

M E M O R A N D U M

DATE: August 19, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0324-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on August 16, 2019. 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 HEARING * BEFORE THE**
AND VARIANCE
(2806 New York Avenue) * OFFICE OF
13th Election District * ADMINISTRATIVE HEARINGS
1st Council District * FOR BALTIMORE COUNTY

Guizhi Liang & Yonghul Yang * **Case No. 2019-0324-SPHA**
 Legal Owners
Petitioners *

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of Guizhi Liang and Yonghul Yang, legal owners (“Petitioners”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to confirm that a merger did not take place between Lots 6 & 7 and the adjacent Lots 8 & 9. In addition, a Petition for Variance was filed to permit an existing dwelling on a lot 50' wide in lieu of the required 55' lot width. A site plan was marked and accepted into evidence as Petitioners’ Exhibit 1.

Charles Hoffman appeared in support of the requests. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (“ZAC”) comments were received from any of the County reviewing agencies.

SPECIAL HEARING

This case was combined for hearing with Case No. 2019-0325-SPHA, which involves the adjacent property (*i.e.*, unimproved lots) on New York Ave. Viewed in the aggregate these cases involve four adjacent 25 ft. wide lots as shown on the Plat of Baltimore Highlands. Lot Nos. 6 &

ORDER RECEIVED FOR FILING

Date 4/17/19
By Sen

7 are improved with a single-family dwelling known as 2806 New York Ave. and are the subject of this case. Lot Nos. 8 & 9, the subject of Case No. 2019-0325-SPHA, are unimproved.

Mr. Hoffman testified there are no structures or improvements of any kind located on Lot Nos. 8 & 9. In the absence of any testimony, photographs and/or other evidence showing the unimproved lots were used in service of the dwelling at 2806 New York Ave., the petition for special hearing confirming that a merger has not occurred will be granted.

VARIANCE

As to the variance, it requires 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 dwelling was constructed on the subject property in 1953, before the adoption of the BCZR. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be required to raze the existing improvements. 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. This is demonstrated by the absence of County and/or community opposition.

THEREFORE, IT IS ORDERED this 17th day of **July, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing to confirm that a merger did not take place between Lots 6 & 7 and the adjacent Lots 8 & 9, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to permit an existing dwelling on a lot 50' wide in lieu of the required 55' lot width, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 7/17/19

By Sen

The relief granted herein shall be subject to 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.

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:slh

ORDER RECEIVED FOR FILING

Date 7/17/19

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 2806 New York Ave which is presently zoned DR 5.5
 Deed References: 40985/325 10 Digit Tax Account # 1316900050
 Property Owner(s) Printed Name(s) Guizhi Liang Yonghui Yang

(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 confirm that a merger did not take place between this lot (6+7) + The adjacent lots (8+9)
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a **Variance** from Section(s) 1 B01.2.3.C.1, BC2R, to permit an existing dwelling on a lot width of 50' in lieu of the required 55' Feet.

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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature Date 7/17/19

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Guizhi Liang / Yonghui Yang

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

11803 Chapel Woods Ct Clarksville Maryland

Mailing Address City State

21029 / 734-604-8307 / liangguizhi@yahoo.com

Zip Code Telephone # Email Address

Representative to be contacted:

John Mellema Surveyors
 Name - Type or Print

Signature

5409 East Dr Arbutus MD
 Mailing Address City State

21227 / 410-247-7488 / JCMCSURVEYORS
 Zip Code Telephone # Email Address

CASE NUMBER 2.19-0324-SP# Filing Date 5/15/19 Do Not Schedule Dates: Reviewer C

John C. Mellema, Sr. Inc.
5409 East Drive
Baltimore, Maryland 21227
410-247-7488 fax 410-247-2507

Zoning Description
#2806 New York Avenue
Baltimore County Maryland
Tax map 109 Grid 11 Parcel 387

Beginning for the same at a point on the Northeast side of New York Avenue , said point being 250' feet Northwesterly from the centerline of Brian Street, thence binding on the Northeast side of New York Avenue , Northwesterly 50' feet, thence leaving New York Avenue in a Northeasterly direction 125' feet to the Southwest side of a 10' foot alley, thence binding on the 10' foot alley , Southeasterly 50' feet , thence southwesterly 125' feet to the place of beginning.

Being known and designated as lots 6 and 7 in block G on the plat of "Baltimore Highlands" which is recorded in Baltimore County MD plat book 3 folio 34. Also being the same lot described in a deed dated November 30th , 2018 between Helen Puszaitis, party of the first part and Guizhi Liang and Yonghui Yang , parties of the second part in liber 40985 folio 325.



2019-0324-SPHA

JB 7-16-19
1:30 pm

Debra Wiley

From: David Billingsley <dwb0209@yahoo.com>
Sent: Saturday, July 13, 2019 6:58 AM
To: Administrative Hearings
Subject: 2806 NEW YORK AVE AND LOTS 8 & 9 NEW YORK AVE CASE NOS. 2019-0324-SPHA
& 2019-0325-SPHA
Attachments: Scan_0208.pdf

CAUTION: This message from dwb0209@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.

POSTING RECERTIFICATIONS ATTACHED
THANKS

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL



RECEIVED
OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

RECERT 7/12/19

Date: JUNE 27, 2019

RE: Project Name: 2806 NEW YORK AVE #1
Case Number /PAI Number: 2019-0324-SPHA
Petitioner/Developer: LIANG, YANG
Date of Hearing/Closing: JULY 16, 2019

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 2806 NEW YORK AVENUE

The sign(s) were posted on

7/12/19
JUNE 26, 2019

(Month, Day, Year)

Jul 12, 2019 9:14:50 AM

ZONING NOTICE

CASE NO. 2019-0324-SPHA
2806 NEW YORK AVENUE

A HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204
TIME: TUESDAY, JULY 16, 2019 @ 1:30 PM

SPECIAL HEARING TO CONFIRM THAT A MERGER DID
NOT TAKE PLACE BETWEEN THIS LOT (6 & 7) AND THE
ADJACENT LOTS (8 & 9). VARIANCE TO PERMIT AN
EXISTING DWELLING ON A LOT 50 FEET WIDE IN LIEU OF
THE REQUIRED 55 FEET

Postponements due to weather or other conditions are sometimes necessary. To
confirm hearing or obtain additional information, contact Department of Permits,
Approvals and Inspections, 111 West Chesapeake Avenue, Towson, Md. 21204 (410)
897-3391.

UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE DAY OF THE
HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE

David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

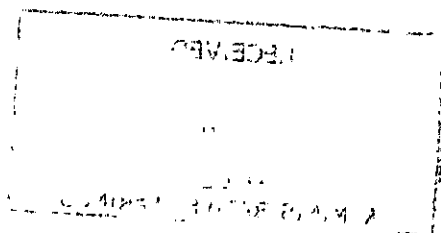
(410) 679-8719

(Telephone Number of Sign Poster)

RECEIVED

JUL 15 2019 11/11

OFFICE OF
ADMINISTRATIVE HEARINGS



CERTIFICATE OF POSTING

RECERT 7/12/19

Date: JUNE 27, 2019

RE: Project Name: 2806 NEW YORK AVE #2
Case Number /PAI Number: 2019-0324-SPHA
Petitioner/Developer: LIANG, YANG
Date of Hearing/Closing: JULY16, 2019

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 2806 NEW YORK AVENUE

The sign(s) were posted on

JUNE 26, 2019

(Month, Day, Year)

Jul 12, 2019 9:15:10 AM

David Billingsley
David Billingsley
(Signature of Sign Poster)

(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

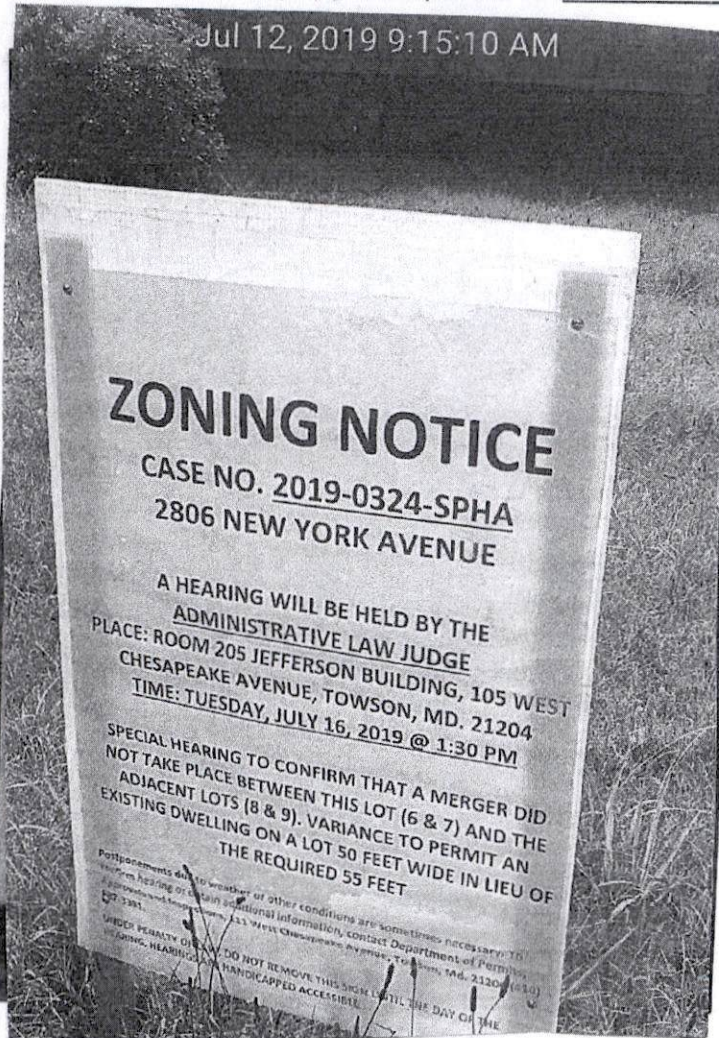
(Telephone Number of Sign Poster)

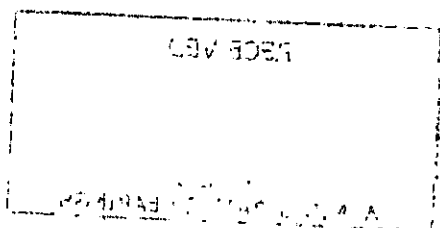
RECEIVED

JUL 15 2019

11/11

OFFICE OF
ADMINISTRATIVE HEARINGS





CERTIFICATE OF POSTING

RECERT 7/12/19

Date: JUNE 27, 2019

RE: Project Name: LOTS 8 & 9 NEW YORK AVENUE # 1
Case Number /PAI Number: 2019-0325-SPHA
Petitioner/Developer: LIANG, YANG
Date of Hearing/Closing: JULY 16, 2019

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 FRONTAGE OF LOTS 8 & 9 NEW YORK AVENUE

The sign(s) were posted on 7/12/19
JUNE 26, 2019

(Month, Day, Year)

Jul 12, 2019 9:14:02 AM

ZONING NOTICE

CASE NO. 2019-0325-SPHA

LOTS 8 AND 9 NEW YORK AVENUE

A HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204

TIME: TUESDAY, JULY 16, 2019 @ 2:30 PM

SPECIAL HEARING TO CONFIRM THAT A MERGER DID
NOT TAKE PLACE BETWEEN LOTS 8 AND 9 AND THE
ADJACENT LOTS AT 2806 NEW YORK AVENUE. VARIANCE
TO PERMIT A PROPOSED DWELLING ON A LOT 50 FEET
WIDE IN LIEU OF THE REQUIRED 55 FEET

Postponements due to weather or other conditions are sometimes necessary. To
confirm hearing or obtain additional information, contact Department of Permits,
Approvals and Inspections, 111 West Chesapeake Avenue, Towson, MD. 21204 (410)
837-3391.

UNDER PENALTY OF LAW, NO PERSON SHALL REMOVE THIS SIGN UNTIL THE DAY OF
HEARING OR UNTIL THE SIGN IS OTHERWISE REMOVED BY THE CITY OF TOWSON.

David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)

RECEIVED

JUL 15 2019

11/11

OFFICE OF
ADMINISTRATIVE HEARINGS

RECEIVED
JAN 10 1964
U.S. AIR FORCE

CERTIFICATE OF POSTING

RECERT 7/12/19
Date: JUNE 27, 2019

RE: Project Name: LOTS 8 & 9 NEW YORK AVENUE # 2
Case Number /PAI Number: 2019-0325-SPHA
Petitioner/Developer: LIANG, YANG
Date of Hearing/Closing: JULY 16, 2019

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 FRONTAGE OF LOTS 8 & 9 NEW YORK AVENUE

The sign(s) were posted on 7/12/19
JUL 12, 2019 9:14:26 AM

JUNE 26, 2019

(Month, Day, Year)

David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)

ZONING NOTICE

CASE NO. 2019-0325-SPHA
LOTS 8 AND 9 NEW YORK AVENUE

A HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204
TIME: TUESDAY, JULY 16, 2019 @ 2:30 PM

SPECIAL HEARING TO CONFIRM THAT A MERGER DID
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TO PERMIT A PROPOSED DWELLING ON A LOT 50 FEET
WIDE IN LIEU OF THE REQUIRED 55 FEET

Postponements due to weather or other conditions are sometimes necessary. To
confirm hearing or obtain additional information, contact Department of Permits,
Approvals and Inspections, 111 West Chesapeake Avenue, Towson, Md. 21204 (410)
287-3791.

UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE DAY OF THE
HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE

RECEIVED

JUL 15 2019

11/11

OFFICE OF
ADMINISTRATIVE HEARINGS

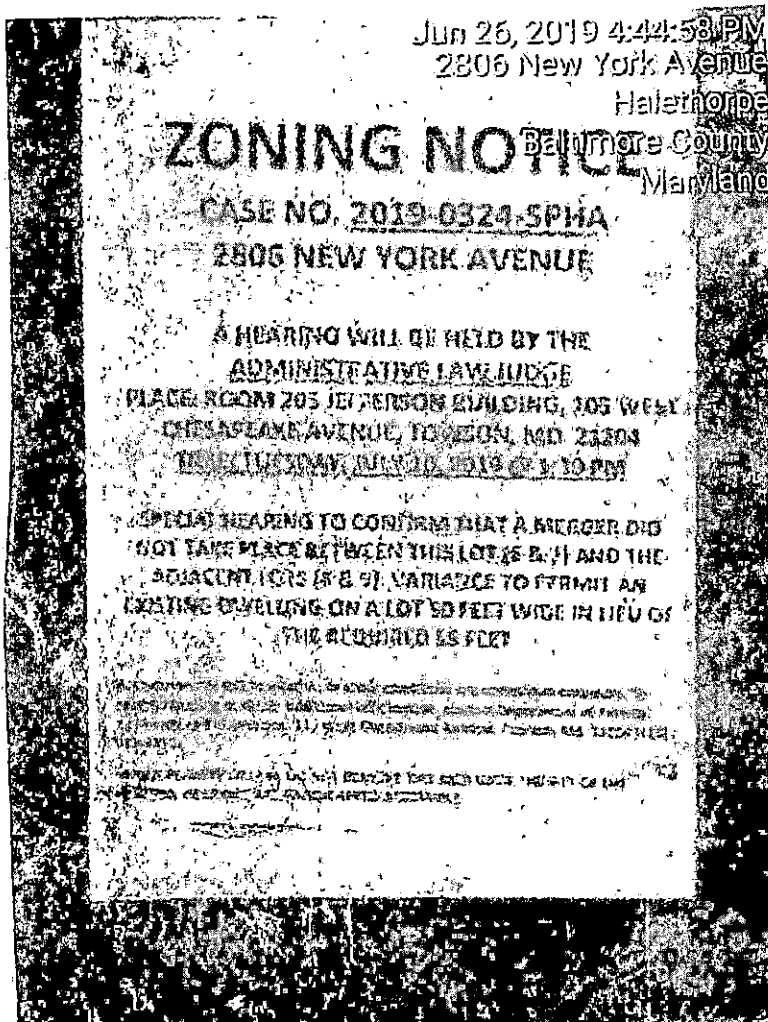
CERTIFICATE OF POSTING

Date: JUNE 27, 2019

RE: Project Name: 2806 NEW YORK AVE #1
Case Number /PAI Number: 2019-0324-SPHA
Petitioner/Developer: LIANG, YANG
Date of Hearing/Closing: JULY 16, 2019

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 2806 NEW YORK AVENUE

The sign(s) were posted on JUNE 26, 2019
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

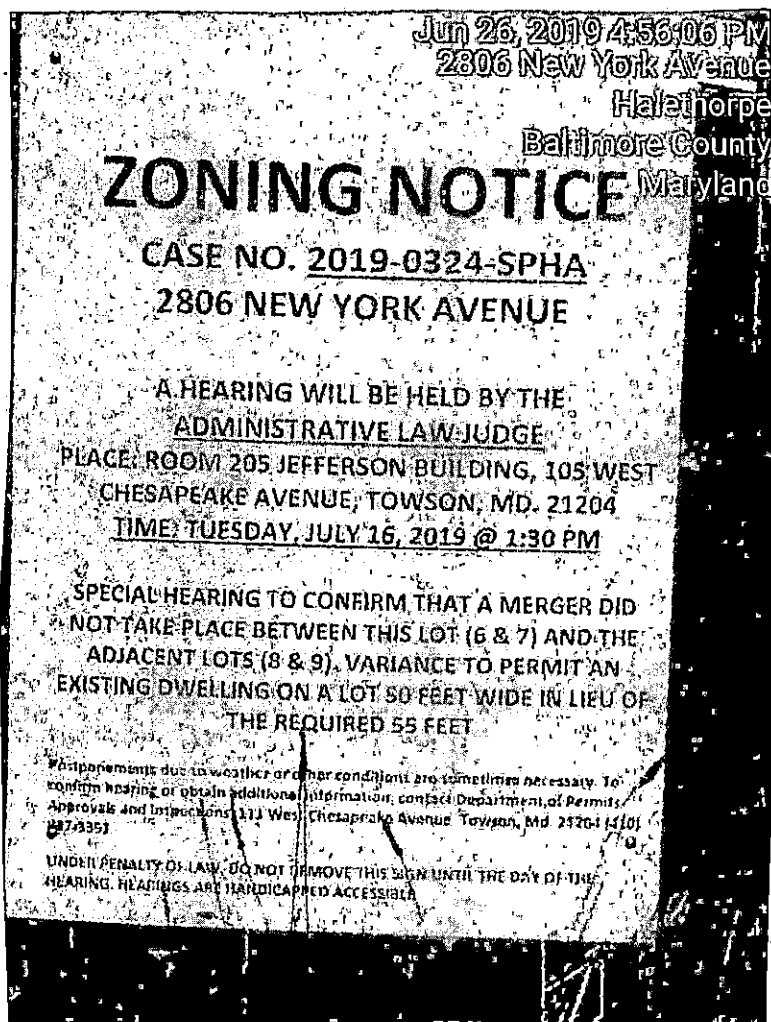
CERTIFICATE OF POSTING

Date: JUNE 27, 2019

RE: Project Name: 2806 NEW YORK AVE #2
Case Number /PAI Number: 2019-0324-SPHA
Petitioner/Developer: LIANG, YANG
Date of Hearing/Closing: JULY 16, 2019

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 2806 NEW YORK AVENUE

The sign(s) were posted on JUNE 26, 2019
(Month, Day, Year).



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

The Daily Record

11 East Saratoga Street

Baltimore, MD 21202-2199

(443) 524-8100

<http://www.thedailyrecord.com>

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:

6/26/2019

Order #: 11757160
Case #: 2019-0324-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0324-SPHA



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: 2019-0324-SPHA

2806 New York Avenue

N/e side of New York Avenue, n/w of Brian Street

13th Election District - 1st Councilmanic District

Legal Owners: Guizhi Liang, Yonghui Yang

Special Hearing to confirm that a merger did not take place between this lot (6 & 7) and the adjacent lots 8 & 9. Variance to permit an existing dwelling on a lot width of 50 ft. in lieu of the required 55 ft.

Hearing: Tuesday, July 16, 2019 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

/s/ Michael Mallinoff

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 410-887-3368.

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

je26

2010.01.17
2010.01.17

2010.01.17

2010.01.17

**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: 2019-0324-SPHA

Property Address: 2806 New York Ave

Property Description: _____

Legal Owners (Petitioners): Guizhi Liang Yonghui Yang

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Rick Hoffman

Company/Firm (if applicable): CRH Construction

Address: 1303 Linden Ave

Anchorage AK 99501

Telephone Number: 443-717-1668

Revised 7/9/2015

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

No. **183773**

Date: **5-15-19**

PAID RECEIPT

BUSINESS ACTUAL TIME LHM

5/16/2019 5/15/2019 10152104 2

REG MISC WALKIN JEE

>>RECEIPT # 001543 5/15/2019 OFLM

Dept 5 328 ZONING VERIFICATION

CR NO. 183773

Receipt Tot \$ 150.00

150.00 CR .00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					150.00

Total:

150.00

Rec

From:

2019-0324-A

For:

2806 New York Ave

Guizhi Liang / Yonahui Yang

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
2806 New York Avenue; NE/S of New York, * OF ADMINISTRATIVE
250' NW of Brian Street
13th Election & 1st Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Guizhi Liang & Yonghul Yang *
Petitioner(s) * BALTIMORE COUNTY
* 2019-324-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

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
MAY 23 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of May, 2019, a copy of the foregoing Entry of Appearance was mailed to John Mellema Surveyors, 5409 East Drive, Arbutus, Maryland 21227, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

July 7, 2019

John Mellema Surveyors
5409 East Dr
Arbutus MD 21227

RE: Case Number: 2019-0324-SPHA, 2806 New York Ave

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 15, 2019. 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, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Guizhi Liang & Yonghul Yang 11803 Chapel Woods Court Clarksville MD 21029

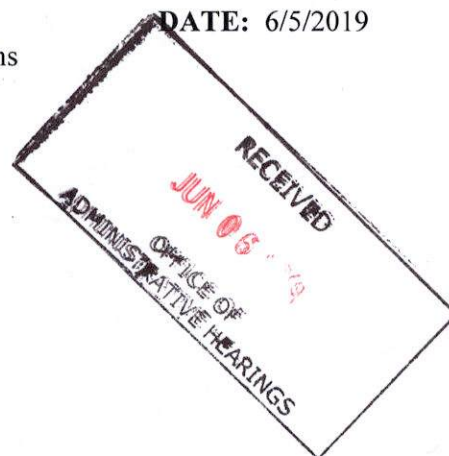
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-324 Lots 6 & 7



INFORMATION:

Property Address: 2806 New York Avenue (Lots 6 & 7)

Petitioner: Guizhi Liang, Yonghul Yang

Zoning: DR 5.5

Requested Action: Special Hearing, Variance

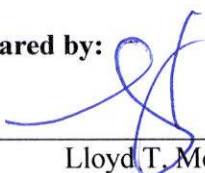
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should confirm that a merger did not take place between Lots 6&7 and the adjacent Lots 8&9 at 2806 New York Avenue. The Department also reviewed the petition for variance to permit an existing dwelling on a lot having a width of 50 feet in lieu of the required 55 feet.

A site visit was conducted on May 24, 2019. Staff observed that that Lots 8&9 are vacant and Lots 6&7 are currently improved with a one story single family dwelling.

The Department of Planning has no objection to granting the petitioned zoning variance relief and will concur with the decision of the Administrative Law Judge, subsequent to the public hearing, as to whether lots 8&9 and lots 6&7 have merged through use.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

CPG/JGN/LTM/

c: Josephine Selvakumar
John Mellema Surveyors
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 6/5/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-324 Lots 6 & 7

INFORMATION:

Property Address: 2806 New York Avenue (Lots 6 & 7)
Petitioner: Guizhi Liang, Yonghul Yang
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

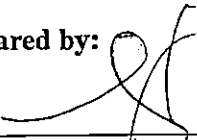
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should confirm that a merger did not take place between Lots 6&7 and the adjacent Lots 8&9 at 2806 New York Avenue. The Department also reviewed the petition for variance to permit an existing dwelling on a lot having a width of 50 feet in lieu of the required 55 feet.

A site visit was conducted on May 24, 2019. Staff observed that that Lots 8&9 are vacant and Lots 6&7 are currently improved with a one story single family dwelling.

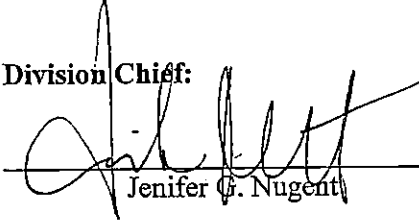
The Department of Planning has no objection to granting the petitioned zoning variance relief and will concur with the decision of the Administrative Law Judge, subsequent to the public hearing, as to whether lots 8&9 and lots 6&7 have merged through use.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

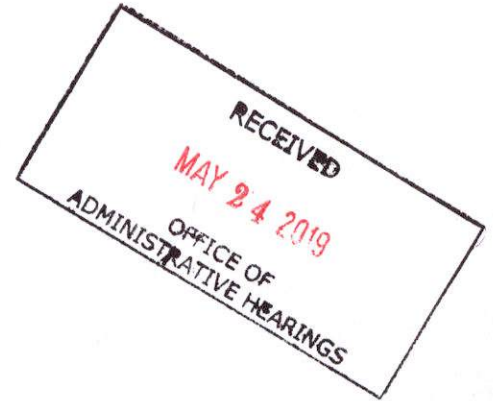
CPG/JGN/LTM/

c: Josephine Selvakumar
John Mellema Surveyors
Office of the Administrative Hearings
People's Counsel for Baltimore County

M-16

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: May 24, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0324-SPHA
Address 2806 New York Avenue
(Liang & Yang Property)

Zoning Advisory Committee Meeting of **May 27, 2019**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 5/22/19

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. 2019-0324-S PHA.

*Special Hearing
Guizhi Liang & Youghal Yang
2806 New York Avenue*

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



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

June 11, 2019

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: 2019-0324-SPHA

2806 New York Avenue

N/e side of New York Avenue, n/w of Brian Street

13th Election District – 1st Councilmanic District

Legal Owners: Guizhi Liang, Yonghul Yang

Special Hearing to confirm that a merger did not take place between this lot (6 & 7) and the adjacent lots 8 & 9. Variance to permit an existing dwelling on a lot width of 50 ft. in lieu of the required 55 ft.

Hearing: Tuesday, July 16, 2019 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 "Michael Mallinoff", is written over a horizontal line.

Michael Mallinoff
Director

MM:kl

C: John Mellema Surveyors, 5409 East Drive, Arbutus 21227
Guizhi Liang, Yonghul Yang, 11803 Chapel Woods Court, Clarksville 21029

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 26, 2019.**
- (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
Wednesday, June 26, 2019 - Issue

Please forward billing to:
Rick Hoffman
CRH Construction
1303 Linden Avenue
Arbutus, MD 21227

443-717-1668

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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

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C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

5/24

DEPS

(if not received, date e-mail sent _____)

N/C

FIRE DEPARTMENT

6/5

PLANNING

(if not received, date e-mail sent _____)

NO Objection
w/ comment

5/22

STATE HIGHWAY ADMINISTRATION

NO Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 6/26/19

SIGN POSTING (1st)

Date: 6/26/19

by Burlingsley

SIGN POSTING (2nd)

Date: 7/12/19

by Billingsley

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Search Result for BALTIMORE COUNTY

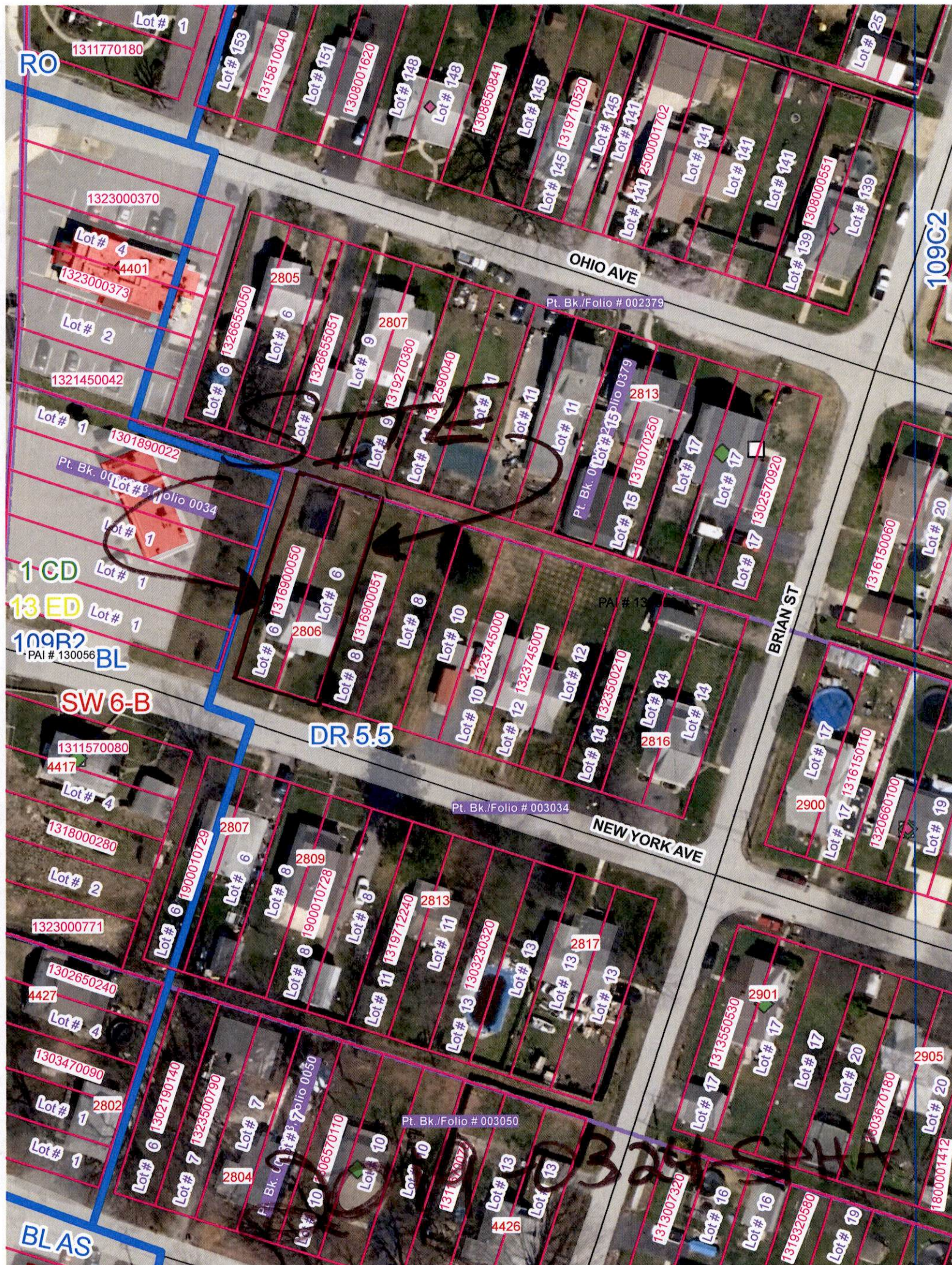
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Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

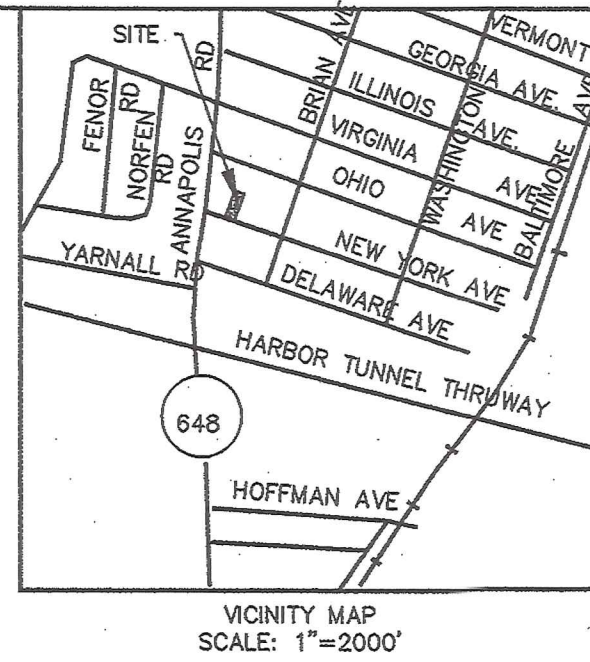
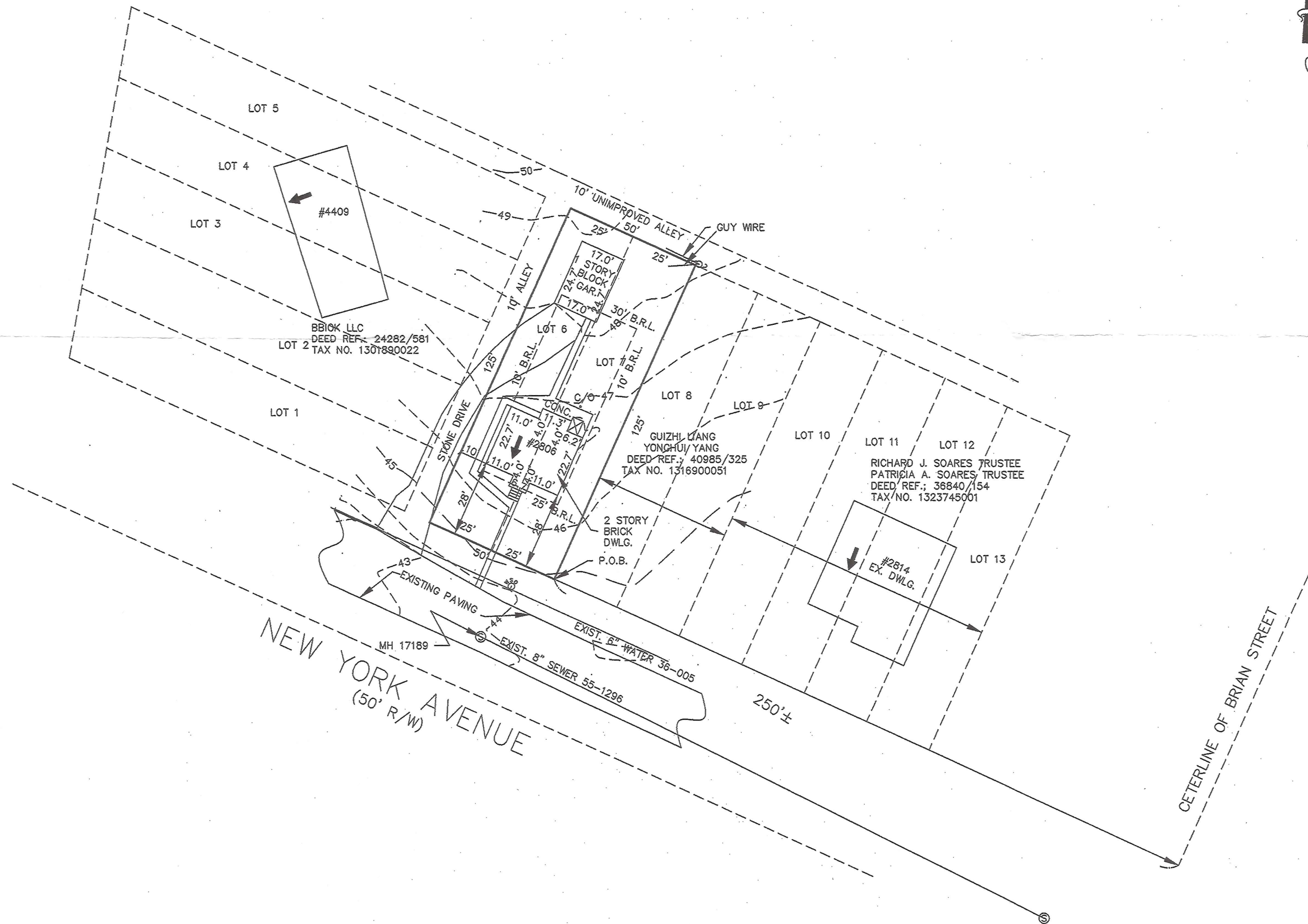
Homeowners' Tax Credit Application Status: No Application

Date:





PLAT TO ACCOMPANY VARIANCE



LOCATION INFORMATION

COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 13
ZONING: D.R. 5.5
1"=200' SCALE MAP: 109B2

LOT SIZE: 6,250 SQ. FT.

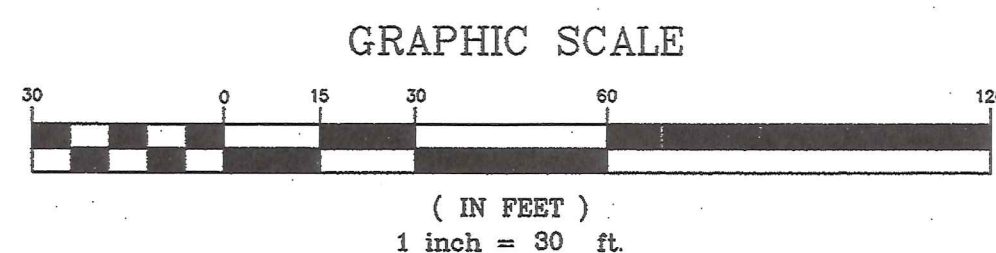
	YES	NO
PUBLIC SEWER	☒	☐
PUBLIC WATER	☒	☐
CHESAPEAKE BAY CRITICAL AREA	☐	☒

SUBDIVISION NAME: PLAT OF BALTIMORE HIGHLANDS
P.B. 3 FOLIO 34

PRIOR ZONING HEARING: N/A
DEED REFERENCE: 40985/325

OWNER: GUIZHI LIANG
YONGHUI YANG
11803 CHAPEL WOODS CT
CLARKSVILLE, MD. 21029
TAX NO. 1316900050

DATE: MAY, 2019
SCALE: 1"=30'



D.R.5.5 REGULATIONS
MINIMUM LOT AREA 6,000 SQ. FT.
MINIMUM LOT WIDTH 55'
MINIMUM FRONT YARD SETBACK 25'/AVERAGE
MINIMUM SIDE YARD SETBACK 10'
MINIMUM REAR YARD SETBACK 30'



2806 NEW YORK AVENUE
LOT 6 & 7, BLOCK "G"
BALTIMORE HIGHLANDS
BALTIMORE COUNTY, MARYLAND
TAX MAP 109 GRID 11 PARCEL 387
SCALE: 1"=30' DATE: MAY, 2019

PREPARED BY:
JOHN C. MELLEMA SR., INC.
LAND SURVEYORS
5409 EAST DR. BALTO., MD. 21227
PHONE: 410-247-7488 FAX: 410-247-2507

2019-0324-SPHA PETS EX. 1