

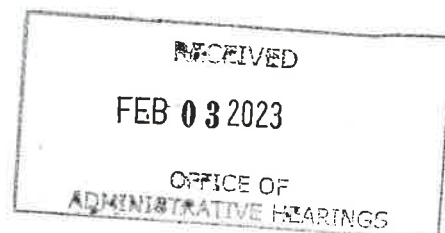
TIMOTHY M. KOTROCO, Esq.

305 Washington Avenue, Suite 502

Towson, Maryland 21204

410-299-2943

Tketroco@gmail.com



February 3rd, 2023

The Honorable Paul M. Mayhew, Esq.
Administrative Law Judge for Baltimore County
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: **525 Bayside Drive, Dundalk, MD 21222 Case No. 2022-0295-A**
Request to Withdraw Case with Right to Re-file

Dear Judge Mayhew,

The applicant in the above-referenced case, Dorothy Hayes, hereby requests to withdraw her petition for variance that is pending before your office. My client wishes to withdraw and dismiss her petition with the right to re-file at this time.

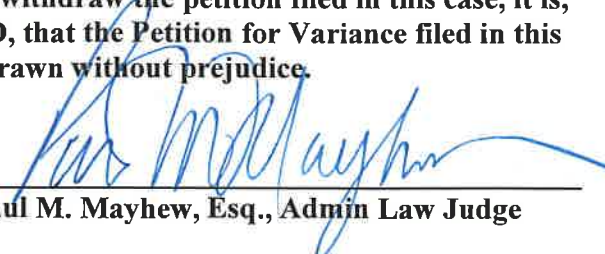
Thank you for your consideration of this request.

Very truly yours,

Timothy M. Kotroco

Timothy M. Kotroco

Upon consideration of this request to withdraw the petition filed in this case, it is, this 03 day of February 2023, ORDERED, that the Petition for Variance filed in this case no. 2022-0295-A be and is hereby withdrawn without prejudice.



Paul M. Mayhew, Esq., Admin Law Judge

Cc: People's Counsel for Baltimore County
Lee Rauch, Esq.

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: January 17, 2023

SUBJECT: DEPS Comment for Zoning Item: 2022-0295-A
Address: 525 Bayside Dr.
Legal Owner: Dorothy and Edwin Hayes

Zoning Advisory Committee Meeting of Dec. 19, 2022.

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 seeking approval to replace existing non-conforming mooring piles supporting an existing pier, platform, boat lift, and boat house as much as 14 feet beyond a divisional property line as established in lieu of maintaining the required 10-foot setback. The proposed development must comply with Baltimore County Code Section 32-2-605, Structures On Private and Nonmarina Commercial Property. If the proposed development can comply with Baltimore County Code Section 32-2-605, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront property on Chink Creek with an existing pier, platform, boat lift, and boat house. Based on the site plan, there are three mooring piles associated with the pier which the applicant seeks to replace in-kind. The three

existing mooring piles are located beyond a divisional property line. Meeting the requirements of Baltimore County Section 32-605 will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

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.

If the proposed development can be designed to meet the requirements of Baltimore County Code Section 32-2-605, the relief requested will be consistent with established land-use policies.

Additional Comments:

Reviewer: Gris Batchelder

CERTIFICATE OF POSTING

Date: JANUARY 3, 2023

RE: Project Name: 525 BAYSIDE DRIVE #1
Case Number /PAI Number: 2022-0295-A
Petitioner/Developer: HAYES
Date of Hearing/Closing: JANUARY 24, 2023

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 525 BAYSIDE DRIVE

The sign(s) were posted on JANUARY 3, 2023
(Month, Day, Year)

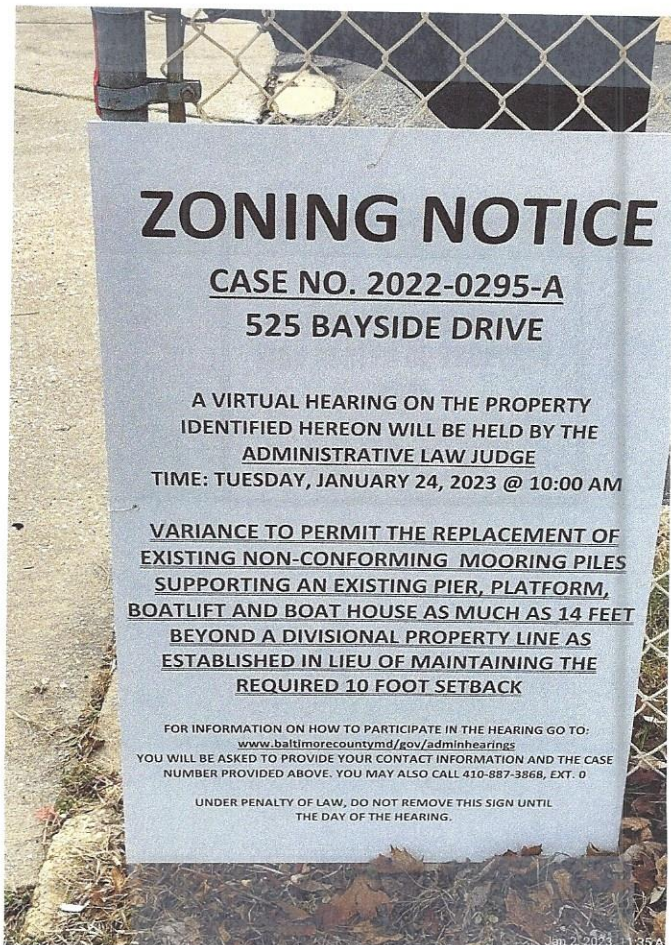

(Signature of Sign Poster)

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)



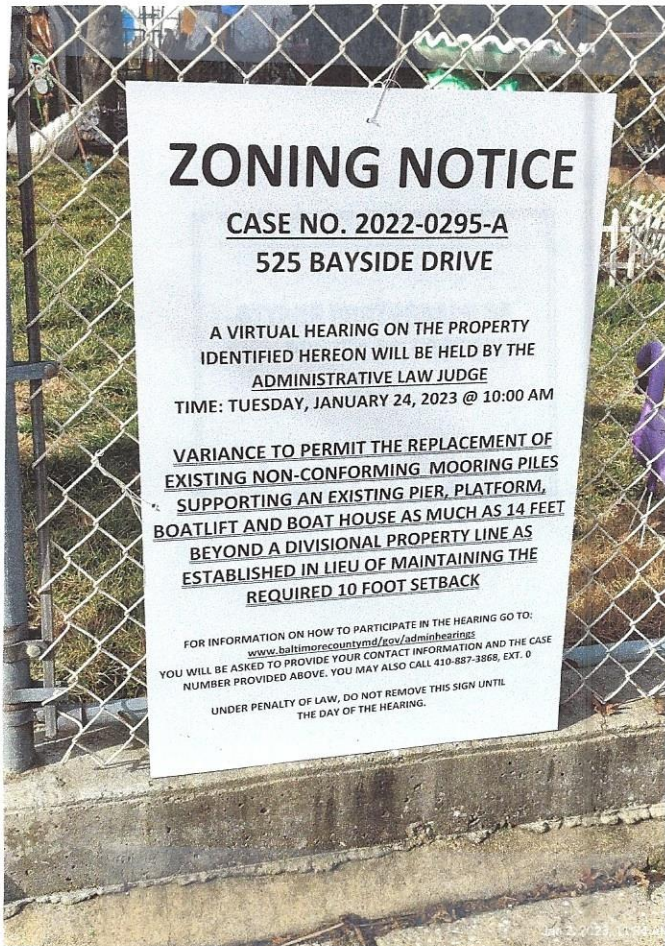
CERTIFICATE OF POSTING

Date: JANUARY 3, 2023

RE: Project Name: 525 BAYSIDE DRIVE #2
Case Number /PAI Number: 2022-0295-A
Petitioner/Developer: HAYES
Date of Hearing/Closing: JANUARY 24, 2023

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 525 BAYSIDE DRIVE

The sign(s) were posted on JANUARY 3, 2023
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

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

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

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING December 19, 2022
FORMAL OR INFORMAL RESPONSE DUE AT December 26, 2022 Meeting

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

* Administrative Law Judge, Commissioner (Paul M. Mayhew), MS #4103, dwiley@baltimorecountymd.gov; dmignon@baltimorecountymd.gov
* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), klewis@baltimorecountymd.gov
* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), JPerlow@baltimorecountymd.gov
* PAI, Development Management (Lloyd Moxley), MS # 1105, lmoxley@baltimorecountymd.gov
* PAI, Code Enforcement (Lisa Henson), MS # 1105, lhenson@baltimorecountymd.gov
* PAI, Building Inspection (Matt Gawel), mg@baltimorecountymd.gov
* Economic Development Commission, Business Develop. (Stanley Jacobs), MS # 4300, sjacobs@baltimorecountymd.gov
* Highways (Tom Hargis), MS #1003 thargis@baltimorecountymd.gov
* Neighborhood Improvements (Marcia Williams), MS #4201, myneighborhoodimprovement@baltimorecountymd.gov
* County Council, District 3, (Tom Bostwick), MS #2201, council1@baltimorecountymd.gov
tbostwick@baltimorecountymd.gov
* Mike Ruby (Newspaper), mildmanneredcomm@aol.com
+ People's Counsel, rwheatley@baltimorecountymd.gov
+ IF CRITICAL AREA, Maryland Office of Planning (Joseph Griffiths), joseph.griffiths@maryland.gov
+ Kathy Are, kare@baltimorecountymd.gov
& State Highway Administration, Access Permits Division (Steven Autry), SAutry@mdot.maryland.gov
& Fire Department (Inspector Muddiman), MS # 1102F, dmuddiman@baltimorecountymd.gov
& PAI, Development Plans Review (Vishnu Desai), vdesai@baltimorecountymd.gov
People's Counsel (Peter Zimmerman), MS #4204 pzimmerman@baltimorecountymd.gov
Planning Office (Jenifer Nugent), MS # 4101, jnugent@baltimorecountymd.gov; Henry Ayakwah hayakwah@baltimorecountymd.gov; Taylor Bensley tbensley@baltimorecountymd.gov
DEPS (Jeff Livingston) – 2 copies of each, MS # 1319, jlivingston@baltimorecountymd.gov; Steve Ford, sford@baltimorecountymd.gov
IF FLOODPLAIN, Maryland Department of the Environment, kevin.wagner@maryland.gov
Public Works (Terry Curtis), MS #1315, tcurtis@baltimorecountymd.gov
* IF ELDERLY HOUSING, Community Development, MS #1102M
* IF TOWER, Tower Coordinator, c/o OIT, MS #2007
IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder), MS #1102E

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

ZAC AGENDA

Case Number: 2022-0295-A **Reviewer:** Shaun Crawford

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: VARIANCE

Legal Owner: Dorothy and Edwin Hayes

Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 12 **Council Dist:** 7

Property Address: 525 BAYSIDE DR

Location: Property located at the beginning at the West side of Bayside Rd. at a distance of 482 feet Northwest of Winona Ave.

Existing Zoning: DR 5.5

Area: 6,550 SQ FT

Proposed Zoning:

VARIANCE:

BCZR 417.4: To permit the replacement of existing non-conforming mooring piles supporting an existing pier, platform, boat lift, and boat house as much as 14 feet beyond a divisional property line as established in lieu of maintaining the required 10 foot setback.

Attorney: TIM KOTORCO

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

**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: 2022-0295-A
Property Address: 525 Bayside Drive
Property Description: _____
Legal Owners (Petitioners): Dorothy + Edwin Hayes
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Timothy Kotroco
Company/Firm (if applicable): Kotroco & Associates, LLC
Address: 305 Washington Ave Suite 502
Towson, MD 21204
Telephone Number: 410 299 2943



+

525 bayside dr

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1971

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compare

overlays

measure



+

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go



← purchase image and/or print



Tweet



Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None

Account Identifier: District - 12 Account Number - 1211090110

Owner Information

Owner Name:	HAYES EDWIN J	Use:	RESIDENTIAL
	HAYES DOROTHY M	Principal Residence:	YES
Mailing Address:	525 BAYSIDE DR	Deed Reference:	/05956/ 00624
	DUNDALK MD 21222-4923		

Location & Structure Information

Premises Address:	525 BAYSIDE DR	Legal Description:	LT 31,32
	DUNDALK 21222-4923		
	Waterfront		INVERNESS

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0104 0013 0197 12030057.04 0000 H 31 2021 Plat Ref: 0010/ 0128

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1943 2,916 SF 6,550 SF 34

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	STANDARD UNITS	SIDING/3	3 full			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2021	07/01/2022	07/01/2023
Land:	113,500	137,800		
Improvements	191,600	228,800		
Total:	305,100	366,600	346,100	366,600
Preferential Land:	0	0		

Transfer Information

Seller: KURT EDWARD S	Date: 11/09/1978	Price: \$61,000
Type: ARMS LENGTH IMPROVED	Deed1: /05956/ 00624	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 06/13/2014

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:



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

No. 219946

Date: 12/12/22

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6151				\$75

Total: \$75

Rec From: Timothy Kotroco Attorney at Law

For: VARIANCE 525 13445.06 DR

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

SC

TIMOTHY M. KOTROCO 07-89 ATTORNEY AT LAW PH. 410-299-2943 305 WASHINGTON AVE SUITE 502 TOWSON, MD 21204		7-7575/2520 DATE 12/12/22	1914 SECURED BY EZSHIELD
PAY TO THE ORDER OF <u>Baltimore County MD</u>		\$ 75.00	
<u>Seventy five +</u>		00/100 DOLLARS	
Your Finances. Our Promise. Baltimore County Employees Federal Credit Union Towson, MD 21204			
MEMO <u>Residential Variance</u>		<u>Timothy Kotroco</u> MP	
25207575710101113298 1914			

2022-0295-A

02-1180 &c.



PETITION FOR ZONING HEARING(S)

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 525 Bay Side Drive, Dundalk, MD 21222 Currently Zoned DR 5.5
Deed Reference 5956/ 624 10 Digit Tax Account # 1211090110
Owner(s) Printed Name(s) Edwin J Hayes, Dorothy M Hayes

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

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. X a **Variance** from Section(s)

See attachment

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/ 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 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 _____

Legal Owners (Petitioners):

<u>Dorothy Hayes</u>	<u>Edwin Hayes</u>
Name #1 - Type or Print	Name #2 - Type or Print
<i>Dorothy Hayes</i>	<i>Edwin Hayes</i>
Signature #1	Signature #2
<u>525 Bayside Drive</u>	<u>Dundalk MD</u>
Mailing Address	City State
<u>21222</u>	<u>443-992-3276</u>
Zip Code	Telephone #s (Cell and Home)
	<u>a-1-travis@verizon.net</u>
	Email Address

Attorney for Petitioner:

Timothy Kotroco, ESQ.
Name - Type or Print
Timothy Kotroco
Signature
305 Washington Avenue Towson MD
Mailing Address City State
21204 410-299-2943 tkotroco@gmail.com
Zip Code Telephone # Email Address

Representative to be contacted:

<u>Timothy M Kotroco, ESQ.</u>	<u>Matt Kotroco, ESQ.</u>
Name - Type or Print	
<i>Timothy Kotroco</i>	<i>Matt Kotroco</i>
Signature	
<u>305 Washington Ave</u>	<u>Towson MD</u>
Mailing Address	City State
<u>21204</u>	<u>tkotroco@gmail.com</u>
Zip Code	Telephone #
	<u>mattkotroco@gmail.com</u>
	Email Address
	<u>410 299 9453</u>

CASE NUMBER 2022-0295-A Filing Date 12/12/22 Do Not Schedule Dates _____

Reviewer SL
3/2022

A variance from BCZR section 417.4 to permit the replacement of existing non-conforming mooring piles supporting an existing pier, platform, boat lift, and boat house as much as 14 ft beyond a divisional property line as established in lieu of maintaining the required 10ft setback

ZONING DESCRIPTION

525 BAYSIDE DRIVE

Beginning for the same at a point on the west side of Bayside Drive (40 feet wide), distant 482 feet northwesterly from its intersection with the center of Winona Avenue, thence being all of Lots 31 and 32 as shown on the plat entitled Inverness recorded among the Baltimore County plat records in Plat Book 10 Folio 128.

Containing 6550 square feet of land.

Being located in the 12TH Election District, 7TH Councilmanic District of Baltimore County, MD.

2022-0295-A

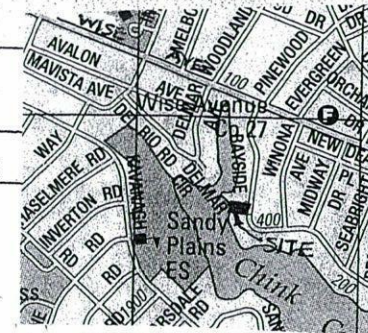
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 525 BAYSIDE DRIVE OWNER(S) NAME(S) DOROTHY M. HAYES

SUBDIVISION NAME INVERNESS

LOT # 31, 32 BLOCK # H SECTION # -

PLAT BOOK # 10 FOLIO # 128 10 DIGIT TAX # 1211090110 DEED REF. # 5956 / 624



LOCATION PLAN
SCALE: 1" = 1000'

ZONING MAP# 104A2

SITE ZONED DR 5.5

ELECTION DISTRICT 12

COUNCIL DISTRICT 7

LOT AREA ACREAGE _____

OR SQUARE FEET 6550

HISTORIC? NO

IN CBCA? YES

IN FLOOD PLAIN? YES

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

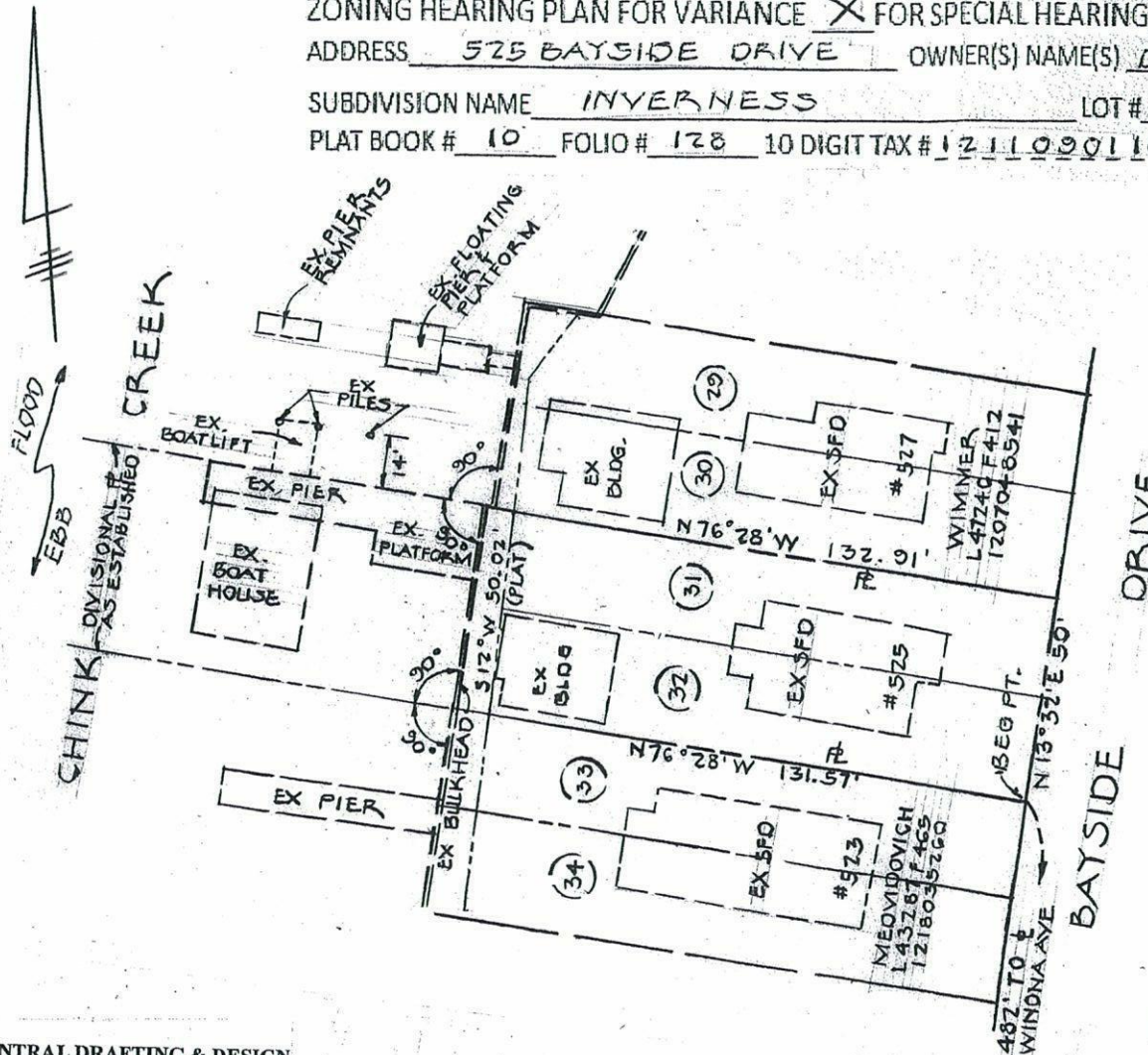
PUBLIC X PRIVATE _____

PRIOR HEARING? N/A

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

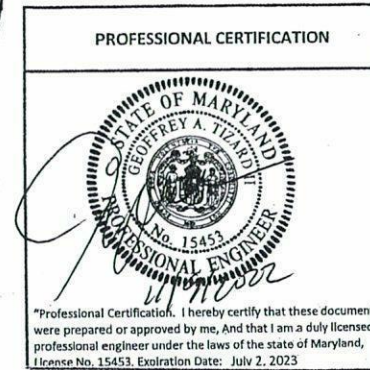
VIOLATION CASE INFO:



CENTRAL DRAFTING & DESIGN
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

PLAN DRAWN BY DMB

DATE 11/8/22 SCALE: 1 INCH = 30' FEET



*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. 15453. Expiration Date: July 2, 2023.

2022.0295.A