16.3 feet in lieu of the required 25 feet;
4. From Sections 255.1 &238.1 of the BCZR to permit a 39 feet setback to the street center line in lieu of the required 50 feet; and
5. From Sections 255.1 &238.1 of the BCZR to permit an existing side yard setback of 13.3 feet in lieu of the required 30 feet.

The Petitioners have submitted additional information stating that the petitioner "provides essential landscaping services to the State of Maryland, Baltimore County, and Baltimore City, including Baltimore County Code Enforcement". The additional information continues on that a disruption to the business could cause disruption to the services they provide, and therefore it is necessary they be able to operate and park required commercial vehicles when not in use.

Based on the plan, the under construction vehicle storage addition, the existing vehicle storage building", and the temporary trailer are located on the east and south edges of the property respectively, which is opposite the residential DR 5.5 zone located the west and northwest of the property. The property is also located at the dead end of Sulphur Spring Road, across from another ML IM zone and use.

Given the positions of the proposed uses based on the plan provided, the Department of Planning does not object to the above Special Hearing and Variance requests and offers the following comments:

- Proper screening should be provided and maintained between the residential and industrial zones; and
- Commercial vehicles should not be parker along Sulphur Spring Road.

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

Division Chief:

Jenifer G. Nugent

SL/JGN/KP/

c: Sophie Kotzker
Terri D. Mason, Esquire
Office of Administrative Hearings
People's Counsel for Baltimore County

CASH ONLY IF ALL *CheckLock*™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

Manuel Landscaping, Inc.
3315 Devonshire Dr.
Baltimore, Maryland 21215
4435250939

WACHOVIA BANK, A DIVISION NA
65-320/550

201469

9/30/2022

PAY TO THE ORDER OF Baltimore County $ 500.00

Five Hundred dollar DOLLARS

PROTECTED AGAINST FRAUD

PINK ICON DISAPPEARS WITH HEAT

MEMO Gary M. Hucik
Case No # CC2200491

⑈201469⑈ ⑆055003201⑆ 7658466847⑈

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

No. 218934

Date: 10/14/22

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				500

Total: 500

Rec From: Manuel Landscaping, Inc.

For: 2301 Sulphur Spring Road

2022-0197-SPHA

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

CASHIER'S VALIDATION

RECEIVED SEP 26 2022

RE: PETITION FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE OFFICE
2301 Sulpher Spring Road; S corner of Sulphur Spring Road	*	OF ADMINSTRATIVE
13th Election & 1st Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Jose Blandon Petitioner(s)	*	BALTIMORE COUNTY
	*	2022-197-SPHA

* * * * * * * * * * * * *

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/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of September, 2022, a copy of the foregoing Entry of Appearance was mailed to Terri Mason, Esquire, 2822 Smith Avenue, Suite 307, Baltimore, Maryland 21209, terrimason@terridmason.com , Attorney for Petitioner(s).

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASH ONLY IF ALL Che[illegible]ck™ SECURITY FEATURES LISTED ON BACK INDICATE NO TA[illegible]RING OR COPYING

Manuel Landscaping, Inc.
3315 Devonshire Dr.
Baltimore, Maryland 21215
4435250939

WACHOVIA BANK, A DIVISION NA
65-320/550

201447

9/14/2022

PAY TO THE ORDER OF Baltimore county. $500 --

Five Hundred dollar DOLLARS

PROTECTED AGAINST FRAUD

PINK ICON DISAPPEARS WITH HEAT

MEMO

MP

⑈201447⑈ ⑆055003201⑆ 7658466847⑈

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

No. 218558

Date: 9/20/22

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				500

Total: 500

Rec From: Manuel Landscaping, Inc.

For: 2301 Sulphur Spring Road

2022-0197-SPHA

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

CASHIER'S VALIDATION

ZAC AGENDA

Case Number: 2022-0197-SPHA **Reviewer:** Gary Hucik
Existng Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL HEARING, VARIANCE
Legal Owner: Jose Blandon
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 13 **Council Dist:** 1

Property Address: 2301 SULPHUR SPRING RD
Location: Property located on the South corner of Sulphur Spring Rd. and Hammonds Ferry Rd.

Existing Zoning: ML-Im **Area:** .95 ACRES
Proposed Zoning:
SPECIAL HEARING:
To permit a Temporary Trailer.

VARIANCE:
1.) BCZR 255.1 and 238.1: To permit the storage of construction equipment within 30 feet of a residential zone boundary in lieu of the required 100 feet minimum setback.

2.) BCZR 255.1 and 238.1: To permit a front property setback of 16.3 feet in lieu of the required 25 feet.

3.) BCZR 255.1 and 238.1: To permit a 39 feet setback to the street center line in lieu of the required 50 feet.

4.) BCZR 255.1 and 238.2: To permit an existing side yard setback of 13.3 feet in lieu of the required 30 feet.
Attorney: Terri D. Mason
Prior Zoning Cases: 1988-0431-SPHA; R-1942-0249; R-1949-1427-X
Concurrent Cases: None
Violation Cases: None
Closing Date:

Miscellaneous Notes:

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/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the 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: 2022-0197-SPHA

Property Address: 2301 Sulphur Spring Road
Halethorpe, MD 21227

Legal Owners (Petitioners): Jose Blandon

Contract Purchaser/Lessee: —

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Terri D Mason, P.C.

Address: 2833 Smith Avenue, Suite 307
Baltimore, Maryland 21209

Telephone Number:

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a $250.00 rescheduling fee may be required after two failed advertisings and/or postings.