

PETITION FOR SPECIAL HEARING 83-271-SPH
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the non-conforming use of a two-apartment dwelling on the subject property.

Property is to be posted and advertised as prescribed by Zoning Regulations.
 I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Contract Purchaser:
 (Type or Print Name)
 Signature
 Address
 City and State
 Attorney for Petitioner:
 (Type or Print Name)
 Signature
 Address
 City and State
 Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of March, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of June, 1983, at 9:30 o'clock A.M.

ZCO-No.1 (over)

RE: PETITION FOR SPECIAL HEARING: BEFORE THE ZONING COMMISSIONER
 S/S of Holabird Ave., 133' E of the Centerline of Kinship Rd., 12th District
 OF BALTIMORE COUNTY
 HARVEY F. HEGGIE, et ux, Case No. 83-271-SPH
 Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:
 Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
 Deputy People's Counsel
 John W. Hession, III
 People's Counsel for Baltimore County
 Rm. 273, Court House
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 17th day of May, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. Harvey F. Heggie, 1925 Robinwood Road, Baltimore, MD 21222, Petitioners.

John W. Hession, III

IN THE MATTER OF THE APPLICATION OF HARVEY F. HEGGIE, ET UX FOR SPECIAL HEARING
 On property located on the south side of Holabird Ave., 133' east of the center line of Kinship Rd. 12th District
 BEFORE
 COUNTY BOARD OF APPEALS
 OF
 BALTIMORE COUNTY
 No. 83-271-SPH

OPINION

This matter comes before the Board following a determination of the Deputy Zoning Commissioner that the property presently used as two apartment dwellings does not satisfy the non-conforming use requirements of the Baltimore County Zoning Regulations to permit such use.

Testimony before the Board today from Petitioners' witnesses indicated that this property has been owned by the Heggie family since 1957 and that since that time and prior thereto dating back to 1940, the house had been converted into no less than two dwellings. Testimony indicated that the use of this property as two dwellings has existed since the 1940's continuously up to the present. Mrs. Heggie also admitted that for a period of approximately two years, from 1979 to 1981, the property housed a real estate business which used part of the first floor and second floor for this purpose. During this time, however, it was alleged that an employee of the business also maintained a residence on the first and second floors and that another tenant made use of the basement unit. The real estate business left the premises in 1981 and testimony indicated that since that time the property has been used on and off as two dwelling units with no more than a three month interruption in residency in either unit.

Protestants testified that they have lived in the neighborhood and observed the conditions of use for many years and most particularly the use that was made of this property since 1979. They testified that during the time that the real estate business was on the property no additional use of the first and second floors was made and that there have been periods of time in excess of one year during which the basement unit has not been used.

Harvey F. Heggie, et ux
 Case No. 83-271-SPH

No direct testimony from tenants who occupied the property since 1979 was provided by either side in this case. As such, the Board must rely upon circumstantial evidence in order to prove the truth of the existence or not of use of the property as two dwelling units since 1979. It is the Petitioners' burden to prove the existence of such conditions.

Though the Protestants testified persuasively as to their knowledge of the activities that took place on the property since 1979, they were asserting the non-existence of such activities as would indicate use of the property. Unfortunately, proving the non-existence of a fact over such a long period of time as this without the benefit of direct testimony is extremely difficult. The Board believes Petitioners' witnesses who testified that activities inferring residents' occupancy and use of the property existed since 1979 continuously up to the present. In particular, the Board notes that testimony indicating that groceries and laundry were taken in and out of the property regularly during this period and that lights could be seen on the property in the evening would lead to the conclusion that such use was in fact made of the property to consider it a residence. We therefore hold that this property be afforded the classification of a non-conforming use as it meets the zoning regulation definition contained in Section 104.1 of the Baltimore County Zoning Regulations.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 24th day of January, 1984, by the County Board of Appeals, ORDERED that the property be considered a non-conforming use in accordance with Section 104.1 of the Baltimore County Zoning Regulations to permit use of the property as two dwelling units.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

Harvey F. Heggie, et ux
 Case No. 83-271-SPH

COUNTY BOARD OF APPEALS
 BALTIMORE COUNTY
 Keith S. Fraz, Acting Chairman
 Patricia Phipps
 Leroy B. Spurrier

BALTIMORE COUNTY
 ZONING PLANS
 ADVISORY COMMITTEE
 PETITION AND SITE PLAN
 EVALUATION COMMENTS

Mr. & Mrs. Harvey F. Heggie
 1925 Robinwood Road
 Baltimore, Md. 21222

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing this 29th day of March, 1983

Petitioner Harvey F. Heggie, et ux
 Petitioner's Attorney
 Reviewed by: William E. Hammond
 Zoning Commissioner

Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 14, 1983

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204
 Nicholas B. Commodari
 Chairman
 Mr. & Mrs. Harvey F. Heggie
 1925 Robinwood Road
 Baltimore, Maryland 21222

RE: Item No. 196
 Petitioner - Harvey F. Heggie, et ux
 Special Hearing Petition

Dear Mr. & Mrs. Heggie:
 Enclosed please find addendum comments for the above referenced case.

Very truly yours,
 Nicholas B. Commodari
 Chairman
 Zoning Plans Advisory Committee

NBC:bsc
 Enclosure

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the petitioners' failure to prove that the dwelling has been used continuously as two apartments, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 14th day of June, 1983, that the Petition for Special Hearing to approve a nonconforming use of a two apartment dwelling is hereby DENIED.

Jan M. N. Jung
Deputy Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2566
494-4500

PAUL H. RENCKE
CHIEF

May 31, 1983

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Harvey F. & Carolyn W. Heggie

Location: S/S Holabird Avenue 110' E. from centerline of Kinship Road

Item No.: 196 Zoning Agenda: March 29, 1983

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy. Basement and second floor shall meet NFPA 101 1976 Life Safety Code.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *Ed. J. Kelly* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/ab

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 27, 1983

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

050
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Harvey F. Heggie
1925 Robinwood Road
Baltimore, Maryland 21222

RE: Item No. 196 - Case No. 83-271-SPH
Petitioner - Harvey F. Heggie, et ux
Special Hearing Petition

Dear Mr. & Mrs. Heggie:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to prove that the existing two apartment dwelling is a nonconforming use, this special hearing is required.

As indicated in your letter of April 29, 1983, you have discussed the comments from the Department of Permits and Licenses with Mr. Charles Burnham. However, you have been unable to contact Captain Joseph Kelly, Fire Department. At the time of this writing, the latter comments were still not available.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. The petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

May 5, 1983

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #196 (1982-1983)
Property Owner: Harvey F. & Carolyn W. Heggie
S/S Holabird Ave. 110' E. from centerline of
Kinship Rd.
Acres: 54/54 X 85/95
District: 12th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements exist and are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 196 (1982-1983).

Very truly yours,

Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

F-NE Key Sheet
10 SE 18 Pos. Sheet
SE 1 E Topo
103 Tar Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner

TO: Office of Planning and Zoning Date: April 27, 1983

FROM: Ian J. Forrest

SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item #149 - Honolulu Limited
- Item #150 - James R. Peak
- Item #151 - Melvin & Ruth Kabik
- Item #162 - Jonathan & Teresa Marshall
- Item #163 - Gilbert & Joyce Goetz
- Item #164 - Edwin S. Crawford, et ux
- Item #165 - The Vestry of the Church of the Good Shepherd
- Item #168 - Thomas F. Early
- Item #169 - Joseph E. & Sarah Catherine Poklis
- Item #170 - N. Eugene & Mary Ellen Shoemaker
- Item #173 - Thomas B. & Florabelle Grooms
- Item #183 - Norbert L. & Regina T. Griffin
- Item #186 - Metropolitan Management Co.
- Item #187 - Raymond T. & Alice A. Andrews
- Item #196 - Harvey F. & Carolyn W. Heggie
- Item #197 - Guerdon L. French
- Item #200 - Mark S. & Karen A. Bartlett
- Item #201 - James P. & Jeanne F. Freeman
- Item #202 - Shell Oil Company
- Item #206 - Donald E. & Wanda G. Higgs
- Item #214 - Thomas A. Keller, et ux
- Item #215 - Ambler M. Blick, et al
- Item #218 - Grant Owings, et al
- Item #219 - Paul Hobbs, et ux
- Item #220 - Philip E. Klein, et al
- Item #221 - Leonard Stoler

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/rth



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3900

TED ZALESKI JR.
DIRECTOR

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 196 Zoning Advisory Committee Meeting March 29, 1983
are as follows:

Property Owner: Harvey F. & Carolyn W. Heggie
Location: S/S Holabird Ave. 110' E. from centerline of Kinship Road
Existing Zoning: D.R. 5-5
Proposed Zoning: Special Hearing to approve a non-conforming use of a two-apartment dwelling.

Acres: 54/54 x 85/95
District: 12th

The items checked below are applicable:

☒ A. All structure shall conform to the Baltimore County Building Code 1981/
Council Bill 1-82
and other applicable Codes.

B. A building/_____ permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. In wood frame construction an exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A firewall is required if construction is on the lot line. See Table 401, line 2, Section 1107 and Table 1105.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure, will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change is use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

☒ I. Comments: A minimum of 1 hour tenant separation between each tenant is required as well as an approved independent exit, smoke detectors and other life safety code requirements. Before any additional tenants are permitted, an inspection shall be requested by the applicant in compliance with Sect. 119.0 of the Building Code.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date: March 25, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: March 29, 1983

RE: Item No: 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

9/19/83 - Following were notified of hearing set for Thursday, Dec. 8, 1983, at 10 a.m.:

John Gontrum
Harvey Heggie, et ux
Ray James
Tom Bollinger
N. Gerber
J. Howell
J. Jung
A. Jablon
J. Dyer

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
September 19, 1983

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

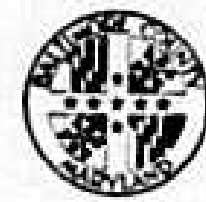
CASE NO. 83-271-SPH HARVEY F. HEGGIE, ET UX
S/S of Holabird Ave., 133' E of the center line of Kinship Rd.
12th District
SPH-Nonconforming use of a two apt. dwelling on subject property
6/14/83 - D.Z.C.'s Order-DENIED

ASSIGNED FOR: THURSDAY, DEC. 8, 1983, at 10 a.m.

cc: John B. Gontrum, Esq. Counsel for petitioners
Harvey F. Heggie, et ux Petitioners
Ray James Protestant
T. J. Bollinger, Esq. Law Office

N. Gerber
J. Hoswell
J. Jung
A. Jablon
J. Dyer

June Holmen, Secy.



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

January 24, 1984

John B. Gontrum, Esq.
809 Eastern Blvd.
Essex, Md. 21221

Dear Mr. Gontrum:

Re: Case No. 83-271-SPH
Harvey F. Heggie, et ux

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen, Secretary

Encl.
cc: Harvey F. Heggie, et ux
Ray James
T. J. Bollinger, Esq.
N. Gerber
J. Hoswell
J. Jung
J. Dyer
A. Jablon

Beginning at a point 133 feet east of the centerline of Kinship Road on the south side of Holabird Avenue (formerly Fifth Avenue) and being the lot designated as Lot #12 Section 2, Lorraine Park, recorded in Baltimore County in Plat Book W.P.C. #8, folio 52. The improvements thereon being known as No. 6901 Holabird Avenue, in the 12th Election District

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221

July 11, 1983

Mrs. Jean M.H. Jung, Deputy Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

RE: Petition for Special Hearing
S/S of Holabird Avenue
Petitioners: Harvey F. Heggie, et ux
No. 83-271-SPH (Item No. 196)

Dear Mrs. Jung:

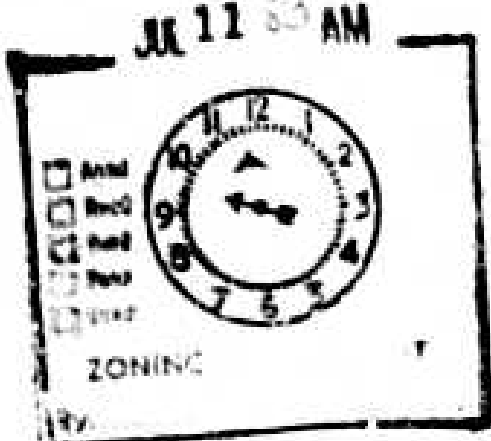
Please be advised that I wish to file an appeal on behalf of my clients, Mr. and Mrs. Harvey F. Heggie, to your Order, dated June 14th, 1983, with respect to the above noted Petition. I would therefore appreciate your forwarding all correspondence and hearing dates to this office. I have enclosed herewith check in the amount of \$75.00 for filing said appeal.

I look forward to hearing from your office in this matter.

Very truly yours,

John B. Gontrum

JBG/msw
enc.
cc: Mr. and Mrs. Harvey F. Heggie



AFFIDAVIT

State of Maryland, County of Baltimore, ss.
Resale M. Uphoff

being first duly sworn, says that I hereby certify that I have personal knowledge that 6901 Holabird Ave. has been used as a two apartment dwelling since 1950. I have been living at 6901 Holabird Ave. for 5-6 years.

And further affiant saith not.

Signature of affiant
Sworn to before me and subscribed in my presence this 6th day of June, 1983.
(seal)
Notary Public
My commission Expires 7/1/1984.

PETITIONER'S
EXHIBIT 1a

AFFIDAVIT

State of Maryland, County of Baltimore, ss.
Louise C. Uphoff

being first duly sworn, says that I hereby certify that I have personal knowledge that 6901 Holabird Ave. has been used as a two apartment dwelling since 1950. I have been living at 6901 Holabird Ave. for 5-6 years. My address is 7603 Holabird Ave. near 12th St.

And further affiant saith not.

Signature of affiant
Sworn to before me and subscribed in my presence this 6th day of June, 1983.
(seal)
Notary Public
My commission Expires 7/1/1984.

PETITIONER'S
EXHIBIT 1b

AFFIDAVIT

State of Maryland, County of Baltimore, ss.
Margaret Kite

being first duly sworn, says that I hereby certify that I have personal knowledge that 6901 Holabird Ave. has been used as a two apartment dwelling since 1950. I have been living at 6901 Holabird Ave. for 5-6 years. My address is 6901 Holabird Ave. near 12th St.

And further affiant saith not.

Signature of affiant
Sworn to before me and subscribed in my presence this 6th day of June, 1983.
(seal)
Notary Public
My commission Expires 7/1/1984.

PETITIONER'S
EXHIBIT 1c

AFFIDAVIT

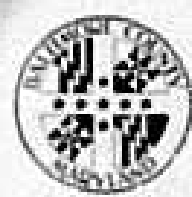
State of Maryland, County of Baltimore, ss.
Emelyd Baker

being first duly sworn, says that I hereby certify that I have personal knowledge that 6901 Holabird Ave. has been used as a two apartment dwelling since 1950. I have been living at 6901 Holabird Ave. for 5-6 years. My address is 6901 Holabird Ave. near 12th St.

And further affiant saith not.

Signature of affiant
Sworn to before me and subscribed in my presence this 6th day of June, 1983.
(seal)
Notary Public
My commission Expires 7/1/1984.

PETITIONER'S
EXHIBIT 1d



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 14, 1983

Mr. and Mrs. Harvey F. Heggie
1925 Robinwood Road
Baltimore, Maryland 21222

RE: Petition for Special Hearing
S/S of Holabird Ave., 133' E of
the center line of Kinship Rd.
Harvey F. Heggie, et ux -
Petitioners
No. 83-271-SPH (Item No. 196)

Dear Mr. and Mrs. Heggie:

I have this date passed my Order in the above captioned matter
in accordance with the attached.

Very truly yours,

JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Ray James
6900 Ridgeway Road
Baltimore, Maryland 21222

John W. Hessian, III, Esquire
People's Counsel



203 WISE AVENUE, BALTIMORE, MD 21222

(301) 285-4300

April 29, 1983

Mr. Nick Commodari
c/o Baltimore County Zoning Office
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Commodari:

As suggested by you in our telephone conversation of April 19, I contacted
Mr. Ted Burnham regarding his concern in connection with our petition for non-
conforming use at 6901 Holabird Avenue, item # 196 in your files.

Mr. Burnham stated that his comments were advisory in nature and centered
around items he feels are most important. The first matter of concern was that
each apartment should have a separate entrance which they do. The second item
of concern was that there be a one hour separation between each tenant which he
said that plaster and lathe walls provided. The third item of concern was that
a smoke detector be present in each apartment. If the tenants do not already
have smoke detectors we will see to it that a smoke detector is placed in each
apartment.

You had also suggested that I talk with Joe Kelly. Numerous attempts to reach
him at 494-3985 have been unsuccessful. Either there is no answer at all or it is
busy for hours at a time. Since he is with the Fire Department I would assume that
his concerns would be the same or similar to Mr. Burnham's; however, I will continue
to try to reach Mr. Kelly.

If you have any further questions or need for me to provide any further

YOUR KEY TO SUCCESSFUL HOME BUYING AND SELLING



203 WISE AVENUE, BALTIMORE, MD 21222

(301) 285-4300

April 29, 1983

Information, please do not hesitate to call me at 285-4300 or 282-5841.

Thank you for your interest & concern in this matter.

Sincerely,

Carolyn W. Heggie

CWH:ljh

YOUR KEY TO SUCCESSFUL HOME BUYING AND SELLING

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
(Baltimore Federal Building)
ELSE, MARYLAND 21221

July 11, 1983

Mrs. Jean M.H. Jung, Deputy Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

RE: Petition for Special Hearing
S/S of Holabird Avenue
Petitioners: Harvey F. Heggie, et ux
No. 83-271-SPH (Item No. 196)

Dear Mrs. Jung:

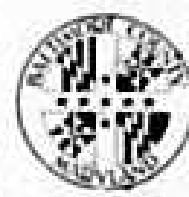
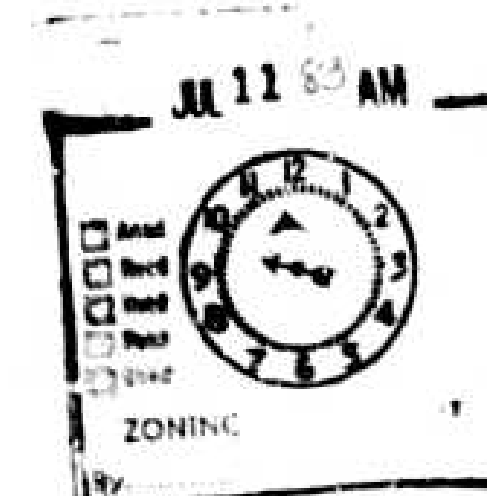
Please be advised that I wish to file an appeal on
behalf of my clients, Mr. and Mrs. Harvey F. Heggie, to your
Order, dated June 14th, 1983, with respect to the above
noted Petition. I would therefore appreciate your forwarding
all correspondence and hearing dates to this office. I have
enclosed herewith check in the amount of \$75.00 for filing
said appeal.

I look forward to hearing from your office in this
matter.

Very truly yours,

John B. Gontrum

JBG/msw
enc.
cc: Mr. and Mrs. Harvey F. Heggie



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 20, 1983

Mr. Ray James
6900 Ridgeway Road
Baltimore, Maryland 21222

Re: Petition for Special Hearing
S/S of Holabird Ave., 133' E of the
c/l of Kinship Rd.
Harvey F. Heggie, et ux - Petitioners
Case No. 83-271-SPH

Dear Mr. James:

Please be advised that an appeal has been filed by John B. Gontrum,
Esquire, on behalf of the petitioners, from the decision rendered by the Deputy
Zoning Commissioner of Baltimore County, in the above-referenced matter.

You will be notified of the date and time of the appeal hearing when it is
scheduled by the County Board of Appeals.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEH:aj

cc: John W. Hessian, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition No. 83-271-SPH
SUBJECT: Harvey F. Heggie, et ux

Date: May 17, 1983

In view of the type of issue being considered (i.e., non-conforming status), this office
offers no comment.

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:slc

cc: Arlene January
Shirley Hess

PETITION FOR SPECIAL HEARING

12th Election District

ZONING: Petition for Special Hearing
LOCATION: South side of Holabird Avenue, 133 ft. East of the
centerline of Kinship Road
DATE & TIME: Tuesday, June 7, 1983 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act
and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the
Baltimore County Zoning Regulations, to determine whether
or not the Zoning Commissioner and/or Deputy Zoning
Commissioner should approve the nonconforming use of a
two-apartment dwelling on the subject property

All that parcel of land in the Twelfth District of Baltimore County

May 10, 1983

Mr. & Mrs. Harvey F. Heggie
1925 Robinwood Road
Baltimore, Maryland 21222

NOTICE OF HEARING

Re: Petition for Special Hearing
S/S of Holabird Ave., 133' E of the
c/l of Kinship Road
Harvey F. Heggie, et ux - Petitioners
Case No. 83-271-SPH

TIME: 9:30 A.M.

DATE: Tuesday, June 7, 1983

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 115058

DATE: 3/17/83 ACCOUNT: 01-615-00
AMOUNT: \$ 100.00

RECEIVED FROM: Carolyn Heggie
FOR: Filing Fee for S.H. for
Non-Conforming Use, etc. No. 196

117*****1000016 5130A

VALIDATION OR SIGNATURE OF CASHIER

Being the property of Harvey F. Heggie, et ux, as shown on plat plan filed with
the Zoning Department.

Hearing Date: Tuesday, June 7, 1983 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Well Map date by	Original date by	Duplicate date by	Tracing date by	200 Sheet date by				
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <u>uen</u>	Revised Plans: Change in outline or description Yes <u> </u> No <u> </u>								
Previous case: <u> </u>	Map # <u>4A</u>								

Item #196

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

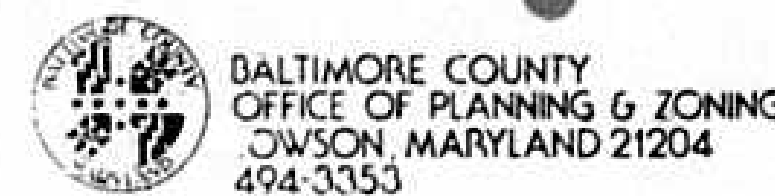
District: 12 Date of Posting: 7/27/83
 Posted for: Board of Appeals
 Petitioner: Harvey F. Heggie, et ux
 Location of prop. city: 83-271-SPH
 Location of Signs: front of property (H. 6901 Holabird Ave.)
 Remarks:
 Posted by: Man 2. Holman Date of return: 8/5/83
 Number of Signs:

No. 119411
 BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 DATE: 7/12/83 ACCOUNT: R-01-615-000 AMOUNT: \$80.00
 RECEIVED Carolyn W. Heggie c/o John Gantman, Esq.
 Appeal fee on Case 83-271-SPH
 \$ 010*****000010 8126A
 VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12 Date of Posting: 5/20/83
 Posted for: Petition for Special Hearing
 Petitioner: Harvey F. Heggie, et ux
 Location of property: 83-271-SPH
 Location of Signs: front of property (H. 6901 Holabird Ave.)
 Remarks:
 Posted by: Man 2. Holman Date of return: 5/22/83
 Number of Signs:



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 31, 1983

Mr. & Mrs. Harvey F. Heggie
1925 Robinwood Road
Baltimore, Maryland 21222

Re: Petition for Special Hearing
S/S Holabird Ave., 133' E of c/l of
Kinship Road
Case No. 83-271-SPH

Dear Mr. & Mrs. Heggie:

This is to advise you that \$62.65 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

LIAM E. HAMMOND
Commissioner

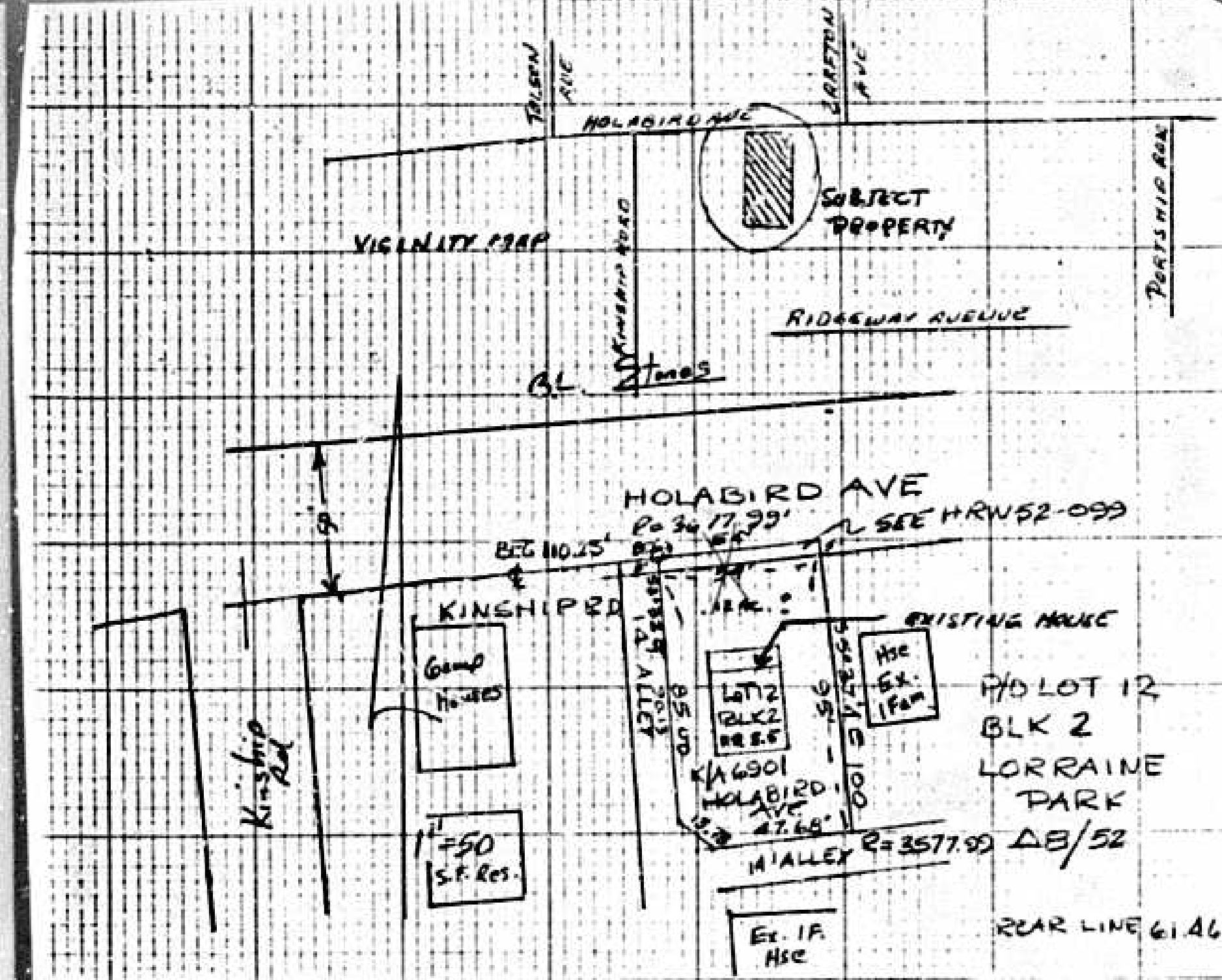
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 1176

DATE: 6-7-83 ACCOUNT: R-01-615-000

AMOUNT: \$62.65

RECEIVED FROM: C. W. Heggie
FOR: Posting & Sign 83-271-SPH
\$62.65
C 015*****000010 8076A
VALIDATION OR SIGNATURE OF CASHIER



FLAT FOR ZONING SPECIAL HEARING FOR NON-CONFORMING USE
 OWNERS: HARVEY F. & CAROLYN W. HEGGIE
 DISTRICT 12, ZONED D.R. 5.5
 LORRAINE PARK
 LOT # 12 SECTION 2
 FLAT BOOK W.P.C. NO. 8, FOLIO 52
 EXISTING UTILITIES ON HOLABIRD AVENUE &
 INALLEY SOUTH OF SUBJECT PROPERTY
 3 FIRE HYDRANTS WITHIN 600' EAST & WEST OF PROPERTY
 USED AS 2 & 3 APARTMENTS PRIOR TO AND SINCE 1941
 SCALE: 1" = 50'

PROPERTY #
12/08/032040
HARVEY F. HEGGIE JR

DEED 5768/110

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 19, 1983
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN a weekly newspaper printed and published in Towson, Baltimore County, Md., on or about the 19th day of June, 1983, the first publication appearing on the 19th day of May, 1983.

THE JEFFERSONIAN
 L. Frank Strickland
 Manager
 Cost of Advertisement, \$ 4.25

PETITION FOR SPECIAL HEARING

12th Election District
 ZONING: Petition for Special Hearing

LOCATION: South side of Holabird Avenue, 133' E. of the centerline of Kinship Road.
 DATE & TIME: Tuesday, June 7, 1983 at 9:30 A.M.
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the subject property.
 All that parcel of land in the Twelfth District of Baltimore County, beginning at a point 133 feet east of the centerline of Kinship Road on the south side of Holabird Avenue (formerly Fifth Avenue), and being the lot designated as Lot # 12, Section 2, Lorraine Park, recorded in Baltimore County in Flat Book W.P.C. No. 8, folio 52. The improvements thereon being known as No. 6901 Holabird Avenue, in the 12th Election District.
 Being the property of Harvey F. Heggie, et ux, as shown on plat filed with the Zoning Department.
 Hearing Date: Tuesday, June 7, 1983 at 9:30 A.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 BY ORDER OF
 WILLIAM E. HAMMOND
 ZONING COMMISSIONER

CERTIFICATE OF PUBLICATION

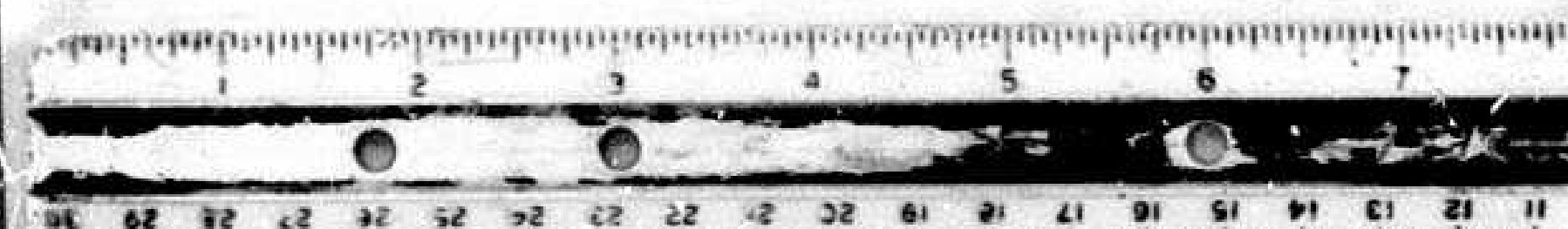
OFFICE OF
 Dundalk Eagle

38 N. Dundalk Ave.
 Dundalk, Md. 21222 May 19, 1983

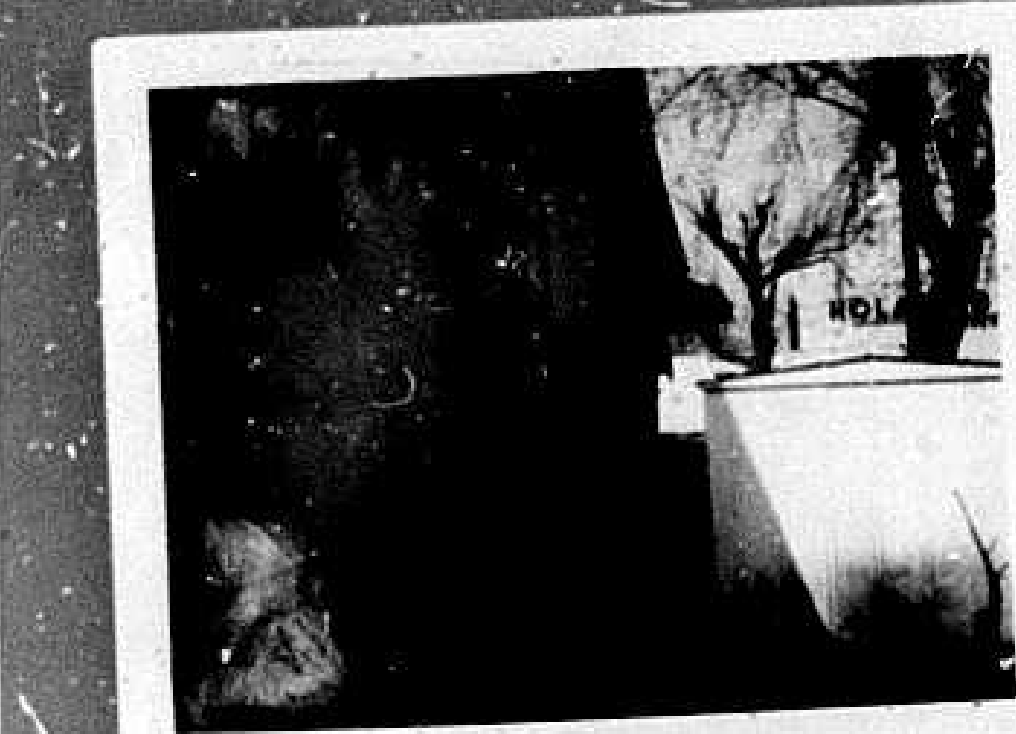
THIS IS TO CERTIFY, that the annexed advertisement of Harvey F. Heggie in the matter of Petition for Special Hearing - P.O. #44815 - Req. #14702, was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 20th day of May 1983; that is to say, the same was inserted in the issues of May 19, 1983

Kimbel Publication, Inc.
 per Publisher.

By L. C. Belter



Item #196



PETITION FOR SPECIAL HEARING
 12th Election District
 ZONING: Petition for Special Hearing
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 BY ORDER OF
 WILLIAM E. HAMMOND
 ZONING COMMISSIONER

C&P Telephone BILL DATE MAY 11 79 301 282 5841
 - TO CALL OUR BUSINESS OFFICE DIAL - 534 2825

HARVEY F. HEGGIE JR
 6994 RAILWAY AV
 BALTIMORE MD 21222
 SERVICE & EQUIPMENT - MAY 11 THRU JUN 10
 TAXES - 1.13 U.S. 2.20 LOCAL
 CURRENT CHARGES - DUE BY MAY 31 49.18
 UNPAID FROM LAST BILL .00

PETITIONER'S
 EXHIBIT 2a

TOTAL AMOUNT DUE 49.18

C&P Telephone MAR 11 79 301 282 5841
 - BILLABLE SERVICE AND EQUIPMENT ITEMS - PAGE 1

FOLLOWING IS AN ITEMIZATION OF THE CHARGES INCLUDED ON THE FIRST LINE OF YOUR BILL:

CODE	DESCRIPTION	AMOUNT
1 INDV	FLAT RATE TOUCHTONE SERVICE	11.29
1 EXT	EXTENSION LINE MILEAGE	4.07
1 ADD	INDV FLAT RATE TOUCHTONE SERVICE	11.29
1 EXT	EXTENSION LINE MILEAGE	4.07
1 LINE	FEATURES-PICKUP/HOLD/STEADY FLASHING	6.82
1 WINK	WINKING LIGHTS	2.64
2 EXT	EXTENSION STATION	.50
1 KEY	TELEPHONE-6 BUTTONS/ILLUMINATED	2.04
1 STA	FEATURES-PICKUP/HOLD/STEADY FLASHING	.50
1 KEY	TELEPHONE-6 BUTTONS/ILLUMINATED	2.04
1 STA	FEATURES-PICKUP/HOLD/STEADY FLASHING	.50
1 WINK	WINKING LIGHTS	.50
1 TEL	MISCELLANEOUS EQUIPMENT	.50

580 20 IT'S A PLEASURE TO SERVE YOU