



IN THE MATTER OF:

GARY GREIF
934 Oakleigh Beach Road
Dundalk, Maryland 21222

Re: DEPS Tracking No. 07-11-1390
Request for Critical Area Variance

BEFORE THE
BOARD OF APPEALS BALTIMORE COUNTY
BOARD OF APPEALS
FOR BALTIMORE COUNTY

Case No. CBA-12-027

* * * * *

CONSENT ORDER

Before the Board of Appeals is a Petition for Critical Area Variance concerning property located at 934 Oakleigh Beach Road, Dundalk, Maryland 21222 (the "Property"). The Petition was filed by owner Gary Greif ("Mr. Greif") and was opposed by Baltimore County, Maryland and the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays (Greif, the County and the Commission are collectively referred to as "the Parties" for the remainder of this Order).

Prior to the scheduled hearing before the Board, the Parties reached a settlement agreement that will bring the Property into compliance with state and local critical area laws and remove the need for a variance or any further enforcement action on behalf of the County or State. Specifically, the Parties agree as follows:

1. Mr. Greif will remove the shed identified as a "physical therapy shed" on the site plan submitted in connection with his variance request. See Exhibit 1. The Parties agree that the brick and cinder block base that currently surrounds the shed can remain on the Property and be used as a landscaping wall to support a garden that can be planted with native vegetation to decrease runoff into the creek bordering the Property. However, the shed and all concrete that is below the shed must be completely removed from the Property.

2. Mr. Greif will be permitted to keep the “Rubbermaid sheds” that are depicted on the left side of the photograph attached hereto as Exhibit 2A. However, the Rubbermaid sheds must be relocated out of the 100-foot critical area buffer. Any concrete located below the Rubbermaid shed must be completely removed from the Property.

3. With one (1) limited exception, Mr. Greif will remove all of the brick pavers surrounding the pool area. *See* Exhibit 2B. The area surrounding the pool will be restored to grass or other native vegetation as shown in Exhibit 2A. The limited exception is that Mr. Greif will be permitted to relocate the Rubbermaid sheds referenced in paragraph 2 of this Order to an area outside of the critical area buffer that is currently covered by the brick pavers. Mr. Greif will be permitted to keep only enough brick on which to place the Rubbermaid sheds and all pavers between the pool area and the creek that borders the Property must be removed and replaced with grass or vegetation.

4. Mr. Greif will have ninety (90) days from the date of this Order to accomplish the tasks set forth in paragraphs 1-3 of the Order. After 90 days, the State and County will inspect the Property to ensure that Mr. Greif has fulfilled his obligations. If the State and County determine at the time of their inspection that Mr. Greif has made a good faith effort to comply with the terms of this Order and has substantially but not finally fulfilled his obligations, they may collectively determine that Mr. Greif should be provided an additional thirty (30) days to complete his obligations. This limited time extension may only be granted if the State and County determine that the work has been substantially completed in good faith, and the determination will be made by the State and County in their sole and subjective discretion.

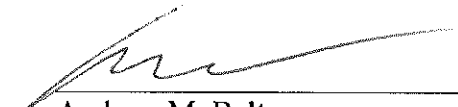
5. If Mr. Greif does not complete all of his obligations within the timeframe outlined in paragraph 4 of this Order, he will be immediately subject to fines and any other penalties for violation of state and local critical area laws.

6. Upon satisfactory completion of Mr. Greif's responsibilities, the State and County will provide written confirmation that all state and local requirements have been satisfied.

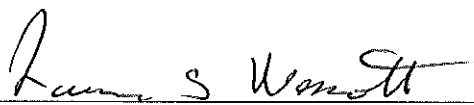
IS IT SO ORDERED on this 10th day of May, 2012 by
the Baltimore County Board of Appeals.



Wendell H. Grier, Panel Chairman



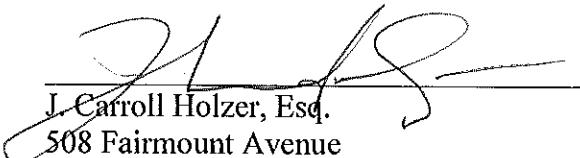
Andrew M. Belt



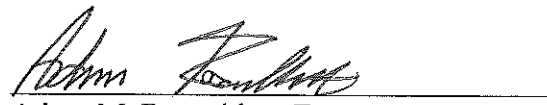
Lawrence S. Wescott

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

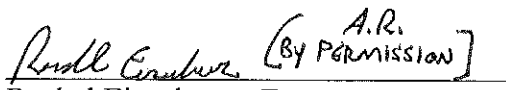
**BY SIGNING BELOW THE PARTIES CONSENT TO THE FORM AND CONTENT
OF THIS CONSENT ORDER AND CERTIFY THAT THEY HAVE
THE AUTHORITY TO SIGN ON BEHALF OF THEIR RESPECTIVE CLIENTS**



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