

M E M O R A N D U M

DATE: 1/7/2021
TO: ZONING REVIEW
FROM: Office of Administrative Hearings
RE: Case No. 2020-0193-SPHA

The appeal period for the above-referenced cases expired on January 6, 2021. There being no appeal filed, the subject file is ready for return to the Development Processing Office and is placed in the 'pick up box.'

/dlm

c: ✓ Case File
Office of Administrative Hearings

IN RE: **PETITIONS FOR SPECIAL HEARING ***
AND VARIANCE

(1100, 1104, 1110, 1112, 1116 Beech Drive)*

15th Election District

6th Council District

Norino Properties, LLC & John Zorzit

Legal Owner

Blue Heron Holdings, LLC

Lessee

Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2020-0193-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 Norino Properties, LLC and John Zorzit, legal owners and Blue Heron Holdings, LLC, lessee ("Petitioners"). The Special Hearing was filed pursuant to § 409.8B of the Baltimore County Zoning Regulations ("BCZR"), to allow business parking (customers and employees) in a residential zone. In addition a Petition for Variance was filed pursuant to § 409.6.A.2 of the BCZR to allow 98 parking spaces in lieu of the required 139 for an existing restaurant business, and for such other and further relief as the nature of this cause may require.

Due to COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted.

Antonio Olmeda and Steve Recher appeared in support of the requests. Timothy Kotroco, Esquire represented the Petitioners. William N. Bafitis, P.E. also appeared. He prepared the site plan, which was admitted as Petitioner's Exhibit 1. There were no protestants or interested persons in attendance. The property is located within the Chesapeake Bay Critical Area ("CBCA") and is subject to Critical Area requirements. A Zoning Advisory Committee

ORDER RECEIVED FOR FILING

Date

12/7/20

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("ZAC") comment was received from the Department of Planning ("DOP") and from the Department of Environmental Protection and Sustainability ("DEPS). The agencies did not oppose the requested relief, subject to proposed conditions.

The property is waterfront and located on the Wilson Point peninsula in Essex. It is approximately .69 acres and is split zoned BL and DR 3.5. The subject property is located within a Limited Development Area ("LDA") and a Modified Buffer Area ("MBA"). Mr. Kotroco explained that the existing "Carson's Creekside" restaurant and bar has been on the site for many years, and before that the same building housed "Whitey and Dot's" restaurant and bar, which dated to World War II. He further explained that the current owner and lessees wish to raze several dilapidated existing structures on the property and replace them with parking spaces in order to bring the parking capacity closer to that required by the zoning regulations. The special hearing relief is required because some of the proposed parking will be in the portions of the parcel zoned residential. The variance relief is needed because there is inadequate space to accommodate all the required parking spaces. Mr. Kotroco did note, however, that many of the restaurant's patrons arrive by boat, thereby easing parking demand. Further, he pointed out that there is ample parking at the County park across the street for the rare occasion when there would be overflow parking needed.

Based on the record evidence I find that the special hearing relief can be granted within the spirit and intent of the BCZR. Mr. Kotroco explained that the petitioners own the property on both sides of this parcel and therefore these additional parking spaces will not unduly burden them. Further, the razing of the old existing structures will enhance the overall appearance of the area when accompanied by the proposed landscaping improvements. Finally, the proposed

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By

12/7/20
M. Magan

parking plan satisfies BCZR § 409.8.B.2 because the spaces adjoin the restaurant property, the lot will only be open during restaurant hours, and only passenger vehicles will be allowed.

I also find that the requested variance should be granted. A variance request involves 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 property is irregularly shaped, waterfront, and split zoned. It is therefore unique. Petitioner would experience practical difficulty and hardship if the variance was denied because they would be unable to improve the parking capacity at their restaurant. I find that the variance can be granted within the spirit and intent of the BCZR and without harming the public health, safety, or welfare. Specifically, replacing the existing dilapidated structures with much needed parking will improve the aesthetics and safety of the neighborhood by increasing the number of spaces from 41 to 98. Mr. Bafitis and Mr. Kotroco acknowledged that they must comply with the CBCA requirements, including stormwater controls. Mr. Bafitis explained that filtering systems will be utilized to reduce runoff pollutant loads from their current level.

THEREFORE, IT IS ORDERED this 7th day of **December, 2020**, by this Administrative Law Judge, that the Petition for Special Hearing seeking relief pursuant to § 409.8.B of the Baltimore County Zoning Regulations ("BCZR") to allow business parking (customers and employees) in a residential zone is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief pursuant to § 409.6.A.2 of the Baltimore County Zoning Regulations ("BCZR") to allow 98 parking spaces

ORDER RECEIVED FOR FILING

Date

By

12/7/20

[Signature]

in lieu of the required 139 for an existing restaurant business, and for such other and further relief as the nature of this cause may require and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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 his 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.
- Petitioners shall submit for approval lighting and landscape plans prior to the issuance of permits. However, Petitioners may keep the existing Carson Creekside sign provided decorative pilings and plantings are installed around it. No additional signage shall be required.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

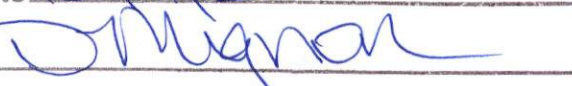
PMM/dlm

ORDER RECEIVED FOR FILING

Date

12/7/20

By





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 #1100, #1104, #1110, #1112 & #1116 BEECH DR. which is presently zoned BL & DR 3.5

Deed References: 15401/621, 15401/626, 39613/458 & 22837/71210 Digit Tax Account # 15-23001221, 15-18474150,

Property Owner(s) Printed Name(s) NORINO PROPERTIES, LLC & JOHN ZORZIT 24-00005293 & 15-13551200

(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

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

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:

BLUE HERON HOLDINGS, LLC.

Name- Type or Print

Signature

#1118 BEECH DRIVE BALTIMORE MARYLAND

Mailing Address City State

21220 443-615-9521

Zip Code Telephone # Email Address

Attorney for Petitioner:

TIMOTHY KOTROCO

Name- Type or Print

Signature

305 WASHINGTON AVE. TOWSON, MD. SUITE 502

Mailing Address City State

21204 410-299-2943 thkotroco@gmail.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

NORINO PROPERTIES, LLC. JOHN ZORZIT

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

#8100 HARFORD ROAD BALTIMORE MARYLAND

Mailing Address City State

21234

Zip Code Telephone # Email Address

Representative to be contacted:

WILLIAM N. BAFITIS, P.E.

Name - Type or Print

Signature

1249 ENGLEBERTH ROAD BALTIMORE MD.

Mailing Address City State

21221 410-391-2336 bafitisassoc@comcast.net

Zip Code Telephone # Email Address

CASE NUMBER 2020-0193 SPHS Filing Date 8/3/2020 Do Not Schedule Dates:

Reviewer gh

REV. 10/4/11

**ATTACHMENT TO SPECIAL HEARING
AND VARIANCE PETITION**

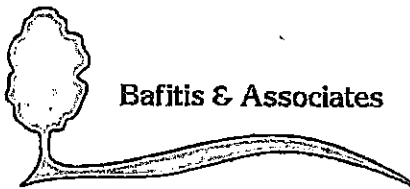
The Petitioner, requests the following zoning relief:

SPECIAL HEARING RELIEF, pursuant to section 409.8.B of the BCZR to allow business parking (customer & employees) in a residential zone; AND

VARIANCE RELIEF from section 409.6.A.2 of the BCZR to allow 98 parking spaces in lieu of the required 139 for an existing restaurant business

AND For such other and further relief as the nature of this cause may require.

2020-0193-SDHA



ZONING DESCRIPTION

FOR

#1100, #1104, #1110, #1112 & #1116 BEECH DRIVE
BALTIMORE COUNTY MARYLAND 21220
15TH ELECTION DISTRICT

BEGINNING AT A POINT ON THE SOUTH SIDE OF BEECH DRIVE 40' WIDE; AND 33'±
NORTHWESTERLY FROM THE CENTERLINE INTERSECTION OF CYPRESS ROAD 50' WIDE;

- 1) THENCE LEAVING THE POINT OF BEGINNING AND RUNNING ALONG BEECH DRIVE
SOUTH 23°-22'-52" EAST AT A DISTANCE OF 200.00' TO A POINT;
- 2) THENCE LEAVING SAID DRIVE SOUTH 66°-37'-08" WEST AT A DISTANCE OF 307.64'
TO A POINT AT THE WATERS OF DARKHEAD CREEK;
- 3) THENCE RUNNING ALONG SAID CREEK NORTHWESTERLY AT A DISTANCE OF 201'± TO
A POINT;
- 4) THENCE LEAVING SAID CREEK NORTH 66°-37'-08" EAST AT A DISTANCE OF 291.62' TO
THE POINT OF BEGINNING;

CONTAINING: 60,711 SQUARE FEET OR 1.39 ACRES MORE OR LESS


WILLIAM N. BAFTIS, P.E. MD. REG. #11641



SEAL



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 #1100, #1104, #1110, #1112 & #1116 BEECH DR, which is presently zoned BL & DR 3.5
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Property Owner(s) Printed Name(s) NORINO PROPERTIES, LLC & JOHN ZORZIT 24-00005293 & 15-13551200

(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. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. _____ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
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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:

BLUE HERON HOLDINGS, LLC.

Name- Type or Print

[Signature]

Signature

#1118 BEECH DRIVE BALTIMORE MARYLAND

Mailing Address

City

State

21220 / 443-615-9521 /

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

TIMOTHY KOTROCO

Name- Type or Print

[Signature]

Signature

305 WASHINGTON AVE. TOWSON, MD. SUITE 502

Mailing Address

City

State

21204 / 410-299-2943 / tkotroco@gmail.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

NORINO PROPERTIES, LLC., JOHN ZORZIT

Name #1 - Type or Print

Name #2 - Type or Print

[Signature]

Signature #1

Signature #2

#8100 HARFORD ROAD BALTIMORE MARYLAND

Mailing Address

City

State

21234 /

Zip Code

Telephone #

Email Address

Representative to be contacted:

WILLIAM N. BAFITIS, P.E.

Name - Type or Print

[Signature]

Signature

1249 ENGLEBERTH ROAD BALTIMORE MD.

Mailing Address

City

State

21221 / 410-391-2336 / bafitisassoc@comcast.net

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0193 SPHA Filing Date 8/3/2020 Do Not Schedule Dates: _____

Reviewer gh

REV. 10/4/11

Create Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

[Select Contacts...](#)[Import Contacts...](#)

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☒	<u>Deb Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒	<u>Henry Akwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒	<u>Tim Kotroco</u>	tkotroco@gmail.com	1-	English	New York Time	U.S.
☒	<u>William Bafits</u>	bafitisassoc@comcast.net	1-	English	New York Time	U.S.

[Invite](#)[Select All](#)[Clear All](#)[Delete](#)[Cancel](#)

New Panelist

Full name: (required)Email address: (required)Phone number: Country/Region Number (with area/city code)Time Zone: New York (Eastern Standard Time, GMT-05:00) ▼Language: English ▼Locale: U.S. ▼☐ Add new panelist in my address book☐ Invite as alternate host[Add to Invitation List](#)



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 5, 2020

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0193-SPHA

1100, 1104, 1110, 1112 & 1116 Beech Drive
South side of Beech Drive, north west of Cypress Drive
15th Election District – 6th Councilmanic District
Legal Owners: Norino Properties, LLC
Contract Purchaser/Lessee: Blue Heron Holdings, LLC

Special Hearing to allow business parking (customers & employees) in a residential zone.
Variance to allow 98 parking spaces in lieu of the required 139 for an existing restaurant business, and for such other and further relief as the nature of this cause may require.

Hearing: Wednesday, December 2, 2020 at 1:30 p.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

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

Michael Mallinoff
Director

MM:kl

C: Timothy Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Blue Heron Holdings, LLC, 1118 Beech Drive, Baltimore 21220
Norino Properties, LLC, 8100 Harford Road, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THUR., NOVEMBER 12, 2020

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 11/12/2020

Case Number: 2020-0193-SPHA

Petitioner / Developer: TIMOTHY KOTROCO, ESQ. ~ BLUE HARON HOLDINGS, LLC NORINO PROPERTIES, LLC

Date of Hearing: DECEMBER 2, 2020

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:
1100, 1104, 1110, 1112 & 1116 BEECH DRIVE

The sign(s) were posted on: NOVEMBER 12, 2020

ZONING NOTICE

CASE # 2020-0193-SPHA

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

DATE AND TIME: WEDNESDAY, DECEMBER 2, 2020
AT 1:30 P.M.

SPECIAL HEARING TO ALLOW BUSINESS PARKING (CUSTOMERS & EMPLOYEES) IN A RESIDENTIAL ZONE. VARIANCE TO ALLOW 98 PARKING SPACES IN LIEU OF THE REQUIRED 139 FOR AN EXISTING RESTAURANT BUSINESS, AND FOR SUCH OTHER AND FURTHER RELIEF AS THE NATURE OF THIS CAUSE MAY REQUIRE. 1100, 1104, 1110, 1112, & 1116 BEECH DRIVE

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings. No later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868 ext. 0

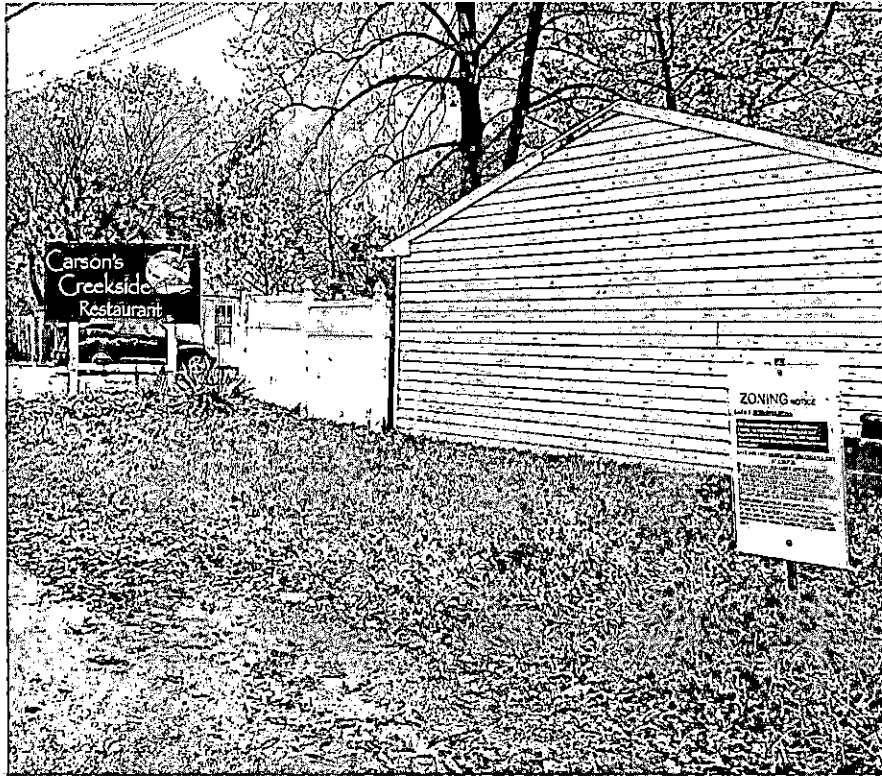
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

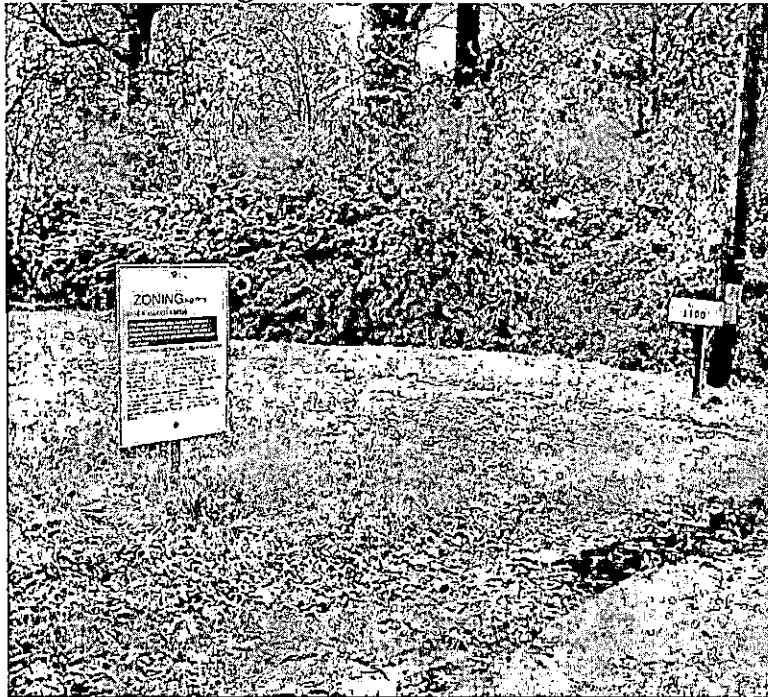
523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



Background photo 1st sign @ 1100-1116 Beech Drive ~ 11/12/2020



Background photo 2nd sign @ 1100-1116 Beech Drive ~ 11/12/2020

CASE # 2020-0193-SPHA

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11934238

Case #:

Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2020-0193-SPHA

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:

11/12/2020



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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1100, 1104, 1110, 1112 & 1116 Beech Drive

South side of Beech Drive, north west of Cypress Drive

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Contract Purchaser/Lessee: Blue Heron Holdings, LLC

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Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

m12



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 5, 2020

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Michael Mallinoff
Director

MM:kl

C: Timothy Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Blue Heron Holdings, LLC, 1118 Beech Drive, Baltimore 21220
Norino Properties, LLC, 8100 Harford Road, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THUR., NOVEMBER 12, 2020

TO: THE DAILY RECORD
Thursday, November 12, 2020 - Issue

Please forward billing to:

Tony Olmedo
Blue Heron Holdings, LLC
1118 Beech Drive
Baltimore, MD 21220

443-615-9521

NOTICE OF ZONING HEARING

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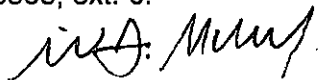
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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

**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: 2020-0193-SPHA

Property Address: #1100, #1104, #1110, #1112 & #1116 BEECH DRIVE BALTIMORE, MD. 21220

Property Description: ONE STORY BUILDING (RESTAURANT) WITH PARKING

Legal Owners (Petitioners): NORINO PROPERTIES, LLC. & JOHN ZORZIT

Contract Purchaser/Lessee: BLUE HERON HOLDINGS, LLC.

PLEASE FORWARD ADVERTISING BILL TO:

Name: TONY OLMEDO

Company/Firm (if applicable): BLUE HERON HOLDINGS, LLC.

Address: #1118 BEECH DRIVE BALTIMORE MARYLAND 21220

Telephone Number: 443-615-9521

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: September 14, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0193-SPHA
Address 1100-1116 Beech Drive
(Norino & Zorzit Properties)

Zoning Advisory Committee Meeting of August 17, 2020.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to allow business parking in a residential zone and to allow less parking spaces than required. The waterfront site contains an existing restaurant, parking, three dwellings, a foundation, and multiple accessory structures. The 100-foot Buffer is not shown on the site plan. Based on the site plan, the request does not meet LDA, MBA, or lot coverage requirements. Therefore the relief requested by the applicant will not result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and the proposal does not meet the MBA, LDA, and lot coverage requirements. Lot coverage is significantly increased, afforestation is not addressed, and the MBA provisions for development in the Buffer are not

met. This request does not help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

As currently proposed, the relief requested does not meet Critical Area requirements and will not be consistent with established land-use policies.

Reviewer: Regina Esslinger

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 9/3/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-193



INFORMATION:

Property Address: 1100, 1104, 1110, 1112 & 1116 Beech Drive
Petitioner: Norino Properties, LLC; John Zorzit
Zoning: BL & DR 3.5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for Special Hearing Relief pursuant to Section 409.8.B of the BCZR to allow business parking (customer & employees) in a residential zone; and Variance Relief from Section 409.6.A.2 of the BCZR to allow 98 parking spaces in lieu of the required 139 for an existing restaurant business.

A site visit was conducted on August 28, 2020. The site is an existing brick one story building in the rear of the lot that is on the water. Currently, there is a small parking lot within the BL zoned portion of the site. The proposed parking area in the DR zone is currently improved with a crusher run driveway and small building. The properties border a County Park on the north and the east. To the south is a dead-end residential street. To the west is shoreline. The existing site has paving right up to Beech Drive. It has an attractive sign but lacks landscaping.

The site is located within the Eastern Baltimore County Revitalization Plan Area. The plan was adopted on July 1, 1996. The plan calls for designation locations on the waterfront for businesses such as restaurants (Page 60). The plan also calls for protecting the water quality of the shoreline (Page 65). On that topic the Department will defer to the Baltimore County Department of Environmental Protection and Sustainability.

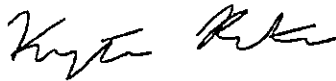
The Eastern Baltimore County Revitalization Plan emphasizes improving the physical layouts and appearances of businesses and communities. Therefore there is support for the redevelopment of this site for this existing business but there is concern over the proposed parking lots with minimal landscaping treatments, which is not consistent with improving the appearance of the area. The request for the variance for the parking spaces is reasonable as it has been operating with far fewer spaces and has significant public road frontage.

The Department supports the requested Special Hearing and Variance subject to a revised plan that includes a landscape feature that exceeds the 10 foot requirement and incorporates the sign with an attractive landscape feature on 1100 and 1104 Beech Drive across from the intersection of Cypress Drive.

Date: 9/3/2020
Subject: ZAC # 20-193
Page 2

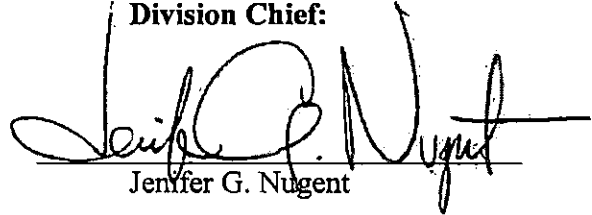
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

CPG/JGN/kma/

c: Wally Lippincott
William N. Bafitis, P.E.
Timothy Kotroco
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

RECEIVED
SEP 04 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

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

DATE: 9/3/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
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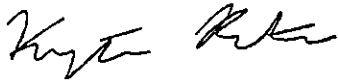
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Date: 9/3/2020
Subject: ZAC # 20-193
Page 2

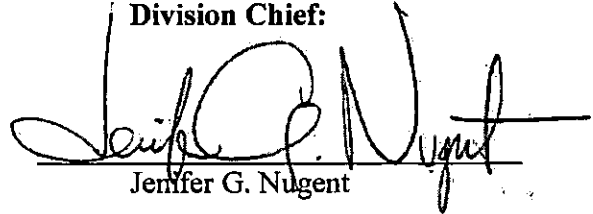
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

CPG/JGN/kma/

c: Wally Lippincott
William N. Bafitis, P.E.
Timothy Kotroco
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NO. 2020-

0193-SPHA

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

✓ Order
✓ 1trc

DEVELOPMENT PLANS REVIEW

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

DEPS

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

FIRE DEPARTMENT

PLANNING

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

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

Comments
Critical law
area

Comments

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 11/12/20

SIGN POSTING (1st)

Date: 11/12/20

by LO'Koffe

SIGN POSTING (2nd)

Date: 11/29/20

by "

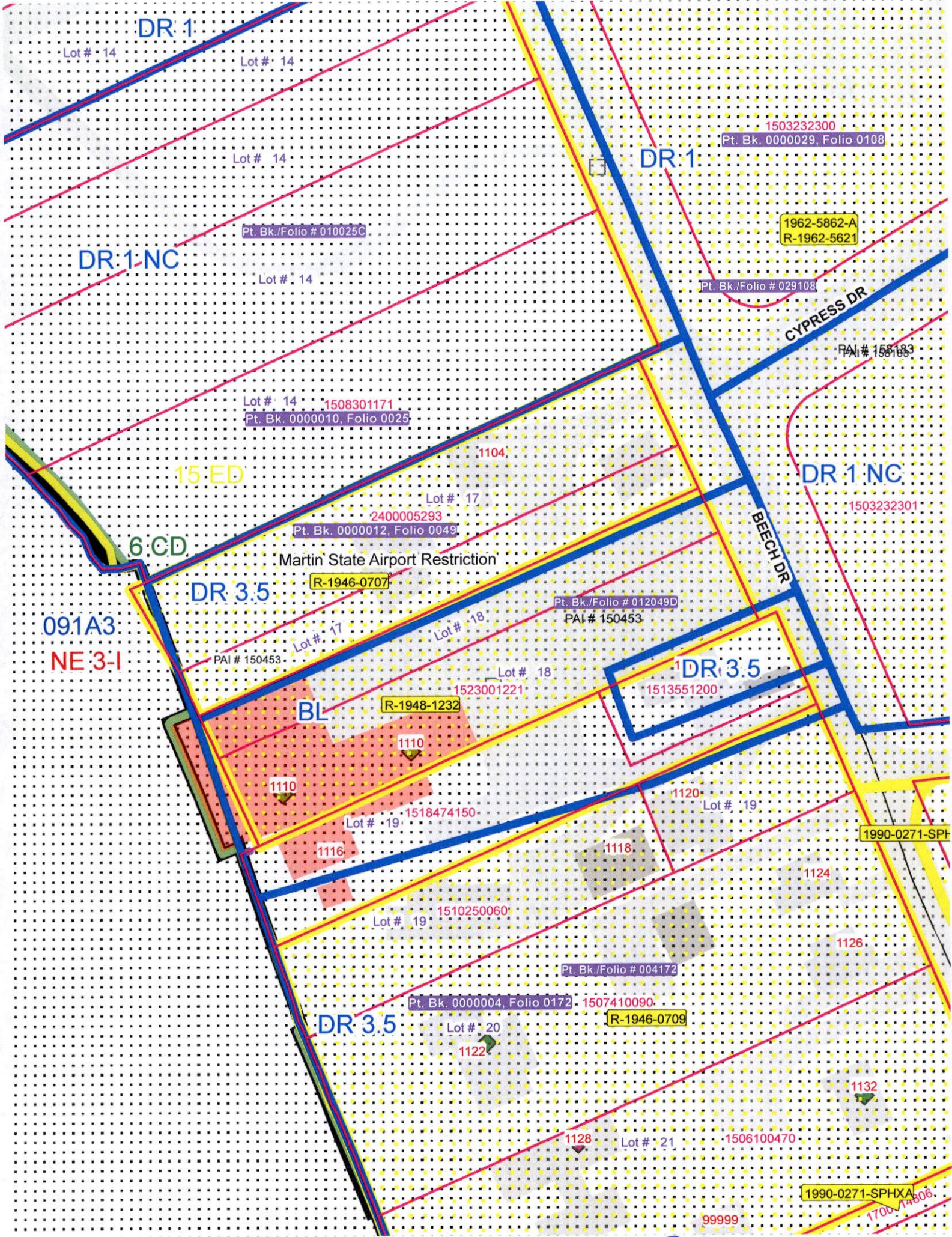
PEOPLE'S COUNSEL APPEARANCE

Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____



DR 1

Lot # 14

Lot # 14

Lot # 14

Pt. Bk./Folio # 010025C

Lot # 14

DR 1-NC

Lot # 14 1508301171
Pt. Bk. 0000010, Folio 0025

15 ED

6 CD

DR 3.5

091A3
NE 3-I

Martin State Airport Restriction

R-1946-0707

Lot # 17

Lot # 17

2400005293
Pt. Bk. 0000012, Folio 0049

1104

Pt. Bk./Folio # 012049D
PAI # 150453

Lot # 18

Lot # 18

BL

R-1948-1232

1110

1110

Lot # 19

1518474150

1116

1120

Lot # 19

1118

1124

1126

DR 3.5

Pt. Bk. 0000004, Folio 0172

1507410090

R-1946-0709

Lot # 20

1122

Pt. Bk./Folio # 004172

1128

Lot # 21

1506100470

1132

1990-0271-SPHXA

1700 14806

99999

1503232300
Pt. Bk. 0000029, Folio 0108

1962-5862-A
R-1962-5621

Pt. Bk./Folio # 029108

PAI # 158183

CYPRESS DR

BEECH DR

DR 3.5

1513551200

1990-0271-SPH

Donna Mignon

From: Tim Kotroco <tkotroco@gmail.com>
Sent: Monday, November 30, 2020 3:57 PM
To: Administrative Hearings
Subject: Fwd: Certification
Attachments: Beech Dr. Cert. .jpeg; Beech Dr. Photos.docx

Follow Up Flag: Flag for follow up
Flag Status: Flagged

CAUTION: This message from tkotroco@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Dear ALJ Staff,

I am forwarding the certification of posting from Linda O'Keefe. I suspect she already sent it to you by now, but just in case she did not, here it is.

Thank you.

Tim K.
Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Ave, Suite 502
Towson, Maryland 21204
Cell: 410-299-2943

This communication is from a law firm and may contain confidential or privileged information. Unauthorized retention, disclosure, or use of this information is prohibited and may be unlawful under 18 U.S.C. §§ 2510-2521. Accordingly, if this email has been sent to you in error, please contact the sender by reply email or by phone at 410-299-2943.

----- Forwarded message -----

From: Linda Okeefe <luckylinda1954@yahoo.com>
Date: Sun, Nov 29, 2020 at 10:36 PM
Subject: Certification
To: Tim Kotroco <tkotroco@gmail.com>

Hi Tim,

I thought you would like to have a copy of the Second Certification for the upcoming Hearing for Beech Drive @ Carson's Creek.
Stay well my friend,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431

Fax# 410-666-0929

lucky linda1954@yahoo.com

SECOND CERTIFICATE OF POSTING

ATTENTION: DONNA MIGNON

DATE: 11/29/2020

Case Number: 2020-0193-SPHA

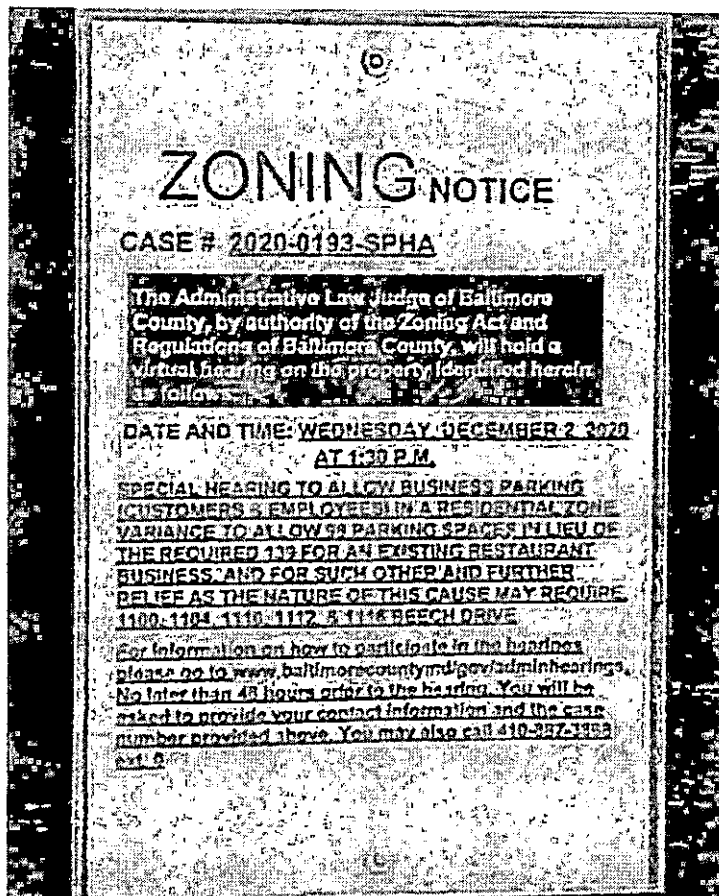
Petitioner / Developer: TIMOTHY KOTROCO, ESQ. ~ BLUE HARON HOLDINGS, LLC , NORINO PROPERTIES, LLC

Date of Hearing: DECEMBER 2, 2020

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: 1100, 1104, 1110, 1112, & 1116 BEECH DRIVE

The sign(s) were posted on: **NOVEMBER 12, 2020**

The sign(s) were re-photographed on: **NOVEMBER 29, 2020**



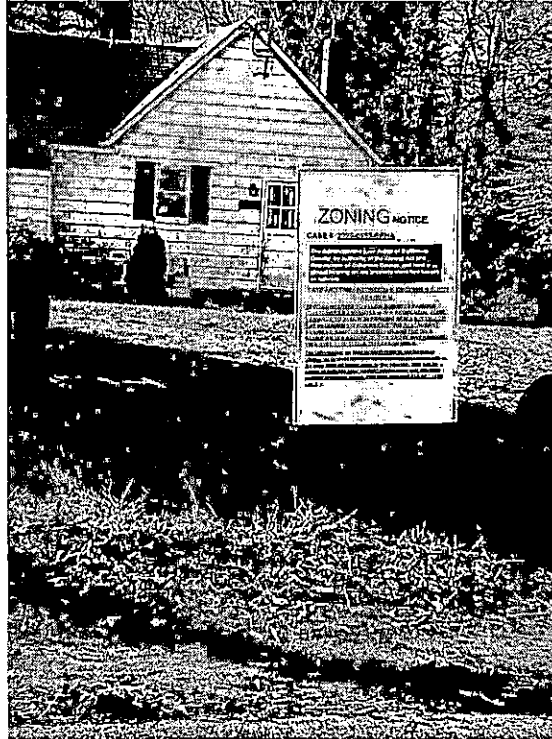
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



Re-Photographed 1st Sign @ 1100, 1104, 1110, 1112 & 1116
Beech Drive 11/29/2020



Re-Photographed 2nd Sign @ 1100, 1104, 1110, 1112 & 1116
Beech Drive 11/29/2020
CASE # 2020-0193-SPHA

10-1- 1:30 PM

Debra Wiley

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Sunday, November 29, 2020 10:44 PM
To: Administrative Hearings
Subject: Certification Beech Drive
Attachments: Beech Dr. Cert. .jpeg; Beech Dr. Photos.docx

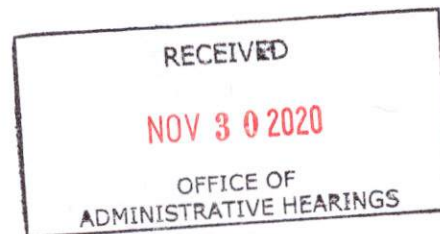
CAUTION: This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Donna,

I am attaching the Second Certification and background photos for your records of Case # 2020-0193-SPHA @ 1100-1116 Beech Drive. Hope the Hearing goes well. I enjoyed many dinners at the restaurant Carsons Creek in the past. I miss going out to dinner as I am too afraid as many are right now.
Stay safe,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com



SECOND CERTIFICATE OF POSTING

ATTENTION: DONNA MIGNON

DATE: 11/29/2020

Case Number: 2020-0193-SPHA

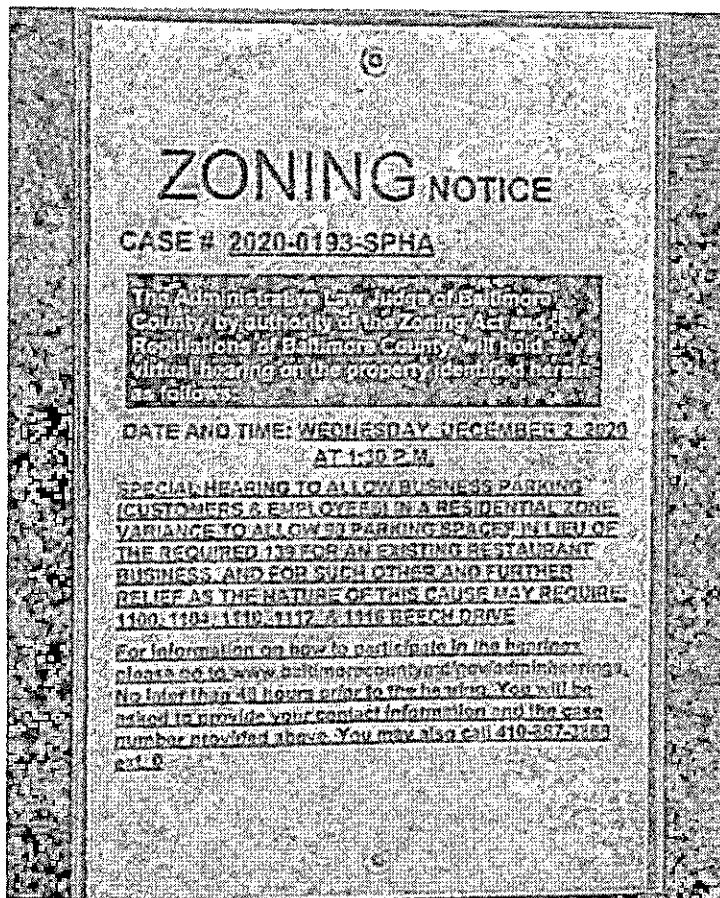
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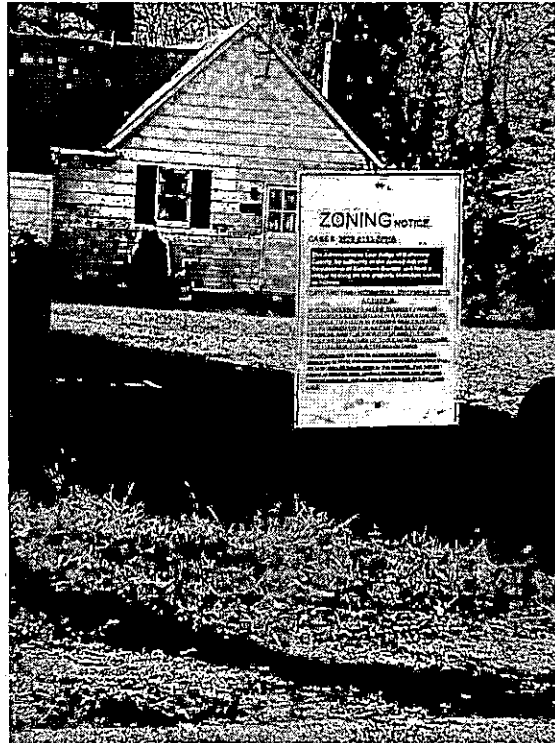
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



Re-Photographed 1st Sign @ 1100, 1104, 1110, 1112 & 1116
Beech Drive 11/29/2020



Re-Photographed 2nd Sign @ 1100, 1104, 1110, 1112 & 1116
Beech Drive 11/29/2020
CASE # 2020-0193-SPHA

Donna Mignon

From: Donna Mignon
Sent: Monday, November 23, 2020 8:50 AM
To: 'tkotroco@gmail.com'
Subject: Case No: 2020-0193-SPHA - 1100, 1104, 1110, 1112, & 1116 Beech Drive

Good Morning,

As you are aware, a virtual webex hearing has been scheduled for December 2, 2020 at 1:30 p.m. You should have received an invitation in an email around November 6, 2020, that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

PLEASE NOTE OUR OFFICE IS CLOSED NOVEMBER 26, 2020 AND NOVEMBER 27, 2020

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 15 Account Number - 2400005293		
Owner Information		
Owner Name:	ZORZIT JOHN	Use: RESIDENTIAL NO
Mailing Address:	18 BRETT MANOR COURT HUNT VALLEY MD 21030-	Principal Residence: /39613/ 00458
Deed Reference:		
Location & Structure Information		
Premises Address:	1100 BEECH DR 21220- Waterfront	Legal Description: LOT 17 PRT LT 17A 1100 BEECH DR BULL NECK
Map:	Grid:	Parcel:
0091	0019	0067
Neighborhood:	Subdivision:	Section:
15030022.04	0000	A
Block:	Lot:	Assessment Year:
	17	2021
Plat No:		Plat Ref:
		0012/ 0049
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1941	1,650 SF	Property Land Area
		21,475 SF
County Use		34
Stories	Basement	Type
1	NO	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	2 full
Garage	Last Notice of Major Improvements	
1 Detached		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2018	07/01/2020
		As of
		07/01/2021
Land:	264,300	264,300
Improvements	98,700	98,700
Total:	363,000	363,000
Preferential Land:	0	
Transfer Information		
Seller: NORINO PROPERTIES L L C	Date: 11/08/2017	Price: \$352,900
Type: ARMS LENGTH IMPROVED	Deed1: /39613/ 00458	Deed2:
Seller: ZORZIT JOHN	Date: 01/06/2014	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /34575/ 00491	Deed2:
Seller: PHIPPS ELVIRA T	Date: 04/23/2008	Price: \$500,000
Type: ARMS LENGTH IMPROVED	Deed1: /26923/ 00627	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
07/01/2021		0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 15 Account Number - 1523001221		
Owner Information		
Owner Name:	NORINO PROPERTIES LLC	Use: COMMERCIAL
Mailing Address:	8100 HARFORD ROAD BALTIMORE MD 21234-5703	Principal Residence: NO Deed Reference: /15401/ 00621
Location & Structure Information		
Premises Address:	1110 BEECH AVE 0-0000 Waterfront	Legal Description: LT 18 PT 17A 1110 BEECH AVE BULL NECK
Map: 0091	Grid: 0019	Parcel: 0067
Neighborhood: 31501.04	Subdivision: 0000	Section:
Block:	Lot: 18	Assessment Year: 2021
Plat No:		Plat Ref: 0012/ 0049
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1948	1,776 SF	21,750 SF
Property Land Area	County Use	
30		
Stories	Basement	Type
		RESTAURANT
Exterior	Quality	Full/Half Bath
/	C3	
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of
		01/01/2018
Land:	360,400	360,400
Improvements	184,700	184,700
Total:	545,100	545,100
Preferential Land:	0	
Phase-in Assessments		
	As of	As of
	07/01/2020	07/01/2021
Transfer Information		
Seller: CASEY THOMAS L,SR	Date: 07/23/2001	Price: \$325,000
Type: ARMS LENGTH IMPROVED	Deed1: /15401/ 00621	Deed2:
Seller: WACKER JOHN C	Date: 11/23/1992	Price: \$150,000
Type: ARMS LENGTH IMPROVED	Deed1: /09472/ 00433	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 15 Account Number - 1513551200			
Owner Information					
Owner Name:	NORINO PROPERTIES LLC	Use:	COMMERCIAL/RESIDENTIAL NO		
Mailing Address:	8100 HARFORD ROAD BALTIMORE MD 21234-5703	Principal Residence:	Deed Reference: /22837/ 00712		
Location & Structure Information					
Premises Address:	1112 BEECH DR 0-0000	Legal Description:	1112 BEECH RD BULL NECK		
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No:
0091	0019	0067	31501.04	0000	19 2021 Plat Ref: 0004/ 0172
Town: None					
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
		848 SF		4,000 SF	
Property Land Area		County Use			
4,000 SF		06			
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
1	NO	STANDARD UNIT	ASBESTOS SHINGLE/	3	1 full
Garage Last Notice of Major Improvements					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2018		07/01/2020	
				As of	
				07/01/2021	
Land:	65,600	65,600			
Improvements	32,800	32,800			
Total:	98,400	98,400		98,400	
Preferential Land:	0				
Transfer Information					
Seller: WIGHTMAN RANDOLPH L		Date: 11/02/2005		Price: \$62,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /22837/ 00712		Deed2:	
Seller: WACKER DOROTHY		Date: 08/19/1992		Price: \$64,000	
Type: ARMS LENGTH IMPROVED		Deed1: /09327/ 00246		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2020		07/01/2021	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00		0.00	
Special Tax Recapture: None					
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application				Date:	

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 15 Account Number - 1518474150		
Owner Information		
Owner Name:	NORINO PROPERTIES LLC	Use: RESIDENTIAL Principal Residence: NO
Mailing Address:	8100 HARFORD ROAD BALTIMORE MD.21234-5703	Deed Reference: /15401/ 00626
Location & Structure Information		
Premises Address:	1116 BEECH DR 0-0000 Waterfront	Legal Description: PT LT 19 1116 BEECH DR BULL NECK
Map: 0091	Grid: 0019	Parcel: 0067
Neighborhood: 15030022.04	Subdivision: 0000	Section:
Block:	Lot: 19	Assessment Year: 2021
		Plat No: 0004/ 0172
Town: None		
Primary Structure Built 1925	Above Grade Living Area 832 SF	Finished Basement Area 9,700 SF
Property Land Area 34	County Use	
Stories 1	Basement NO	Type STANDARD UNIT
Exterior ASBESTOS SHINGLE/	Quality 2	Full/Half Bath 1 full
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of
		01/01/2018
Land:	189,100	189,100
Improvements	19,400	19,400
Total:	208,500	208,500
Preferential Land:	0	208,500
Transfer Information		
Seller: CASEY THOMAS L,JR	Date: 07/23/2001	Price: \$100,000
Type: NON-ARMS LENGTH OTHER	Deed1: /15401/ 00626	Deed2:
Seller: ROESCH JOHN F	Date: 10/16/1992	Price: \$100,000
Type: ARMS LENGTH IMPROVED	Deed1: /09413/ 00313	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

Schedule an Event

Basic Information:

Asterisks (*) indicate required values.

* Event type: Online Event ▼ Event Template: [Webex Events Default] ▼

* Event name: Zoning Hearing - 2020-0193-SPHA - 1100, 1104, 1111 ?

☒ Listed on public calendar

☒ Delete from My Meetings when completed

Registration: ☒ Required

* Event password: 1234 ? The password must be at least 4 characters.

Date & Time:

* Start date: December ▼ 2 ▼ 2020 ▼ ?

* Start time: 1 ▼ 30 ▼ am pm Plan event time zones...

Estimated duration: 1 hour ▼ 00 ▼ minutes

* Time zones: New York (Eastern Standard Time, GMT-05:00) ▼

☐ Attendees can join 0 ▼ minutes before the scheduled start time

Email reminder: Send me a reminder email None ▼ minutes before event starts

Audio Conference Settings:

Select conference type: Webex Audio ▼

☒ Display global call-in numbers

☐ Provide audio to attendees using Audio Broadcast ?

☒ Mute upon entry for all participants

Entry & exit tone: No Tone ▼

[Schedule This Event](#)

Event Description & Options:

Description: Case No: 2020-0193-SPHA ?
Address: 1100, 1104, 1110, 1112 & 1116 Beech Drive
Legal Owners: Norino Properties, LLC
Contract Purchaser/Lessee: Blue Heron Holdings, LLC

[Upload](#) a picture about the event description

Host image: [Upload](#) a picture of yourself or the presenter

Event material: [Upload](#) event material for attendees to download before event starts

Other UCF options: ☐ Do not allow attendees to share rich media files in this event

☒ Request attendees to verify rich media players

Who can view the attendee list: ☐ All participants

☒ Only the host, presenter, and panelists

Video: ☒ Turn on video

Post-event survey: [Create post-event survey](#)

☒ Do not display survey to attendees

☐ Display survey in pop-up window

☐ Display survey in main browser window (instead of destination URL)

Destination URL after event: http://

Attendees & Registration:

Attendees: [Create invitation list](#)

[View invitation list](#)Invite friends: ☒ Allow registrants to invite friends to this eventMaximum number of registrants: Registration form: Click [here](#) to customize your registration formDestination URL after registration: Approval required: ☐ Yes ☒ No [Set up approval rules](#)Registration password: ☐ Yes, specify password: The password must be at least 4 characters.
☒ NoRegistration ID required: ☐ Yes ☒ No

Presenters & Panelists:

Panelists: [Edit invitation list](#)[View invitation list](#)Panelists info: ☐ Allow panelists to upload documents associated with the event.Panelist password: (recommended) The password must be at least 4 characters.Confirm password:

Email Messages:

Email format: ☐ Plain Text ☒ HTML☒ Include iCalendar AttachmentsInvitation emails: [Attendees](#) | [Panelists](#)Registration emails: ☒ Pending ☒ Approved ☒ Rejected | [Event In Progress](#)Event updated emails: [All Approved Registrants](#) | [All Attendees](#) | [All Panelists](#)Reminder emails: ☐ 1st ReminderDecember ▼ 2 ▼ 2020 ▼ 1 ▼ 30 ▼ ☐ am ☒ pm☐ 2nd ReminderDecember ▼ 2 ▼ 2020 ▼ 1 ▼ 30 ▼ ☐ am ☒ pmFollow-up emails: ☐ Thank You for AttendingDecember ▼ 2 ▼ 2020 ▼ 2 ▼ 30 ▼ ☐ am ☒ pm☐ Absentee Follow-Up EmailDecember ▼ 2 ▼ 2020 ▼ 2 ▼ 30 ▼ ☐ am ☒ pm[Save as template...](#)[Go Back](#)[Schedule This Event](#)

Event Information

Event: Zoning Hearing - 2020-0193-SPHA - 1100, 1104, 1110, 1112 & 1116 Beech Drive
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e66f7b119263da1b470285b3ca760b2dd>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee3ea51f3b211ff29baa875b69b9c4bd8>
Date and time: Wednesday, December 2, 2020 1:30 pm
 Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
 Case No: 2020-0193-SPHA
 Address: 1100, 1104, 1110, 1112 & 1116 Beech Drive
 Legal Owners: Norino Properties, LLC
 Contract Purchaser/Lessee: Blue Heron Holdings, LLC
Event number: 172 837 9592
Event password: 1234
Host key: 685327
Alternate Host: Deb Wiley ,Henry Akwah
Panelist Info:
Panelist password:
Panelist numeric password: 127008
Video Address: 1728379592@baltimorecountymd.webex.com
 You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
 +1-415-655-0001
[Show all global call-in numbers](#)
 Access code: 172 837 9592
Maximum number of registrants: 10000
Destination address after event:
Host image:
Attendee list available for viewing by: Host, presenter and panelists only
Event material: None
Post-event survey: No
Email configured: Pending, Approved, Rejected
Registration Information
Registration ID required: No
Password required: No
Password:
Approval required: No
Custom registration form: No
After registration, go to URL:

Start Ev
 You can :
 event by
 Start Nov

Send Ev
 You can :
 emails by
 Send Err

ZAC AGENDA

Case Number: 2020-0193-SPHA **Reviewer:** Gary Hucik

Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL

Type: SPECIAL HEARING, VARIANCE

Legal Owner: Norino Properties, LLC & John Zorzit

Contract Purchaser: Blue Heron Holdings, LLC

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 6

Property Address: 1100, 1104, 1110, 1112, 1116 BEECH DR

Location: South side of Beech Dr North West 33 feet to the center line of Cypress Dr.

Existing Zoning: BL, DR 3.5

Area: 1.39 AC

Proposed Zoning:

SPECIAL HEARING:

Pursuant to section 409.8.B of the BCZR to allow business parking (customers & employees in a residential zone.

VARIANCE:

From section 409.6.A.2 of the BCZR To allow 98 parking spaces in lieu of the required 139 for an existing restaurant business, and for such other and further relief as the nature of this cause may require.

Attorney: Timothy M. Kotroco

Prior Zoning Cases: R-1946-0707; R-1948-1232

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

[Select Contacts...](#)[Import Contacts...](#)

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☐	<u>Deb Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Henry Akwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>John Zorzit</u>	norinolc@gmail.com	1-	English	New York Time	U.S.
☐	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Steve Recher</u>	sbrecher6@gmail.com	1-	English	New York Time	U.S.
☐	<u>Tim Kotroco</u>	tkotroco@gmail.com	1-	English	New York Time	U.S.
☐	<u>Tony Olmedo</u>	tonyolmedo@comcast.net	1-	English	New York Time	U.S.
☐	<u>William Bafits</u>	bafitisassoc@comcast.net	1-	English	New York Time	U.S.

[Invite](#)[Select All](#)[Clear All](#)[Delete](#)[Cancel](#)

New Panelist

Full name: (required)Email address: (required)Phone number:
Country/Region Number (with area/city code)Time Zone: New York (Eastern Standard Time, GMT-05:00) ▼Language: English ▼Locale: U.S. ▼☐ Add new panelist in my address book☐ Invite as alternate host[Add to Invitation List](#)

Debra Wiley

Donna
12/2 1:30 pm

From: Kristen L Lewis
Sent: Monday, November 9, 2020 7:54 AM
To: Debra Wiley; Donna Mignon
Subject: FW: Carson's Creekside Hearing, December 2 @ 1:30pm. Case No. 20-193-SPHA

Good morning ladies,

Please add the participants below the webex invite. Thank you,

Kristen Lewis
PAI - Zoning Review
410-887-3391

From: Tim Kotroco [mailto:tkotroco@gmail.com]
Sent: Sunday, November 08, 2020 7:58 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: Carson's Creekside Hearing, December 2 @ 1:30pm. Case No. 20-193-SPHA

CAUTION: This message from tkotroco@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Kristen,

Here are the other individuals who need to be invited as participants for our hearing which is scheduled for December 2 @ 1:30pm.

Steve Recher sbrecher6@gmail.com
Tony Olmedo tonyolmedo@comcast.net
William Bafitis bafitisassoc@comcast.net
John Zorzit norinollc@gmail.com

Please let me know if you need anything additional. Thank you.

Tim K.
Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Ave, Suite 502
Towson, Maryland 21204
Cell: 410-299-2943

This communication is from a law firm and may contain confidential or privileged information. Unauthorized retention, disclosure, or use of this information is prohibited and may be unlawful under 18 U.S.C. §§ 2510-2521. Accordingly, if this email has been sent to you in error, please contact the sender by reply email or by phone at 410-299-2943.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
1100, 1104, 1110, 1112, 1116 Beech Drive;	*	OF ADMINISTRATIVE
S/S of Beech Dr NW 33' to c/line Cypress Drive		
15 th Election & 6 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Norino Properties, LLC		
& John Zorzit	*	BALTIMORE COUNTY
Contract Purchaser: Blue Heron Holdings, LLC		
Petitioner(s)	*	2020-193-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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of August, 2020, a copy of the foregoing Entry of Appearance was emailed to William Bafitis, 1249 Engleberth Road, Baltimore, Maryland 21221, bafitisassoc@comcast.net and Timothy Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, tkotroco@gmail.com, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
8728 Oakleigh Road; NW corner of Oakleigh	*	OF ADMINISTRATIVE
Road, S corner of Dunwoody Road		
9 th Election & 5 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Angely, Michel &		
Haimwattie Bissessar	*	BALTIMORE COUNTY
Petitioner(s)		
	*	2020-196-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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of August, 2020, a copy of the foregoing Entry of Appearance was emailed to Richardson Engineering LLC, 30 E. Padonia Road, Timonium, Maryland 21093, Rick@richardsonengineering.net, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TIMOTHY M. KOTROCO, Esq.

305 Washington Avenue, Suite 502

Towson, Maryland 21204

410-299-2943

Tkotroco@gmail.com

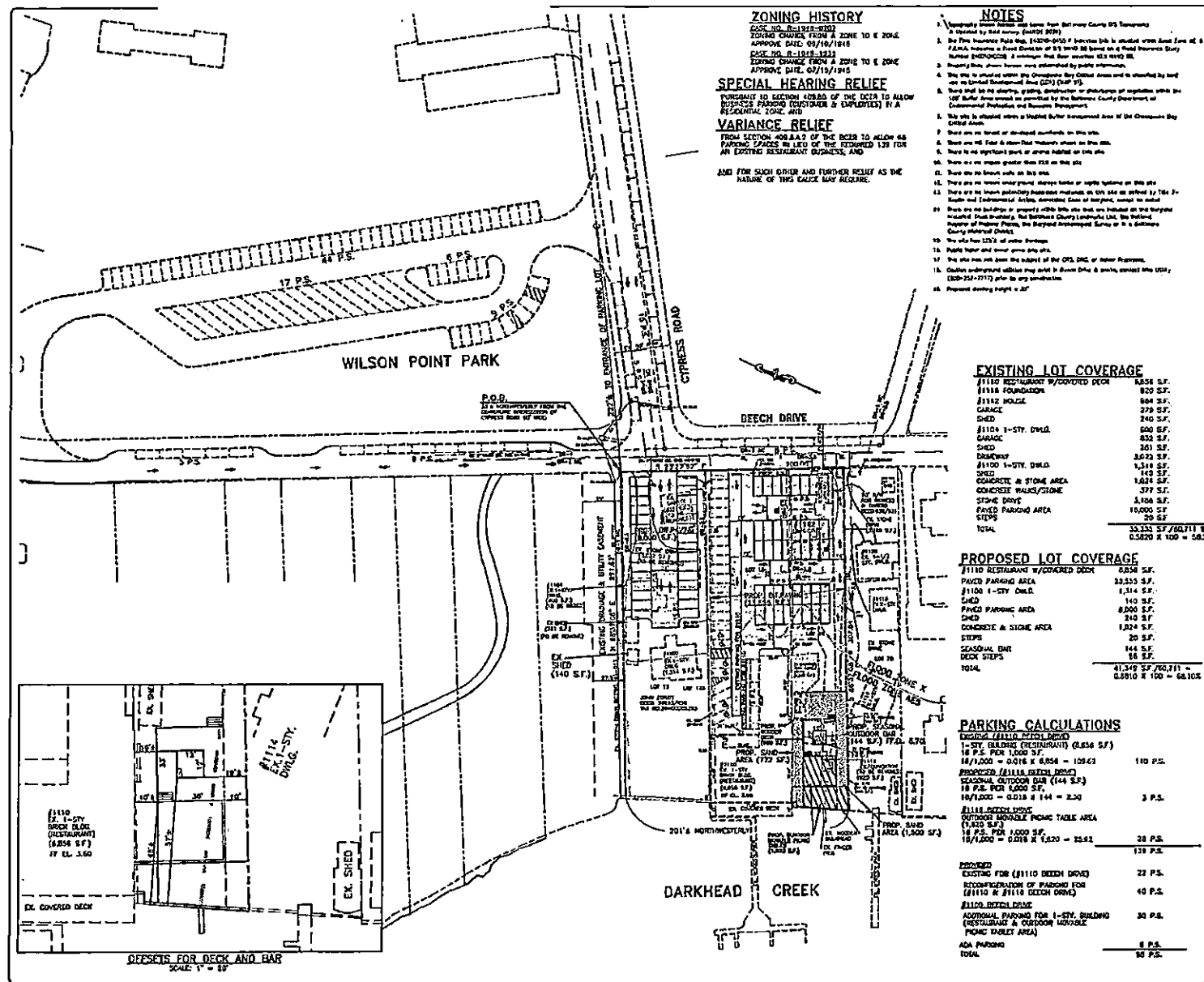
12/1/20
D. M. K.

EXHIBIT LIST FOR: CASE NO. 2020-0193-SPHA

1/12/21
D. M. K.

Pet Ex #1:	Site Plan of the Property to be developed
Pet Ex #2:	Aerial view of the property showing unique zoning
Pet Ex #3	Highlighted site plan showing bldgs. to be razed
Pet Ex #4	Photo of bldgs. to be razed
Pet Ex #5	Photo of bldgs. to be razed
Pet Ex #6A, 6B, 6C, 6D, 6E	Photos of restaurant and surrounding properties
Pet Ex #7	Photo of restaurant sign

EXHIBIT NO.



NOTES

- [illegible]

EXISTING LOT COVERAGE

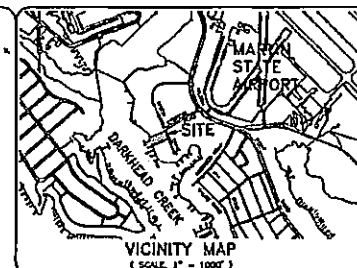
#1112 RECREATION W/COMBOD DECK	820 S.F.
#1112 FOUNDATION	820 S.F.
#1112 DOOR	864 S.F.
GARAGE	278 S.F.
SHED	240 S.F.
#1104 1-STY. DWEL.	600 S.F.
GARAGE	832 S.F.
SHED	261 S.F.
DRIVE	367 S.F.
#1100 1-STY. DWEL.	1,318 S.F.
SHED	143 S.F.
CONCRETE & STONE AREA	1,824 S.F.
CONCRETE PAVER/STONE	377 S.F.
STONE DRIVE	1,106 S.F.
PAVED PARKING AREA	15,000 S.F.
STEPS	20 S.F.
TOTAL	32,335 S.F./87,111 S.F.

PROPOSED LOT COVERAGE

11110 RESTAURANT W/COVERED DECK	0,854 S.F.
PAVED PARKING AREA	23,553 S.F.
11100 1-STY OWLD.	1,314 S.F.
CHRD	140 S.F.
PAVED PARKING AREA	8,000 S.F.
CHRD	210 S.F.
CONCRETE & STONE AREA	1,824 S.F.
STEPS	20 S.F.
SEASONAL ENR	144 S.F.
DECK STEPS	88 S.F.
TOTAL	41,549 S.F./60,711 sq ft

PARKING CALCULATIONS

111000 (111100 REPAIR DRIVE)	
1-STY. BUILDING (RESTAURANT) (0.656 S.F.)	
18 P.S. PER 1,000 S.F.	
18/1,000 = 0.018 x 6,856 = 123.63	110 P.S.
PROPOSED (111110 REPAIR DRIVE)	
SEASONAL OUTDOOR BAR (144 S.F.)	
18 P.S. PER 1,000 S.F.	
18/1,000 = 0.018 x 144 = 2.60	3 P.S.
111100 SERVICE DRIVE	
OUTDOOR MOBILE PHONE TABLE AREA (1,620 S.F.)	
18 P.S. PER 1,000 S.F.	
18/1,000 = 0.018 x 1,620 = 29.16	28 P.S.
111100 SERVICE DRIVE	
OUTDOOR MOBILE PHONE TABLE AREA (1,620 S.F.)	
18 P.S. PER 1,000 S.F.	
18/1,000 = 0.018 x 1,620 = 29.16	128 P.S.
PROPOSED	
EXISTING FOR (111110 REPAIR DRIVE)	22 P.S.
RECONSTRUCTION OF PARKING FOR (111110 REPAIR DRIVE)	40 P.S.
111100 SERVICE DRIVE	
ADDITIONAL PARKING FOR 1-STY. BUILDING (RESTAURANT & OUTDOOR MOBILE PHONE TABLE AREA)	30 P.S.
ACH PARKING	8 P.S.
TOTAL	106 P.S.



SITE DATA

- 1) OWNER: MORRIS PROPERTIES, LLC & JOHN ZORST
8100 HAMPDEN ROAD
DALLFORD, MARYLAND 21234
- 2) LEASER: BUE MORON HOLDINGS, LLC
4110 KESH BOULE
DALLFORD, MARYLAND 21234
TELEPHONE: 410-813-8531
- 3) DEED NO: 15401/271, 15401/272, 15401/273, 15401/274 & 15401/275
- 4) TAX MAP BOOK: 15-12002/121-15-184/15012-1-00002/123 & 15-10051/100
- 5) TAX MAP: 81 PLATC: 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72
- 6) PLAT REF: PLAT OF BULL DOCK BOOD 04 OF 1040 1772
- 7) ELECTION DISTRICT: 15TH
- 8) COMMARCIAL DISTRICT: D-1
- 9) REGIONAL PLANNING DISTRICT: MIDDLE RIVER
- 10) CENSUS TRACT: 4516
- 11) ZONING IS: 40 R 3.5
- 12) ZONING MAP: 001
- 13) USE: PROPOSED: VACANT, RESTAURANT/PARKING
EXISTING: SEASONAL OUTDOOR BAR, OUTDOOR SEATABLE
PATIO BAR, ADA
- 14) SITE AREA: 60,711 SF, OR 1.33 AC
- 16) PARKING: C/T BELOW

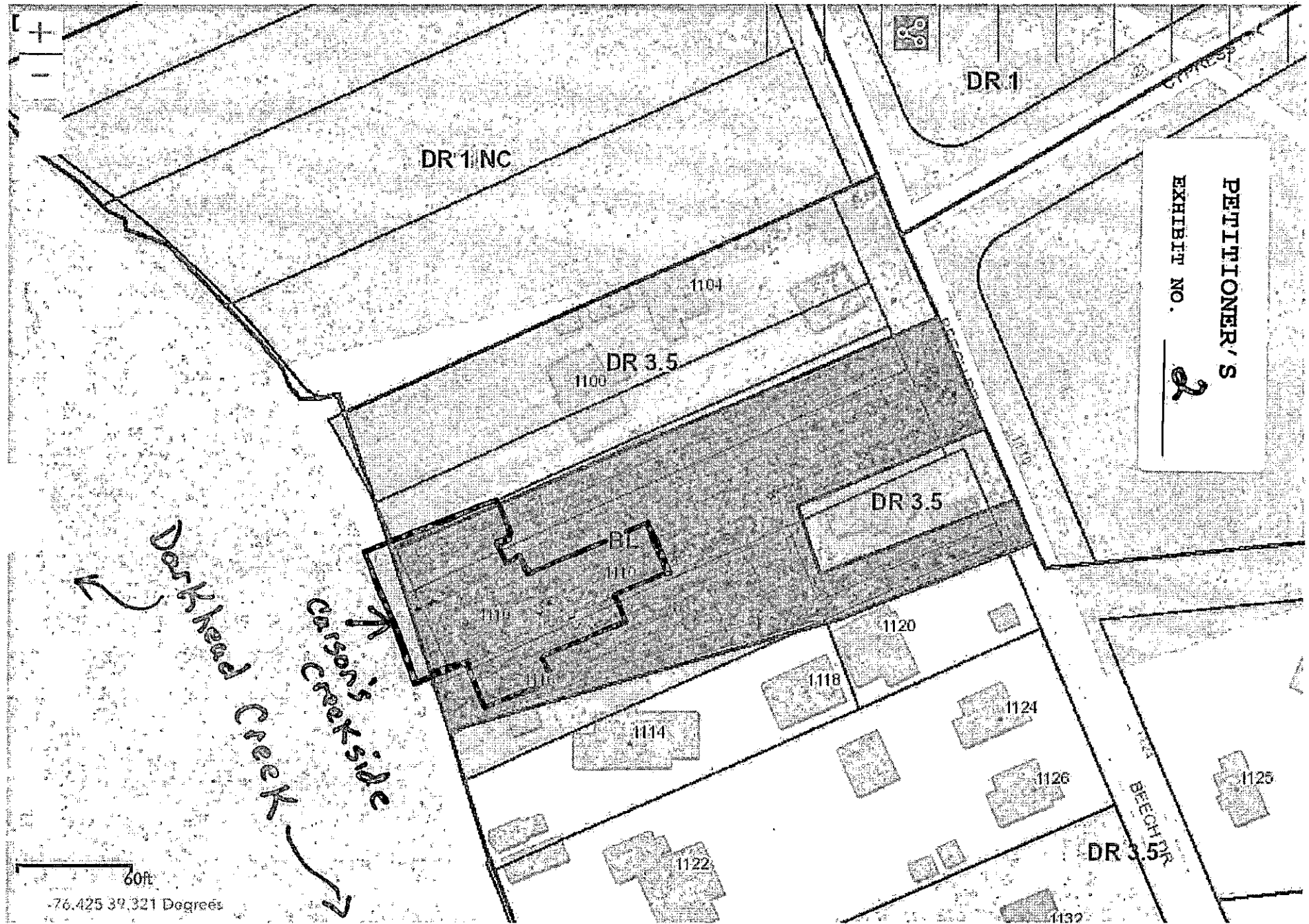
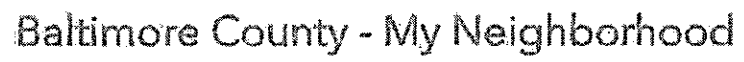
 **Balfitis & Associates**

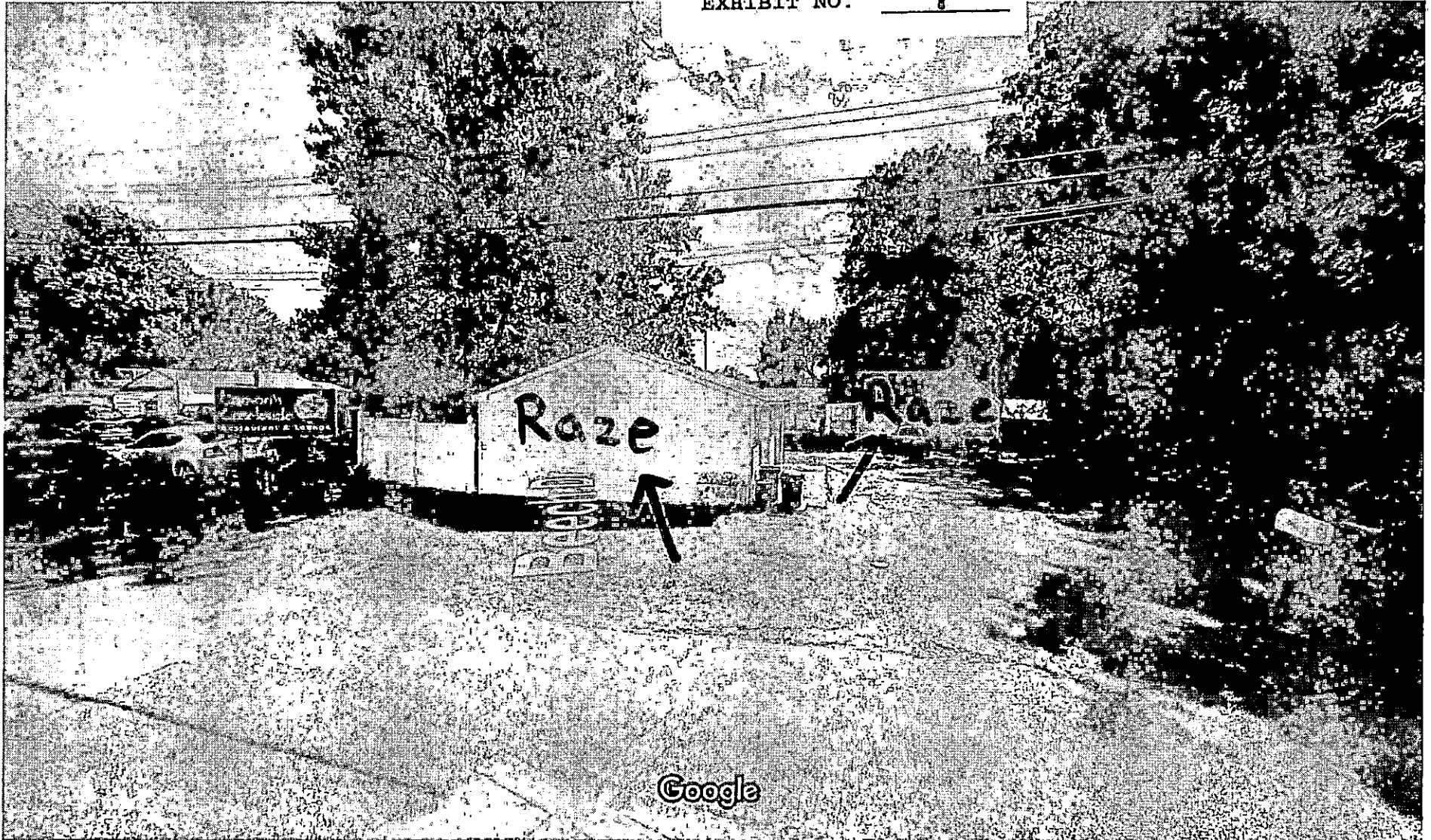
William H. Balfitis, P.E.
Civil Engineer and Planner
SUNSHINE
(410) 391-2336
balfitisassoc@comcast.net

1249 Crofterscroft Rd Baltimore, MD 21221

PLAN TO ACCOMPANY
PETITION FOR ZONING VARIANCE
FOR
#1100, #1104, #1110, #1112
& #1116 BEECH DRIVE

[illegible]





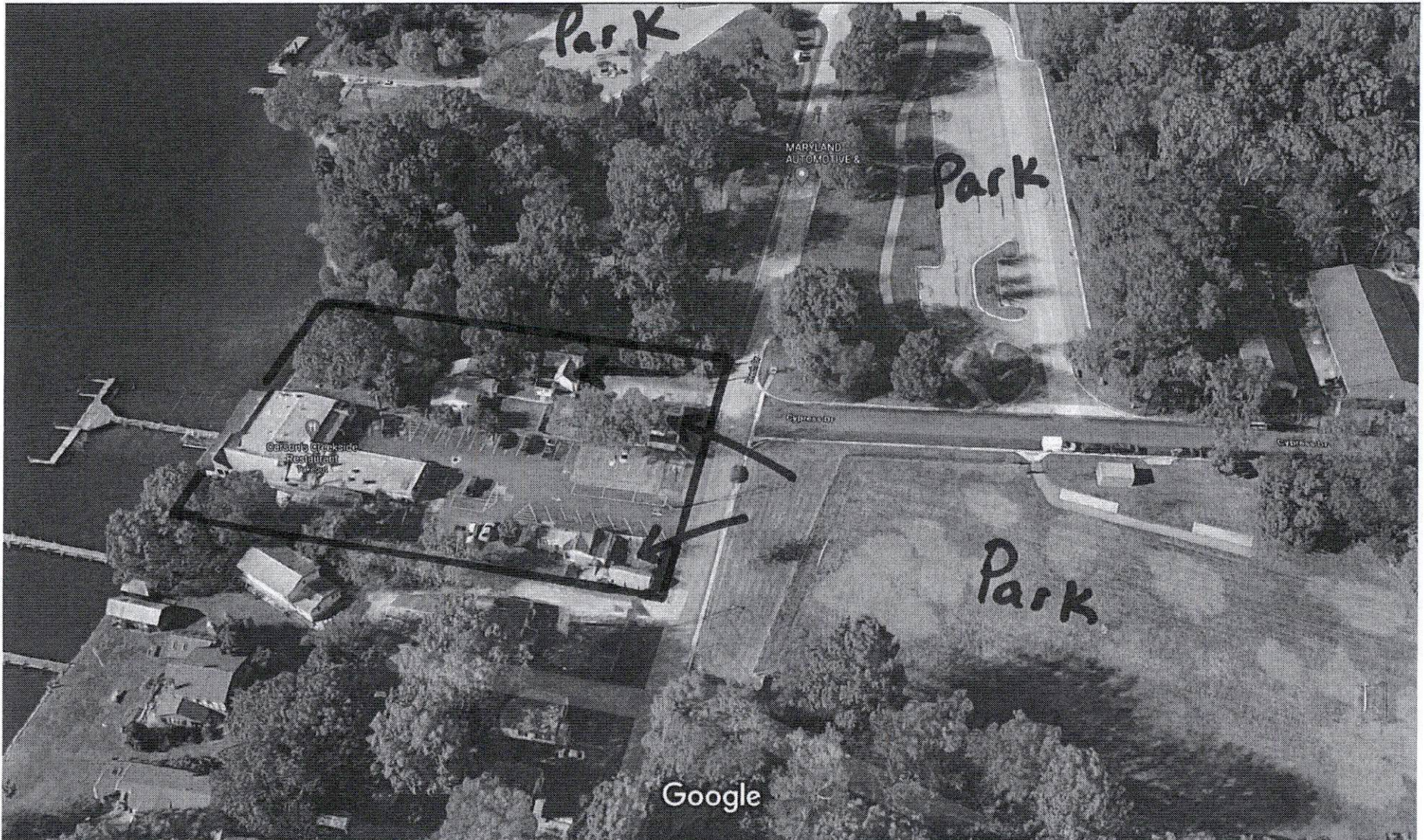


Google Maps

PETITIONER'S

EXHIBIT NO.

6A



6B



6C



6D

Google Maps 1110 Beech Dr



Image capture: Jun 2017 © 2020 Google

6E



Google Maps 1110 Beech Dr

PETITIONER'S

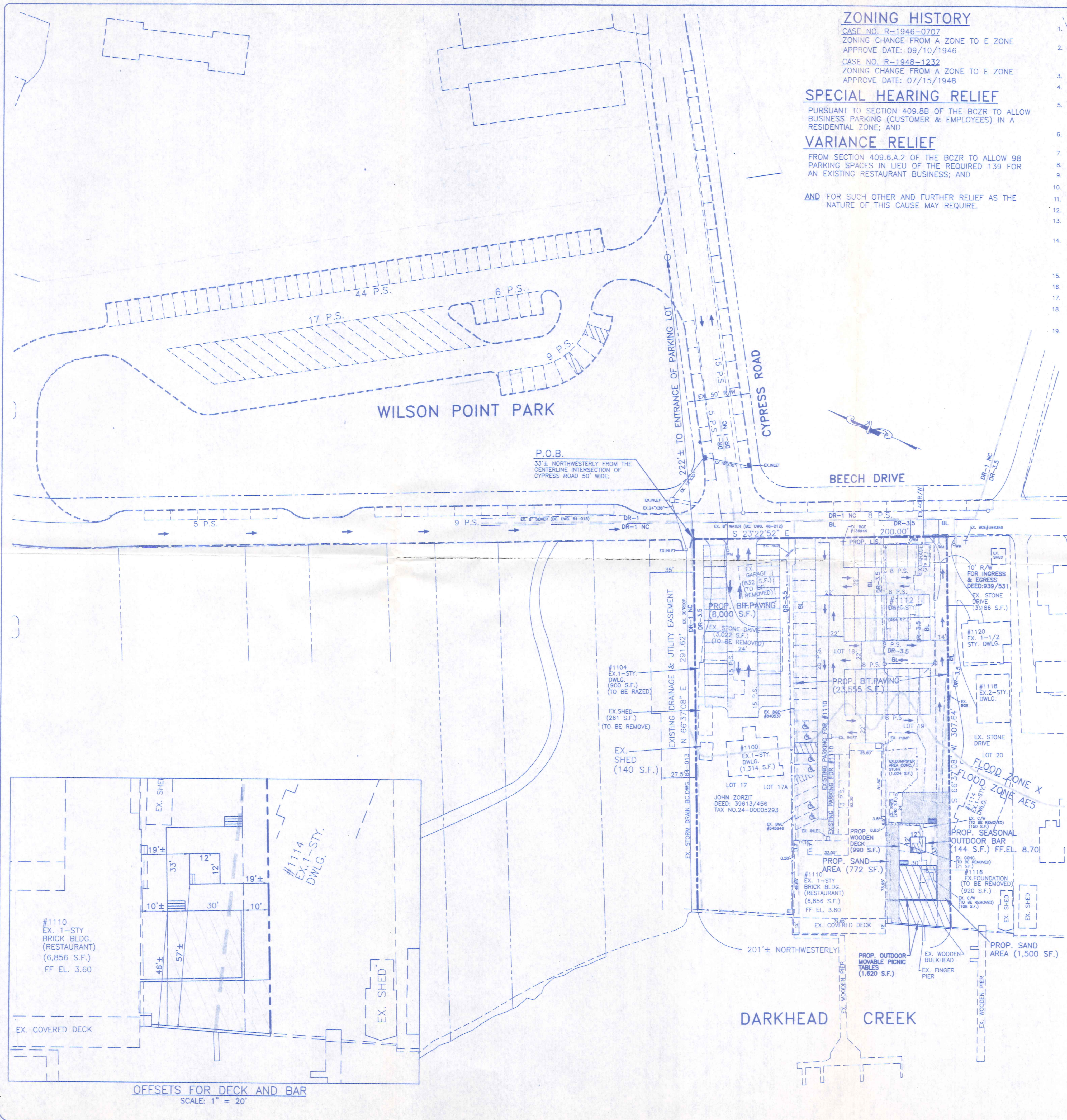
EXHIBIT NO.

7



Google

Image capture: Jun 2017 © 2020 Google



ZONING HISTORY

CASE NO. R-1946-0707
ZONING CHANGE FROM A ZONE TO E ZONE
APPROVE DATE: 09/10/1946
CASE NO. R-1948-1232
ZONING CHANGE FROM A ZONE TO E ZONE
APPROVE DATE: 07/15/1948

SPECIAL HEARING RELIEF

PURSUANT TO SECTION 409.8B OF THE BCZR TO ALLOW BUSINESS PARKING (CUSTOMER & EMPLOYEES) IN A RESIDENTIAL ZONE; AND

VARIANCE RELIEF

FROM SECTION 409.6A.2 OF THE BCZR TO ALLOW 98 PARKING SPACES IN LIEU OF THE REQUIRED 139 FOR AN EXISTING RESTAURANT BUSINESS; AND

AND FOR SUCH OTHER AND FURTHER RELIEF AS THE NATURE OF THIS CAUSE MAY REQUIRE.

NOTES

- Topography shown hereon was taken from Baltimore County GIS Topography & Updated by field survey, (MARCH 2020).
- The Firm Insurance Rate Map, 240010-0455 F indicates this is situated within flood Zone AE & X. F.E.M.A. indicates a Flood Elevation of 8.5 NAVD 88 based on a Flood Insurance Study Number 240010V0008. A minimum first floor elevation 10.5 NAVD 88.
- Property lines shown hereon were established by public information.
- This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Limited Development Area (LDA) (MAP 91).
- There shall be no clearing, grading, construction or disturbance of vegetation within the 100' Buffer Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
- This site is situated within a Modified Buffer Management Area of the Chesapeake Bay Critical Areas.
- There are no forest or developed woodlands on this site.
- There are NO Tidal & Non-Tidal Wetlands shown on this site.
- There is no significant plant or animal habitat on this site.
- There are no slopes greater than 15% on this site.
- There are no known wells on this site.
- There are no known underground storage tanks or septic systems on this site.
- There are no known potentially hazardous materials on this site as defined by Title 7-Health and Environmental Article, Annotated Code of Maryland, except as noted.
- There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
- The site has 125'± of water frontage.
- Public Water and sewer serve this site.
- This site has not been the subject of the CRG, DRC, or Waiver Processes.
- Caution underground utilities may exist in Beech Drive & onsite, contact Miss Utility (800-257-7777) prior to any construction.
- Proposed dwelling height < 35'.

EXISTING LOT COVERAGE

#1110 RESTAURANT W/COVERED DECK	6,856 S.F.
#1116 FOUNDATION	920 S.F.
#1112 HOUSE	964 S.F.
GARAGE	279 S.F.
SHED	240 S.F.
#1104 1-STY. DWLG.	900 S.F.
GARAGE	832 S.F.
SHED	261 S.F.
DRIVEWAY	3,022 S.F.
#1100 1-STY. DWLG.	1,314 S.F.
SHED	140 S.F.
CONCRETE & STONE AREA	1,024 S.F.
CONCRETE WALKS/STONE	377 S.F.
STONE DRIVE	3,186 S.F.
PAVED PARKING AREA	16,000 S.F.
STEPS	20 S.F.
TOTAL	53,335 S.F./60,711 S.F. = 0.5820 X 100 = 58.20%

PROPOSED LOT COVERAGE

#1110 RESTAURANT W/COVERED DECK	6,856 S.F.
PAVED PARKING AREA	23,555 S.F.
#1100 1-STY. DWLG.	1,314 S.F.
SHED	140 S.F.
PAVED PARKING AREA	8,000 S.F.
SHED	240 S.F.
CONCRETE & STONE AREA	1,024 S.F.
STEPS	20 S.F.
SEASONAL BAR	144 S.F.
DECK STEPS	56 S.F.
TOTAL	41,349 S.F./60,711 = 0.6810 X 100 = 68.10%

PARKING CALCULATIONS

EXISTING (#1110 BEECH DRIVE)
1-STY. BUILDING (RESTAURANT) (6,856 S.F.)
16 P.S. PER 1,000 S.F.
16/1,000 = 0.016 X 6,856 = 109.69 110 P.S.

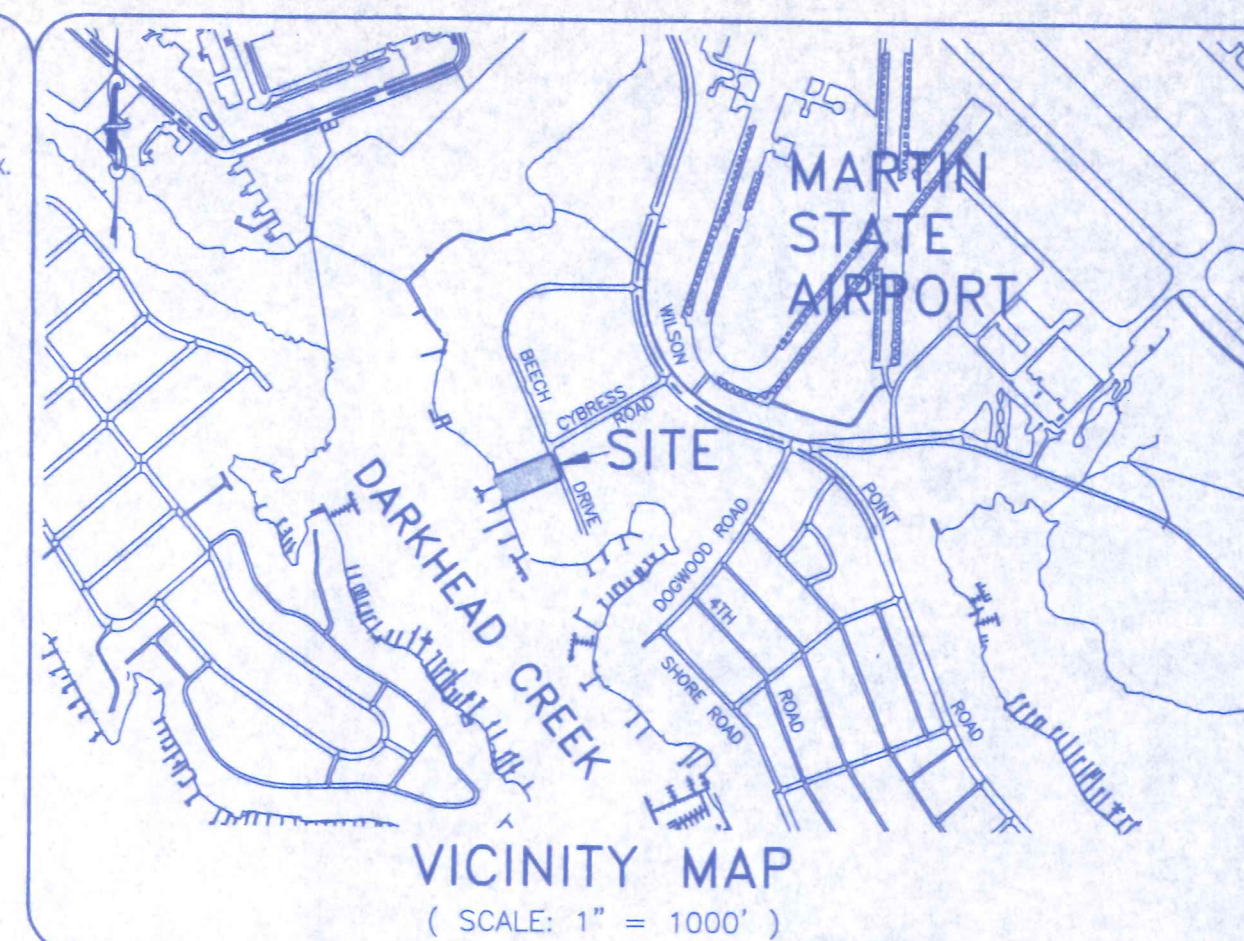
PROPOSED (#1116 BEECH DRIVE)
SEASONAL OUTDOOR BAR (144 S.F.)
16 P.S. PER 1,000 S.F.
16/1,000 = 0.016 X 144 = 2.30 3 P.S.

#1116 BEECH DRIVE
OUTDOOR MOVABLE PICNIC TABLE AREA (1,620 S.F.)
16 P.S. PER 1,000 S.F.
16/1,000 = 0.016 X 1,620 = 25.92 26 P.S.
139 P.S.

PROVIDED
EXISTING FOR (#1110 BEECH DRIVE)
RECONFIGURATION OF PARKING FOR (#1110 & #1116 BEECH DRIVE)
40 P.S.

#1100 BEECH DRIVE
ADDITIONAL PARKING FOR 1-STY. BUILDING (RESTAURANT & OUTDOOR MOVABLE PICNIC TABLE AREA)
30 P.S.

ADA PARKING 6 P.S.
TOTAL 98 P.S.



SITE DATA

- OWNER: NORINO PROPERTIES, LLC & JOHN ZORZIT.
#8100 HARFORD ROAD
BALTIMORE, MARYLAND 21234
- LEASEE: BLUE HERON HOLDINGS, LLC.
#1118 BEECH DRIVE
BALTIMORE, MARYLAND 21220
TELEPHONE: 443-615-9521
- DEED REF: 15401/621, 15401/626, 39613/458 & 22837/712
- TAX ACC. NO.: 15-23001221, 15-18474150, 24-00005293 & 15-13551200
- TAX MAP: 91 PARCEL: 67 LOT: 19, 18, PT. 17A, 17
- PLAT REF: PLAT OF BULL NECK BOOK 12 FOLIO 049
PLAT OF BULL NECK BOOK 04 FOLIO 172
- ELECTION DISTRICT: 15TH
- COUNCILMANIC DISTRICT: 6TH
- REGIONAL PLANNING DISTRICT: MIDDLE RIVER
- CENSUS TRACT: 4516
- ZONING: BL & DR 3.5
- ZONING MAP: 091A3
- USE: EXISTING: VACANT, RESTAURANT W/PARKING
PROPOSED: SEASONAL OUTDOOR BAR, OUTDOOR MOVABLE PICNIC TABLE AREA
- SITE AREA: 60,711 S.F. OR 1.39 AC.±
- PARKING: SEE BELOW



Bafitis & Associates

William N. Bafitis, P.E.

Civil Engineers/Land Planners
SURVEYORS

(410) 391-2336

bafitisassoc@comcast.net

1249 Engleberth Rd. Baltimore, MD 21221

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE FOR #1100, #1104, #1110, #1112 & #1116 BEECH DRIVE

15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND



Professional Certification, I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 11641 Expiration Date: 09/09/2021

SHEET 1 OF 1

SCALE:

1" = 40'

JOB ORDER NO:

22002

DATE:

07/20/20

CHECKED:

W.N.B.

DRAWN:

N.W.B.

NO.	REVISIONS	DATE