

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. 2019-0325-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 *
AND VARIANCE**

(Lots 8 & 9 New York Avenue) *

13th Election District

1st Council District *

Guizhi Liang & Yonghul Yang

Legal Owners *

Charles Hoffman, *Contract Purchaser*

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0325-SPHA

* * * * *

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 & Yonghul Yang legal owners and Charles Hoffman, contract purchaser (“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 8 & 9 and the adjacent Lots at 2806 New York Avenue (Lots 6 & 7). In addition, a Petition for Variance was filed to permit a 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. 2019-0324-SPHA, which involved the adjacent property at 2806 New York Ave. Viewed in the aggregate these cases involve four contiguous 25 ft. wide lots as shown on the Plat of Baltimore Highlands. Lot Nos. 6 & 7 are

ORDER RECEIVED FOR FILING

Date

7/17/19

By

Sen

improved with a single-family dwelling known as 2806 New York Ave. Lot Nos. 8 & 9, the subject of this case, are unimproved.

Mr. Hoffman testified there are no structures or improvements of any kind located on the subject property (*i.e.*, Lot Nos. 8 & 9). In the absence of any testimony, photographs and/or other evidence showing the subject property was 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 lots comprising the subject property were created long 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 unable to construct a dwelling on the property. I also 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. Finally, as discussed briefly at the hearing, I believe Petitioners would be entitled to construct a dwelling on the property without obtaining a variance, pursuant to BCZR §304. That regulation permits (under certain conditions, which would be satisfied here) construction of a dwelling on an undersized lot where the only deficiency concerns lot width and/or lot area.

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Date

7/17/19

By

Sen

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 8 & 9 and the adjacent Lots at 2806 New York Avenue (*i.e.*, Lots 6 & 7), be and is hereby GRANTED.

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

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 slh



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 LOTS 8+9 New York Ave which is presently zoned PR 55
 Deed References: 40985/325 10 Digit Tax Account # 1316900051
 Property Owner(s) Printed Name(s) Guizhi Liang Yonghui Yang

(SELECT THE HEARING(S) BY MARKING ☒ 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 the lots (8+9) + the adjacent lots at 2806 New York Ave. (lots 6+7)

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 B02.3.C.1; BCZR, To Permit a dwelling on a lot with the width of 50' Feet 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)

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:

Charles Hoffman
 Name- Type or Print
 Signature
 1303 Linden Ave Arbutus Maryland
 Mailing Address City State
 21227 / 443-717-1668 / rick6truck@gmail.com
 Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print
 Signature
 Date
 Mailing Address City State
 By
 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 Melema Surveyors
 Name - Type or Print
 Signature
 5409 East Dr. Arbutus MD
 Mailing Address City State
 21227 / 410-247-7488 / JCMLEMA@VERIZON.NET
 Zip Code Telephone # Email Address

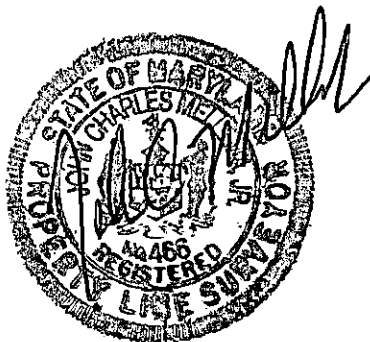
CASE NUMBER 2019-0325-004A Filing Date 05/15/19 Do Not Schedule Dates: Reviewer JF

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

Zoning Description
Lots 8 an 9 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 200' 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 8 and 9 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.





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: 2019-0325-SPHA

Lots 8 & 9 New York Avenue

N/e side of New York Avenue, 200 ft. from centerline of Brian Street

13th Election District – 1st Councilmanic District

Legal Owners: Guizhi Liang, Yonghul Yang

Contract Purchaser/Lessee: Charles Hoffman

Special Hearing to confirm that a merger did not take place between lots (8 & 9) and the adjacent lots at 2806 New York Avenue. 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 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: John Mellema Surveyors, 5409 East Drive, Arbutus 21227
Guizhi Liang, Yonghul Yang, 11803 Chapel Woods Court, Clarksville 21029
Charles Hoffman, 1303 Linden Avenue, Arbutus 21227

- 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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Lots 8 & 9 New York Avenue

N/e side of New York Avenue, 200 ft. from centerline of Brian Street

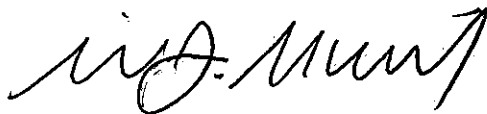
13th Election District – 1st Councilmanic District

Legal Owners: Guizhi Liang, Yonghui Yang

Contract Purchaser/Lessee: Charles Hoffman

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105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
Lot 8 & Lot 9 New York Avenue; NE/S of	*	OF ADMINSTRATIVE
New York, 200' NW of Brian Street		
13 th Election & 1 st Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Guizhi Liang & Yonghul Yang		
Contract Purchaser(s): Charles Hoffman	*	BALTIMORE COUNTY
Petitioner(s)		
	*	2019-325-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.

RECEIVED

MAY 23 2019

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

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

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 #: 11757165
Case #: 2019-0325-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0325-SPHA



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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N/e side of New York Avenue, 200 ft. from centerline of Brian Street

13th Election District - 1st Councilmanic District

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Contract Purchaser/Lessee: Charles Hoffman

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Hearing: Tuesday, July 16, 2019 at 2:30 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 ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3863.

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

je26

1000

1000

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1000

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1000

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1000

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JB 7-16-19
2:30pm

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



CERTIFICATE OF POSTING

RECEIVED 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 JUL 12, 2019 9:14:50 AM

7/12/19
JUNE 26, 2019
(Month, Day, Year)

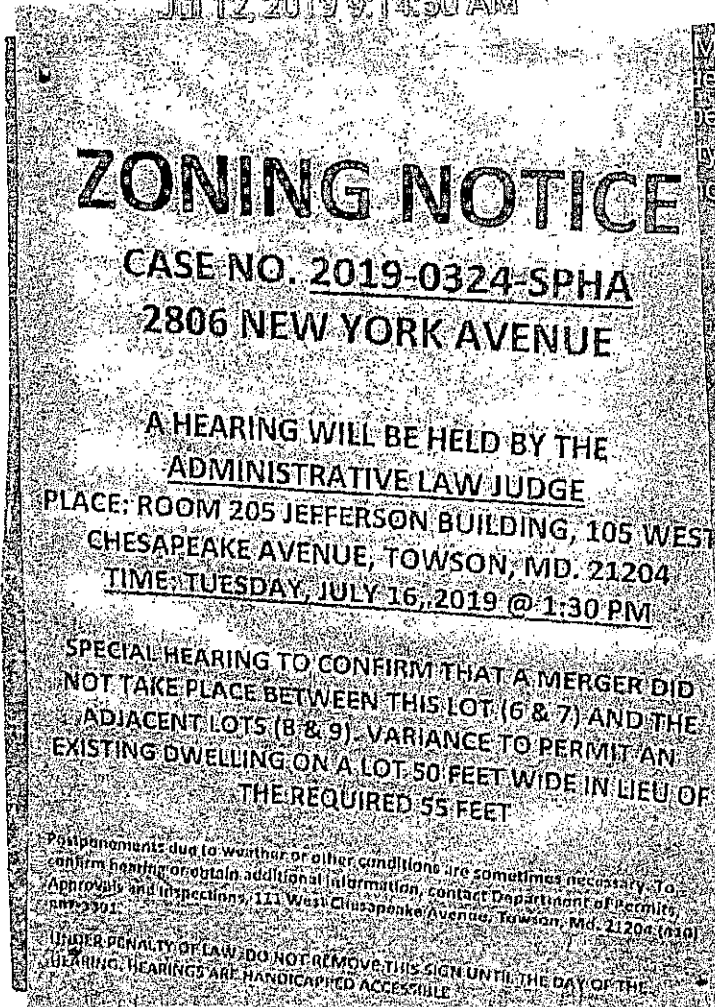
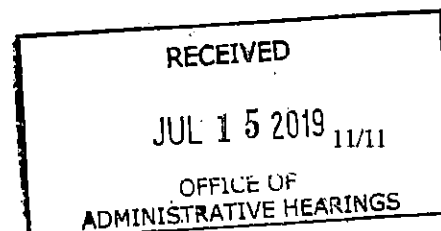
David Billingsley
David Billingsley
(Signature of Sign Poster)

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)



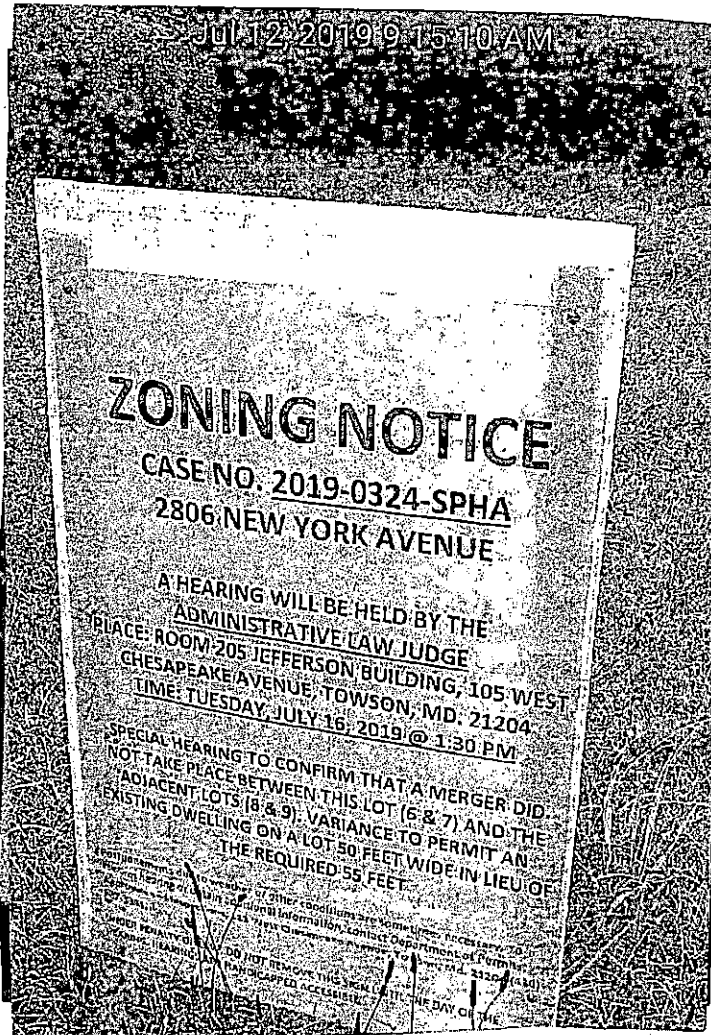
CERTIFICATE OF POSTING

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: 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)



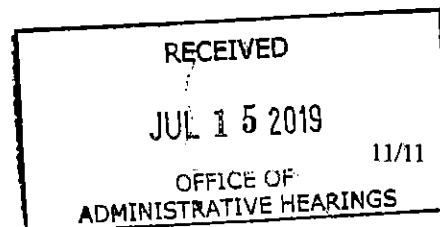
David Billingsley
David Billingsley
(Signature of Sign Poster)

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)



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

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
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) 679-8391.

UNDER PENALTY OF LAW, NO PERSON SHALL REMOVE OR DESTROY THIS SIGN UNTIL THE DATE OF THE HEARING IS PASSED. VIOLATION IS A VIOLATION OF THE ZONING ORDINANCE.

RECEIVED

JUL 15 2019

11/11

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

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

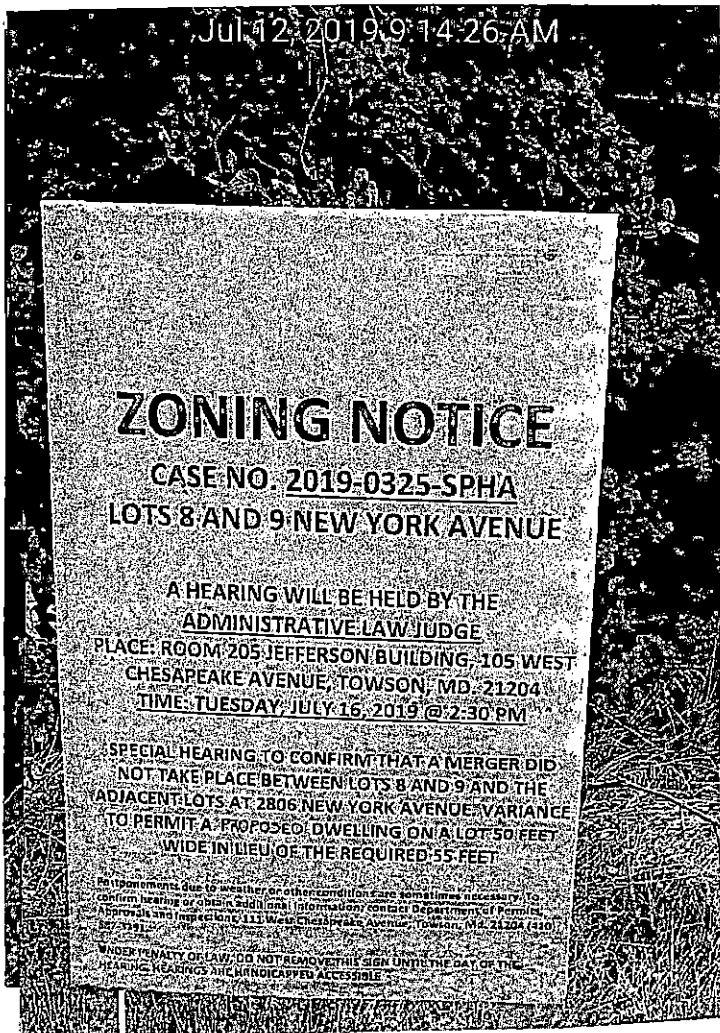
RE: Project Name: LOTS 8 & 9 NEW YORK AVENUE # 2
Case Number /PAI Number: 2019-0325-SPHA
Petitioner/Developer: LIANG, YANG
Date of Hearing/Closing: JULY 16, 2019

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
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

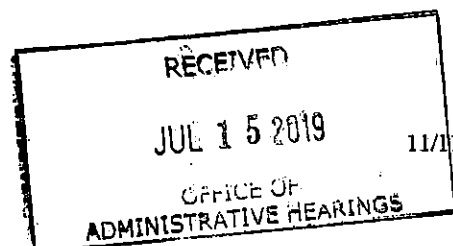
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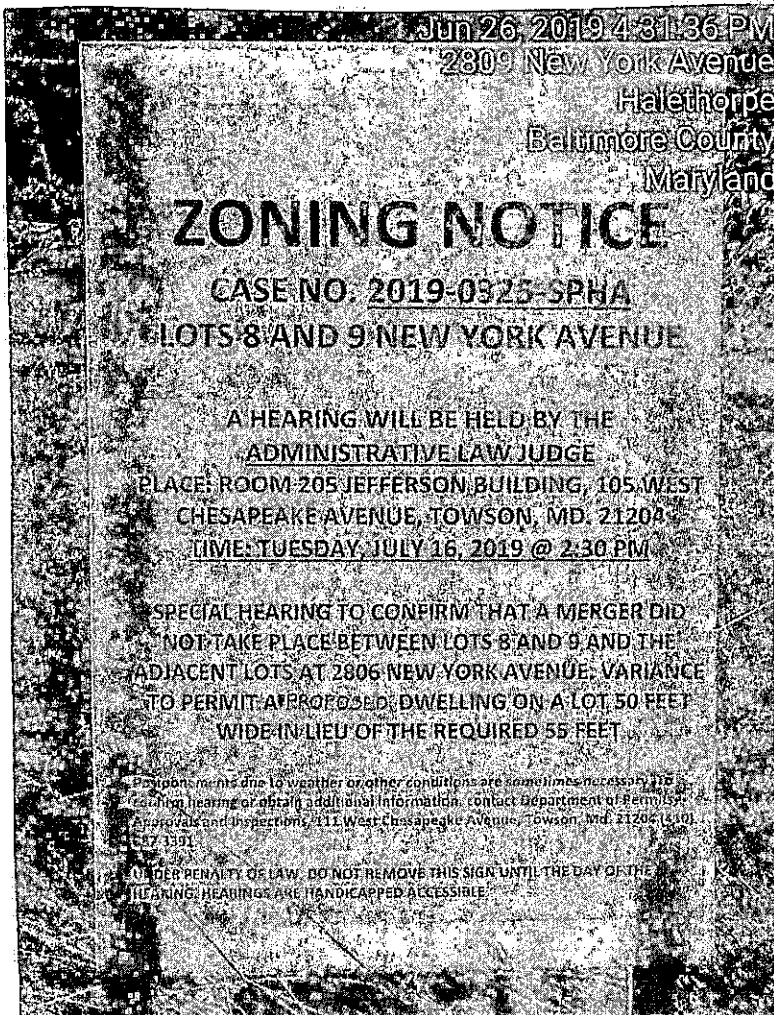
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The sign(s) were posted on JUNE 26, 2019
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

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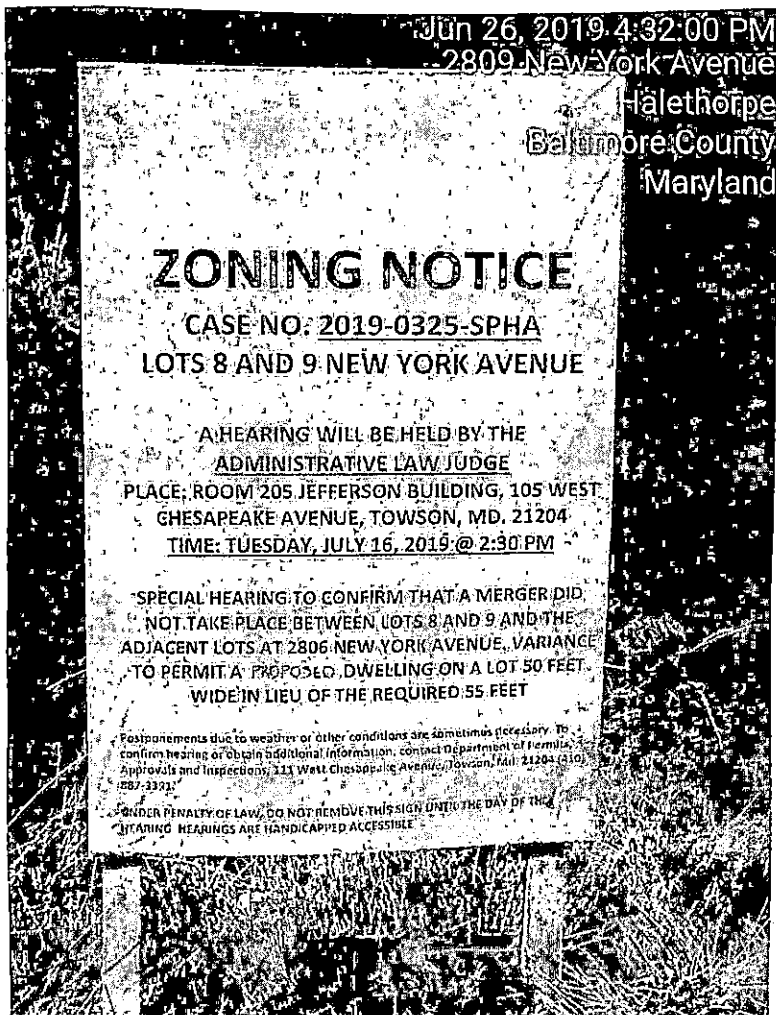
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RE: Project Name: LOTS 8 & 9 NEW YORK AVENUE # 2
Case Number /PAI Number: 2019-0325-SPHA
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(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

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(Street Address of Sign Poster)

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

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

**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: 2019-0325-SPHA

Property Address: Lots 8+9 New York Ave

Property Description: _____

Legal Owners (Petitioners): Guizhi Liang Yonghui Yang

Contract Purchaser/Lessee: Rick Charles Hoffman

PLEASE FORWARD ADVERTISING BILL TO:

Name: Rick Hoffman

Company/Firm (if applicable): _____

Address: 1303 Linden Ave

ARBITUS MD 21227

Telephone Number: 443-717-1668

Revised 7/9/2015

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

No. **183774**

Date: **5/15/19**

PAID RECEIPT

BUSINESS ACTION LINE LHM
 5/16/2019 5/15/2019 10351435 2

REG WOOD WALKIN JEE
 >>RECEIPT # 001542 5/15/2019 OFUN

Dept 5 528 ZONING VERIFICATION
 183774

Recpt 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: **BEN GARY**

For: **Lot 8 & 9 New York Ave**
Case # 2019-0325-0PHA

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 7, 2019

Charles Hoffman
1303 Linden Ave
Arbutus MD 21227

RE: Case Number: 2019-0325-SPHA, Lots 8 & 9 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.", written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
John Mellema Surveyors 5409 East Dr Arbutus MD 21227
Guizhi Liang & Yonghul Yang 11803 Chapel Woods Court Clarksville MD 21029

BALTIMORE COUNTY, MARYLAND

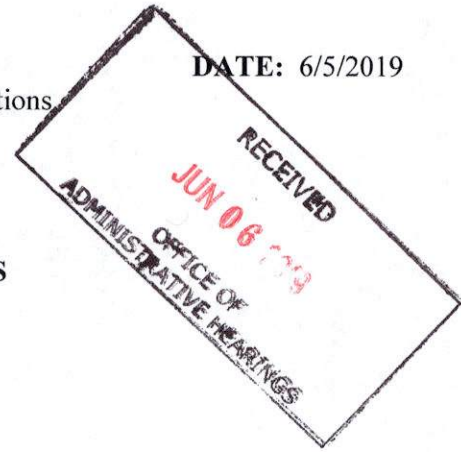
INTER-OFFICE MEMORANDUM

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

DATE: 6/5/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-325 (Lots 8 & 9)



INFORMATION:

Property Address: 2806 New York Avenue (Lots 8 & 9)
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 8&9 and the adjacent Lots 6&7 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 Lots 6&7 are currently improved with a one story single family dwelling and that Lots 8&9 are vacant.

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

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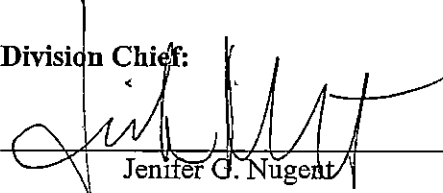
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Prepared by:



Lloyd T. Moxley

Division Chief:



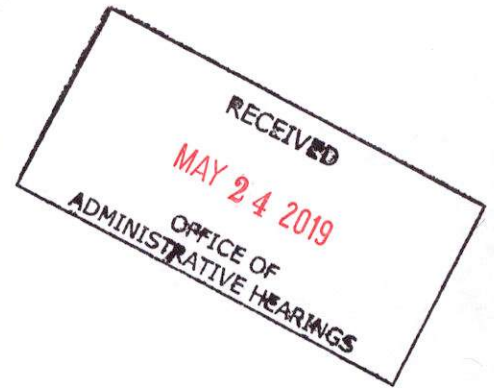
Jennifer G. Nugent

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 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 # 2019-0325-SPHA
Address Lots 8 & 9 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

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

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

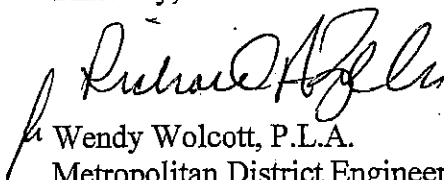
Dear Ms. Lewis:

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. 2019-0325-SPHA

*Special Flexing Variance
Guizhi Liang & Yonghai Yang
Lot 8 & 9 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

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

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 OBJ
w/ Comment

5/22

STATE HIGHWAY ADMINISTRATION

NO OBJ

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

SIGN POSTING (2nd) Date: 7/12/19

by Billingsley
by Billingsley

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

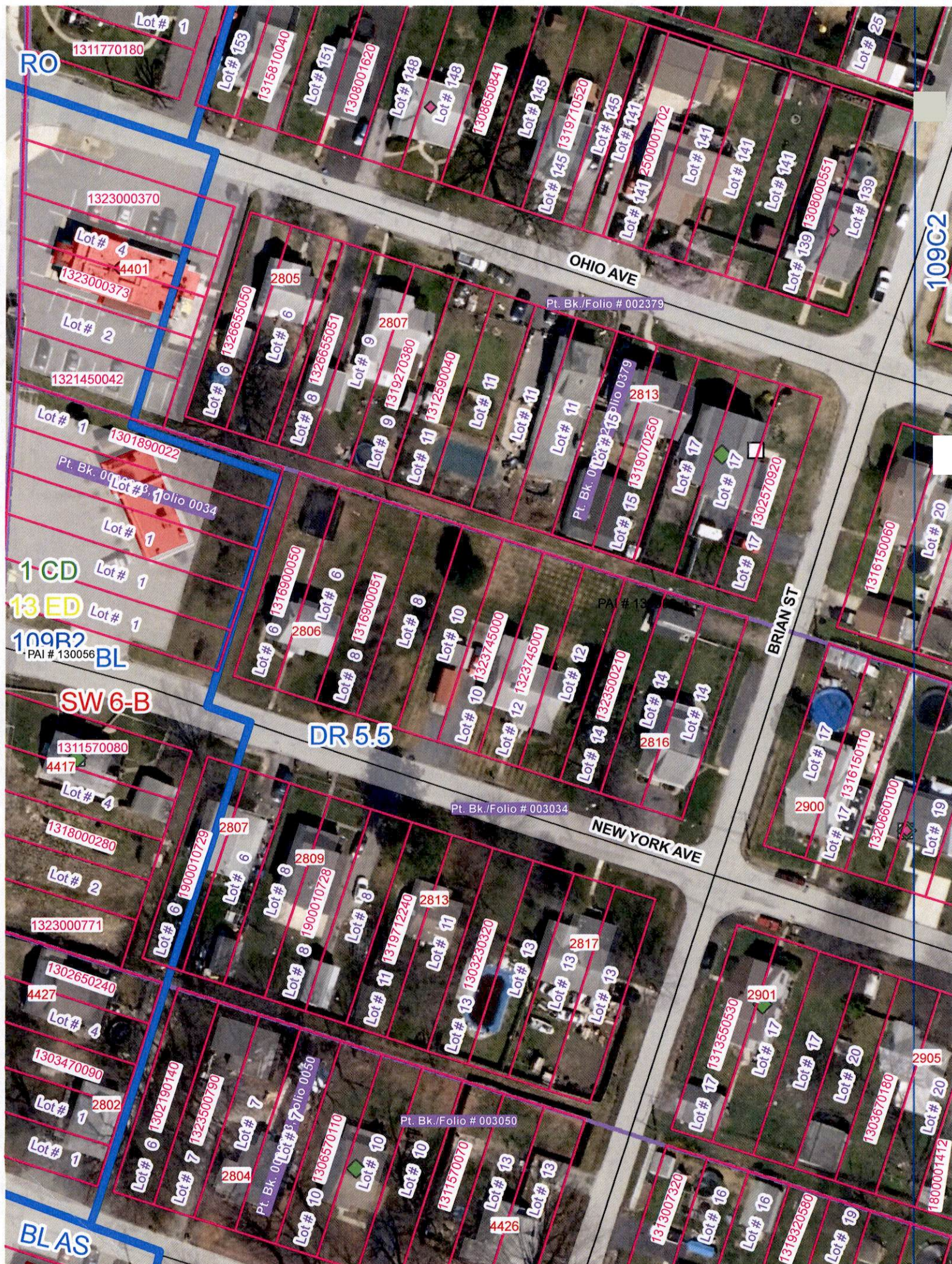
Real Property Data Search

Search Result for BALTIMORE COUNTY

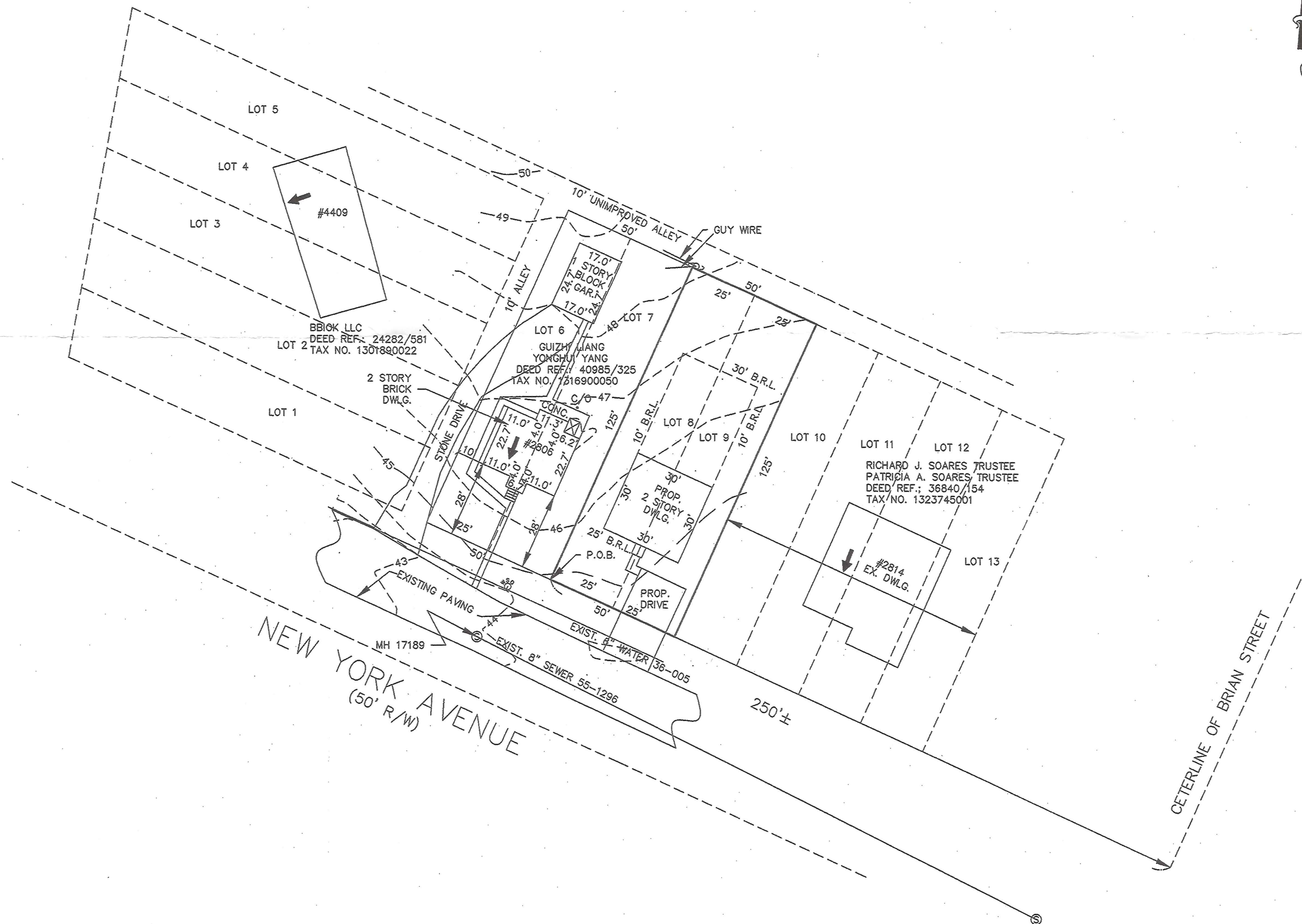
View Map	View GroundRent Redemption	View GroundRent Registration
Tax Exempt:		Special Tax Recapture:
Exempt Class:		NONE
Account Identifier:		District - 13 Account Number - 1316900051
Owner Information		
Owner Name:	LIANG GUIZHI YANG YONGHUI	Use: RESIDENTIAL Principal Residence: NO
Mailing Address:	11803 CHAPEL WOODS COURT CLARKSVILLE MD 21029-	Deed Reference: /40985/ 00325
Location & Structure Information		
Premises Address:	NEW YORK AVE HALETHORPE 21227-3727	Legal Description: LT 8-9 194 E ANNAPOLIS RD BALTIMORE HIGHLANDS
Map:	Grid:	Parcel:
0109	0011	0387
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
G	8	2019
Plat No:	Plat Ref:	
	0003/ 0034	
Special Tax Areas:		Town: NONE
		Ad Valorem:
		Tax Class:
Primary Structure Built	Above Grade Living Area	Finished Basement Area
		Property Land Area
		6,250 SF
		County Use
		04
Stories	Basement	Type
		Exterior
		Full/Half Bath
		Garage
		Last Major Renovation
Value Information		
	Base Value	Value
		As of
		01/01/2019
Land:	47,400	47,400
Improvements	0	0
Total:	47,400	47,400
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2018
		As of
		07/01/2019
		47,400
		47,400
		0
Transfer Information		
Seller: PUSZAITIS HELEN	Date: 12/20/2018	Price: \$137,500
Type: ARMS LENGTH MULTIPLE	Deed1: /40985/ 00325	Deed2:
Seller: PUSZAITIS STELLA	Date: 06/17/1975	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /02056/ 00405	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2018
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:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

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. 1316900051

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

CONTRACT PURCHASER
CRH CONSTRUCTION LLC
695 GARDEN COURT
WESTMINSTER MARYLAND 21157
PHONE: 443-717-1668

GRAPHIC SCALE



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

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'



NEW YORK AVENUE
LOT 8 & 9, BLOCK "G"
BALTIMORE HIGHLANDS
BALTIMORE COUNTY, MARYLAND
TAX MAP 109 GRID 11 PARCEL 387
SCALE: 1"=30' DATE: MAY, 2019