

From: lyles6340@aol.com
To: [Office of Zoning and Administrative Hearings; MCP-Chair@mncppc-mc.org; Johnson, Nana](#)
Subject: Conditional Use No. CU202410: 6412 Damascus Road Landscape (American Lawn and Landscaping, Inc.)
Date: Thursday, February 29, 2024 10:43:25 AM

[EXTERNAL EMAIL]

Dear Examiner

My name is Oscar Lyles and 6340 Damascus Road has been in my family since the 70's. My Aunt has also been living on Damascus Road since the 1960's as our properties neighbor 6412 Damascus Rd.

I am opposed to the Conditional use permit for 6412 Damascus Rd.

The applicants commercial use of 6412 is causing undue harm as a result of inherited and non-inherited effects on the use of peaceful enjoyment and value of our property in addition to the increased traffic noise, dust, odor, and health and safety concerns.

This is a quiet residential country area. Prior to the Applicants commercial use of the buildings and large parking lot he built on 6412 Damascus Road, the areas behind our residence were sod fields with old growth trees. Our families were able to use our property to the full extent having family cookouts and barbecues in good weather. We also did not experience flooding or water intrusion issues.

This peaceful environment has been impacted by the Applicants Corporate Landscaping business, large parking lot and commercial building, along the 20-30 employees.

One of the more severe harms to the property has been the water damage as mentioned, this area historically has been dry and has not experienced standing water or flooding.

Applicants created 2 concrete swells on his property which diverts the water to the adjacent properties including my own. There is one in the front and one on the back this is magnified by the drains that he is dumping into the swells. I have submitted photos and videos showing the swells that have created standing and rushing water onto my and neighboring property as a result.

As you will see from the photograph and videos the water from the Applicants property forms pools at 6404 Damascus Rd. This is caused the old growth trees to experience root rot and fall in addition to forming extreme mosquito pools. The mosquito population has so significantly increased that we are no longer able to use our outdoor properties. This is affecting all neighborhoods within the vicinity. In fact, the bug issues are so extreme and out of control that I'm not able to fully live or use my property.

Additionally, the water has intruded on and flooded my basement several times. The water also flooded my Aunt's drain field on her property and backed up the sewer in her house. She has had to remain in an unsanitary condition without bathrooms or water for several days until the water abates. In 2011 we had to get flood insurance because of constant flooding.

This never occurred until the Applicant built a large parking area, swells and constructed the commercial buildings on 6412 Damascus Rd.

Additionally, we have experienced negative effects from increased traffic and noise due to the Applicants of the property. He has multiple trucks going in and out all day beginning from very early in the morning. He lets the trucks run when he's not using them, which causes noise and a smell of diesel permeating the properties. The chemicals on the truck are being washed off and leach into the ground as well. I have witnessed 20 to 30 people at the property at one time and, disgustingly, while they have a porta-potty to use, I've witnessed them peeing outside on the lawn throughout the day. I have even had to call the

police on the Appicates' employees and my neighbor directly contacted the applicant on another occasion very upset because his children were being exposed to these lewd and unsanitary conditions.

We are on well. Unsanitary conditions from the chemical high water prevents us from being able to use the well.

I would also like to address some of my concerns with the statements made in the Report:

First it was my understanding that none of the construction work done on 6412 Damascus Rd. was licensed or permitted. I raised this concern with the applicant on numerous occasions. I have also raised my concerns with the county on numerous occasions as well.

In addition to our concerns with someone that would grow a commercial operation without proper licensing or permitting we are gravely concerned that he will use this conditional permit as a push off point to continue to expand his operation and force his large Corporate commercial business into a quiet country residential neighborhood.

The buildings are large commercial constructions with multiple bay doors and not a simple shed as it is likened to in the report. This is significantly different, and alters the Neighborhood.

As mentioned, and it is shown in the photos and videos, while the applicant may have a residential bathroom, his employees are using the porta-potty and is often peeing outside. We also have to stare at a porta-potty and or people peeing outside all day as this is not hidden from view.

As you seen from the photos and videos, the trees do not actually hide any of the commercial buildings or uses from view. This absolutely impacts and adversely affects the residential character of the neighborhood.

While the majority of the operations may occur offsite, applicant uses 6412 to operate a large Corporate commercial operation. There are multiple trucks and vehicles there throughout the day, two dozen people, staging heavy duty supplies and equipment, pallets of salt, fuel tanks, chemical tanks, trash storage, and oil barrels as shown in the photos and videos.

This absolutely impacts the peaceful enjoyment, and the value of our properties, in addition to the increased traffic, noise, odors, dust and the health and safety concerns as people who move out here are looking to escape what he has illegally constructed on his property.

Applicant is seeking a variance for his gravel setback. On the South end, the Appicate has built another swell 15 feet from my property line, as shown in the photos and videos. This is unduly harming the neighbors.

Applicants commercial use of the property is not akin to a shed or detached garage as may be found in the neighborhood. He has a large parking area and large commercial buildings with multiple bay doors.

I am asking that you either deny the Conditional use permit for 6412 Damascus Road in its entirety without the variances or that you please postpone this hearing and set it for later date and request that the applicant perform environmental studies on impact that he is having on the land and water.

Respectfully,

Oscar Lyles

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