

IN RE: PETITION FOR SPECIAL EXCEPTION *

BEFORE THE

S side Philadelphia Road, 500 feet

W of c/l Shiphorst Terrace *

15th Election District

DEPUTY ZONING COMMISSIONER

7th Councilmanic District *

(7717 Philadelphia Road)

OF BALTIMORE COUNTY

David Love, Esquire

CASE NO. 07-325-X

Legal Owner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owner of the subject property, David Love, Esquire. The Petitioner is requesting a special exception for property located at 7717 Philadelphia Road. The special exception request is to use as professional office space (attorney) as permitted by special exception under Baltimore County Zoning Regulation Section 1B01(a)(12).

The property was posted with Notice of Hearing on February 27, 2007, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on March 1, 2007 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - *Special Exceptions*.

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations; [Bill No. 45-1982]

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KJ

- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing in support of the request were David Love, Esquire, Petitioner. The Petitioner was represented by Frank V. Boozer, Jr., Esquire. There were no protestants or citizens at the hearing. Peter Max Zimmerman entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence presented in this case indicated that this property contains 0.5235 acres zoned DR 5.5. The property is improved with an existing 2 story dwelling, wood shed and 1 story stone garage as shown in Petitioner's exhibit 1. Mr. Love indicated that contrary to note 2, he no longer lives in Upper Falls but rather has his residence in the subject property which he purchased in 2006. He indicated that he is a member of the State Bar and has an active law practice which he would like to conduct from the property. He noted that the professional office will consume only 6.6 % of the area of the building and he will have only one employee, his secretary.

He indicated that he contacted his neighbors who support his request as they welcome his investment in the property which previously was not in good condition. He presented photographs of the property and neighborhood as Exhibit 2 which show the deteriorated condition of the circular driveway which presently exists around his home. He noted that the paving company was applying new asphalt surface as of the hearing date. Finally he pointed out

using the photographs that access to the three parking spaces (two spaces are required) will be completely on his property. This issue arose in context of the stone driveway indicated on Exhibit 1, which is located on the Weitzel property to the west.

Finally he opined that the special exception if granted would not violate the criteria of Section 502.1 of the BCZR enumerating the reasons for each listed consideration. He also indicated that the use of the property for an attorney's office would be consistent with the spirit and intent of the regulations.

Findings of Fact and Conclusions of Law

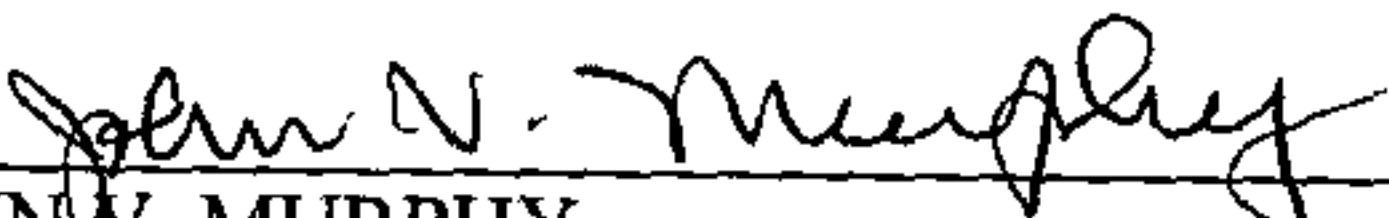
In regard to the request for special exception that the proposed use as a professional office for an attorney meets the criteria of Section 502.1 of the BCZR, is within the spirit and intent of the DR 5.5 regulations and will not adversely affect the community. Once the issue of the Petitioner's address was clarified that note 2 no longer applies, he indicated that this property is and will be his residence. He will occupy only 6.6 % of the building area and have only one employee. Consequently the proposed use will not cause traffic congestion on Philadelphia Road which is a major arterial roadway in the County. He is making substantial investment in the property and so the attorney's office is welcomed by his neighbors.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' request for special exception should be granted.

THEREFORE, IT IS ORDERED, this 15th day of March, 2007 by the Deputy Zoning Commissioner, that the Petitioners' request for special exception use as professional office space (attorney) as permitted by special exception under Baltimore County Zoning Regulation Section 1B01(a)(12) be and is hereby GRANTED subject, however, to the following:

1. The Petitioners may apply for their use permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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


JOHN W. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

March 15, 2007

FRANK W. BOOZER, JR., ESQUIRE
COVAHEY, BOOZER, DEVAN & DORE, PA
606 BALTIMORE AVE #302
TOWSON MD 21204

Re: Petition for Special Exception
Case No. 07-325-X
Property: 7717 Philadelphia Road

Dear Mr. Boozer:

Enclosed please find the decision rendered in the above-captioned case. The petition for special exception has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz
Enclosure

c: David Love, Esquire, 7717 Philadelphia Road, Baltimore MD 21237



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 7717 PHILADELPHIA RD.

which is presently zoned D.R. 5.5

This Petition shall be filed with the Department of Permits and Development Management. 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

1B01(a)(12) (BCZR)

Use as professional office space (attorney) as permitted by special exception under Baltimore County Zoning Regulation Section 1B01(a)(12)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, 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.

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/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Frank V. Boozer, Jr.

Name - Type or Print

City

Signature

Covahey, Boozer, Devan & Dore, P.A.

Company

614 Bosley Ave

(410)-828-9441

Address

Telephone No.

Towson, MD 21204

City

State

Zip Code

Legal Owner(s):

David Love, Esq.

Name - Type or Print

Signature

Name - Type or Print

Signature

7717 Philadelphia Rd.

Address

Telephone No.

Baltimore, MD 21237

State

Zip Code

Representative to be Contacted:

Frank V. Boozer, Jr. (see left)

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D.T. Date 1/18/07

Case No. 07-325-X

REV 09/15/98

RECEIVED FOR FILING
3/15/07
[Signature]



NTT Associates, Inc.
16205 Old Frederick Road
Mt. Airy, Maryland 21771

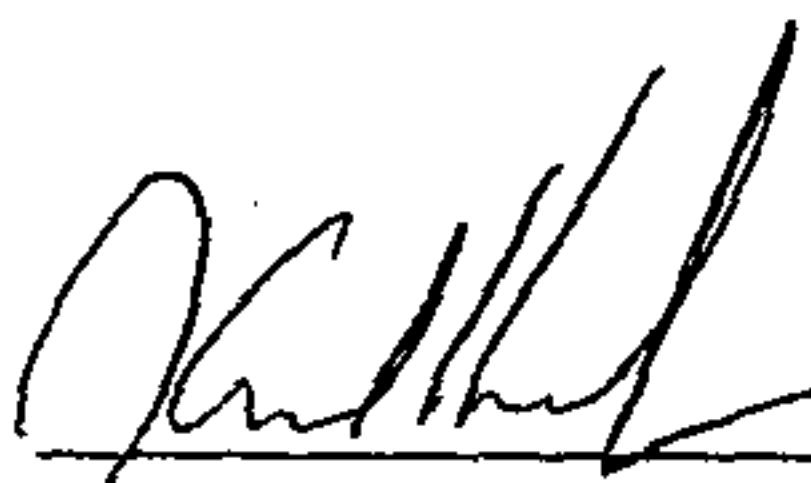
October 23, 2006

ZONING DESCRIPTION
7717 PHILADELPHIA ROAD
15th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

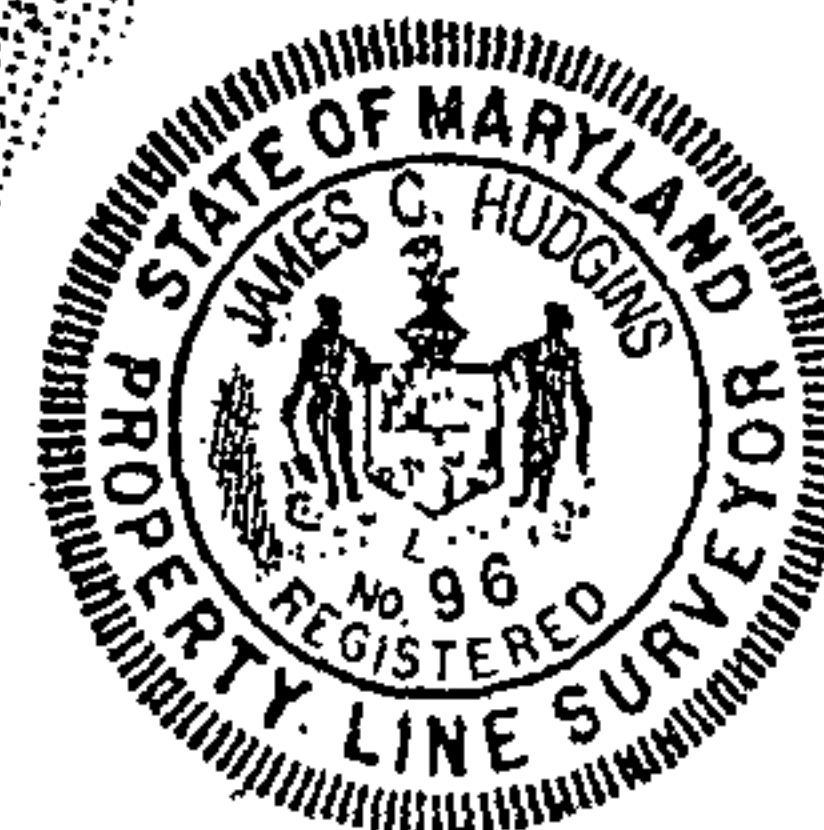
BEGINNING for the same on the south side of Philadelphia Road at the distance of 110 feet measured southwesterly along the south side thereof from the west side of Shiphorst Terrace (30 feet wide), said point of beginning being at the end of the first line of that parcel of land which by deed dated October 9, 1930 and recorded among the Land Records of Baltimore County in Liber L.Mc.L.M. 863 folio 30 was conveyed by Bernard Schiphorst and wife to Ida N. Tirschmann; thence running and binding on the south side of Philadelphia Road South 56 degrees 36 minutes West 115 feet to the east side of a 20 foot road, thence binding on the east side thereof and on part of the second line of the whole parcel of land which by deed dated June 2, 1926 and recorded aforesaid in Liber W.P.C. 634 folio 30 was conveyed by Henry Eckmeyer and wife to Bernard Schiphorst and wife; South 38 degrees 06 minutes East 199.00 feet, thence running with and binding on part of the third line in deed Eckmeyer to Schiphorst North 56 degrees 36 minutes East 115 feet to the beginning of the third line of that parcel of land which by deed dated October 9, 1930 and recorded aforesaid in Liber L.Mc.L.M. 863 folio 296; was conveyed by Bernard Schiphorst and wife to Ida N. Tirschman; thence running with and binding on said third line North 38 degrees 06 minutes West 80 feet to the end of the second line in deed first above referred to, thence running and binding reversely on said second line North 38 degrees 06 minutes West 119 feet to the place of beginning. Containing 0.52 acres of land more or less.

BEING the same parcel of ground which by deed dated October 24, 2005 and recorded among the Land Records of Baltimore County, Maryland in Liber 22929 folio 078 was granted and conveyed by Eleanor M. Dicarlo and Ahmad Anvari to Peter E. Weincek and Michele Y. Williams.

The improvements thereon being known as No. 7717 Philadelphia Road.


J. Carl Hudgins
Property Line Surveyor
Maryland Reg. No. 096

Date: 10/23/06



No. 2309

0010060150

ACCOUNT

AMOUNT \$ 380.00

AMOUNT

RECEIVED
FROM: _____

F. Vernon Bodzer

FOR: ITEM # 325 07-325-X

7717 PHILADELPHIA RD

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

[illegible]

25

— 25 —

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[illegible]

[Faint handwritten notes]

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NOTICE OF ZONING HEARING

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

Case: #07-325-X

7717 Philadelphia Road

S/side of Philadelphia Road, 500 feet west of centerline of Shiphorst Terrace

15th Election District - 7th Councilmanic District

Legal Owner(s): David Love, Esq.

Special Exception: for use as a professional office space (attorney) as permitted by special exception under Baltimore County Zoning Regulation Section 1801(a)(12).

Hearing: Friday, March 9, 2007 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

2/338 February 22

125525

CERTIFICATE OF PUBLICATION

2/22/2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/22/2007.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

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

Case: #07-325-X

7717 Philadelphia Road

S/side of Philadelphia Road, 500 feet west of centerline of Shiphurst Terrace

15th Election District - 7th Councilmanic District

Legal Owner(s): David Love, Esq.

Special Exception: for use as a professional office space (attorney) as permitted by special exception under Baltimore County Zoning Regulation Section 1B01(a)(12).

Hearing: Thursday, March 15, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/048 Mar. 1

126355

CERTIFICATE OF PUBLICATION

3/1/, 2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/1/, 2007.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 03/01/07

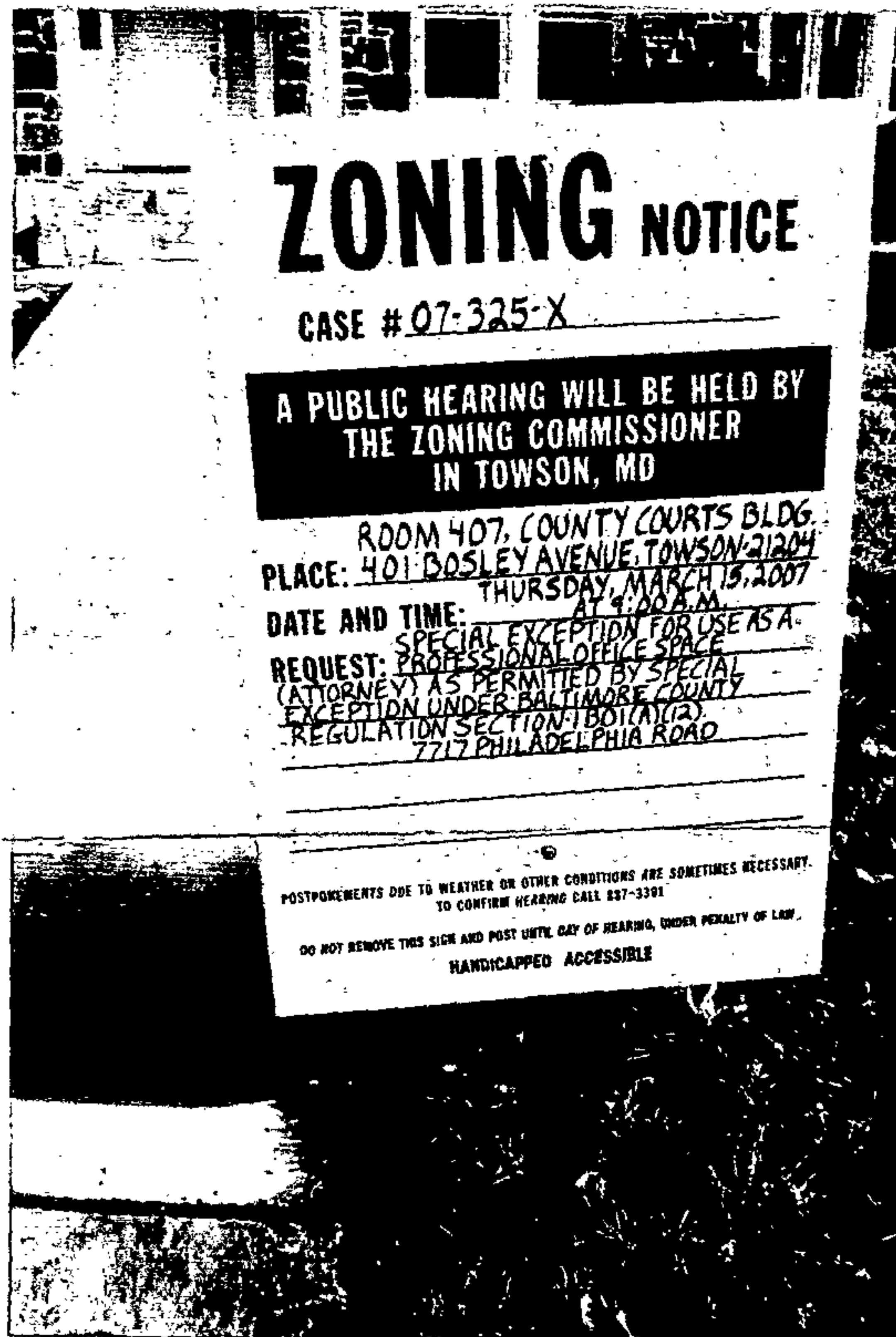
Case Number: 07-325-X

Petitioner/Developer: FRANK BOOZER JR. ESQ. ~ DAVID LOVE ESQ.

Date of Hearing (Closing): 03/15/07

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: 7717 PHILADELPHIA ROAD

The sign(s) were posted on: 02/27/07



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 Code of Sign Poster)

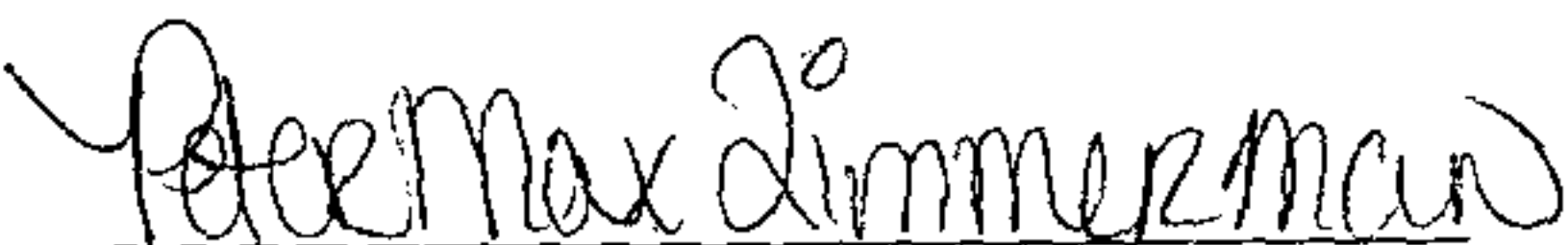
410-666-5366
(Telephone Number of Sign Poster)

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
7717 Philadelphia Road; S/S Philadelphia *
Road, 500' W c/line Shiphorst Terrace * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts *
Legal Owner(s): David Love, Esquire * FOR
Petitioner(s) * BALTIMORE COUNTY
* 07-325-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel 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 documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of February, 2007, a copy of the foregoing Entry of Appearance was mailed Frank V. Boozer, Jr., Esquire, Covahey, Boozer, Devan & Dore, P.A., 614 Bosley Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

FEB 02 2007

Per.....



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 22, 2007 Issue - Jeffersonian

Please forward billing to:

Frank Boozer, Jr.
Covahey, Boozer, Devan & Dore, P.A.
614 Bosley Avenue
Towson, MD 21204

410-828-9441

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-325-X

7717 Philadelphia Road
S/side of Philadelphia Road, 500 feet west of centerline of Shiphorst Terrace
15th Election District – 7th Councilmanic District
Legal Owners: David Love, Esq.

Special Exception for use as a professional office space (attorney) as permitted by special exception under Baltimore County Zoning Regulation Section 1B01(a)(12).

Hearing: Friday, March 9, 2007 at 2:00 p.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 1, 2007 Issue - Jeffersonian

Please forward billing to:

Frank Boozer, Jr.
Covahey, Boozer, Devan & Dore, P.A.
614 Bosley Avenue
Towson, MD 21204

410-828-9441

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-325-X

7717 Philadelphia Road

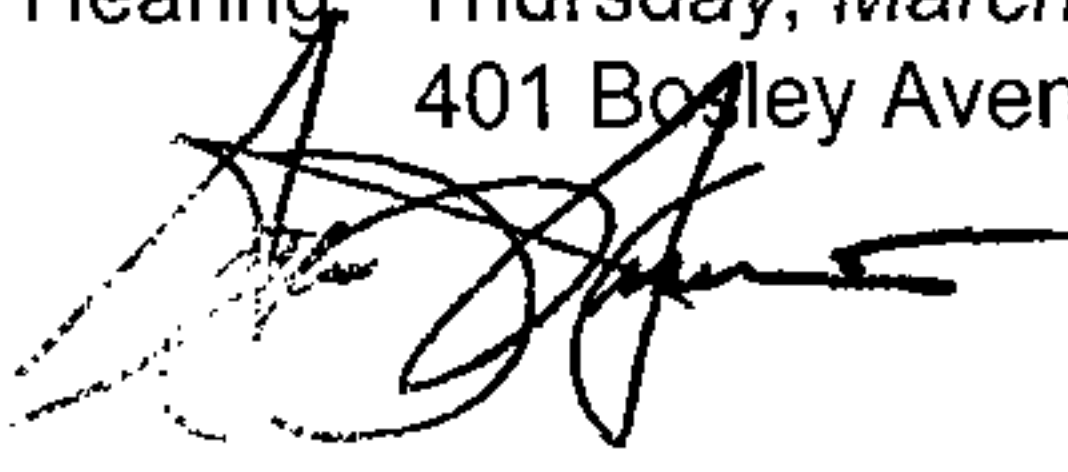
S/side of Philadelphia Road, 500 feet west of centerline of Shiphorst Terrace

15th Election District – 7th Councilmanic District

Legal Owners: David Love, Esq.

Special Exception for use as a professional office space (attorney) as permitted by special exception under Baltimore County Zoning Regulation Section 1B01(a)(12).

Hearing: Thursday, March 15, 2007 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

February 8, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-325-X

7717 Philadelphia Road

S/side of Philadelphia Road, 500 feet west of centerline of Shiphorst Terrace

15th Election District – 7th Councilmanic District

Legal Owners: David Love, Esq.

Special Exception for use as a professional office space (attorney) as permitted by special exception under Baltimore County Zoning Regulation Section 1B01(a)(12).

Hearing: Friday, March 9, 2007 at 2:00 p.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:kim

C: Frank Boozer, Jr., 614 Bosley Avenue, Towson 21204
David Love, Esq. 7717 Philadelphia Road, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, FEBRUARY 22, 2007.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

February 21, 2007
TIMOTHY KOTROCO, Director
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-325-X

7717 Philadelphia Road

S/side of Philadelphia Road, 500 feet west of centerline of Shiphorst Terrace

15th Election District – 7th Councilmanic District

Legal Owners: David Love, Esq.

Special Exception for use as a professional office space (attorney) as permitted by special exception under Baltimore County Zoning Regulation Section 1B01(a)(12).

Hearing: Thursday, March 15, 2007 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:klm

C: Frank Boozer, Jr., 614 Bosley Avenue, Towson 21204

David Love, Esq. 7717 Philadelphia Road, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, FEB. 28, 2007.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 07-325-X

Petitioner: LONE

Address or Location: 7717 PHILADELPHIA RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: FRANK V. BOOZER, JR.

Address: COVAHEY, BOOZER, DEVAN & DORE, P.A.

614 BOSLEY AVE.

TOWSON, MD 21204

Telephone Number: 410-828-9441



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

March 5, 2007

Frank V. Boozer, Jr.
Covahey, Boozer, Devan & Dore, P.A.
614 Bosley Avenue
Towson, MD 21204

Dear Mr. Boozer:

RE: Case Number: 07-325-X, 7717 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 18, 2007.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
David Love, Esq. 7717 Philadelphia Road Baltimore 21237



March 12, 2008

Planning Board of Baltimore County

Subject Property: 7717 Philadelphia Road
Baltimore, Maryland 21237
#7-009

The Rosedale Community Association supports #7-009 referencing the above property.

Owner, David Love, Esquire, attended the February, 2008, community association meeting and discussed his plans and accomplishments.

Everyone applauded Mr. Love's work and supported his use and his zoning request. There were no descending comments.

His use suits the community and compliments Rosedale. Should there be any questions, please call me at 443.846.5399 or 410.284.9712.

Sincerely,

Russ Mirabile
President

SHAWN PRICE
7714 PHILADELPHIA ROAD
ROSEDALE, MARYLAND 21237

June 6, 2008

RE: Zoning change for 7717 Philadelphia Road

I am a homeowner, and I live at 7714 Philadelphia Road, in Rosedale, Maryland 21237. I live directly across street from the Law Offices of David B. Love, P.A., 7717 Philadelphia Road. I wish to convey my appreciation as a homeowner to Mr. Love, who has drastically improved and renovated the property. I also wish to express my support of the zoning change for 7717 Philadelphia Road. His office is a great asset to the community and he is a valued neighbor.

Very truly yours,



Shawn Price

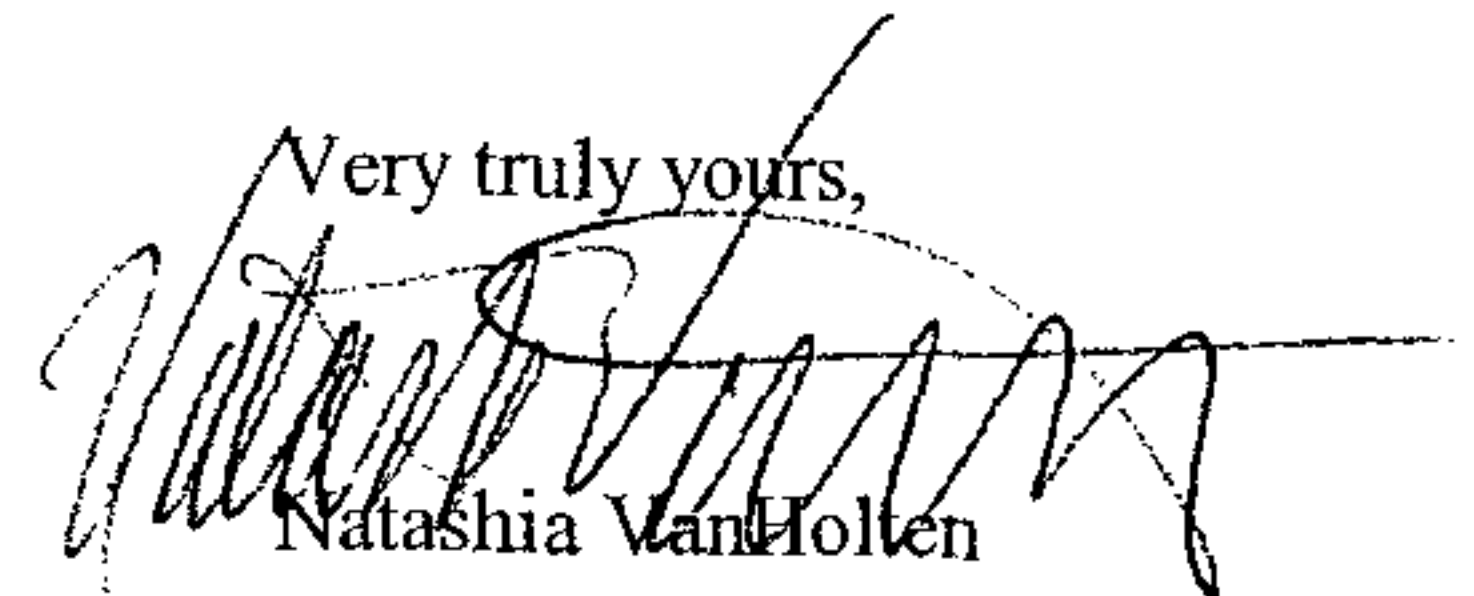
NATASHA PRICE
7714 PHILADELPHIA ROAD
ROSEDALE, MARYLAND 21237

June 6, 2008

RE: Zoning change for 7717 Philadelphia Road

I am a homeowner, and my husband and I reside at 7714 Philadelphia Road, in Rosedale, Maryland, 21237. I live directly across street from the Law Offices of David B. Love, P.A., 7717 Philadelphia Road. I wish for it to be noted that I am supporting the zoning change for 7717 Philadelphia Road. His beautification efforts of his property have enhanced the local community and he has been a great neighbor.

Very truly yours,



Natashia VanHolt

Dear Mr David Love,

2/25/08

I just feel wanted to write and to thank you for assisting my co-worker with her legal situation, and also for assisting her niece. They are both very appreciative of your services, and for how kind and willing you were to help them.

In addition to your helpfulness with legal situations, I would also like to thank you for helping to improve the Roseade area. By renovating the old, dilapidated home on Philadelphia Rd, I believe that you have greatly improved the neighborhood image and increased the value of the surrounding homes.

I have been a resident of the Roseade area for over 16 years and am happy to welcome you, and your business, to the neighborhood. You are going to be a great addition!

Sincerely,

Becky ~~Antmann~~

Becky Antmann

1208 Narcissus Ave

Baltimore, MD 21237

2/20/08

to know at my home.

I'm most sure it will be of great help to the neighborhood to have Mr. David Loue open his office on 7717 Philadelphia Rd. for a lot of people in this part of town do not like driving down town to find a lawyer.

I will say when I pass by, what they have done to the place makes that house look well kept and he also helps others that can't afford much.

I really would like to see a sign out soon.

Mary Ellison
1415 Spring Ave
Baltimore MD 21237

To whom it may concern,

2/08

I feel that David Love is a great new addition to our neighborhood. He is personable and helpful to others in the area. And I commend him on the renovations and cleanup he has done to the property. I happily welcome him as a new neighbor, at 7717 Philadelphia Rd. in Rosedale.

Evelyn Amtmann
1314 Spring Ave.
Baltimore Md. 21237

Mr. and Mrs. Charles Weitzel
7707 Philadelphia Road
Baltimore, Maryland 21237

June 6, 2008

RE: Zoning of 7717 Philadelphia Road

My wife and I are long time homeowners of the property 7707 Philadelphia Road, in Rosedale, Maryland. Approximately a year and a half ago, Mr. David Love, an attorney, purchased the property directly next door, at 7717 Philadelphia Road. In that short period of time, Mr. Love has continued to invest in the beautification and renovation of his property, which also serves as his office for his Law practice. Mr. Love has made remarkable improvements to the property as well as serves to be a community supporter and a good neighbor. We wholeheartedly support his request for the zoning change and hope that my letter will be taken into consideration.

Thank you for your time in this matter.

Very truly yours,

Charles Weitzel
Ethel Weitzel

Charles Weitzel
Ethel Weitzel

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

February 5, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 29, 2007

325

Item Number: 314 and 322 through 333

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: February 5, 2007

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For February 5, 2007
Item Nos. 07-316, 323, 325, 328, 330,
331, 332, and 333

The Bureau of Development Plans Review has reviewed the subject zoning items
and we have no comments.

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-02052006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 9, 2007

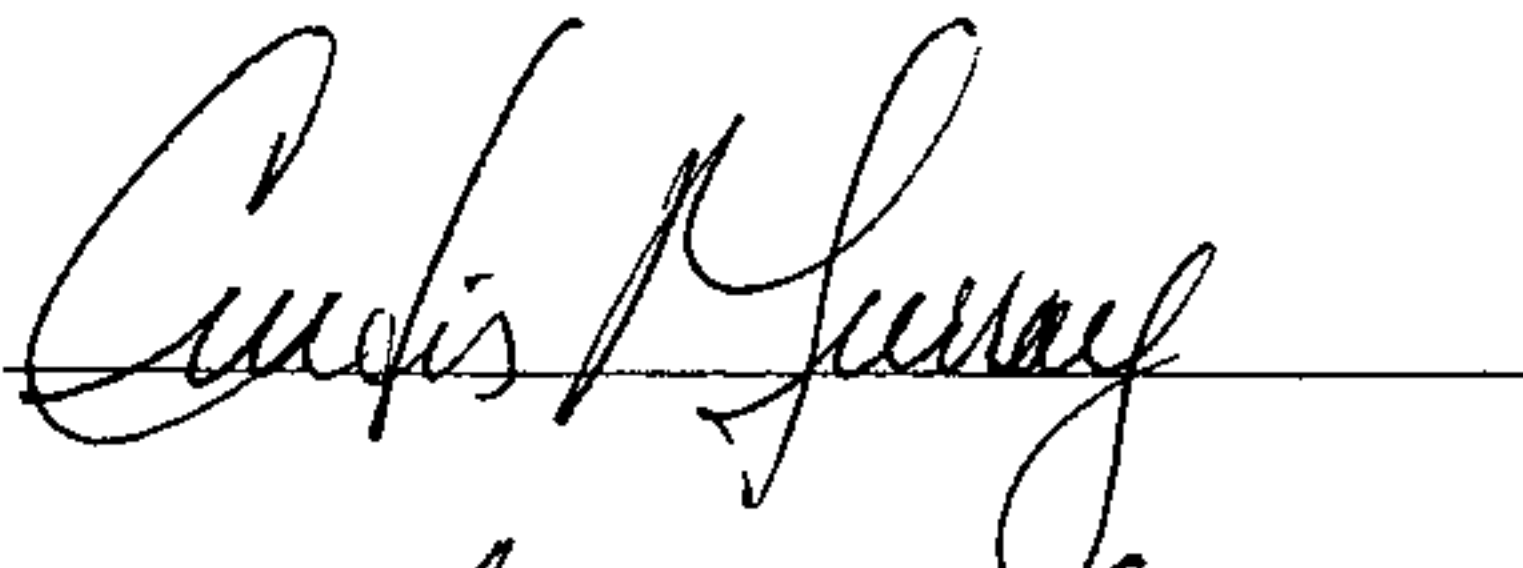
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 07-325**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management
February 21, 2007

Frank Boozer, Jr.
614 Bosley Avenue
Towson, MD 21204

Dear Mr. Boozer:

RE: Case Number: 07-325-X, 7717 Philadelphia Road

The above matter, previously scheduled for March 9, 2007, has been postponed. The hearing has been rescheduled and the new notice of hearing is attached.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: David Love, 7717 Philadelphia Road, Baltimore 21237



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

March 26, 2007

JOHN E. LAKE
4 SHIPHORST TERRACE
BALTIMORE MD 21237

Re: Petition for Special Exception
Case No. 07-325-X
Property: 7717 Philadelphia Road

Dear Mr. Lake:

Thank you for your kind letter of March 26, 2007 regarding the above case. Unfortunately your letter arrived about 10 days after I issued the attached Order and so I could not take your concerns into account. As you can see in the Order, some information Mr. Love gave at the hearing conflicts with your information. If you feel aggrieved by my decision you can appeal to the Board of Appeals where you can present evidence of your concerns. Please contact the appeals clerk at the Department of Permits and Development Management at 410-887-3391 regarding appeals to the Board of Appeals.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

**Bee-Line, Inc.**

JM
3-15-07
9:AM

4 Shiphorst Terrace
Baltimore, Maryland 21237

Telephone 410-866-4399
Fax 410-866-6241

March, 26, 07

Mr. Murphy
401 Bosley Ave. Room 405
Towson, Maryland 21204
Phone # - 410-887-3868
Fax # - 410-887-3468
Reference # - Case 07-325-X (7717 Philadelphia Road)

Hello Mr. Murphy:

My name is John Lake; I live in Rosedale at 4 Shiphorst Terrace, Baltimore Maryland 21237. I am concerned about a special exception for the address reference listed above. A few of my neighbors have also expressed their concerns to me about the activity at this address. We've been having issues with the property and its owners for the past two years. The previous owner had bought it as a residential home, yet used the property as a construction storage yard, at times having as many as twenty vehicles and twenty employees on the premises. His construction activities resulted in piles of debris through his backyard, which is connected to my own; the debris has still not been removed. In addition to this visual pollution, the constant traffic caused disruption to the neighbors and the neighborhood as a whole. Individuals in the neighborhood who tried to voice their disapproval for this activity were harassed and threatened numerous times.

When Mr. Love, the current owner, bought this property I explained that this is a residential neighborhood. He explained to me that he would be running a home office from the house. He has already begun the business at the address and has 3 or 4 employees now working there, leading to a disruptive traffic flow. He has applied for a special exception for a home office, but has no intention to actually move into the house. The neighborhood is, again, concerned about the use of this property. Many people in the neighborhood are in their eighties and, as such, are unable to get to court hearings and meetings to express this concern.

I ask that you please consider this information before your final decision on the exception is made. Feel free to contact me with any questions you may have about the case; I'd be happy to answer them.

Thanking You In Advance,
John E. Lake
4 Shiphorst Terrace
Baltimore, MD 21237
Cell # -443-250-4255

COVAHEY, BOOZER, DEVAN & DORE, P. A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
THOMAS P. DORE
BRUCE EDWARD COVAHEY
JENNIFER MATTHEWS HERRING
FRANK V. BOOZER, JR.

410-828-9441

FAX 410-823-7530

ANNEX OFFICE
SUITE 302
606 BALTIMORE AVE.
TOWSON, MD 21204
410-828-5525
FAX 410-296-2131

February 13, 2007

*ALSO ADMITTED TO D.C. BAR

*OK to postpone
FVK*

Timothy Kotroco, Director
Baltimore County
Office of Zoning
111 Wet Chesapeake Avenue, Room 105
Towson, MD 21204

RE: 7717 Philadelphia Road
Case No. 07-325-X
Hearing - 3/9/07, 2:00pm

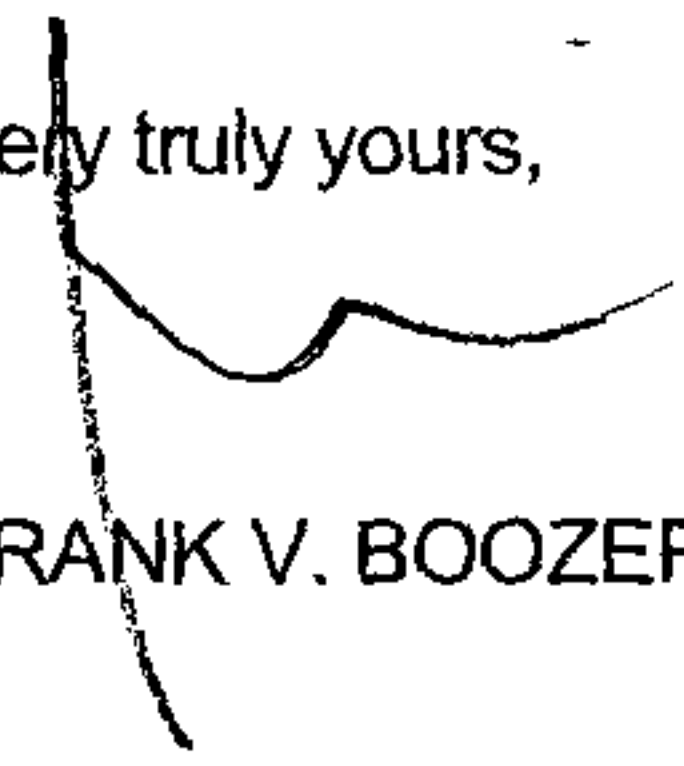
Dear Mr. Kotroco:

Please be advised that this office represents the legal owner, David Love, Esquire, in connection with the above captioned matter. I hereby request a postponement of the above hearing as I have a previously scheduled commitment the afternoon of March 9, 2007.

I have the following available dates: March 12, 13 and 15, 2007.

Thank you for your attention and cooperation in this matter. If you have any questions, do not hesitate to contact me.

Very truly yours,

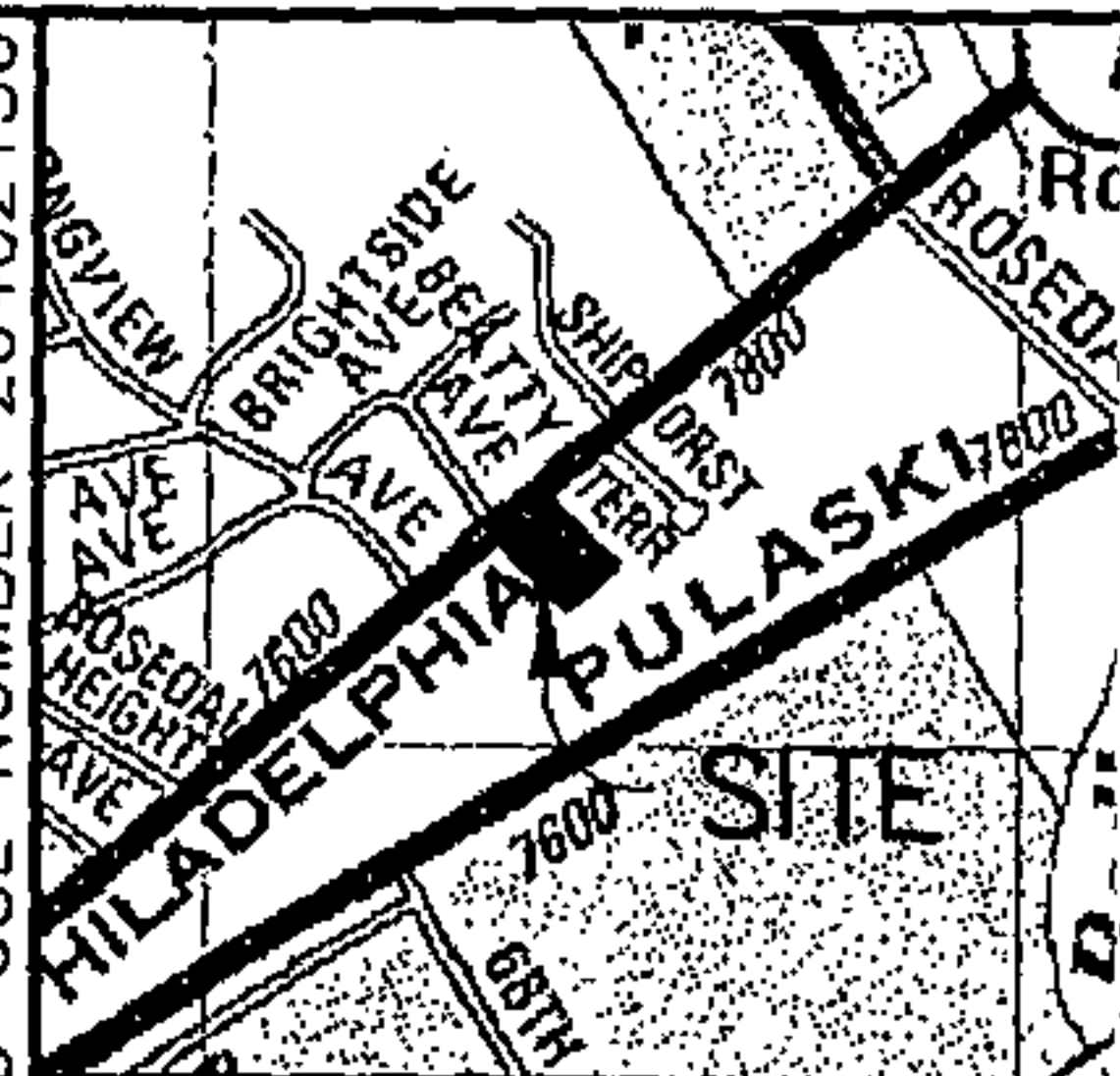

FRANK V. BOOZER, JR.

cc: David Love, Esq.
0213gab07

SITE DATA:

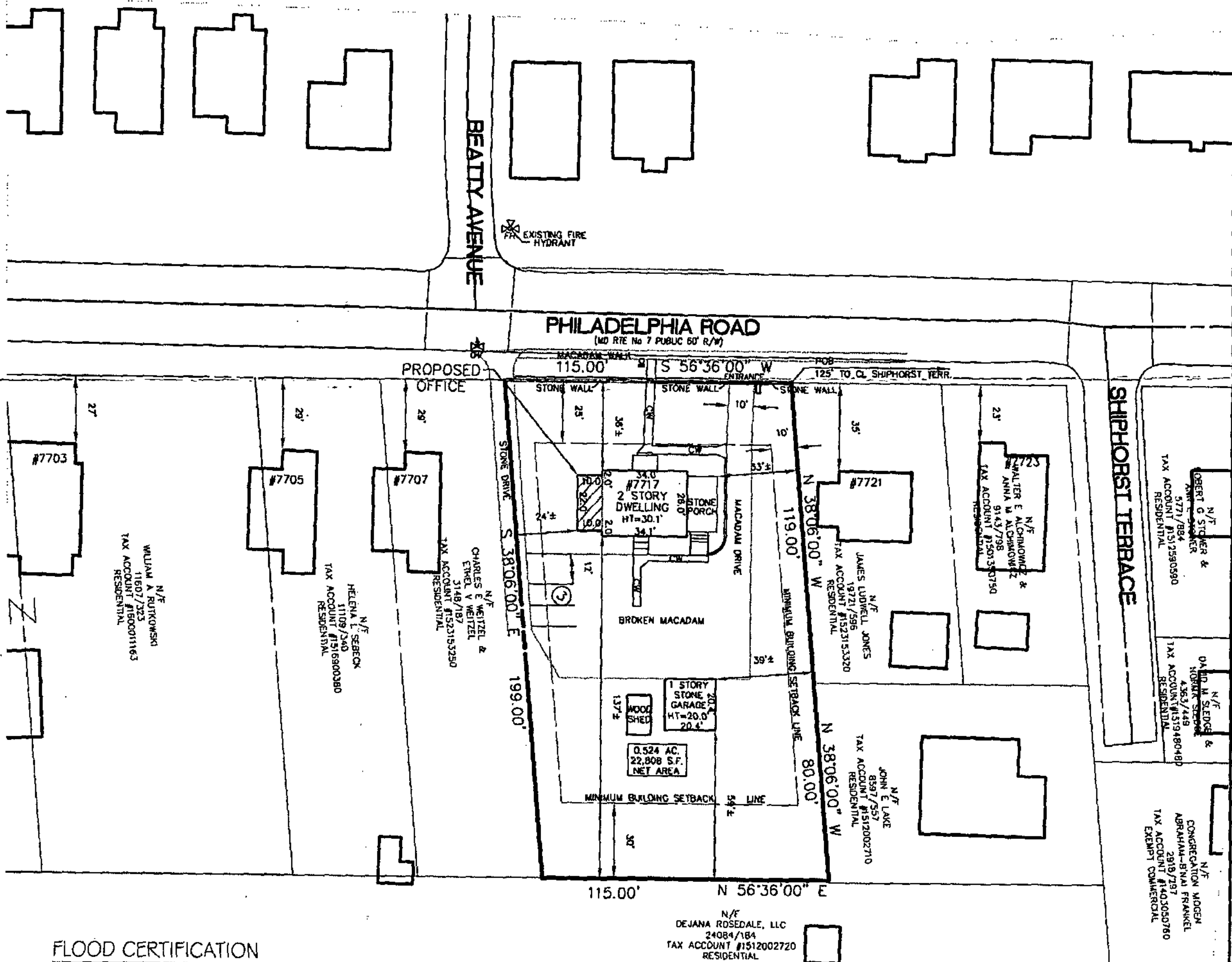
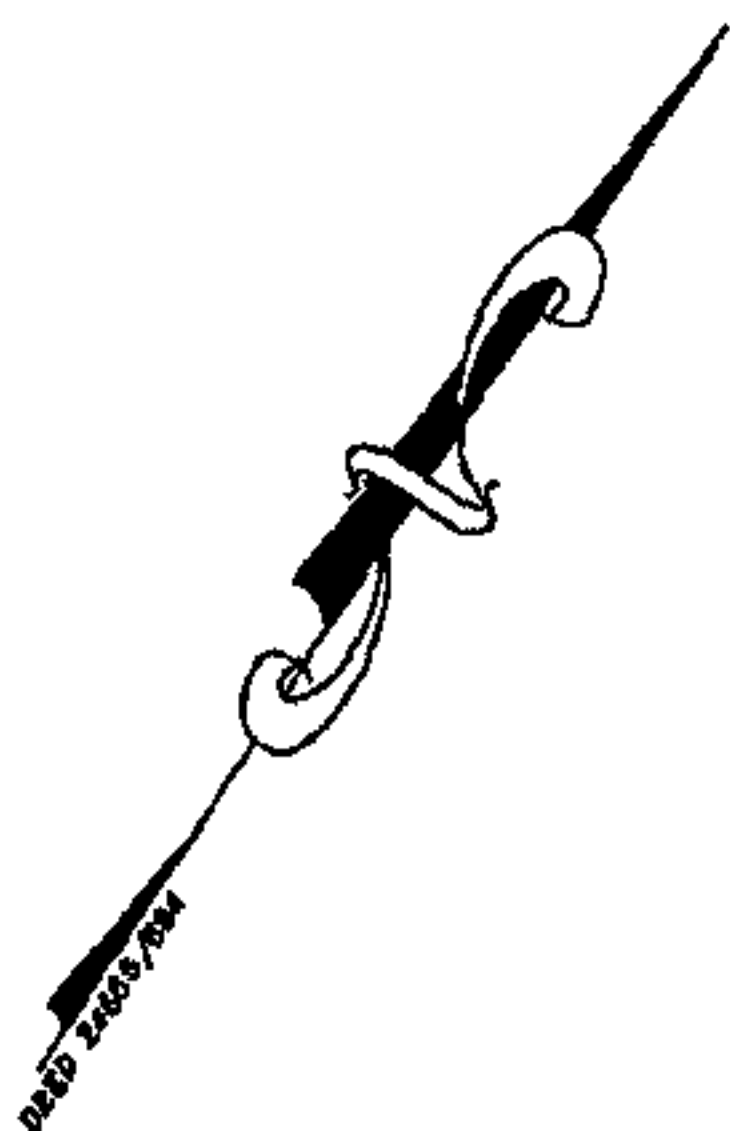
1. OWNER OCCUPIED BY: DAVID B. LOVE
2. ADDRESS 11120 RAPHEL ROAD
UPPER FALLS, MD 21156-1711
3. TAX MAP 89, PARCEL 1022
4. ACCOUNT #1519072220
5. DEED REF. 24665/694
6. ZONING DR 5.5 FROM PLAN SHEET 089B3
7. NET AREA= 22,808 S.F. OR 0.5235 ACRES
BUILDING AREA= 3,312 S.F.
PROPOSED PROFESSIONAL OFFICE: 220 SQ. FT.
3,312 / 220= 6.6%
8. PARKING DATA:
PROPOSED PROFESSIONAL OFFICE: 220 SQ. FT.
REQUIRED PARKING
2 SPACES RESIDENTIAL
1 SPACE OFFICE
3 TOTAL SPACES
9. THERE IS NO CHANGE IN ZONING DESIGNATION
(DR 5.5) WITHIN 200 FEET OF THIS SITE
- 10 ALL SIGNS SHALL COMPLY WITH SECTION 450
OF THE B.C.Z.R.
11. SITE IS SERVED BY PUBLIC WATER AND SEWER
SYSTEMS WHICH EXIST IN PHILADELPHIA ROAD
12. ALL PARKING SHALL BE DURABLE AND DUSTLESS.
13. ALL PARKING SPACES SHALL BE STRIPED.
14. THIS PROPERTY IS NOT HISTORIC
15. THIS PROPERTY IS NOT WITHIN A FLOODPLAIN
16. THIS PROPERTY IS NOT WITHIN THE C.B.C.A.

COPYRIGHT ADC THE MAP PEOPLE
PERMITTED USE NUMBER 20402136



VICINITY MAP

SCALE: 1"=1000'
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

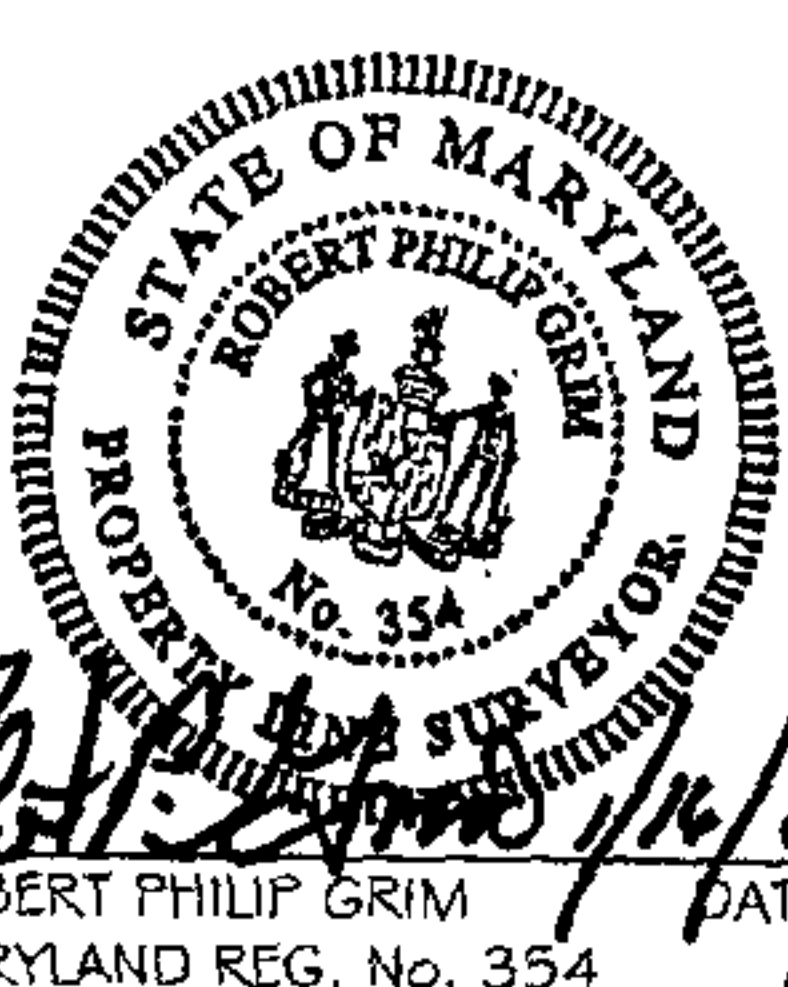


FLOOD CERTIFICATION

This Property Lies Within Flood Zone "C",
(Areas Of Minimal Flooding), As Shown On F.I.R.M.
Map No. 240010 0410 B, Dated March 2, 1981

PLAN TO ACCOMPANY SPECIAL EXCEPTION #7717 PHILADELPHIA ROAD

MAP 89, PARCEL 1022, DEED REF 24665/694
7th COUNCILMANIC DISTRICT
15th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND



DRAWN BY: GLF
CHECKED BY:

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Natural Resources Planning

Natural Resource Planning - Real Estate Development
SHAWAN PLACE, 5 SHAWAN ROAD COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563

REVISION DATE

SCALE:
1"=50'

DATE:
12-04-2006

JOB No.:
06-256

07-325-X D.T.

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER

DATE

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

David B. Burke

7717 Philadelphia Rd.

Roseville MO 64153

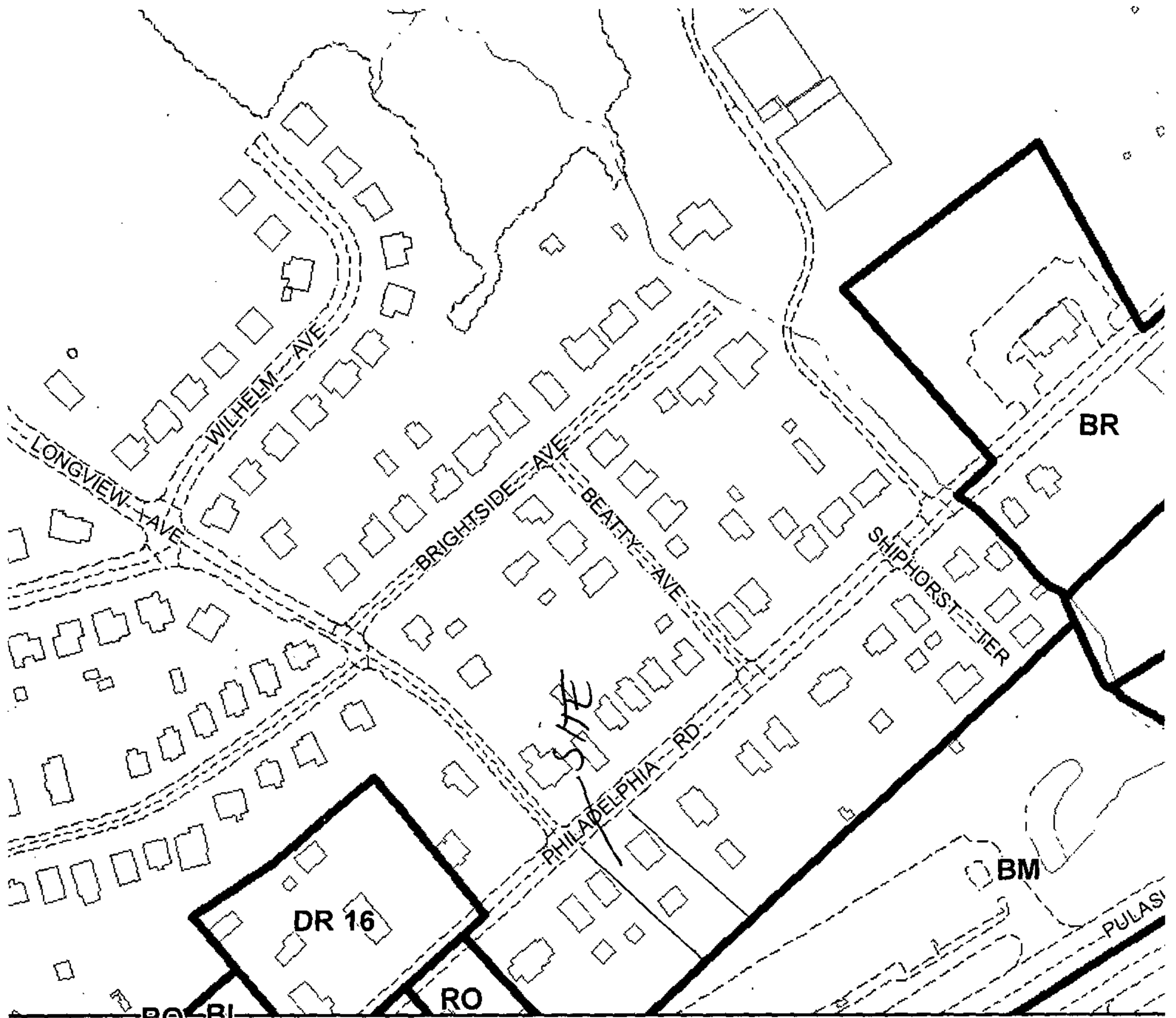
dburke@roscow.com

Frank V. Bower Sr.

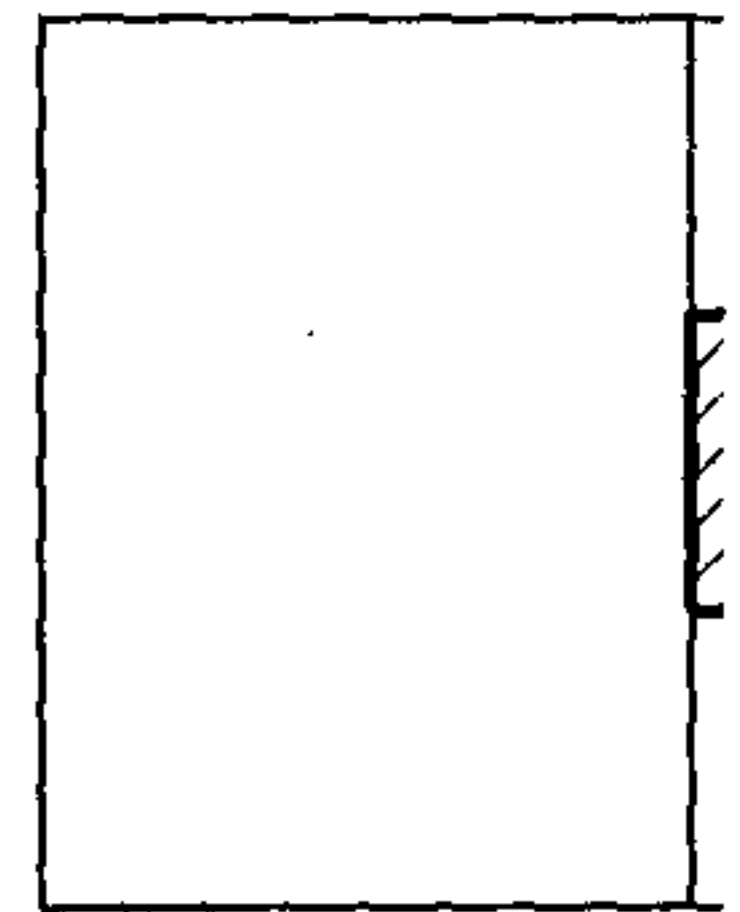
6014 Bossey Ave

Revere MA 01921





Baltimore County Office of Planning and Zoning Official Zoning Map



089B3

