

MEMORANDUM

DATE: March 9, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case Nos. 2019-0517-SPHA & 2019-0518-A –
Appeal Period Expired

The appeal period for the above-referenced cases expired on March 6, 2020. 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**

(6120 (Lot 35) Rich Avenue & Lot 34 *
1st Election District *
1st Council District *

Guizhi Liang & Yonghul Yang *
Legal Owners *
Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

**Case No. 2019-0517-SPHA
2019-0518-A**

* * * * *

OPINION AND ORDER

These consolidated cases come before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and the Variance filed by the owners of the two (2) properties and the contract purchaser of Lot 34 Rich Avenue (Petitioner). Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations (“BCZR”) to confirm that a lot merger has not occurred between the 6120 Rich Avenue and the adjacent vacant parcel at 6122 Rich Avenue (Lot 34). In addition, a Petition for Variance was filed in this case seeking relief from § 1B02.3.C.1 of the (“BCZR”) to permit a proposed dwelling with a lot width of 50 ft. in lieu of the required minimum 55 ft. A site plan showing both adjacent lots was marked Petitioners’ Exhibit 1.

Maxim Gaudreauld, contract purchaser and Benjamin Gary of John Mellema, land surveyors 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.

Testimony that 6120 Rich Avenue is approximately 9,544 square foot and Lot 34 contains approximately 9,808 square foot in size. Both properties are zoned DR 5.5.

ORDER RECEIVED FOR FILING

Date 2/5/2020

By Sen

Mr. Gary testified that the existing structure on Lot 34 was constructed in 1953 upon a Plat that was approved in 1924. He further testified that there is no connection between this lot and the adjacent lot 34. Specifically he noted that there is no garage on the constructed site, its driveway is located completely on 6120 Rich Avenue and no land of Lot 34 is utilized by 6120 Rich Avenue. He further testified that the proposed dwelling will meet all of the setback height and area requirements of the DR 5.5 regulations and, as the lot is under contract for construction, the new owner would not own sufficient adjoining land to satisfy the otherwise required 55 foot minimum lot width.

SPECIAL HEARING

Based on the evidence detailed above, I find that no merger has occurred between the parcels at 6120 Rich Avenue and adjacent lot 34. I further find that Lot 34 has always been a separate lot.

VARIANCE

I believe this case is more appropriately resolved under BCZR § 304, which (unlike § 307) does not require a showing of uniqueness or practical difficulty, *Muller v. People's Counsel*, 177 Md. App. 43 (2007) (discussing application of BCZR §304). The Petitioner satisfies each of the requirements set forth at BCZR § 304.1:

1. The lot was created long before 1955.
2. The proposed dwelling would be constructed in compliance with the setback height and area requirements of the DR 5.5 regulations; and
3. The owner does not own sufficient adjoin land to satisfy the lot width requirement.

THEREFORE, IT IS ORDERED this 5th day of **February, 2020**, by this Administrative Law Judge, that the Petition for Special Hearing to confirm that a lot merger has not occurred with the adjacent vacant parcel at 6122 Rich Avenue (Lot 34), be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 2/5/2020

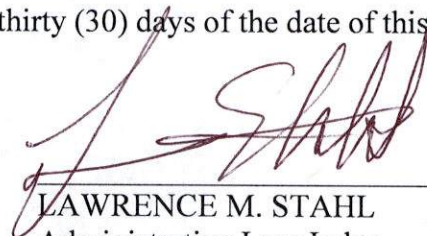
By Sen

IT IS FURTHER ORDERED that the Petition for Variance to construct the proposed dwelling on Lot 34 with a lot 50' width 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.



LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS: sln

ORDER RECEIVED FOR FILING

Date 2/5/2020

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 6125 Rich Ave (Lot 35) which is presently zoned DR 5.5
 Deed References: 41832/00032 10 Digit Tax Account # 0 1 0 3 4 7 0 7 9 2
 Property Owner(s) Printed Name(s) Yonghui Yang, Guizhi Liang

(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 and/or confirm that a lot merger has not occurred with the adjacent vacant parcel at 6122 Rich Ave (Lot 34)
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 an existing dwelling, with a lot width of 50' FT in lieu of the minimum required 55 FT.

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

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

YONGHUI YANG / GUIZHI LIANG

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

Signature #1 Signature #2

11803 CHAPEL WOODS CT CLARKSVILLE MD
 Mailing Address City State

21029 / 734-604-8307 / liangguizhi@yahoo.com
 Zip Code Telephone # Email Address

Representative to be contacted:

John Mellenia Surveyors

Name - Type or Print

Signature

5409 EAST DR. ARBUTUS MD
 Mailing Address City State

21227 / 410-247-7488 / JCMLS@VERIZON.NET
 Zip Code Telephone # Email Address

CASE NUMBER 2019-0517-SPHA Filing Date 11/14/2019 Do Not Schedule Dates: _____ Reviewer JNP

JOHN C. MELLEMA SR., INC.
LAND SURVEYORS

5409 EAST DRIVE BALTO. MD. 21227
PHONE: 410-247-7488 FAX: 410-247-2507
NOVEMBER 13, 2018

ZONING DESCRIPTION
#6120 RICH AVENUE (LOT 35)
DEED REFERENCE 41832/32
TAX MAP 94 GRID 24 PARCEL 96

BEGINNING FOR THE SAME AT A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF RICH AVENUE EASTERLY 135 FEET MORE OR LESS FROM THE CENTERLINE INTERSECTION OF RICH AVENUE AND CUMMINGS AVENUE, THENCE RUNNING EASTERLY ALONG THE NORTHERN RIGHT-OF-WAY OF RICH AVENUE 50 FEET, THENCE NORTHERLY 187 FEET MORE OR LESS, THENCE WESTERLY 50.55 FEET, THENCE SOUTHERLY 194 FEET MORE OR LESS TO THE POINT OF BEGINNING CONTAINING 9,544 SQUARE FEET OF LAND MORE OR LESS.

BEING LOT 35 AS SHOWN ON A PLAT OF DOUGLAS PARK RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK W.P.C. NO 7 FOLIO 170 AS DESCRIBED IN A DEED DATED AUGUST 2, 2019 BY AND BETWEEN DARREN PALMER, PERSONAL REPRESENTATIVE OF THE ESTATE OF ARLENE COLLINS PALMER, PARTY OF THE FIRST PART AND YONGHUI YANG AND GUIHUI LIANG, PARTIES OF THE FIRST PART AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY MARYLAND IN DEED LIBER J.L.E. 41832 FOLIO 32.



2019-0517-SPHA

2011

2012

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

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:

12/6/2019

Order #: 11818160
Case #: 2019-0517-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0517-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: 2019-0517-SPHA

6120 Rich Avenue (Lot 36)

N/s Rich Avenue, East of Cummings Avenue

1st Election District - 1st Councilmanic District

Legal Owners: Yonghui Yang, Guizhi Liang

Special Hearing to confirm that a merger has not occurred with the adjacent vacant parcel at 6122 Rich Avenue (Lot 34). Variance to permit an existing dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft.

Hearing: Friday, December 27, 2019 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

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 410-887-3888.

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

d6

$\frac{1}{2} \frac{d^2}{dt^2} \left(\frac{1}{2} \frac{d^2}{dt^2} \right) = \frac{1}{2} \frac{d^2}{dt^2} \left(\frac{1}{2} \frac{d^2}{dt^2} \right)$

Figure 1. The effect of the concentration of the H_2O_2 solution on the amount of the released H_2O_2 from the H_2O_2 -loaded hydrogel. The amount of the released H_2O_2 was measured by the amount of the released H_2O_2 from the H_2O_2 -loaded hydrogel. The amount of the released H_2O_2 was measured by the amount of the released H_2O_2 from the H_2O_2 -loaded hydrogel.

$$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$$
[illegible]



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 19, 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: 2019-0517-SPHA

6120 Rich Avenue (Lot 35)

N/s Rich Avenue, East of Cummings Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Yonghui Yang, Guizhi Liang

Special Hearing to confirm that a merger has not occurred with the adjacent vacant parcel at 6122 Rich Avenue (Lot 34). Variance to permit an existing dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft.

Hearing: Friday, December 27, 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".

Michael Mallinoff
Director

MM:kl

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

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 7, 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
Friday, December 6, 2019 – Issue

Please forward billing to:
Maxim, LLC
983 Chesterfield Road
Annapolis, MD 21401

443-871-4584

NOTICE OF ZONING HEARING

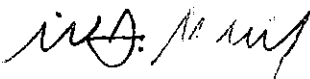
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0517-SPHA

6120 Rich Avenue (Lot 35)
N/s Rich Avenue, East of Cummings Avenue
1st Election District – 1st Councilmanic District
Legal Owners: Yonghui Yang, Guizhi Liang

Special Hearing to confirm that a merger has not occurred with the adjacent vacant parcel at 6122 Rich Avenue (Lot 34). Variance to permit an existing dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft.

Hearing: Friday, December 27, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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 410-887-3868.
(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		
6120 Rich Avenue (Lot 35); N/S of Rich	*	OF ADMINISTRATIVE
Avenue, 135' E of Cummings Avenue		
1 st Election & 1 st Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Yonghui Yang & Guizhi Liang		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2019-517-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

NOV 21 2019

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

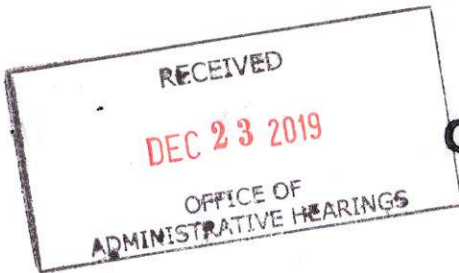
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of November, 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



CERTIFICATE OF POSTING

RECERT 12/23/19
Date: DECEMBER 6, 2109

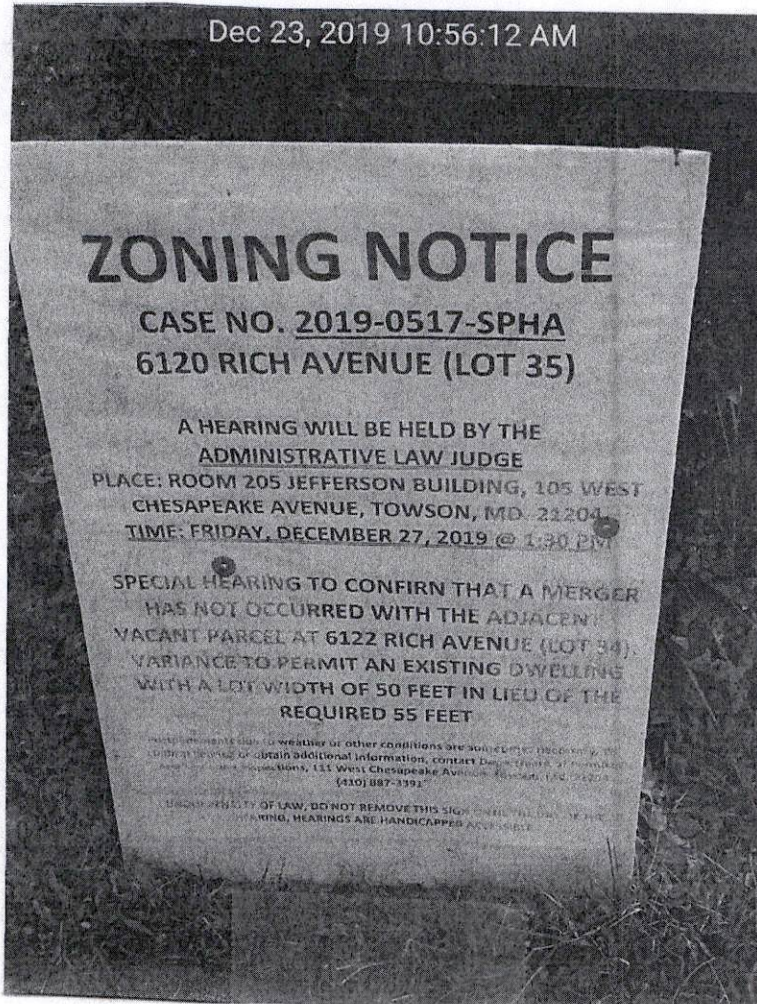
RE: Project Name: 6120 RICH AVENUE #1
Case Number /PAI Number: 2019-0517-SPHA
Petitioner/Developer: MAXIM, LLC
Date of Hearing/Closing: DECEMBER 27, 2019

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 6120 RICH AVENUE

The sign(s) were posted on _____

RECERT 12/23/19
DECEMBER 6, 2019
(Month, Day, Year)

Dec 23, 2019 10:56:12 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)

CERTIFICATE OF POSTING

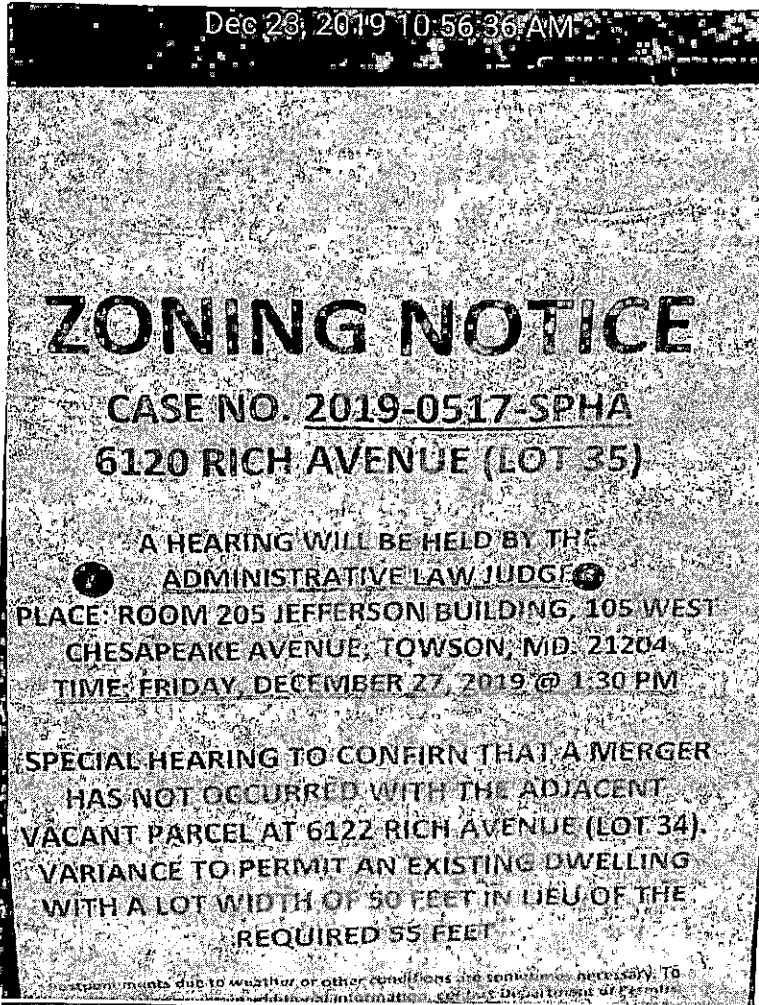
RECERT 12/23/19
Date: DECEMBER 6, 2109

RE: Project Name: 6120 RICH AVENUE #2
Case Number /PAI Number: 2019-0517-SPHA
Petitioner/Developer: MAXIM, LLC
Date of Hearing/Closing: DECEMBER 27, 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 6120 RICH AVENUE

The sign(s) were posted on _____

RECERT 12/23/19
DECEMBER 6, 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 12/23/19

Date: DECEMBER 6, 2019

RE: Project Name: 6122 RICH AVENUE #1
Case Number /PAI Number: 2019-0518-A
Petitioner/Developer: MAXIM, LLC
Date of Hearing/Closing: DECEMBER 27, 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 6122 RICH AVENUE

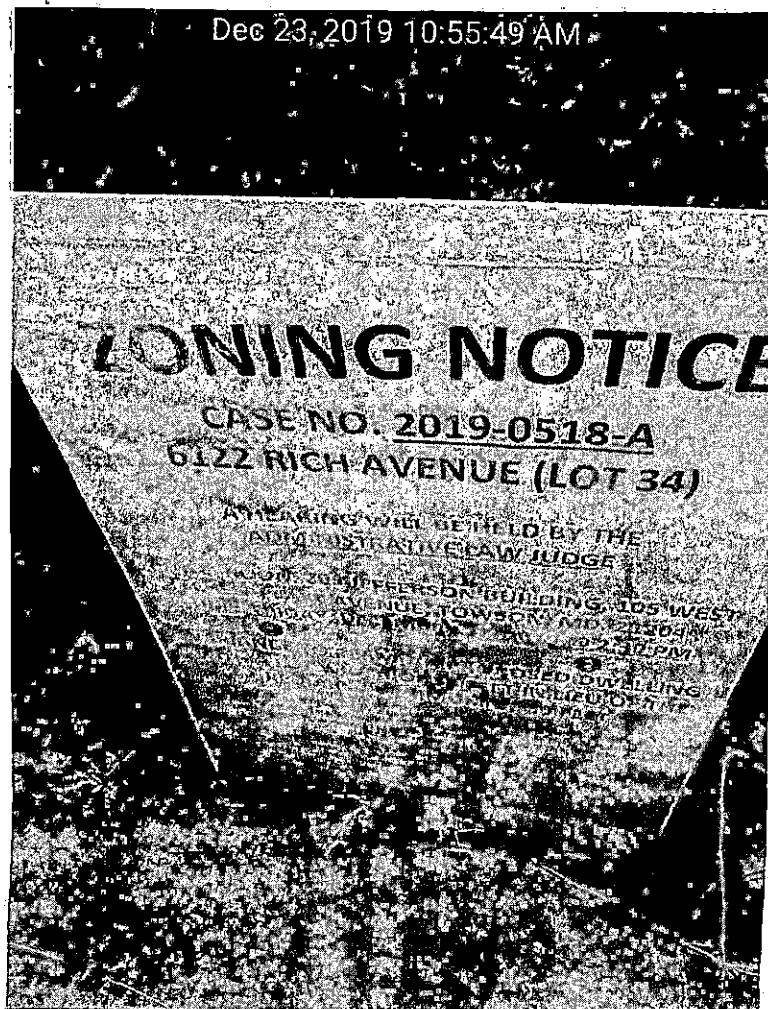
The sign(s) were posted on

Dec 23, 2019 10:55:49 AM

RECERT 12/23/19

DECEMBER 6, 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. 12/23/19

Date: DECEMBER 6, 2109

RE: Project Name: 6122 RICH AVENUE #2
Case Number /PAI Number: 2019-0518-A
Petitioner/Developer: MAXIM, LLC
Date of Hearing/Closing: DECEMBER 27, 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 6122 RICH AVENUE

The sign(s) were posted on

Dec 23, 2019 10:55:22 AM

RECERT. 12/23/19
DECEMBER 6, 2019

(Month, Day, Year)

David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

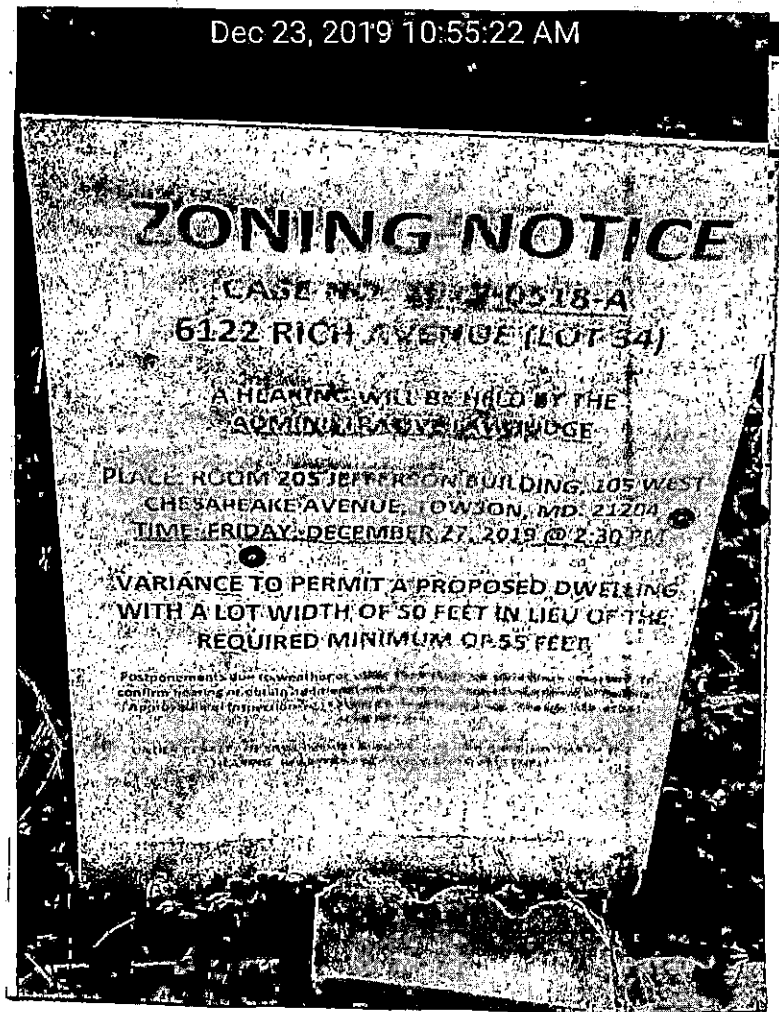
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



CERTIFICATE OF POSTING

Date: DECEMBER 6, 2109

RE: Project Name: 6120 RICH AVENUE #1
Case Number /PAI Number: 2019-0517-SPHA
Petitioner/Developer: MAXIM, LLC
Date of Hearing/Closing: DECEMBER 27, 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 6120 RICH AVENUE

The sign(s) were posted on DECEMBER 6, 2019

(Month, Day, Year)

Dec 6, 2019 10:22:34 AM

ZONING NOTICE

CASE NO. 2019-0517-SPHA
6120 RICH AVENUE (LOT 35)

A HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204
TIME: FRIDAY, DECEMBER 27, 2019 @ 1:30 PM

SPECIAL HEARING TO CONFIRM THAT A MERGER
HAS NOT OCCURRED WITH THE ADJACENT
VACANT PARCEL AT 6122 RICH AVENUE (LOT 34)
VARIANCE TO PERMIT AN EXISTING DWELLING
WITH A LOT WIDTH OF 50 FEET 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) 887-9391

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

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)

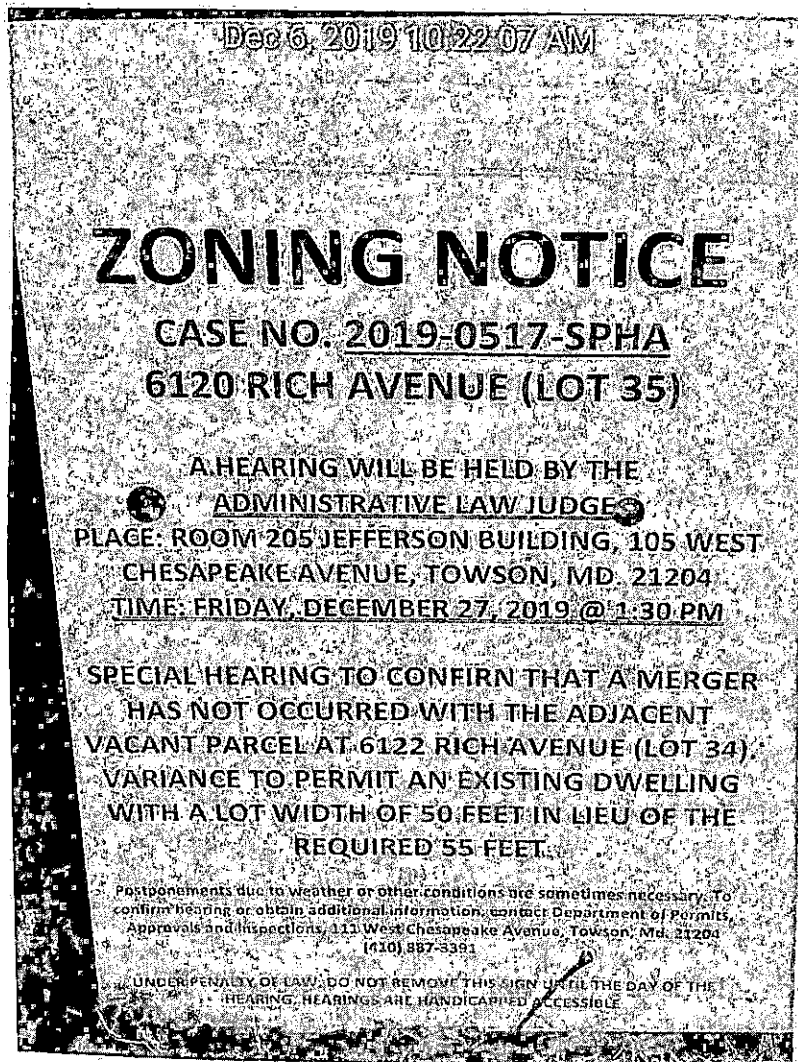
CERTIFICATE OF POSTING

Date: DECEMBER 6, 2019

RE: Project Name: 6120 RICH AVENUE #2
Case Number /PAI Number: 2019-0517-SPHA
Petitioner/Developer: MAXIM, LLC
Date of Hearing/Closing: DECEMBER 27, 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 6120 RICH AVENUE

The sign(s) were posted on DECEMBER 6, 2019
(Month, Day, Year)



David W. 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)

**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: 2019-0517-SPHA

Property Address: 6120 RICH AVE. (LOT 35)

Property Description: N/S of Rich Ave., 135' E of Cummings Ave.

Legal Owners (Petitioners): Yonghui Yang & Guizhi Liang

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: MAXIM

Company/Firm (if applicable): MAXIM LLC

Address: 983 CHESTERFIELD Rd.

Annapolis MD 21401

Telephone Number: 443-871-4584

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

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

December 17, 2019

John Mellema
5409 East Drive
Arbutus MD 21227

RE: Case Number: 2019-0517-SPHA, 6120 Rich Ave (Lot 35)

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 November 14, 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

Yonghui Yang 11803 Chapel Woods Court Clarsville MD 21029

12-27-19

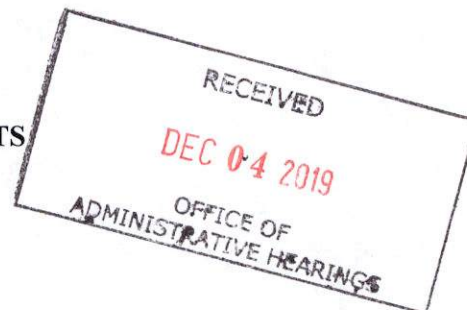
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 12/4/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-517



INFORMATION:

Property Address: 6122 Rich Avenue (Lot 35)
Petitioner: Yonghui Yang, Guizhi Liang
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for:

1. A special hearing under Section 500.7 of the Baltimore County Zoning Regulations (BCZR) to determine whether or not the zoning commissioner should approve and/or confirm that a lot merger has not occurred with the adjacent vacant parcel at 6122 Rich Avenue (Lot 34)
2. A variance from Section 1B02.3.C.1, BCZR to permit an existing dwelling with a lot width of 50 feet in lieu of the required 55 feet.

A site visit was conducted on November 25, 2019. The subject property is located to the north of Rich Avenue and Baltimore National Pike. The site is subject to the Southwest Baltimore County Revitalization Strategy and Western Baltimore County Pedestrian and Bicycle Access Plan.

The applicant is proposing to improve lot 34 with a two-story dwelling. The applicant owns the contiguous lots (#34 and #35). The applicant has requested variance relief for lot 34 (Case Number 2019-0518-A). From staff observation, it doesn't look like merger of lots has occurred.

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 (34 and 35) have merged through use.

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

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 MEMORANDUM

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

DATE: 12/4/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-517

INFORMATION:

Property Address: 6122 Rich Avenue (Lot 35)
Petitioner: Yonghui Yang, Guizhi Liang
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

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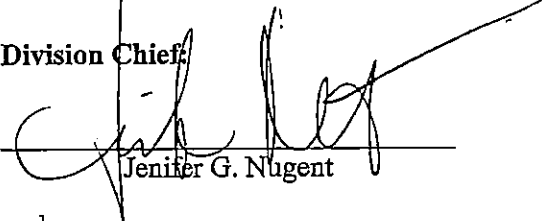
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Division Chief



Jennifer G. Nugent

CPG/JGN/LTM/

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

12-21-19

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: November 22, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0517-SPHA
Address 6120 Lot 35 Rich Avenue
(Yang & Liang Property)

Zoning Advisory Committee Meeting of **November 15, 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: 11/20/19

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. 2019-0517-SPHA.

*Special Hearing, Variance
Yonghui Yang, Guizhi Liang
6120 1st 35 Rich 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@mdot.maryland.gov).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

CASE NAME RICH AVE
CASE NUMBER 19-0517-SPHA
DATE 19-0518-A
1-31-2020

1-31-2020

E - MAIL

[illegible]

Sherry Nuffer

From: Sherry Nuffer
Sent: Monday, December 30, 2019 9:57 AM
To: Kristen L Lewis
Cc: Michael Mallinoff; Paul Mayhew
Subject: 2019-0517-SPHA and 2019-0518-A

Kristen,

Per Larry these cases never happened on Friday.

The contract purchaser for 2019-0518-A showed. He knew nothing about what was to be presented to get a variance or about a "merger".

No one showed for the 2019-0517-SPHA case at all.

Both cases had the same engineer (assuming that they confused this with an administrative variance).

Larry did open and continue the cases so that the engineer can get a new date.

I am sending the files back to you. Larry will be back on the 2nd if you have any further questions.

Thank you,

Sherry

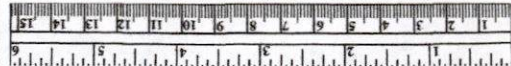
Sherry Nuffer
Legal Assistant
Baltimore County Office of Administrative Hearings
410-887-3868

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>11/22</u>	DEPS (if not received, date e-mail sent _____)	<u>NO Comment</u>
_____	FIRE DEPARTMENT	_____
<u>12/4</u>	PLANNING (if not received, date e-mail sent _____)	<u>No Objection</u>
<u>11/20</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>12/6/19</u>	
SIGN POSTING (1 st)	Date: <u>12/6/19</u>	by <u>Beelingsley</u>
SIGN POSTING (2 nd)	Date: <u>12/23/19</u>	by <u>11</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Search Result for BALTIMORE COUNTY



Received for Record
by 28 1924 at 3-
same day recorded in lib
W. T. C. No. 7 folio 1
One of the Records of
Baltimore County and was
made, per
clerk

DOUGLAS PARK

SCALE, 100 FT PER IN
Thos. H. Disney, Surveyor
April, 1924

PETITIONER'S

EXHIBIT NO. 1



Old Frederick

Across Street
Front View



PETITIONER'S

EXHIBIT NO.

2A

any copy

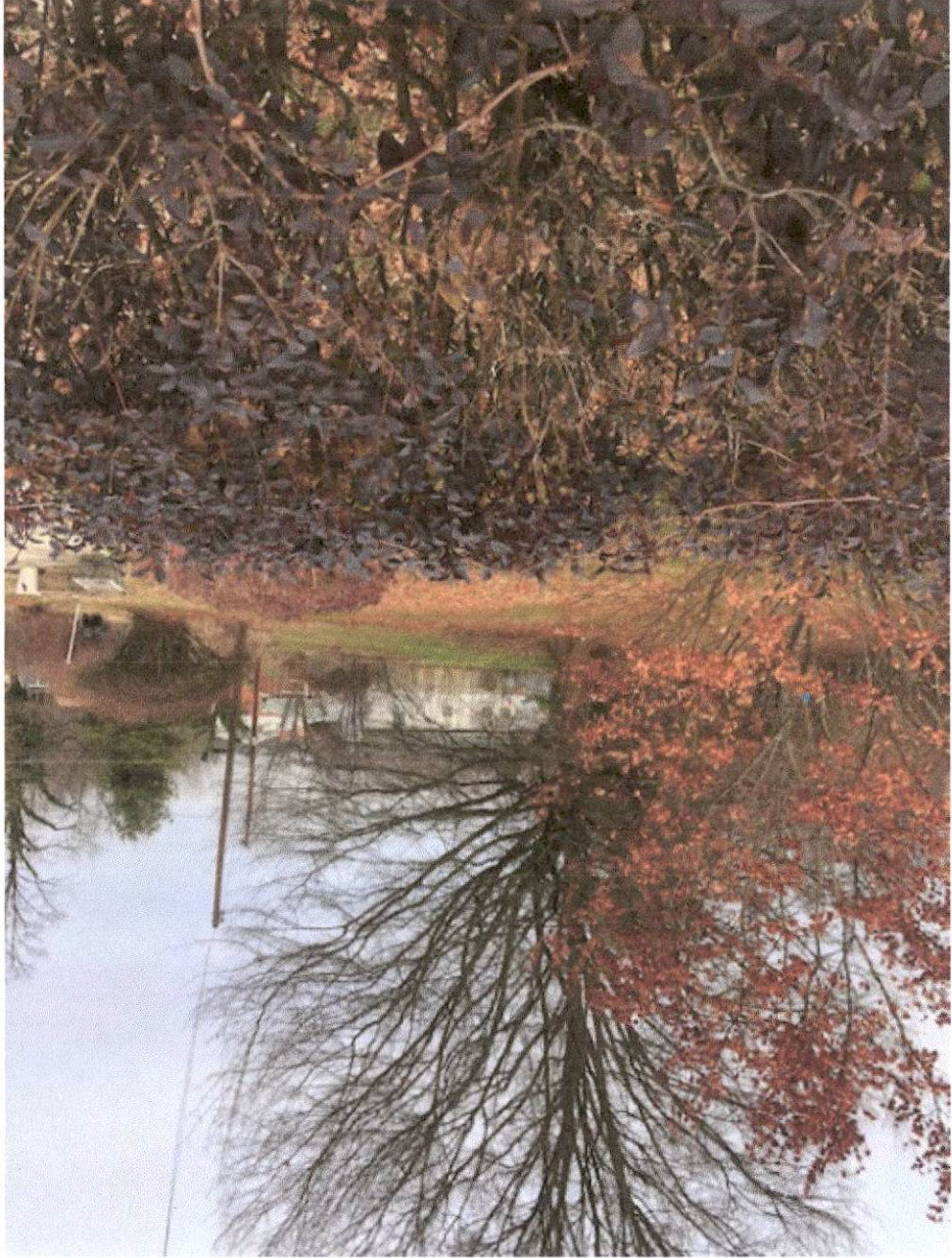
View from Rear

8



28

X187W

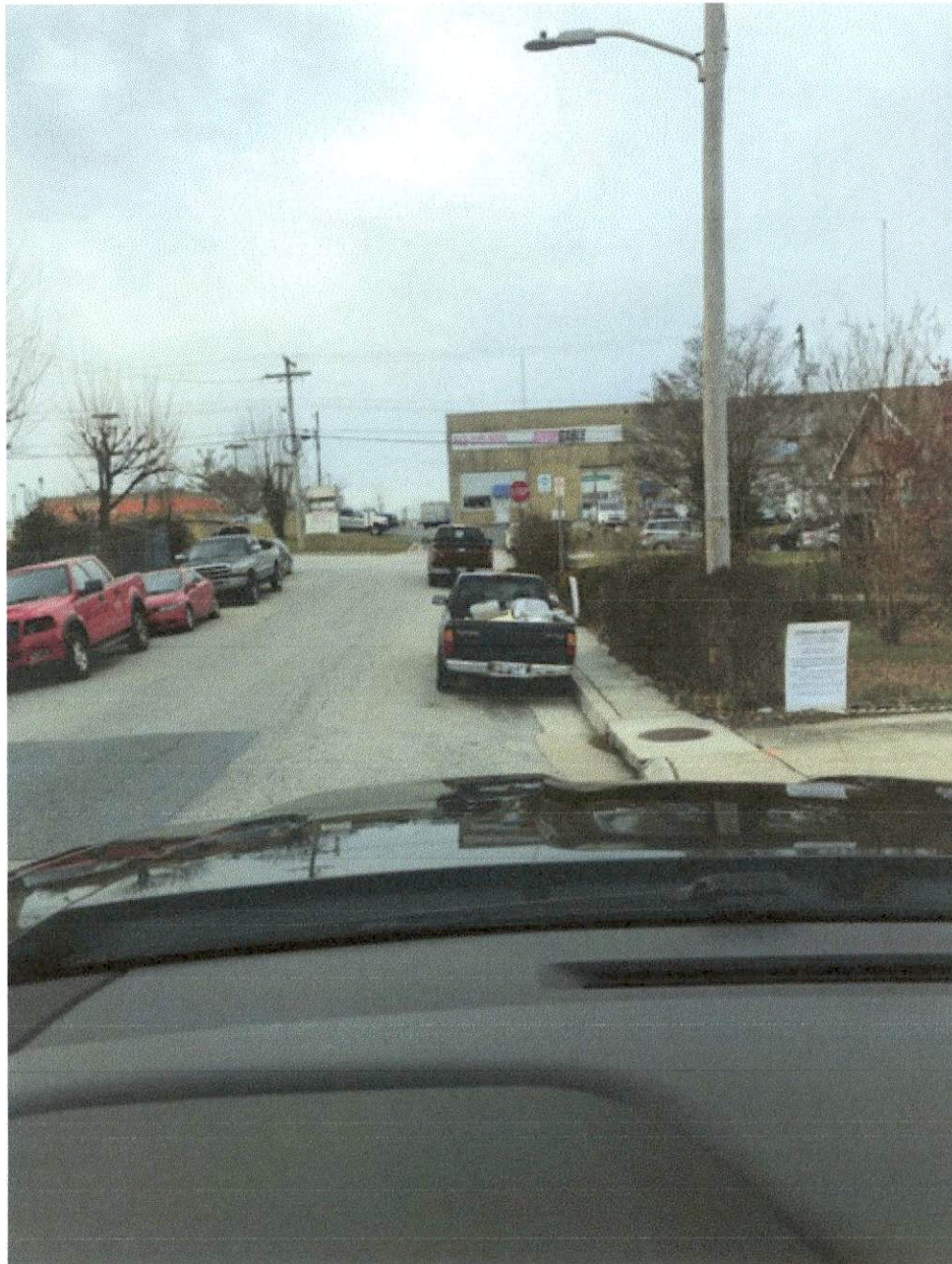


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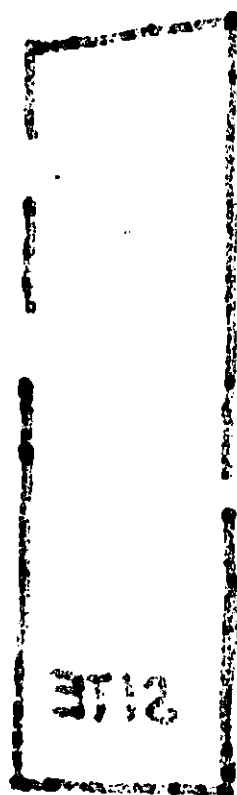
Front view

View of street

D



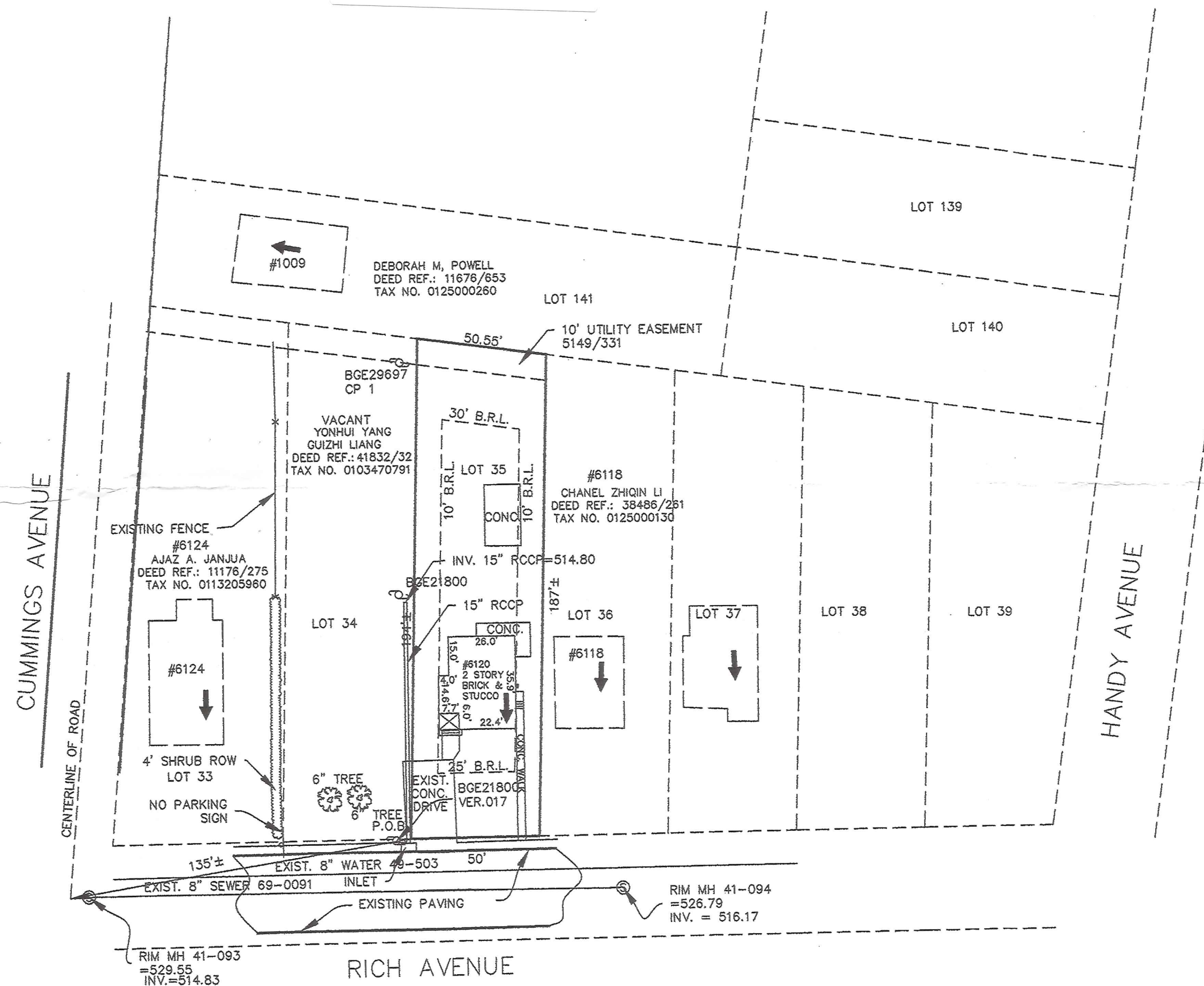
Lot # 26



PLAT TO ACCOMPANY VARIANCE

PETITIONER'S

EXHIBIT NO. 7



LOCATION INFORMATION

COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 1
ZONING: D.R. 5.5
1"=200' SCALE MAP: 094C3

LOT SIZE: 9,544 SQ. FT.

	YES	NO
PUBLIC SEWER	☒	☐
PUBLIC WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

SUBDIVISION NAME: PLAT OF DOUGLAS PARK
P.B. W.P.C. NO.7 FOLIO 170

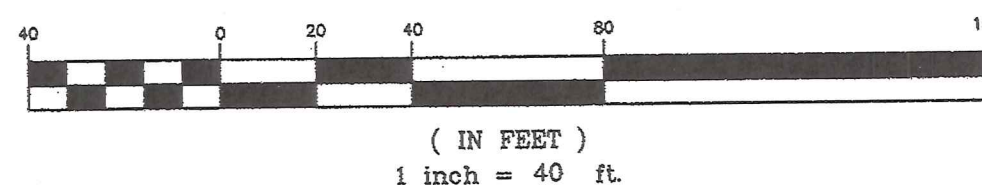
PRIOR ZONING HEARING: N/A
DEED REFERENCE: J.L.E. 41832/32

OWNER: YONGHUI YANG
LIANG GUIZHI
6120 RICH AV,
BALTIMORE MD 21228
PHONE: XXXXXXXXXXXX
TAX NO. 0103470792

DATE: NOVEMBER, 2019
SCALE: 1"=40'

#6120 RICH AVENUE
LOT 35
PLAT OF DOUGLAS PARK
BALTIMORE COUNTY, MARYLAND
TAX MAP 94 GRID 24 PARCEL 96
SCALE: 1"=40' DATE: NOVEMBER, 2019

GRAPHIC SCALE

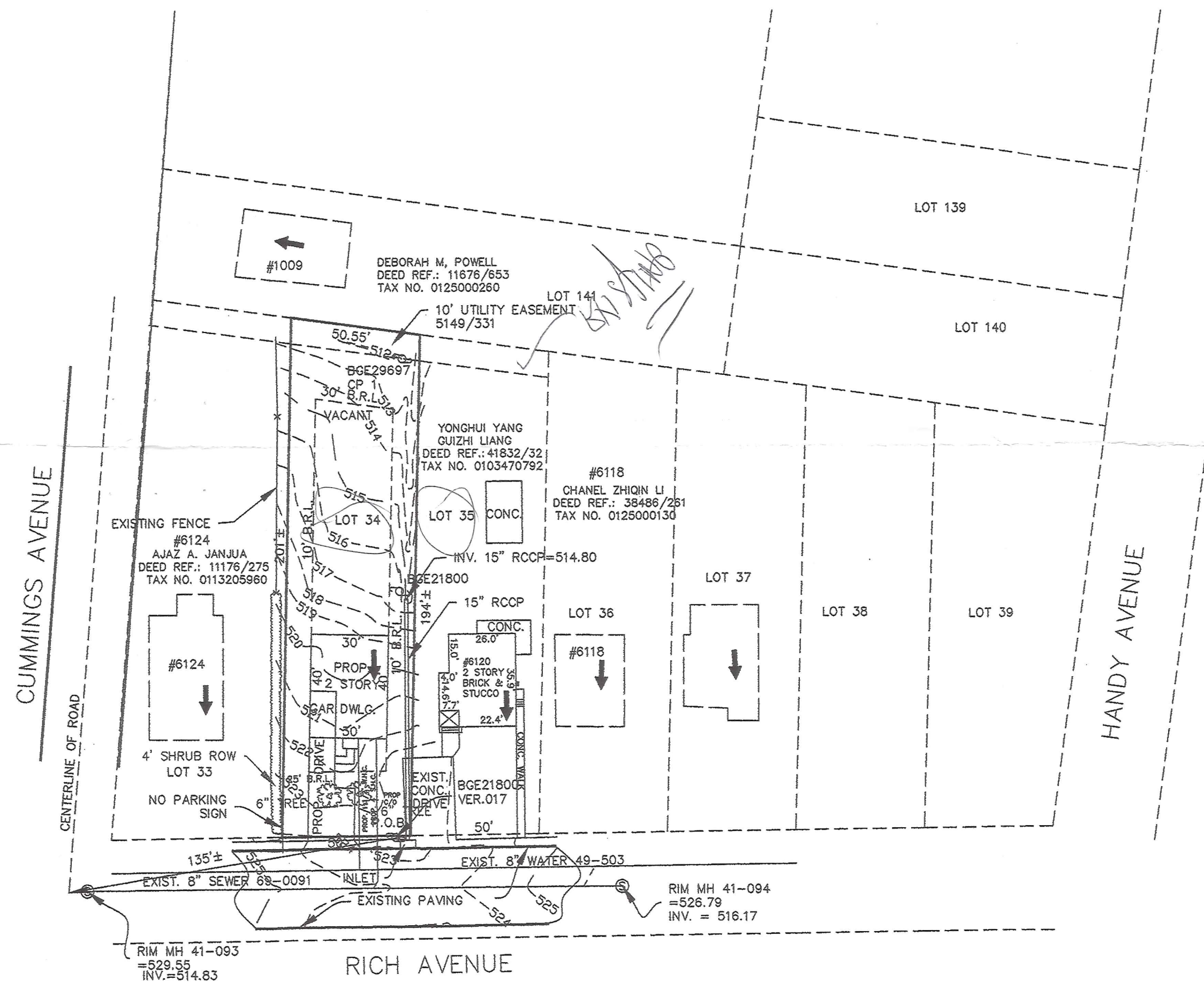


D.R.5.5 REGULATIONS
MINIMUM LOT AREA 6,000 SQ. FT.
MINIMUM LOT WIDTH 55'
MINIMUM FRONT YARD SETBACK 25'/AVERAGE
MINIMUM SIDE YARD SETBACK 10'
MINIMUM REAR YARD SETBACK 30'

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



EXHIBIT NO. 3



#6122 RICH AVENUE
LOT 34
PLAT OF DOUGLAS PARK
BALTIMORE COUNTY, MARYLAND
TAX MAP 94 GRID 24 PARCEL 96
SCALE: 1"=40' DATE: NOVEMBER, 2019

