

JOHN A. OLSZEWSKI, JR. County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

November 26, 2024

Yunguo Gong & Chaoneng Wu – <u>gongyunguo456@gmail.com</u> 162 Wesley Avenue Catonsville, MD 21228

RE:

Petition for Administrative Variance

Case No. 2024-0232-A

Property: 162 Wesley Avenue

Dear Petitioners:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

MAUREEN E. MURPH

Chief Administrative Law Judge

for Baltimore County

MEM:dlw Enclosure IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE

(162 Wesley Avenue)

1st Election District * OFFICE OF ADMINISTRATIVE

1st Council District

Yunguo Gong & Chaoneng Wu * HEARINGS FOR

* BALTIMORE COUNTY

Petitioners * CASE NO. 2024-0232-A

* * * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") as a Petition for Administrative Variance filed by the legal owners of the property, Yunguo Gong and Chaoneng Wu ("Petitioners"), for the property located at 162 Wesley Avenue, Catonsville (the "Property"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §1B02.3.C.1, to permit a 5 ft side yard setback on an addition on the left side of the property in lieu of the required 10 ft. The Property is more fully depicted on a site plan. (Pet.'s Ex. 1). A street view photograph of the home was provided. (Pet.'s Ex. 2).

There were no adverse Zoning Advisory Committee ("ZAC") comments submitted by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on November 10, 2024 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented. The Petitioners have filed the supporting Affidavit as required by Baltimore County Code ("BCC"), §32-3-303. Based upon the information available, there is no evidence in the file to indicate that the requested Variance would adversely affect the health, safety or general welfare of the public. In the opinion of the Administrative Law Judge, the information, photographs, and Affidavit submitted provide

sufficient facts that comply with the requirements of BCZR, §307.1. I also find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare.

Pursuant to the posting of the Property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested side yard setback Variance should be granted.

THEREFORE, IT IS ORDERED, this **26th** day of **November**, **2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §1B02.3.C.1, to permit a 5 ft side yard setback on an addition on the left side of the property in lieu of the required 10 ft, be and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

- 1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Site Plan (Pet. Ex. 1) which is attached hereto is incorporated herein.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

MAUREEN E. MURPHY
Chief Administrative Law Judg

for Baltimore County

MEM:dlw



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address_162 Wesley Ave, Catonsville, MD 21228	Currently Zoned DR5. 5
01/15	10 Digit Tax Account #0102650020
Owner(s) Printed Name(s) Yunguo Gon g , C bne n g u\	
387	PROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
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he undersigned, who own and occupy the property situate in Baltimor lereof, hereby petition for an:	re County and which is described in the plan/plat attached hereto and made a part
ADMINISTRATIVE VARIANCE from Section(s)	
111 See affairment	· · · · · · · · · · · · · · · · · · ·
SEE attachment	/- / 111
f the zoning regulations of Baltimore County, to the zoning law of Balti	imore County
The zoning regulations of balantore county, to the zoning law of balan	initial county.
 ADMINISTRATIVE SPECIAL HEARING to approve a waiver provided in this space: i.e., to raze, alter or construct addition to building) 	pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of
	,
f the zoning regulations of Baltimore County, to the zoning law of Balti	imore County.
Property is to be posted and advertised as prescribed by the zoning re-	gulations.
we agree to pay expenses of above petition(s), advertising, posting,	etc. and further agree to be bound by the zoning regulations and restrictions of
altimore County adopted pursuant to the zoning law for Baltimore Cou	unty.
Owner(s)/Petitioner(s):	
Yunguo Gong Chaoneng	Wu
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A STATE OF THE STA	Signature #2
162 Wesley Ave Catonsvill Mailing Address City	State
21228 / 347-216-6455	gongyunguo456@gmail.com
Lip Code Telephone #'s (Cell and Home)	Email Address
Attorney for Owner(s)/Petitioner(s):	Representative to be Contacted:
lame - Type or Print	Name - Type or Print
Signature	Signature
ngriature	Signature
Mailing Address City State	Mailing Address City State
j j	
Ip Code Telephone # Email Address	Zip Code Telephone # Email Address
A PUBLIC HEARING having been formally demanded and/or found	d to be required, it is ordered by the Office of Administrative Hearings for
Baltimore County, this day of	that the subject matter of this petition be set for a public
earing, advertised, and re-posted as required by the zoning regulation	is of Baltimore County.
	Administrative Law Judge for Baltimore County
Case Number 2021-4 Filing Date (0 , 2	2011
Case Number Filling Date	Estimated Posting Date 1 10 1 2 Reviewer Reviewer
	(123 Parised 8/2022

Affidavit in Support of Administrative Variance (THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 162 Wesley Ave	Catonsville	MD	21228
Print or Type Address of Property	City	State	Zip Code
Based upon personal knowledge, the followin Variance at the above address. (Clearly sta			Administrative
162 Wesley Ave, Catonville ,MD has 1152 s	sq feet live 6 people, Yunguo Gong,	Chaoneng Wu, 3 childs	en (Zhiheng Gong,
Kevin Gong, Owen Gong), Hancheng Gong(Yunguc	o's father), now Chaoneng Wu's parer	nts have passed Green	Card's application,
so 1152 sq feet is too crowded to live 8 peo	ople, now add 24X12=288 sqf for Chac	oneng's parents to li	ve. They are farmers
no any income from chinese government.			
The LOT is big, has 150 feet length, 50 fe	eet width, if additional building was	approved, 25 X (23+)	2)=875 sqf , was
11% of 7500 sqf total lot.			
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(If additional space for the petition reques	t or the above statement is neede	d, label and attach	it to this Form)
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Sighature of Owner (Affiant)	Signature of Ow		
Yunguo Gong	CHAO	NONG L	11
Name - Print or Type	Name - Print or	Туре	
Yunguo Gong	Chaoneng Wu		
The following information is to	be completed by a Notary Pub	olic of the State of	Maryland
STATE OF MARYLAND, COUNTY OF BALT	ΓΙΜΟRE, to wit:		
I HEREBY CERTIFY, this Agy of and for the County aforesaid, personally appearance.	f 2nd 2w	<u>ட</u> ி_, before me a N	otary of Maryland, in
Print name(s) here: YVYQVO GO	ng Chaoneng	WU	
the Affiant(s) herein, personally known or sati	isfactorily identified to me as such A	ffiant(s).	
AS WITNESS my hand and Notaries Seal	0		
- PSKE	Kelicha S Desai		S DESAH
Notary Public			ry Public Indel County
Dec 27 2026 My Commission Expires		Ma	ryland Expires Dec. 27, 2026

Attachment

Administrative Variance from section 1B02.3.C.1of the BCZR, to permit a 5' side yard setback on an addition on the left side of the property in lieu of the required 10'.

THE ZONING PETITION PROPERTY DESCRIPTION

PART A (START DESCRIPTION WITH THE FOLLOWING):
ZONING PROPERTY DESCRIPTION FOR __162 Wesley Ave, Catonsville, MD 21228

*Beginning at a point on the (north) side of (Wesley Ave of street on which property fronts) which is (50 of feet of right-of-way width) wide at the distance of (329 of feet) (North) of the centerline of the nearest improved intersecting street (Main Avenue of street) which is (157-3/10 of feet of right-of-way width) wide.

*Be aware that the Beginning Point and the distance in feet to the street centerline intersection, as stated in the zoning property description, must be shown and labeled on the hearing plan. The lot area (total square feet or acres) on the hearing plan and the zoning description must agree.

PART B (CONTINUE DESCRIPTION WITH ONE OF THE FOLLOWING 3 OPTIONS):
OPTION 1: (Metes and Bounds Sample – lot not part of record plat or minor subdivision):
THIS IS A SAMPLE ONLY: Thence the following courses and distances: (1st Point of Call-"POC") N.87 12' 13" E. 321.1', (2nd POC) S.18 27' 03" E. 87.2', (3rd POC) S.62 19' 00" W.
318', and (4th POC) N.08 15' 22" W. 80', back to the point of beginning as recorded in Deed Liber (35939), Folio (87), containing (number of total square feet or acres in lot). Located in the (01-009) Election District and (1_) Council District.

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 _ 0232 -A Address <u>162 Wesley Ave</u>
Contact Person: Jesse Krout Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 10/29/24 Posting Date: 11/10/24 Closing Date: 11/25/24
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. <u>POSTING/COST</u> : The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. DEADLINE: The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number: 2024 - 0232 -A Address 162 Wesley ave
Petitioner's Name: Yunguo Telephone (Cell) 317-216-6455
Posting Date: Closing Date:
Wording for Sign: To Permit
an Administrative Variance from section 1B02.3.C.1of the BCZR, to permit a 5' side yard setback on an addition the left side of the property in lieu of the required 10'.



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STATE OF MARYLAND, COUNTY OF BALT	ΓΙΜΟRE, to wit:		
I HEREBY CERTIFY, this Agy of and for the County aforesaid, personally appearance.	f 2nd 2w	<u>ட</u> ி_, before me a N	otary of Maryland, in
Print name(s) here: YVYQVO GO	ng Chaoneng	WU	
the Affiant(s) herein, personally known or sati	isfactorily identified to me as such A	ffiant(s).	
AS WITNESS my hand and Notaries Seal	0		
- PSKE	Kelicha S Desai		S DESAH
Notary Public			ry Public Indel County
Dec 27 2026 My Commission Expires		Ma	ryland Expires Dec. 27, 2026

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CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

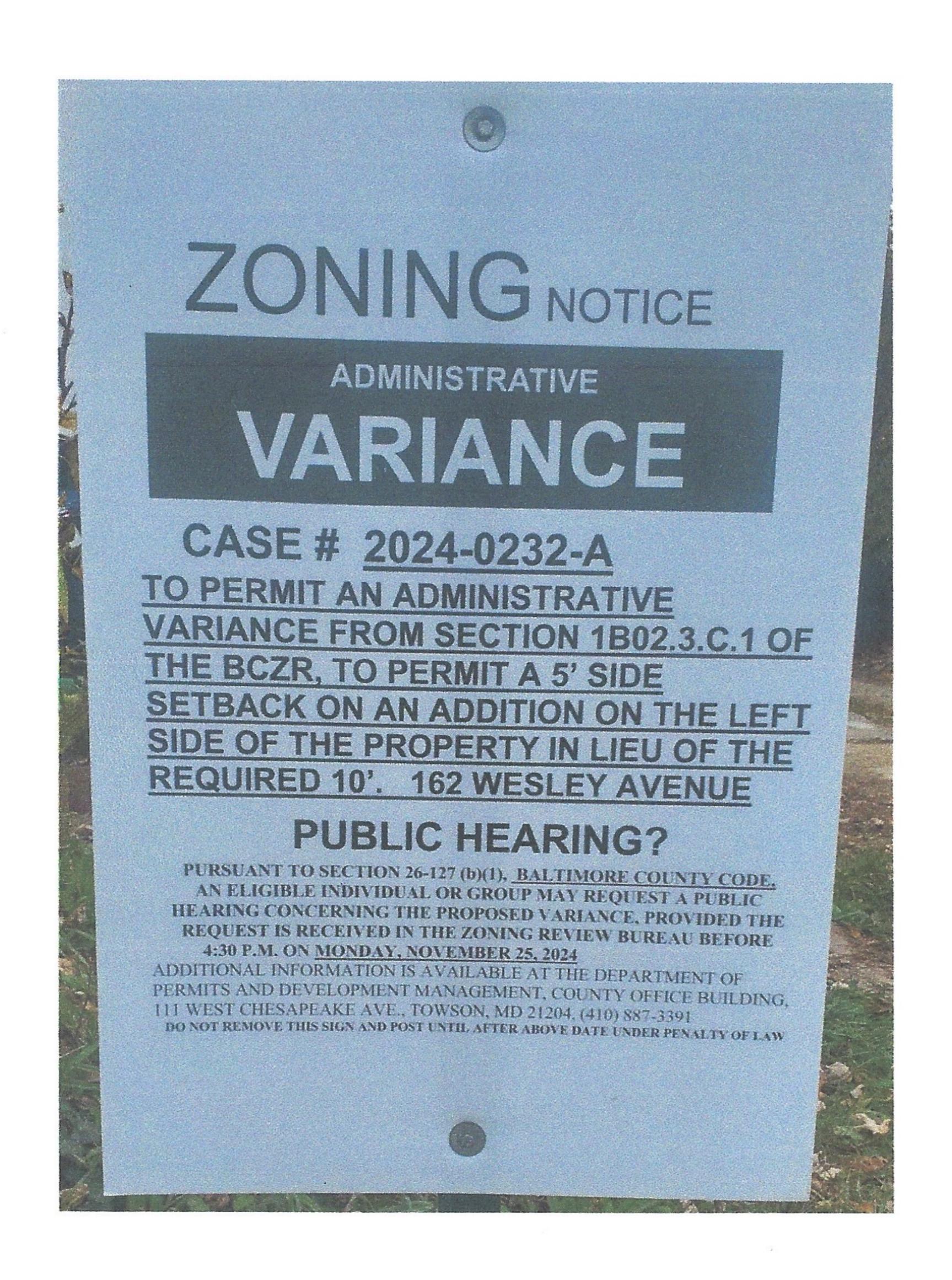
DATE: 11/10/2024

Case Number: 2024-0232-A
Petitioner / Developer: YUNGO

Date of Closing: NOVEMBER 25, 2024

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: 162 WESLEY AVENUE

The sign(s) were posted on: NOVEMBER 10, 2024



Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, MD 21030

(City, State, Zip of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge

Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE: November 8, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0232-A

Address: 162 WESLEY AVENUE Legal Owner: Yunguo Gong, Chaoneng Wu

Zoning Advisory Committee Meeting of November 12, 2024.

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

Additional Comments:

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director DATE: November 4, 2024

Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

Case 2024-0232-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: No exception taken.

Landscaping: No comment.

Recreations & Parks: No comment LOS & No Greenways affected.

Real Property Data Search () Search Result for BALTIMORE COUNTY

View Map

View GroundRent Redemption

View GroundRent Registration

Special Tax Recapture: None

Account Identifier:

District - 01 Account Number - 0102650020

Owner Information

Owner Name:

GONG YUNGUO WU CHAONENG

Use: RESIDENTIAL Principal Residence: YES

Mailing Address:

162 WESLEY AVE

Deed Reference:

/41645/ 00082

CATONSVILLE MD 21228-3145

Location & Structure Information

Premises Address:

162 WESLEY AVE **CATONSVILLE 21228-3145** Legal Description:

162 WESLEY AV 329FT N OF MAIN AV

Map: Grid: Parcel: Neighborhood:

Subdivision: Section: Block: Lot: Assessment Year: Plat No:

0101 0001 1889 1050081.04

0000

2025

Town: None

Plat Ref:

1953

StoriesBasementType

1 full

Exterior QualityFull/Half BathGarageLast Notice of Major Improvements

STANDARD UNITSTUCCO/3 YES

Value Information

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2022	As of 07/01/2024	As of 07/01/2025
Land:	92,400	92,400		
Improvements	127.500	127,500		
Total:	219.900	219,900	219.900	
Preferential Land:	0			

Transfer Information

Seller: GUO ZHENSHI

Date: 07/17/2019

Price: \$128,000

Type: NON-ARMS LENGTH OTHER

Deed1: /41645/ 00082

Deed2:

Municipal:

Seller: MORNING STAR BAPTIST CHURCH Date: 03/16/2015

Price: \$123,000

Type: NON-ARMS LENGTH OTHER Seller: BROWN AUGUSTUS H

Deed1: /35939/ 00087 Date: 05/16/2007

Deed2: Price: \$206,000

Type: ARMS LENGTH IMPROVED

Deed1: /25643/ 00748

Deed2:

Exemption Information

Partial Exempt Assessments: Class County: 000 State: 000

07/01/2024 07/01/2025

0.00 0.00 0.00

0.001

Special Tax Recapture: None

Homestead Application Information

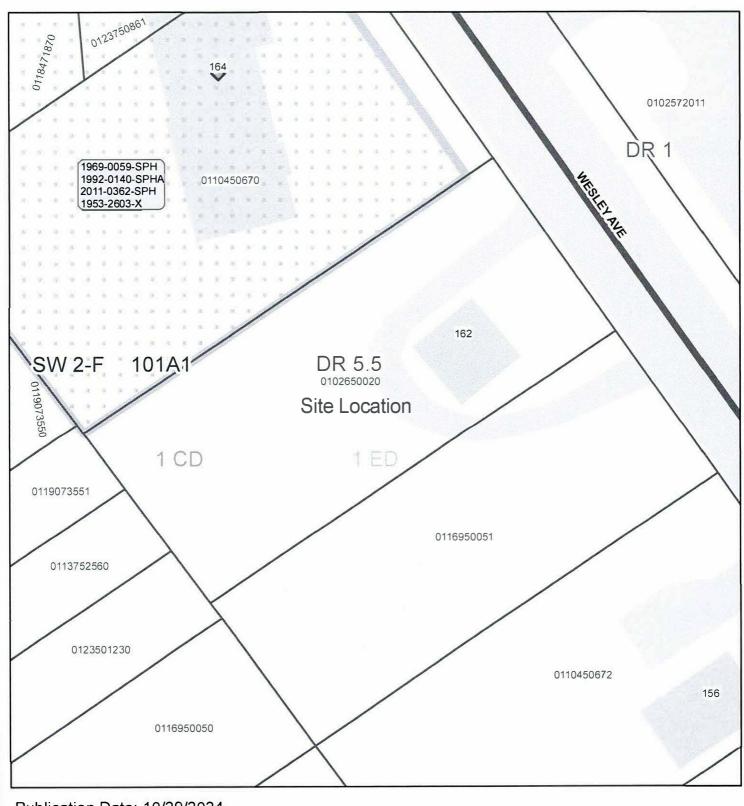
Homestead Application Status: Approved 01/04/2024

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application



162 Wesley Ave

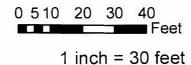


Publication Date: 10/29/2024

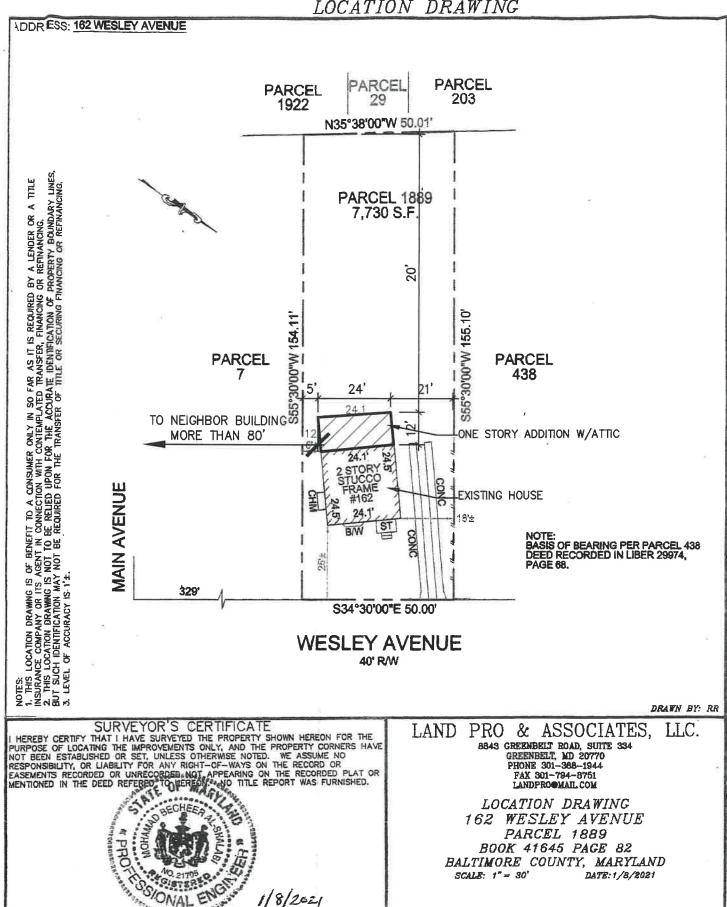


Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot





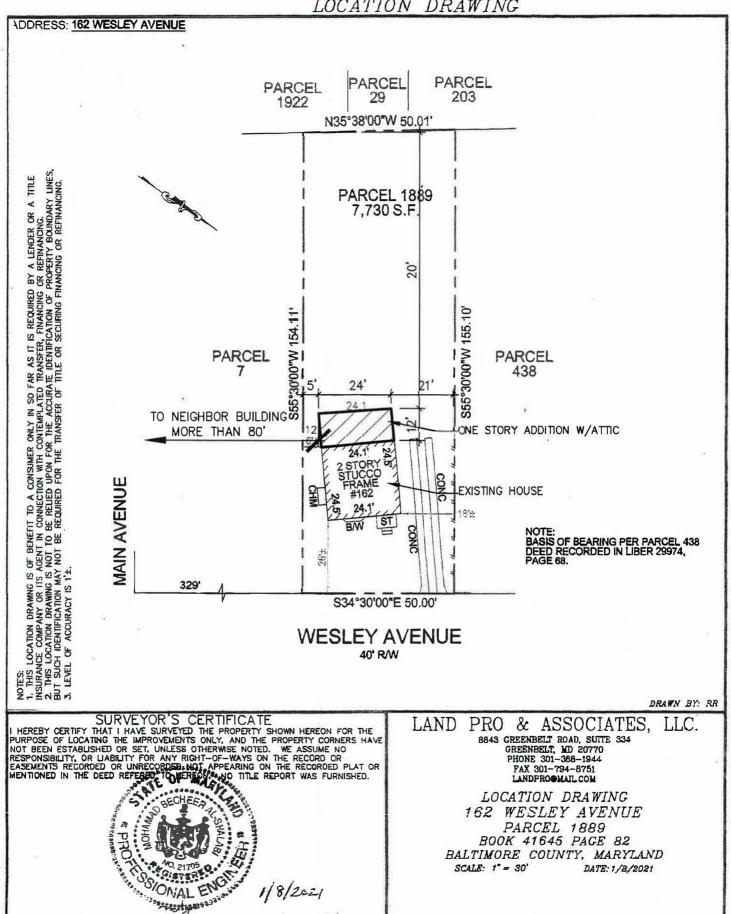
Pet. Exa. 1



PILE: #182 WESLEY AVENUE

PROFESSIONAL SEAL

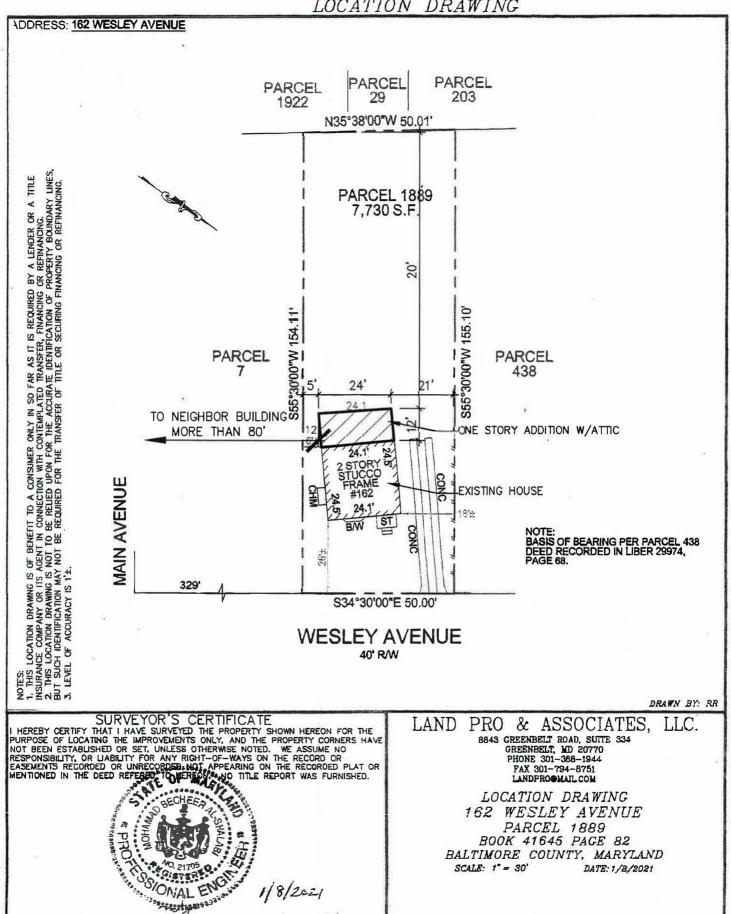
PetEX: RA



PILE: #162 WESLEY AVENUE

-CASE: # n

PROFESSIONAL SEA



PILE: #162 WESLEY AVENUE

-CASE: # n

PROFESSIONAL SEA