75-106X

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

Item 56

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Thomas F. McDonough, Esq.
102 W. Penna. Avenue
Towson, Maryland 21204

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 11th day of October 1974.

S. ERIC DINENNA,
Zoning Commissioner

Petitioner Arthur D. Wolfcale, Jr., Managing Partner Security Square Associates

Petitioner's Attorney Thomas F. McDonough Reviewed by James B. Byrnes, III
Chairman,
Zoning Advisory Committee

cc: MCA
1020 Cromwell Bridge Road
Baltimore, Md. 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

James B. Byrnes, III
Chairman

MEMBERS
ZONING ADMINISTRATION
HEALTH DEPARTMENT
BUREAU OF FIRE PREVENTION
DEPARTMENT OF TRAFFIC ENGINEERING
STATE HIGHWAY ADMINISTRATION
BUREAU OF ENGINEERING
PROJECT AND DEVELOPMENT PLANNING
INDUSTRIAL DEVELOPMENT COMMISSION
BOARD OF EDUCATION
OFFICE OF THE BUILDINGS ENGINEER

October 11, 1974

Thomas F. McDonough, Esq.
102 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Special Exception Petition
Item 56
Arthur D. Wolfcale, Jr., Managing
Partner Security Square Associates -
Petitioners

Dear Mr. McDonough:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These 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 appropriateness of the requested zoning.

The subject property is located within the existing Security Square Shopping Center, which is located on Security Blvd. and Interstate 70N, in the First Election District of Baltimore County.

This 108 acre site is presently improved with various retail uses and of which 45 acres are owned by the petitioner.

The petitioner is requesting a Special Exception to permit an amusement park (game room) within the confines of the existing mall structure. An area of approximately 1500 square feet is proposed for this use.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice

Thomas F. McDonough
Re: Item 56
October 11, 1974 Page 2

of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

James B. Byrnes

JAMES B. BYRNES, III
Chairman,
Zoning Advisory Committee

JBB:JD

Enclosure

cc: MCA
1020 Cromwell Bridge Road
Baltimore, Md. 21204

Baltimore County, Maryland
Department Of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DIVER, P. E. CHIEF

September 27, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #56 (1974-1975)
Property Owner: Arthur D. Wolfcale, Jr., Managing Partner Security Square Associates
1198.50' S. of Security Blvd., E. of Rolling Rd.
Existing Zoning: M.L. & M.L.R.
Proposed Zoning: Special Exception for an amusement center (park)
No. of Acres: Site of bldg. 1497 sq. ft., Parking Area 1,000 sq. ft.
District: 1st

Dear Mr. DiNenna:

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 utilities and highway improvements are not involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #56 (1974-1975).

Very truly yours,

Ellsworth N. Diver

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

L-SE Key Sheet
5 NW 26 Pos. Sheet
NW 1 & 2 G Topo
94 Tax Map

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204

823-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Arthur D. Wolfcale, Jr., Managing Partner Security Square Associates
Location: 1198.50 ft. S/ of Security Blvd. E/ of Rolling Rd.
Item No. 56 Zoning Agenda September 10, 1974

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 operations.

( ) 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 "The Life Safety Code", 1970 Edition prior to occupancy.

( ) 6. Site plans are approved as drawn.

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

Reviewer: A. J. Kelly Noted and Approved: _____

Planning Group
Special Inspection Division

Deputy Chief
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

September 11, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 56, Zoning Advisory Committee Meeting, September 10, 1974, are as follows:

Property Owner: Arthur D. Wolfcale, Jr., Managing Partner Security Square Associates.
Location: 1198.50 ft. S/ of Security Blvd. E/ of Rolling Rd.
Existing Zoning: ML & MLR
Proposed Zoning: Special Exception for an amusement center (park)
No. of Acres: Site of Bldg. 1497 sq. ft., Parking Area 1,000 sq. ft.
District: 1st

Metropolitan water and sewer are available.

Gwynns Falls Moratorium: A moratorium was placed on new sewer connections in the Gwynns Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on May 14, 1974; therefore approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

SHVB/ncg

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER

October 7, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee Meeting
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #56, Zoning Advisory Committee Meeting, September 10, 1974, are as follows:

Property Owner: Arthur D. Wolfcale, Jr., Managing Partner Security Square Associates
Location: 1198.50 ft S of Security Blvd. E of Rolling Road
Existing Zoning: M.L. and M.L.R.
Proposed Zoning: Special Exception for an amusement center (Park)
No. of Acres: Site of Bldg. 1497 sq. ft. parking area 1,000 sq ft.
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 494-3211 ZONING 494-3351

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: September 11, 1974

Mr. S. Eric DINenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: September 10, 1974

Re: Item 56

Property Owner: Arthur D. Wolfcale, Jr., Managing Partner Security Square Associates

Location: 1198.50 ft. S. of Security Blvd., E. of Rolling Road

Present Zoning: ML & MLR

Proposed Zoning: Special Exception for an amusement center (park)

District: 1st

No. Acres: Site of Bldg. 1497 sq. ft. Parking Area 1,000 sq. ft.

Dear Mr. DINenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich.,
Field Representative.

WNP/ml

H. EMSLIE PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
MRS. ROBERT L. BERNEY
MARCUS M. BOTSARIS
JOSEPH N. McGOWAN
ALVIN LONECK
JOSHUA R. WHEELER, SUPERINTENDENT
T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD K. RUENTEL

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MELZER
DEPUTY TRAFFIC ENGINEER

October 14, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 56 - ZAC - September 10, 1974
Property Owner: Arthur D. Wolfcale, Jr., Managing Partner Security Square Associates.
Location: 1198.50 ft. S/ of Security Blvd. E/ of Rolling Road
Existing Zoning: ML & MLR
Proposed Zoning: Special Exception for an amusement center (park)
No. of Acres: Site of Bldg. 1497 sq. ft., Parking area 1,000 sq. ft.
District: 1st

Dear Mr. DiNenna

No traffic problems are anticipated by the requested special exception for an amusement center.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Asso.

MSF/lb

# 75-126-X	* BEFORE THE
IN THE MATTER OF THE PETITION OF	* COUNTY BOARD OF APPEALS
	* FOR
SECURITY SQUARE ASSOCIATES (FUN N GAMES ASSOCIATES, Contract Purchaser), for a Special Exception for an Amusement Center, South Side of Security Boulevard, East of Rolling Road,	* BALTIMORE COUNTY
	* MR. REITER, Chairman; MESSRS. HACKETT and MILLER
1st District.	*

* * * * * * * * * *

Wednesday, May 21, 1975, Towson, Maryland

HEARING ROOM COUNTY OFFICE BUILDING

10:00 A.M.

APPEARANCES:

R. BRUCE ALDERMAN, Esq.,
Attorney for the Petitioner.

MR. DONALD E. TILLMAN, Zoning Committee Chairman,
Spokesman for the Rolling Road Farms Community Association, Inc., Protestants.

JOHN W. HESSIAN, Esq.,
People's Counsel for Baltimore County, Maryland, a Body Corporate.

REPORTED BY: C. Leonard Perkins, County Office Building, Towson, Maryland 21204 - 494-3182

MR. ALDERMAN: In light of my preliminary conversations with the other gentlemen here, this will be offered in evidence as an exhibit. It shows the outline of the present location within the shopping mall itself. It was prepared by DeBartolo Development organization, prepared in-house.

(Marked for identification as Petitioner's Exhibit No. 1.)

MR. HESSIAN: Would you like to put in the photographs?

MR. ALDERMAN: I would be happy to. These photographs all show the mall and the proposed location.

(Marked for identification as Petitioner's Exhibits 2-A through 2-G.)

(Mr. Alderman opens to the Board in behalf of the petitioner.)

(Mr. Hessian opens to the Board in behalf of Baltimore County, Maryland.)

D A V I D S. Z O O K, called in behalf of the petitioner, having been duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. ALDERMAN

Q State your name and address, please, sir.

A David S. Zook, 1739 Champlain Drive, Woodlawn, Maryland.

Q Mr. Zook, by whom are you employed?

A DeBartolo Development Corporation.

Q Are you the mall manager of Security Square Mall?

A That is right.

Q This plat marked Preliminary Petitioner's Exhibit 1, is this a schematic plat of the shopping center as it exists?

A It is a schematic plat of the shopping center as it exists right now.

MR. ALDERMAN: We offer it in evidence.

(Received in evidence as Petitioner's Exhibit No. 1.)

Q The area outlined in red is the area that is the proposed site for the Fun N Games center?

A Yes, it is.

Q Let me show you these photographs which were

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taken by the County representative. I would ask that you look at them and see if they fairly represent the mall and the area of the mall where the subject site is located?

A Yes, sir, they are.

MR. ALDERMAN: We offer the photographs.

(Received in evidence as Petitioner's Exhibits 2-A through 2-G.)

Q (By Mr. Reiter) Is this location opposite the movie?

A Yes, it is.

Q (By Mr. Alderman) Your contact with the mall, then, is on a daily basis?

A My contact with the mall is on a daily basis.

Q Your office is right in the mall?

A That is right.

Q You now have other tenants located in the mall. Did they become aware of the petition of Fun N Games for this use?

A Yes. The sign for the petition was placed directly in front of the bank. Every tenant in the concourse saw it on their way to work. The sign said,

---

"Petition for an Amusement Park".

Q This raised some question by your tenants, and they came to you and made inquiries?

A Yes. I explained to them exactly what this operation was going to be, a game room of the DeBartolo Corporation, owner of currently existing many other of our malls. This is in no way shape or form an amusement park. At that point none of them voiced any objection.

Q Are all of the tenants in the concourse, where the subject property is to be located, aware of the proposed use?

A They are all aware of the proposed use.

Q Are they also aware of the ownership of the operator of the proposed use?

A Yes.

Q So the tenants will be the same as the landlord?

A Yes.

Q Have they raised any complaint during that period of time?

A No, no complaints have been raised.

Q Do you feel, from your experience as a mall

manager, that this will be a compatible use with the rest of the mall?

A Absolutely. I think it will blend in very well with the current tenant mix.

Q Do you have a full-time clean-up crew that works in the mall?

A We have a full-time clean-up crew that works in the mall; currently there are fifteen men in the clean-up personnel for the mall, 24 hours a day, 7 days a week, working on the concourses and parking lot.

Q They keep it in a clean and orderly fashion?

A Yes, they do. As a matter of fact, 16 acres of enclosed area, they completely scrub every night.

Q Do you have a security force in the mall?

A Yes. We hire offduty Baltimore County policemen, a security force working 103 hours a week.

Q Does this coincide with the generally 103 hours, with the tenants open?

A The tenants, as a matter of fact, are open 69 hours a week. The reason it is 103 hours for the security guards, we have more than one on each day.

Q Are they scattered?

A The security guards operate on a roving basis, responsible for the mall concourses and parking lots only; they are not responsible for tenants' security.

As a matter of fact the tenants have their own security guards. The guards only go in the course when asked by the store manager.

Q This question may be for the next witness. Do you know the proposed hours under the proposed lease for the operation of the Fun N Games center?

A Yes. 10:00 a.m. to 9:30 p.m., Monday through Saturday.

Q So it would not be allowed to remain open after 9:30?

A That is right.

Q Is this the general closing time for the retail commercial tenants?

A Yes, it is.

Q Are there any tenants that stay over beyond that hour?

A Only two tenants, the theatre because of the

shows, and Baskin-Robbins Ice Cream Store, only until 10:00 o'clock, until the last show goes on in the theatre.

Q So after 10:00 o'clock this is the only shop that is open other than the cinema?

A That is right.

Q The security area of the mall, the leased area, is in excess of 900,000 square feet?

A The gross leaseable area is 845,000 and some odd square feet.

Q Out of that gross area how much of it is concourse?

A Approximately 72,000 square feet.

Q Is this the area that is the responsibility of the security force?

A Yes, this is the area that is the responsibility of the security force.

Q By virtue of this new use and new tenant, also being a part of the DeBartolo Corporation, will their duties also comprise the duties of this specific location?

A Yes, although the store will be treated by them in most every respect as a normal tenant.

Q In addition to that, if you are aware, and can

answer this question, will there also be managers and assistant managers of the new tenant?

A Exactly.

Q The patrolling of the concourse area now, as I understand, is covered in all instances by your security force?

A Yes, it is.

Q How do they operate; how do they communicate?

A It depends on the number of people we have. If there are two men on there, three roving men, they are all directed to use their walkie-talkie to each other and to an information booth in the center of the mall, which incidentally is in full view of the Fun N Games location. They spend approximately a third of their time in each different concourse.

On instances where we have three men on, normally on Saturdays, each is assigned a specific concourse, and they rotate every hour so they don't become stale on a concourse.

Q Do you have an operating procedure they use?

A We have a list that covers about every incident

that can possibly happen in a mall. When each new guard is employed we go through a training procedure, we go over the manual with them. We have a corporal now from the Baltimore County Police, who will be a sergeant shortly, and he goes over all of the material with them himself. When they come with us they are assigned to a man who has been with us quite some time. Our training procedure lasts about 2 weeks. With police training, frankly that is just about all they need.

Q Have you had any problems in the mall that require the calling of the security force?

A We have occasionally disorderly conduct. That is just about it.

Q Have those instances where this has happened involved adults or juveniles?

A They have all been adult.

Q Have you had any problem or near problems involving juveniles?

A We have, in the context of the size we are, occasional loitering. We do not allow loitering. The men are trained to stop loitering. I have yet to see a police

mistake a customer or a tenant for someone who is loitering.

Q They are instructed to handle loitering and you have it under control to such a degree you haven't had any complaints?

A We haven't had any complaints.

Q Are there other uses in the mall that attract juveniles primarily?

A Yes. Women's dress shops, a few gift shops and restaurants, and so forth.

Q Your mix in the shopping mall on any given day there are already many juveniles?

A Yes, there are.

Q Do you feel this use would be a special attraction to them?

A Absolutely not.

Q There are required, by the regulations, certain things that we have to show. I would like to ask you these questions now. Do you feel that this use would in any way be detrimental to the health, safety, or general welfare of the locality involved?

A Absolutely not.

Q Also, in your experience as a mall manager do you feel that it would in any way tend to create congestion in the roads, streets, or alleys?

A No.

Q Do you feel it would tend to create a potential hazard from fire, panic, or other dangers?

A No.

Q Would it tend to interfere with adequate provisions for schools, parks, water, sewerage, transportation, or other public requirements, conveniences, or improvements?

A No.

Q Would it in any way interfere with adequate light and air?

A Absolutely not.

CROSS-EXAMINATION BY MR. HESSIAN

Q The movie does not operate past 10:00 o'clock, is that your testimony?

A No. My testimony was the last show begins at 10:00 o'clock.

Q So that if, then, you close the game room at

9:30, which would make its closing time comparable with everything else, - Baskin-Robbins and the movies, - then subsequent noises would be an intensification on Friday and Saturday nights; the last showing of the movie would not find the game room open when they came out?

A That is exactly right.

Q You understand this is the fear these folks have?

A Yes, sir.

Q Will you tell us what is the games mix?

A I am not prepared to comment on the games mix. I think the next witness would be better able to explain that.

Q Have I expressed myself clearly as to the purpose of these gentlemen here?

A I may comment that the closing time of the movie, after the last show lets in, there is a big iron gate that closes the entrance to the movie; we encourage our patrons to go out the side entrance and into the parking lot, only when the movie is excessively hot and a full house. When they come out we have a maintenance man to scrub the concourse. So if they do come out, fortunately they filter

through the side entrance and then go out.

Q I hate to press on this; I want to get it very definitely in the record. Is it your intent to have this game room closed at 9:30 so there is no possibility that the patrons of the movie coming out after the last show or next to last show really will have access to it?

A Absolutely, the game room is to be closed at 9:30.

MR. REITER: Well, if the Board saw fit to grant it, we would put a restriction as to that.

MR. ALDERMAN: Already in the file are comments of the various departments.

MR. REITER: Do you want to introduce the file specifically?

MR. ALDERMAN: Yes.

MR. HESSIAN: I have no objection.

(Received in evidence as Petitioner's Exhibit No. 3.)

Q (By Mr. Alderman) Mr. Zook, this plat that is on the board doesn't show it but you are familiar also with the parking at the DeBartolo center in the Security Square Mall?

A Yes.

Q Is there adequate parking to satisfy the requirements of the zoning regulations for this specific use?

A Yes, there is.

Q At this time let me show you another plat which has marked on it also an indication of the subject site and an indication of the parking areas and specific parking designated for use in conjunction with it.

A There is parking to satisfy that plan.

MR. ALDERMAN: We would offer this as Petitioner's Exhibit No. 4.

(Received in evidence as Petitioner's Exhibit No. 4.)

Q (By Mr. Hackett) How do you train your security force to handle loitering?

A They are trained by the County Police Department to do that. We do it in accordance with the loitering law. I think it is written that if a person is standing in front of the store without an intention to buy, it is loitering. If they do not disperse, we eject them from the mall. We have ejected several people. We have taken a hard line, and I think the kids are street-wise now, they don't come in and loiter; they know we will not permit them to do it.

MR. HESSIAN: Mr. Hackett, up until about a year and a half ago the decision of the Supreme Court was to the effect these mallways were actually open to the public, and then the Supreme Court straightened up on that and now the shopping center owner does have some authority.

T H O M A S P O P L A R, called in behalf of the petitioner, having been duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. ALDERMAN

Q State your name and address, please, sir.

A Thomas Poplar, 8475 Crystal Drive, Boardman, Ohio.

Q Mr. Poplar, what is your occupation?

A I am with the Edward T. DeBartolo Corporation and have been for seven years.

Q What is your capacity with the DeBartolo Corporation?

A Today my position is Director of Fun N Games Associates. I was a manager for the first 4 years, between 1968 and 1972.

Between 1972 and the better half of 1973 I served

in a leasing capacity as the corporation sales manager. In early 1974 I transferred to the position I now enjoy.

Q In that position have you been responsible for the opening of the Fun N Games room in all the malls where they now exist?

A I have, with the exception of the first one, a pilot store in the Youngstown area. Boardman is a suburb of Youngstown but it could be construed as Youngstown.

Q This was back in the early days?

A That is right. It was the very first Fun N Games store and, as a matter of fact, the very first store of ours that was not in a mall; it was a strip center, an uncovered mall or string of stores, which we refer to as a strip center.

Q In order to refresh your recollection, was this prepared by you and your organization, alist of all of the malls that contain Fun N Games rooms and other rooms at the present time?

A That is correct.

Q When was this first mall opened, that you just described?

A Boardman Plaza was opened November 8, 1973.

Q Prior to that had Fun N Games type rooms been operated by other tenants, lessees and others of your mall?

A That is correct. Prior to our getting into the business the developer saw fit to give other tenants, and who now are, in fact, in competition, operate and lease this type of business in our malls.

Q You obviously saw it was a good thing and you got into it yourselves?

A That is right.

Q In all instances were you a tenant operating a Fun N Games room, - are you a tenant of your own landlord?

A That is correct, we are. We have seven leases out for signatures in North Carolina and four in Ohio, with other developers.

Q But at the present time they are all in your own malls?

A That is correct.

Q Since the first one opened, - when did you say, in November of 1973?

A Yes.

Q How many have you opened since that time?

A Fourteen.

Q That list is fairly representative now of all of those that are open, or are some in the lower category that leases were pending at the time it was prepared? If any of those have since been opened, I would appreciate it if you marked those now.

A I would say this list is accurate here. It is an accurate representation.

MR. ALDERMAN: We offer this.

MR. REITER: These are actually in operation now?

MR. ALDERMAN: They are designated by category. The first group operates under operation Fun N Games & Associates, and below that, in operation by other tenants in DeBartolo malls, and finally those that are pending, which is the one in Baltimore, you will see is included.

Q (By Mr. Reiter) Are any of these in strip type centers?

A Boardman Plaza.

Q From your experience is there any difference in

security or difference in the operation of those in that one strip as opposed to those in a mall?

A Yes, there is a great deal of difference, Mr. Chairman. As an example, in the strip center like the Boardman Plaza, they are not necessarily required to conform to closing hours, since there is no common entrance, nor is there a common egress from it to this building. So as a result the store at the Boardman Plaza is open on Fridays until midnight and Saturdays until midnight, and throughout the week until 11:00 p.m.

This is the most significant in terms of security and the approach to the customer.

As a general statement, we do have little business in the plaza type operation until well into the evening, compared to the mall where it is more of a daytime operation.

Q Have the tenants that surround you enjoy your presence?

A In the plaza?

Q Yes.

A That is a good question.

Q (By Mr. Alderman) When you say the plaza, you mean the Boardman strip center?

A Yes, the Boardman Plaza, the strip center. Immediately next to us is a restaurant, - Antoletta's Pizza Restaurant and Cokes, and they do enjoy it because it is lucrative. If they had their druthers I would suspect they would favor this type operation, where you have specifically both the operation and the hours.

Now the hours are significant.

Q (By Mr. Reiter) I am trying to resolve in my own mind one thing I know is a problem in your mall type business.

A I think the second difference, when you are in a plaza like that you can't control the element as it leaves your store, because it is now, if you will, on common property, sidewalks, as opposed to leaving the store in a mall where you walk onto a patrolled area. It is not the case in a plaza where you are walking immediately on a parking lot, and you have a different configuration where it comes to secured premises.

It is controllable, though, if the management so

chooses to control it.

Q (By Mr. Alderman) Since you have been involved in the Fun N Game centers in all the other malls that are listed there, would you give us an idea of the size, for example, as it would compare to other malls, - is it comparable in size?

A The range in size varies greatly. The reason for it is that in the centers we are operating, as was testified a moment ago, we were not the innovators of the game room, as opposed to taking advantage of what we had seen and was proven to us. I can answer that question yes, in our operation there is a great variance in size, the smallest being about 700 square feet and the largest being about 2,500 square feet.

But the reason for this is that we went in after the fact and we are not a preferred lessee in that when a mall was being built did we handpick the room and the size we wanted.

When we got involved in it we were more or less taking spaces that were becoming unleaseable, and it was more or less a vacant room.

In the future we will be a preferred tenant and we will handpick an area for ourselves in the area of 1,700 square feet, which, incidentally, is about exactly what this one is.

Q (By Mr. Reiter) Do you find the landlord picking a spot for you?

A I would expect, of course, he would give us only the best; I would hope that would happen but it does not happen.

Q (By Mr. Alderman) When you are negotiating leases with landlords other than DeBartolo Corporation would you find that the landlord is directing you to many different locations?

A He is. There are several reasons for it. If you will examine that plot plan there, between Sears and Hochschild-Kohn and Penney's there is a ratio that must be maintained between men's specialty, women's specialty, and shoe stores stimulate what we call traffic flow between the department stores. A family entertainment center would not qualify in maintaining this ratio, meaning we would have an entrance I won't say off the concourse, what the

developer calls the main entrance but it is not on the main drag to diminish from this ratio that must be maintained, I think, by lease agreement.

Q You found, to be a success in other centers, you found that as a fact?

A We found that as a fact but not in direct relation to more business but as a lessee agreement between the department stores who increase their clothing ratio that stimulates traffic flow in shopping.

Q Discussing motoring problems at Security, the problems you seem to indicate, it has been oriented to the balance of the mix of stores?

A No. That is a question that by the nature of my business, one that is automatic, and it is one that I am glad is automatic because unfortunately in some cases it is just a little misunderstood; I would rather clear the air. Frankly, some of their preliminary reaction, - "Who needs it."

However, I encourage that objection, because in a matter of a few short minutes, with testimony and evidence and experience, - frankly in our business there is a particular

publication called the "National Mall Monitor". I am sure that in all of your businesses you have unique publications. The retailer of the month, in the month ending April, 1975, is Aladdin's Castle, a competitor of ours, and a great deal of pride is stimulated in our industry in that Aladdin's Castle is the national retailer of the month, - so this business is here and it is really being recognized quickly.

Q Do you have photographs that would fairly depict some of the other locations in the mall sites?

A I brought photographs of four storefronts: one is in Daytona Beach; one in Indianapolis, a new store; one in Orlando, Florida. I have pictures of three storefronts, and a typical room setting from a fourth store.

Q Do any of these storefronts fairly depict the storefront that would be built at this particular location?

A Yes. This is a 15-foot-width store; ours is going to be 17 feet. So this is very close to what it will look like.

Q The others are at the locations that are indicated in writing on the specific photographs?

A Yes.

MR. ALDERMAN: We offer these three as exhibits.

(Received in evidence as Petitioner's Exhibits 6-A, 6-B, and 6-C.)

Q Do these next set of three photographs fairly depict the interior of similar locations to the one you propose to locate at Security Mall?

A Yes, they do. These are designed to show the merchandise mix, the overall, impeccably maintained condition.

MR. ALDERMAN: We also offer these.

(Received in evidence as Petitioner's Exhibits 6-D, 6-E, and 6-F.)

Q The other malls, they operate under similar closing hours?

A They do.

Q Does this mean that they close at 9:30?

A Whatever the closing time.

Q Do they all operate with similar security setups that are established?

A They do.

Q Would you say that the setup at the Security Square Mall as being an overall security policy of the

DeBartolo Corporation?

A Yes.

Q As a matter of curiosity, for the Board and everyone, about how much leased mall area would the DeBartolo Corporation have in operation at the present time?

A I am sorry I am not sure I understand the question.

Q About how much total leased mall type area would the DeBartolo Corporation have in operation at the present time, if you can answer the question?

A I don't think I am qualified to answer that perhaps as much as Mr. Zook.

Do you mean the total leaseable space in all of the projects across the country?

Q Yes.

A I would say about 25 million square feet. Out of 24 operating malls about 1 million square feet each.

Q Would the location and the operation in Security Mall differ in any way from the locations, generally speaking, and the operation of other malls where the Fun N Games were established?

A No. It is just too much of a pattern now. There is no great variation anymore.

Q In the other malls have you had any complaints from surrounding tenants regarding the Fun N Games rooms?

A No, sir, not of any nature that I could testify, deny or admit. I would be less than honest if I didn't say there was an incident or two where a neighboring tenant may have said to my manager, "Hey, can you keep it down a little bit?"

I couldn't in good faith say no but I wouldn't care to be misquoted; that is the problem.

Q Have you ever had what you would call problems in other mall areas where the security force was not able to adequately handle?

A I don't know that this is the time I should make it clear or not but we don't by any means employ a full-time management team on it. The premises has an adequate full-time staff and a team that is very versatile, and the fellow who is the agent or manager is, in fact, an electrical engineer who can take apart a machine, a very versatile man, as a matter of fact, quite a few years my senior. The

man I have is 37 years old.

Q Now the full-time manager of other Fun N Game groups?

A Yes. They are flanked with a part-time staff, fully supervised at all times.

Q All right. While we are talking about the room, let us talk about that a little more. Will you, at this location, sell any food or cigarettes?

A No.

Q Would you sell Cokes or similar drinks?

A Not only don't we sell it, it is our company's policy not to allow it in the room. It is a maintenance hazard having pops spilled on our carpeting, and we spend a good bit of money for our carpet. We would not allow cigarettes for one reason that it would be a hazard to our carpeting, and it just would not be good to have a parent and preschooler walking by my room and seeing a smoke-filled room. We are a family entertainment center, and everything we stand for leads to family entertainment.

Q Smoking, then, is not allowed in the room itself and this is enforced by the manager?

A That is right, and it is not dictatorship; it is a few rules we have that is conducive to a profit-making business, and they exercise it rigidly.

Q You say also for maintenance purposes you don't allow anybody to eat and drink pop or anything on the premises?

A That is true, primarily for maintenance reasons, but yet on the overall part we want to be in a sit-down place for pizzas and Cokes. That is not good for us.

Q You are one of the directors of DeBartolo who hire and fire and control the managers?

A I am. At the management level we will come in 5 or 6 months after we are open and help straighten out the procedure, and generally, for moral purposes, we allow the manager to hire the part-time help. This is good policy in that the ownership, in absentia, I wouldn't want the part-time help to feel their overall management came from me; it is our personal policy to allow the manager, with my help, to actually hire the part-time staff.

Q Is this writing something that was prepared by you, fairly depicting the proposed game mix and the room to

be located in Security Mall?

A That is right.

MR. ALDERMAN: I would like to offer this. (Received in evidence as Petitioner's Exhibit No. 7.)

Q This is a similar mix to other Fun N Games rooms operating in other mall areas?

A It is.

Q Is this a similar mix to the Fun N Game room that would be fairly depicted in the photographs that were introduced as Exhibit 6?

A It is, yes.

MR. REITER: I notice on there, I think there are 35 of these, is that right?

MR. ALDERMAN: Thirty-five games rooms, yes.

Q (By Mr. Reiter) On Petitioner's Exhibit, the one you are talking about, there are no more than 33?

A Mr. Chairman, that is very possible that these were prepared at different times. That is not rigid. The sheet of paper wasn't meant to be what is proposed for this particular room, and only this room, and no changes. That would be more or less a general preparation of what we have

done elsewhere.

Q Well, can you operate with 30 machines?

A Yes.

Q (By Mr. Alderman) You heard testimony of Mr. Zook. Are you also aware of the knowledge of the other tenants in Security Mall, at the proposed location of this Fun N Games room?

A I am.

Q Have you received any complaints from any of these tenants?

A I have not, whatsoever. As a matter of fact, there is a little story behind it.

Q As a result of some information that came to my attention, subsequent to a review of the file and subsequent to the Zoning Commissioner's hearing, did I notify you there appeared there might have been a complaint issued by either Equitable Trust Company or Security Optical Company, or both?

A You did.

Q Did you have a chance to discuss this with these people?

A I did, at some length. As a matter of fact, they did most of the discussing and told me that they very frankly are somewhat misquoted, if you will, and I realize that may be a very strong word but I can't think of a better one, and the result, you can see there.

Q Are these letters, which you received from the respective tenants, the Equitable Trust Company and from Dr. Michael Birnbaum, the optician who operates, I understand they are either adjoining or very close to it, the optician being directly next door?

A That is correct.

Q And the bank is directly on the end?

A That is correct.

Q They are the two tenants?

A That is right.

Q (By Mr. Hackett) Do you own the machines?

A It is a combination, sir. We have not yet decided on the accurate formula, whether to lease or whether to purchase, but it is a good question, and I wish I knew the answer to it.

The answer, we own 75 pieces out of a total

of 100 that we use. We are finding that because of the resale value of pinball machines and its appeal, that it extends into years, pinball is a good investment to purchase. We find that the more glamorous and more sophisticated, the TV type and video games has an appeal for about 8 months and the retail value on it is practically nothing.

So as a result of those findings we lease those games at very high rent, a lot higher than we think is fair. When we lease the machines we have the privilege to send them back at will, outside of the first 13 weeks or so.

Q Just for my own edification do you have any feeling for how much per customer is spent? I am curious. Do you have, generally speaking, younger people in there?

A I don't know. I will be glad to answer that in bits and pieces. It is my feeling there are pinball freaks who really enjoy pinball. They may spend as much as $5.00 per night. The average player will use his quarters he has in his pocket, and take advantage of the bill-changer and try another couple of pinballs and maybe one or a couple of the fancy ones.

It is a very difficult question to answer.

I would say our very good customers could spend as much as $5.00 a night, and those are the really good ones who could tell me which machines to get.

MR. REITER: Petitioner's Exhibit 8 will be a letter from the Equitable Trust Company, addressed to the County Board of Appeals, and Petitioner's Exhibit No. 9 will be a letter addressed to the County Board of Appeals from Dr. Michael Birnbaum. (Received in evidence as Petitioner's Exhibits No. 8 and No. 9.)

CROSS-EXAMINATION BY MR. HESSIAN

Q You have to forgive me; I am the resident skeptic, and oftentimes it will save a lot of time. Here is the preface: in Baltimore County I ask you to accept as correct that there have been some difficulties with a number of these game owners. Mr. Tillman and Mr. Williams are concerned, with the community, that this will not turn out to be a hangout for teenagers, narcotics, disorderliness, inordinate noise, people lounging against the wall on the outside, such as we have here in Towson.

Will you make a definitive statement, for the

record, what steps you will obligate yourselves to take to see that that sort of occurrence, or those occurrences, if the special exception is granted, will not occur at this location?

A I will be glad to. I would be redundant, and I would answer that in two areas.

Number one, with the responsibility that I have to my employer, that it is far greater than the responsibility to any requirements of any board, any county, any locale, any commissioner. Frankly, it involves my career; it involves the goodwill that the DeBartolo Corporation has enjoyed, and has built with tenants depicted on that plat, that we cannot survive without the goodwill of those tenants.

So not only do I obligate myself to that, not what I want but I must.

The second reason is, this business, gentlemen, is a profit motive, and I assure you that I am going to do it with or without an obligation to you, because it will not be patronized if it is patronized in the manner you ask it not to be.

If I am answering your questions in two areas:

not will I do it, - I have no choice; this is a million-dollar company, gentlemen.

Q That leads me to the second question. What assurance could the Board have that the management, as proposed, with your assurances, will continue, and that the operation will not be sold to some local concern which might not attempt to continue with the standards that you are setting?

A I would recommend to the Board that the permit be contingent upon the ownership for Fun N Games Associates, and would automatically expire upon the sale of the company.

MR. REITER: Is that the petitioner's case?

MR. ALDERMAN: Yes, sir.

D O N A L D E. T I L L M A N, called in behalf of the protestants, having been duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. HESSIAN

Q State your name and address, please, sir.

A Donald E. Tillman, 2105 Rolling Road, Baltimore, Maryland. I represent the Rolling Road Farms Community Association, Inc.

Q (By Mr. Reiter) All right, Mr. Tillman.

A We are a concerned association and primarily because we are residents within the area. We are located essentially right below the mall on Rolling Road. I do have a map, if you think it is necessary to show you our development.

Q I think the Board is familiar with it. We know where it is.

A We are located right in the immediate area. We do have, as a community of parents, an association that is in the area, and we do have some very strong feelings as to this. We have had some problems in one of the closed shopping centers lately, that has caused aggravation, - Chadwick.

But it is a different type of zoning operation, - strip versus mall.

Q Do they have a game center there?

A No, but we have a problem with youngsters and teenagers and dope. It is a congregating thing without it. So we don't feel we want to invite any activity that would cause even more. We don't feel we can compare that shopping center with Security Mall.

As an association we are worried as to the element that will draw there and what detrimental effect it will have on our youngsters because, as you are well aware, we have a lot of preteens who use the movie, who use the ice cream areas, the entrance to the mall, and it could be very inviting to them with the kind of pinball machines and things of that nature, to bring youngsters to activities we don't feel are healthy for our youngsters.

That is one strong objection plus the fact it is inviting an element that could be very detrimental to the type of family shopping and dropping the kids off to run in to a movie, and things of that nature, we feel could cause some problems.

The association and the parents feel there are primarily three detrimental effects on the community, and that is attractiveness to juveniles, teenagers; loitering conditions. We feel that particular location is a problem because it is directly opposite the theatre. It is next to the ice crea. reas where there are younger children of the community, and families, are dropped off and picked up and sometimes waiting around after the theatre is over, and

that could be a problem to us.

We also are afraid that this is a trend-setter, not with the Security Mall alone but what would be the next step, probably Chadwick or some other mall, attempting to take over the same type operation.

If it proves to be a very lucrative type business it would be expanded to two or three or four times its size at these Fun N Game centers, probably managed, we agree, adequately as the mall but you can also find guns and game centers on The Block, that are not in that category, with the pinball machines and other things, so we are worried about our community here.

That is primarily our interest in the case. We feel that the mall does an excellent job and keeps the place clean and well controlled.

Q How are they doing now?

A It is a very well kept mall. We are pleased with the fact they do keep it clean inside and they do protect it, and it is adequate today, but would it be adequate with an additional type of activity, in that it may tax the existing security force and cause additional problems.

We also are afraid there will be loitering and congestion at the entrance into the theatre and the ice cream parlor, and dropping youngsters off, in and out. The location is one that gives maximum exposure when those machines would be participating.

That is the case to us. I guess the major problem is what would this precedent do in allowing either expansion of this particular element, if they grant this zoning, additional places will be built, and this were put in a different area, why wouldn't this allow other shopping centers to do the same thing.

Would this deteriorate what we think is already a very fine shopping center? It could in the sense only depreciate and not add to it if it is not properly taken care of. We are very concerned about that part of it.

Q (By Mr. Hessian) Mr. Tillman, you have mentioned the question of precedent. Do I take it you are concerned that if this petition is granted or, in the alternative, it is granted in such a fashion that it is granted by its own terms, does not show this can be considered a special area, an area different from the normal shopping center, this

might be used as a precedent for the expansion of this sort of use in other shopping centers?

A Very much so, especially as previous testimony showed that where there is a difficulty in leasing tenants will come in that are undesirable, that will not police it, not take proper care of it, and cause the problems, especially at closing time and things of that nature.

The hours here are such that it would not interfere totally with what we have considered acceptable, but another type operation could open early and stay late. It is a real concern to us.

CROSS-EXAMINATION BY MR. ALDERMAN

Q You are aware, I think, I will point out that this petition is for a special exception for just this area, this 1,400-some-odd square feet, and that it couldn't be expanded without coming in and asking for another special exception, or any other area they would seek to encompass?

A Yes, but I have a fear this would allow a very easy move of expansion of what is existing at the time, or there. Then the fact, you know, we do not have a recourse

if it is an unacceptable type operation, if it does cause problems, if there is loitering, if there is drugs.

Once it is in, it is in. With a special exception it will have different legal conditions and people are not willing to step out to something that is already there, to cause a confrontation; they will live with a lot of things once it is in there.

EXAMINATIONS CONCLUDED

MR. REITER: Is that the protestants' case?

MR. HESSIAN: Yes, sir.

MR. REITER: The Board will take the case under advisement.

MR. ALDERMAN: We would reiterate our willingness to accede to the closing hours being 9:30, for a year's probationary period.

Also to the other, the testimony of Mr. Poplar, in that we would be willing to accept a condition as to the contingencies on the exceptions, that it would remain in the ownership of the Fun N Games Associates.

MR. HESSIAN: May I have the Board's permission

for one further thing? In the event the Board does deem it proper to grant this, may I have the testimony transcribed and could it be made a permanent part of your file so that in the event the question arises next year you will have it immediately in front of you and have a comparison?

MR. REITER: That would be a good idea.

We will issue a written Order. Appeal time will run from the date of our written decision and not from today's date.

* * *

I N D E X

Witnesses for the Petitioner	Direct	Cross	Redirect	Recross
David S. Zook	3	12		
Thomas Poplar	16	36		
Witness for the Protestants				
Donald E. Tillman	38	43		

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

75-106-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Arthur D. Wolfcale, Jr., Managing Partner
SECURITY SQUARE ASSOCIATES (An Ohio General Partnership)

I, or we, legal owner... 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 (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Laws of Baltimore County, from an XXXX

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
for an Amusement Center
S/S Security Boulevard, East : COUNTY BOARD OF APPEALS
of Rolling Road
1st District : OF
Security Square Associates
Petitioners : BALTIMORE COUNTY
Fun N Games Associates
Contract Purchaser : No. 75-106-X

: :

OPINION

This case comes before the Board of Appeals by the Petitioners from an Order of the Zoning Commissioner of Baltimore County, dated December 13, 1974, denying the request for an Amusement Center in the Security Square Shopping Center.

The property in question is a 1497 square foot parcel, site of building 837, Security Square Shopping Center, South of Security Boulevard, East of Rolling Road, in the First Election District of Baltimore County, Maryland, and is owned and would be operated by the Petitioners, Mr. Edward T. DeBartolo and Mr. Arthur D. Wolfcale, Jr.

The Petitioners' testimony concerned their proposed use of this site, the way it would be operated, the security forces provided and a history of their other fourteen similar uses. This special exception, while listed as an amusement center, would actually be used to conduct a games room containing 1497 square feet, located inside the shopping mall. The following main points were attested to by the Petitioners:

a. The game room would be open only from 10:00 a.m. to 9:30 p.m., Monday through Saturday. No hours on Sunday at all.

b. No eating, drinking or smoking would be allowed in the room.

c. No more than thirty-four game machines would be used in this room.

d. Presented pictures of some of their operations in other shopping centers. They are now operating fourteen game rooms in other locations.

e. The Mall is fully protected by security forces, thoroug[illegible] trained, roaming freely throughout the Mall, and equipped with walkie-talkie radios.

f. No complaints have been received from other tenants concerning this type of operation. They did in fact present letters from two neighboring businesses; i.e., Security Optical, Room 841, and The Equitable Trust Company, actually endorsing the use of this parcel as a game room.

g. This game room will be operated by the owners of the Security Square Shopping Center, and would not under any circumstances be sub-leased to others.

h. All five questions relating to the issuance of a special exception (Section 502.1) were answered negatively.

This, in essence, was the Petitioners' case.

The Protestants were represented by Mr. Donald Tillman, 2105 Rolling Road, representing the Rolling Road Farms Community Association. He stated that area residents are concerned about these types of businesses because of the undesirable element they may attract. He also stated that the residents are very happy with the present condition of the Mall as far as cleanliness, security patrols, etc. He stated that the granting of this special exception could open the door to other similar uses in other neighborhood areas, with a resulting detrimental effect throughout. He was also critical of the proposed location of this game room since it would be in the proximity of both the ice cream parlor and the movie. He did admit, however, that if properly operated, this use would not be violently disagreeable.

After consideration of the above facts, the Board feels that the requirements of Section 502.1 have been met, and that the denial of the requested special exception would be without valid reason. It is, therefore, the opinion of the Board that the special exception for an amusement center should be granted, subject to restrictions.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 12th day of June, 1975, by the County Board of Appeals, ORDERED that the special exception for an Amusement Center petitioned for, be and the same is hereby GRANTED, subject to the following restrictions.

1. That this special exception shall remain valid for only one year from the date of the opening of the game room. Prior to the expiration of this restriction, the Petitioner shall apply to the Zoning Commissioner for a Special Hearing to determine, in the descretion of the Zoning Commissioner, whether or not this special exception shall be extended.

2. That this business must be operated by the owners of the Mall, and may not be subleased to other operators.

3. That this use shall be continued only in the 1497 square feet originally applied for, and shall not be expanded.

4. That no more than thirty (30) machines shall be in operation at any one time.

5. That this game room be open for business only from 10:00 a.m. to 9:30 p.m., Monday through Saturday.

6. That all security measures be enforced to prevent loitering and disorderly conduct detrimental to adjacent businesses.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

John A. Miller

William T. Hackett

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
S/S of Security Boulevard, E of Rolling
Road - 1st District : DEPUTY ZONING
Security Square Association - Petitioner
NO. 75-106-X (Item No. 56) : COMMISSIONER
: OF
: BALTIMORE COUNTY

::: ::: :::

This Petition represents a request for a Special Exception for an amusement center (park). The property in question consists of a store within the Security Square Mall. Said store having a floor area of 1,497 square feet.

Testimony presented on behalf of the Petition did not satisfactorily meet the requirements for granting a Special Exception as established under Section 502.1 of the Baltimore County Zoning Regulations, and must be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13TH day of December, 1974, that the Special Exception for an amusement center (park) be and the same is hereby DENIED.

James E. Dyer
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE [illegible]
BY [illegible]

1-SIGN 75-106-X

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting JAN 25 1975
Posted for: APPEAL
Petitioner: SECURITY SQUARE ASSOCIATES
Location of property: S/S OF SECURITY BOULEVARD, E. OF ROLLING ROAD
Location of Signs: 50' +or- W OF SECURITY SQUARE SHOPPING CENTER BLDG. ENTRANCE
Remarks: IN PLANTING AREA
Posted by Thomas R. Roland (Signature) Date of return: JAN 31, 1975

1-SIGN 75-106-X

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting OCT. 19 1974
Posted for: PETITION FOR SPECIAL EXCEPTION
Petitioner: SECURITY SQUARE ASSOC.
Location of property: S/S OF SECURITY BLVD. E OF ROLLING RD.
Location of Signs: 50' +or- W OF SECURITY BLVD. BUILDING ENTRANCE TO SECURITY SQUARE SHOPPING CENTER
Remarks: IN PLANTING AREA
Posted by Thomas R. Roland (Signature) Date of return: OCT. 25, 1974

PETITION FOR SPECIAL EXCEPTION — 1ST DISTRICT

ZONING: Petition for Special Exception for an Amusement Center (Park).
LOCATION: South side of Security Boulevard East of Rolling Road.
DATE & TIME: Thursday, November 14, 1974 at 10:00 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 Exception for an Amusement Center (Park).

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

THIS DESCRIPTION IS TO ACCOMPANY A PETITION FOR AN AMUSEMENT PARK

Beginning for the same at a point located S 25° 00' 00" E 1500.00 feet from a point on the south side of Security Boulevard, 120 feet wide, as shown on the plats of "Security Square Shopping Center" recorded among the Land Records of Baltimore County in Plat Book O.T.G. 35, pages 141 and 142, said last mentioned point being distant 22.00 feet, as measured westerly along said south side of Security Boulevard from its intersection with the center line of Rolling Road, 50 feet wide, as shown on said plats, said beginning point being on the outside face of the partition wall of a store building, and at the center line of the partition wall between the building on the parcel being described and the building on the parcel adjoining thereon to the northwest, running thence along the outside face of said first mentioned wall, (1) S 25° 00' 00" E 13.00 feet to the center line of another partition wall, thence binding on said last mentioned partition wall, (2) S 65° 00' 00" W 33.33 feet to the outside face of the southwest wall of said store building, thence binding on the outside face of said last mentioned wall, (3) N 25° 00' 00" W 13.00 feet to the center line of the partition wall, thence binding on the center line of said first mentioned partition wall, thence reversing three courses: (4) N 65° 00' 00" E 11.33 feet, (5) S 25° 00' 00" E 13.00 feet, and (6) N 65° 00' 00" E 22.00 feet to the place of beginning.

Containing 1497 square feet of land.

Being the property of Security Square Associates (An Ohio General Partnership), as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, November 14, 1974 at 10:00 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By Order of
S. ERIC DINENNA
Zoning Commissioner of
Baltimore County

Oct. 17.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 17, 1974.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time successive weeks before the 14th day of November, 19 74, the first publication appearing on the 17th day of October 19 74.

THE JEFFERSONIAN,
S. Luck Streuchler
Manager.

Cost of Advertisement, $

ORIGINAL

OFFICE OF
THE CATONSVILLE TIMES

CATONSVILLE, MD. 21228 Oct. 21 19 74

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric DiNenna
Zoning Commissioner of Baltimore County
was inserted in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one xxxxxxxxxx week before the 21 day of Oct. 19 74, that is to say the same was inserted in the issues of Oct. 17 - 1974.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

PETITION FOR SPECIAL EXCEPTION
1st DISTRICT

ZONING: Petition for Special Exception for an Amusement Center (Park).
LOCATION: South side of Security Boulevard East of Rolling Road.
DATE & TIME: THURSDAY, NOVEMBER 14, 1974 at 10:00 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 Exception for an Amusement Center (Park).

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

THIS DESCRIPTION IS TO ACCOMPANY A PETITION FOR AN AMUSEMENT PARK

Beginning for the same at a point located S 25° 00' 00" E 1500.00 feet from a point on the south side of Security Boulevard, 120 feet wide, as shown on the plats of "Security Square Shopping Center" recorded among the Land Records of Baltimore County in Plat Book O.T.G. 35, pages 141 and 142, said last mentioned point being distant 22.00 feet, as measured westerly along said south side of Security Boulevard from its intersection with the center line of Rolling Road, 50 feet wide, as shown on said plats, said beginning point being on the outside face of the partition wall of a store building and at the center line of the partition wall between the building on the parcel being described and the building on the parcel adjoining thereon to the northwest, running thence along the outside face of said first mentioned wall, (1) S 25° 00' 00" E 13.00 feet to the center line of another partition wall, thence binding on said last mentioned partition wall, (2) S 65° 00' 00" W 33.33 feet to the outside face of the southwest wall of said store building, thence binding on the outside face of said last mentioned wall, (3) N 25° 00' 00" W 13.00 feet to the center line of the partition wall, thence binding on the center line of said first mentioned partition wall, thence reversing three courses: (4) N 65° 00' 00" E 11.33 feet, (5) S 25° 00' 00" E 13.00 feet, and (6) N 65° 00' 00" E 22.00 feet to the place of beginning.

Containing 1497 square feet of land.

Being the property of Security Square Associates (An Ohio General Partnership) as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, November 14, 1974 at 10:00 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY

Oct. 17.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 21 day of Aug 1974. Item #

S. Eric DiNenna,
Zoning Commissioner

Petitioner Mr. A. Wolfcale Submitted by Mr. R. Morten
Petitioner's Attorney Mr. T. McDonough Reviewed by MBC

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

Reviewed by: N. B. C.
Previous case:

Revised Plans:
Change in outline or description ___Yes ___No
Map #

JAN 28 1977

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
for an Amusement Center
S/S Security Boulevard, East
of Rolling Road : COUNTY BOARD OF APPEALS
1st District
Security Square Associates : OF
Petitioners
Fun N Games Associates : BALTIMORE COUNTY
Contract Purchaser : No. 75-106-X

: :

OPINION

This case comes before the Board of Appeals by the Petitioners from an Order of the Zoning Commissioner of Baltimore County, dated December 13, 1974, denying the request for an Amusement Center in the Security Square Shopping Center.

The property in question is a 1497 square foot parcel, site of building 837, Security Square Shopping Center, South of Security Boulevard, East of Rolling Road, in the First Election District of Baltimore County, Maryland, and is owned and would be operated by the Petitioners, Mr. Edward T. DeBartolo and Mr. Arthur D. Wolfcale, Jr.

The Petitioners' testimony concerned their proposed use of this site, the way it would be operated, the security forces provided and a history of their other fourteen similar uses. This special exception, while listed as an amusement center, would actually be used to conduct a games room containing 1497 square feet, located inside the shopping mall. The following main points were attested to by the Petitioners:

a. The game room would be open only from 10:00 a.m. to 9:30 p.m., Monday through Saturday. No hours on Sunday at all.

b. No eating, drinking or smoking would be allowed in the room.

c. No more than thirty-four game machines would be used in this room.

d. Presented pictures of some of their operations in other shopping centers. They are now operating fourteen game rooms in other locations.

e. The Mall is fully protected by security forces, thoroughly trained, roaming freely throughout the Mall, and equipped with walkie-talkie radios.

f. No complaints have been received from other tenants concerning this type of operation. They did in fact present letters from two neighboring businesses; i.e., Security Optical, Room 841, and The Equitable Trust Company, actually endorsing the use of this parcel as a game room.

g. This game room will be operated by the owners of the Security Square Shopping Center, and would not under any circumstances be sub-leased to others.

h. All five questions relating to the issuance of a special exception (Section 502.1) were answered negatively.

This, in essence, was the Petitioners' case.

The Protestants were represented by Mr. Donald Tillman, 2105 Rolling Road, representing the Rolling Road Farms Community Association. He stated that area residents are concerned about these types of businesses because of the undesirable element they may attract. He also stated that the residents are very happy with the present condition of the Mall as far as cleanliness, security patrols, etc. He stated that the granting of this special exception could open the door to other similar uses in other neighborhood areas, with a resulting detrimental effect throughout. He was also critical of the proposed location of this game room since it would be in the proximity of both the ice cream parlor and the movie. He did admit, however, that if properly operated, this use would not be violently disagreeable.

After consideration of the above facts, the Board feels that the requirements of Section 502.1 have been met, and that the denial of the requested special exception would be without valid reason. It is, therefore, the opinion of the Board that the special exception for an amusement center should be granted, subject to restrictions.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 12th day of June, 1975, by the County Board of Appeals, ORDERED that the special exception for an Amusement Center petitioned for, be and the same is hereby GRANTED, subject to the following restrictions.

1. That this special exception shall remain valid for only one year from the date of the opening of the game room. Prior to the expiration of this restriction, the Petitioner shall apply to the Zoning Commissioner for a Special Hearing to determine, in the descretion of the Zoning Commissioner, whether or not this special exception shall be extended.
2. That this business must be operated by the owners of the Mall, and may not be subleased to other operators.
3. That this use shall be continued only in the 1497 square feet originally applied for, and shall not be expanded.
4. That no more than thirty (30) machines shall be in operation at any one time.

5. That this game room be open for business only from 10:00 a.m. to 9:30 p.m., Monday through Saturday.
6. That all security measures be enforced to prevent loitering and disorderly conduct detrimental to adjacent businesses.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

John A. Miller

William T. Hackett

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
S/S of Security Boulevard, E of Rolling
Road - 1st District : DEPUTY ZONING
Security Square Association - Petitioner
NO. 75-106-X (Item No. 56) : COMMISSIONER
: OF
: BALTIMORE COUNTY

::: ::: :::

This Petition represents a request for a Special Exception for an amusement center (park). The property in question consists of a store within the Security Square Mall. Said store having a floor area of 1,497 square feet.

Testimony presented on behalf of the Petition did not satisfactorily meet the requirements for granting a Special Exception as established under Section 502.1 of the Baltimore County Zoning Regulations, and must be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13th day of December, 1974, that the Special Exception for an amusement center (park) be and the same is hereby DENIED.

Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE December 13, 1974
BY Helen Delaney
ADMINISTRATIVE SECRETARY

1-SIGN 75-106-X

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting JAN 25 1975
Posted for: APPEAL
Petitioner: SECURITY SQUARE ASSOCIATES
Location of property: S/S OF SECURITY BOULEVARD E. OF ROLLING ROAD
Location of Signs: 50' +or- W/OF SECURITY SQUARE SHOPPING CENTER BLDG. ENTRANCE
Remarks: IN PLANTING AREA
Posted by Thomas R. Bolard (Signature) Date of return: JAN 31, 1975

1-SIGN 75-106-X

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting OCT. 19 1974
Posted for: PETITION FOR SPECIAL EXCEPTION
Petitioner: SECURITY SQUARE ASSOC.
Location of property: S/S OF SECURITY BLVD. E. OF ROLLING RD.
Location of Signs: 50' +or- W OF SECURITY BLVD. BUILDING ENTRANCE TO SECURITY SQUARE SHOPPING CENTER
Remarks: IN PLANTING AREA
Posted by Thomas R. Bolard (Signature) Date of return: OCT. 25, 1974

PETITION FOR SPECIAL EXCEPTION — 1ST DISTRICT

ZONING: Petition for Special Exception for an Amusement Center (Park).
LOCATION: South side of Security Boulevard East of Rolling Road.
DATE & TIME: THURSDAY, NOVEMBER 14, 1974 at 10:00 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 Exception for an Amusement Center (Park).

All that parcel of land in the First District of Baltimore County.

SPECIAL EXCEPTION FOR AN AMUSEMENT CENTER (PARK)

Beginning for the same at a point located S 25° 00' 00" E 1304.34 feet from a point on the south side of Security Boulevard, 150 feet wide, as shown on the plats of "Security Square Shopping Center" recorded among the Land Records of Baltimore County in Liber G.L.B. 32, page 111 and 112, said point being located 172.19 feet, more or less, measured westerly along said south side of Security Boulevard from its intersection with the center line of Road 2, 60 feet wide, as shown on said plats, running from the aforementioned beginning point four courses: (1) S 25° 00' 00" E 14.00 feet, (2) N 65° 00' 00" E 24.00 feet, (3) N 25° 00' 00" W 14.00 feet, and (4) N 65° 00' 00" E 24.00 feet to the place of beginning.

Containing 1497 square feet of land.

THIS DESCRIPTION IS FOR SPECIAL EXCEPTION PURPOSES ONLY

Beginning for the same at a point located S 25° 00' 00" E 1319.34 feet from a point on the south side of Security Boulevard, 150 feet wide, as shown on the plats of "Security Square Shopping Center" recorded among the Land Records of Baltimore County in Plat Book O.T.G. 32, 111 and 112, said last mentioned point being located 172.19 feet, more or less, measured westerly along said south side of Security Boulevard from its intersection with the center line of Road 2, 60 feet wide, as shown on said plats, said beginning point being on the outside face of the northeast wall of a store building and at the center line of a partition wall between the building on the parcel being described and the building on the parcel adjoining thereto to the northwest, running thence along the outside face of said first mentioned wall, (1) S 25° 00' 00" E 14.00 feet to the center line of another partition wall, thence binding on said last mentioned partition wall, (2) S 65° 00' 00" W 24.00 feet to the outside face of the southeast wall of said store building, thence binding on the outside face of said last mentioned wall, (3) N 25° 00' 00" W 14.00 feet to the center line of the partition wall first hereinbefore mentioned, and thence binding on the center line of said first mentioned partition wall, (4) N 65° 00' 00" E 24.00 feet to the place of beginning.

Containing 1497 square feet of land.

Being the property of Security Square Associates (An Ohio General Partnership), as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, November 14, 1974 at 10:00 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY

Oct. 17.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 17, 1974.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time successive weeks before the 14th day of November, 19 74, the first publication appearing on the 17th day of October 19 74.

THE JEFFERSONIAN,
S. Frank Streaker
Manager.

Cost of Advertisement, $

ORIGINAL

OFFICE OF
THE CATONSVILLE TIMES

CATONSVILLE, MD. 21228 Oct. 21 - 19 74

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric DiNenna
Zoning Commissioner of Baltimore County

was inserted in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 21 day of Oct. 19 74 that is to say, the same was inserted in the issue of Oct. 17 - 1974.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

PETITION FOR SPECIAL EXCEPTION
1st DISTRICT

ZONING: Petition for Special Exception for an Amusement Center (Park).
LOCATION: South side of Security Boulevard East of Rolling Road.
DATE & TIME: THURSDAY, NOVEMBER 14, 1974 at 10:00 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 Exception for an Amusement Center (Park)

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

SPECIAL EXCEPTION FOR AN AMUSEMENT CENTER (PARK)

Beginning for the same at a point located S 25° 00' 00" E 1080.00 feet from a point on the south side of Security Boulevard, 150 feet wide, as shown on the plats of "Security Square Shopping Center" recorded among the Land Records of Baltimore County in Liber G.L.B. 32, page 111 and 112, said last mentioned point being distant 32.00 feet, as measured westerly along said south side of Security Boulevard from its intersection with the center line of Road 2, eighty feet wide, as shown on said plats, running from the aforementioned beginning point four courses: (1) S 25° 00' 00" E 24.00 feet, (2) S 65° 00' 00" W 24.00 feet, (3) N 25° 00' 00" W 24.00 feet, and (4) N 65° 00' 00" E 24.00 feet to the place of beginning.

Containing 1000 square feet of land.

Beginning for the same at a point located S 25° 00' 00" E 1180.00 feet from a point on the south side of Security Boulevard, 150 feet wide, as shown on the plats of "Security Square Shopping Center" recorded among the Land Records of Baltimore County in Plat Book O.T.G. 32, pages 111 and 112, said last mentioned point being located 172.19 feet, more or less, measured westerly along said south side of Security Boulevard from its intersection with the center line of Road 2, 60 feet wide, as shown on said plats, said beginning point being on the outside face of the northeast wall of a store building and at the center line of a partition wall between the building on the parcel being described and the building on the parcel adjoining thereto to the northwest, running thence along the outside face of said first mentioned wall, (1) S 25° 00' 00" E 1.00 feet to the center line of another partition wall, thence binding on said last mentioned partition wall, (2) S 65° 00' 00" W 21.33 feet to the outside face of the southwest wall of said store building, thence binding on the outside face of said last mentioned wall, (3) N 25° 00' 00" W 26.00 feet to the center line of the partition wall first hereinbefore mentioned, and thence binding on the center line of said first mentioned partition wall, thence courses: (4) N 65° 00' 00" E 21.33 feet, (5) S 25° 00' 00" E 25.00 feet, and (6) N 65° 00' 00" E 60.00 feet to the place of beginning.

Containing 1497 square feet of land.

Being the property of Security Square Associates (An Ohio General Partnership), as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, November 14, 1974 at 10:00 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 21 day of Aug 1974. Item #

S. Eric DiNenna,
Zoning Commissioner

Petitioner Mr. A. Wolfcale Submitted by Mr. R. Morten
Petitioner's Attorney Mr. T. McDonough Reviewed by MBC

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map date	Wall Map by	Original date	Original by	Duplicate date	Duplicate by	Tracing date	Tracing by	200 Sheet date	200 Sheet by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

Reviewed by: N.B.C.
Previous case:

Revised Plans:
Change in outline or description ___Yes ___No
Map #

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

No. 16946

DATE Oct. 15, 1974 ACCOUNT 01-662

AMOUNT $50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Messrs. Royston, Mueller, Thomas & McLean
102 W. Penna. Ave.
Towson, Md. 21204
Petition for Special Exception for Security Square Associates------75-106-X

50.00

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

No. 17425

DATE January 7, 1975 ACCOUNT 01-662

AMOUNT $70.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Thomas F. McDonough, Esquire
Cost of Filing of an Appeal on Case No. 75-106-X (Item No. 56)
S/S of Security Boulevard, E of Rolling Road - 1st Election District
Security Square Associates - Petitioner

70.00

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

No. 17112

DATE Nov. 14, 1974 ACCOUNT 01-662

AMOUNT $57.75

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Messrs. Royston, Mueller, Thomas & McLean
102 W. Penna. Ave.
Towson, Md. 21204
Advertising and posting of property for Security Square Associates------75-106-X

57.75

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

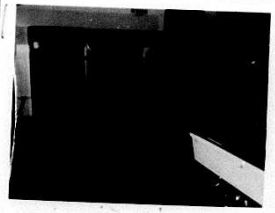
No. 17419

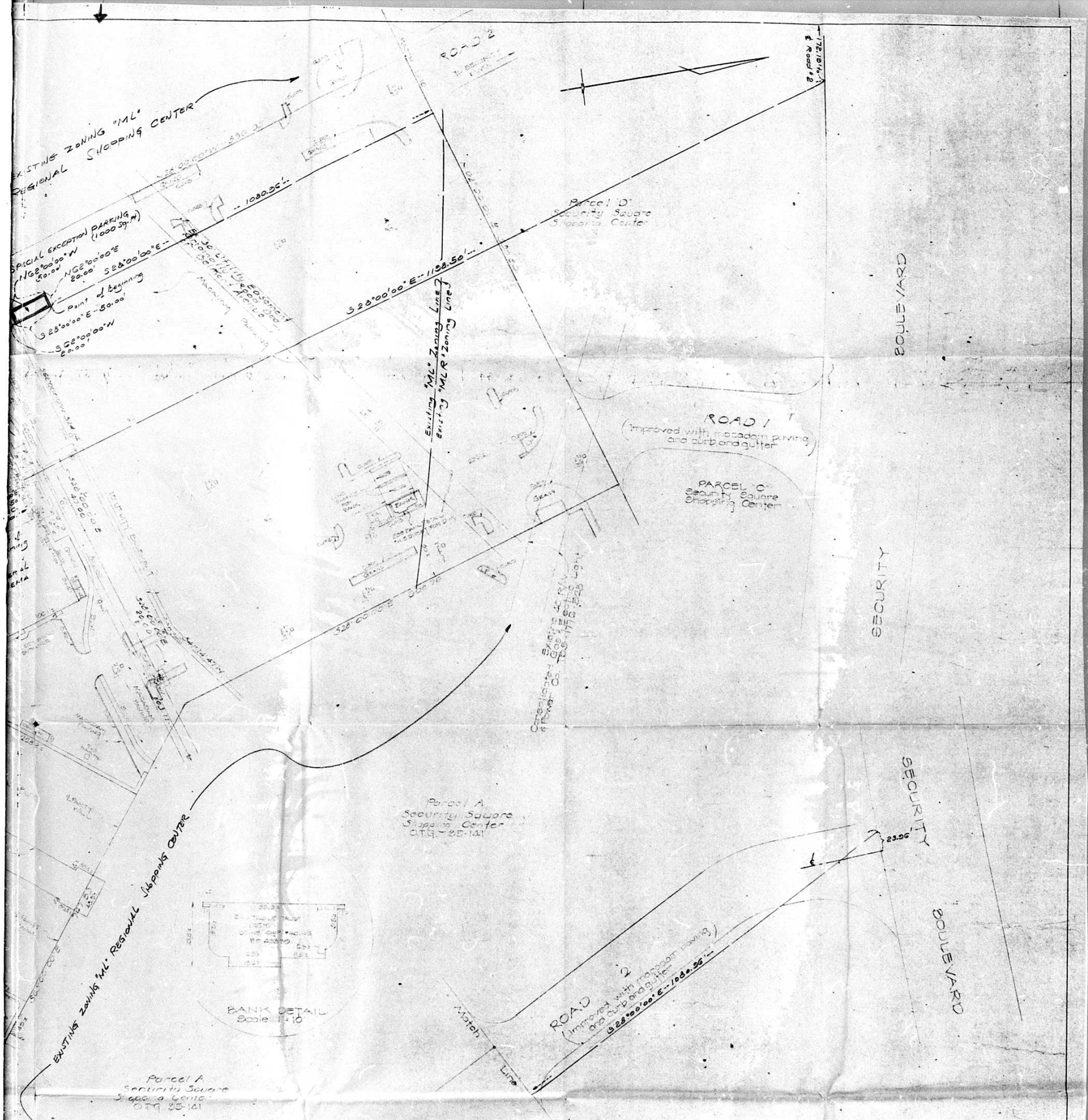
DATE January 21, 1975 ACCOUNT 01-662

AMOUNT $5.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Thomas F. McDonough, Esquire
Cost of Posting Property of Security Square Associates for an Appeal Hearing
S/S of Security Boulevard, E of Rolling Road - 1st Election District
Case No. 75-106-X (Item No. 56)





GENERAL NOTES

1. Total Area of Shopping Center = 108.7799 Ac.
2. Area of Shopping Center owned by Petitioner = 45.18 Ac.
3. Existing Zoning of Site: "ML" & "MLR"
4. Existing use of Site: "Regional Shopping Center"
5. Proposed Zoning of Site: "ML" "MLR" & "ML with Special Exception (0.034 Ac. ± (1497 Sq.Ft.) within the Mall Building.
6. Off-Street Parking:
   A. Drive in Bank = 553 Sq.Ft. requiring 2 P.S. (1/300 Sq.Ft.)
   B. Retail Area (including Mall, = 321,110 Sq.Ft. requiring 460 P.S. (1/600 ±)
   C. Total Area of "Fun 'N Games" = 1497 Sq.Ft. requiring 5 P.S. (1/300 ±)
   D. Total Spaces required = 4613
   E. Existing Spaces = 4815 (by physical count)
7. Petitioner is requesting a Special exception to permit an amusement Park (Game Room) within the confines of the Mall Building pursuant to Sections 103.1, 253.1, & 230.4 of the Ba. to. Co. Zoning Regulations.
8. Game Room will consist of 17 Pinball machines, 3 Football games, & 10 Electronic T.V. Games.
9. Hours of Operation will coincide with those of the Shopping Center-Mall

PLAT TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION TO PORTION OF PROPERTY
KNOWN AS
SECURITY SQUARE SHOPPING CENTER

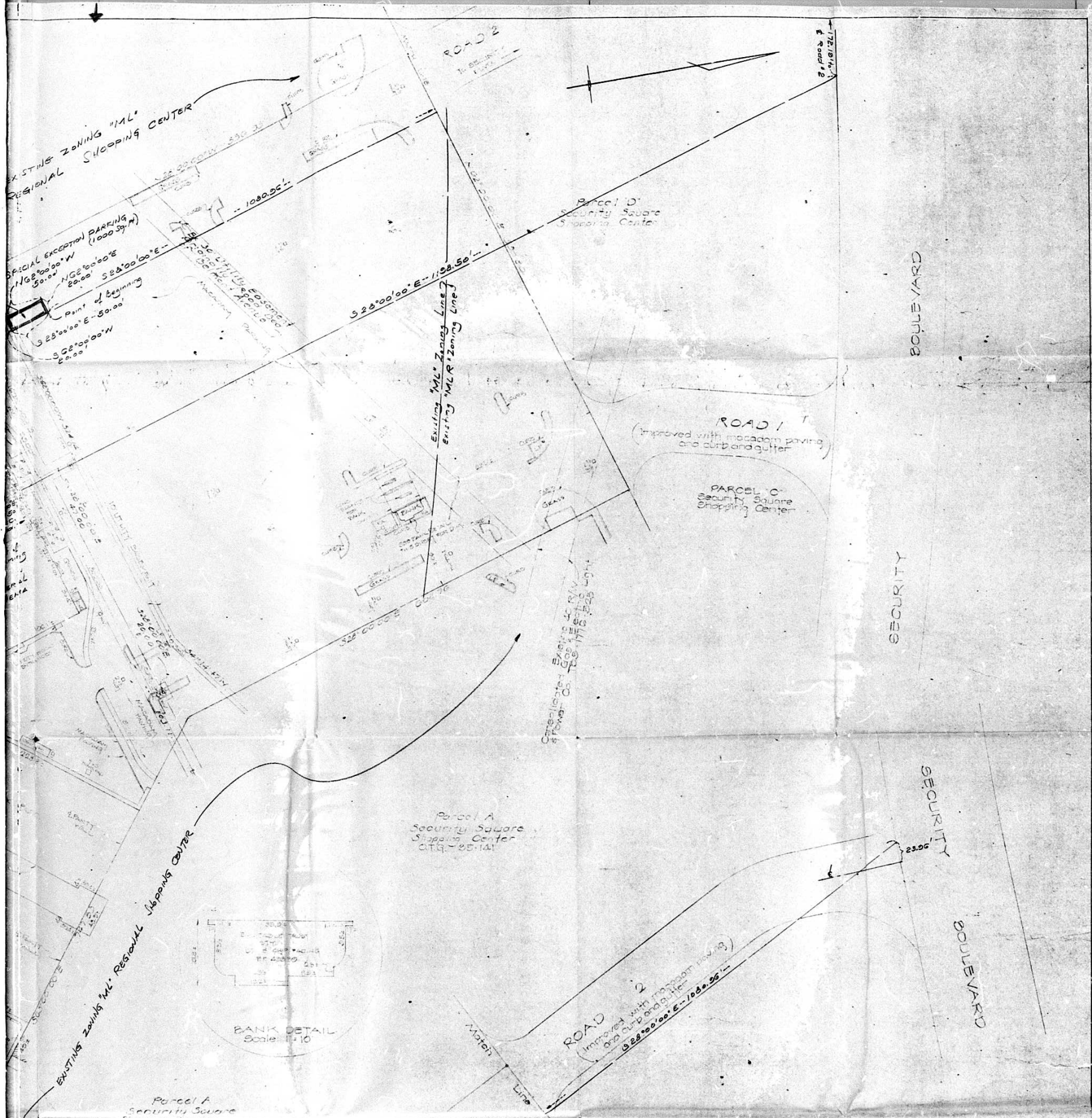
Election Dist #1 — Baltimore County, Md.
Scale: 1"=50' — August 28, 1974

STATE OF MARYLAND — PAUL LEE — REGISTERED PROFESSIONAL ENGINEER

MCA Engineering Corporation
1050 Cromwell Bridge Road
Towson Md. 21204

68-13

JAN 28 1977



GENERAL NOTES

1. Total Area of Shopping Center = 108.7799 Ac.
2. Area of Shopping Center owned by Petitioner = 45.18 Ac.
3. Existing Zoning of Site: "ML" & "MLR"
4. Existing use of Site: "Regional Shopping Center"
5. Proposed Zoning of Site: "ML" "MLR" & "ML with Special Exception (0.034 Ac. ± (1497 Sq.Ft) within the Mall Building.
6. Off-Street Parking:
   A. Drive in Bank = 553 Sq.Ft. requiring 2 P.S. (1/300 Sq. Ft.)
   B. Retail Area (including Mall) = 321,110 Sq.Ft requiring 4806 P.S. (1/200 ft²)
   C. Total Area of "Fun 'N Games" = 1497 Sq.Ft. requiring 5 P.S. (1/300 ft²)
   D. Total Spaces required = 4813
   E. Existing Spaces = 4813 (by physical count)
7. Petitioner is requesting a Special exception to permit an amusement Park (Game Room) within the confines of the Mall Building pursuant to Sections 103.1, 253.1, & 230.4 of the Balto. Co. Zoning Regulations.
8. Game Room will consist of 17 Pinball machines, 3 Football games, & 10 Electronic T.V. Games.
9. Hours of Operation will coincide with those of the Shopping Center Mall

PLAT TO ACCOMPANY PETITION.
FOR
SPECIAL EXCEPTION TO PORTION OF PROPERTY
KNOWN AS
SECURITY SQUARE SHOPPING CENTER

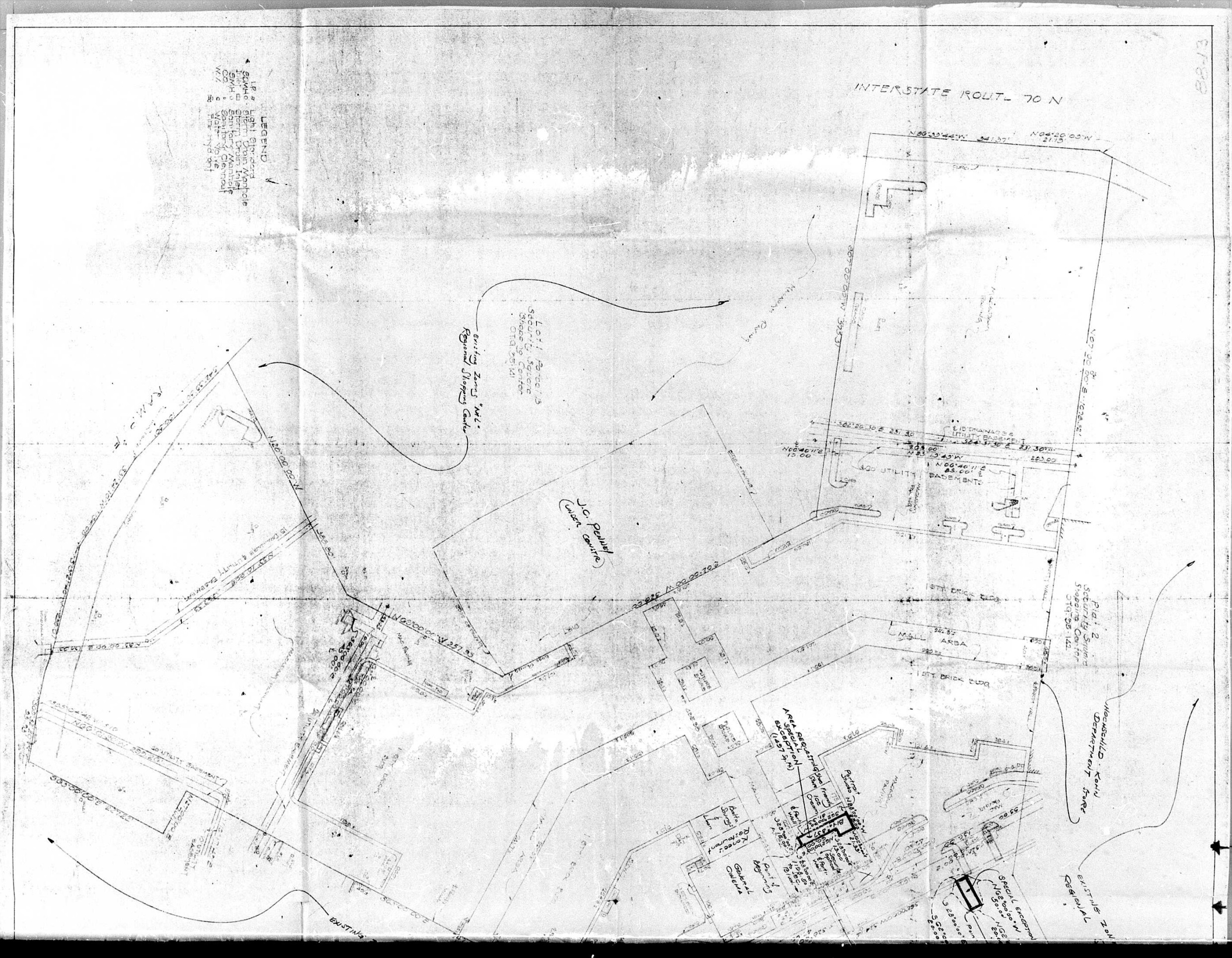
Election Dist #1 — Baltimore County, Md.
Scale: 1" = 50' — August 28, 1974

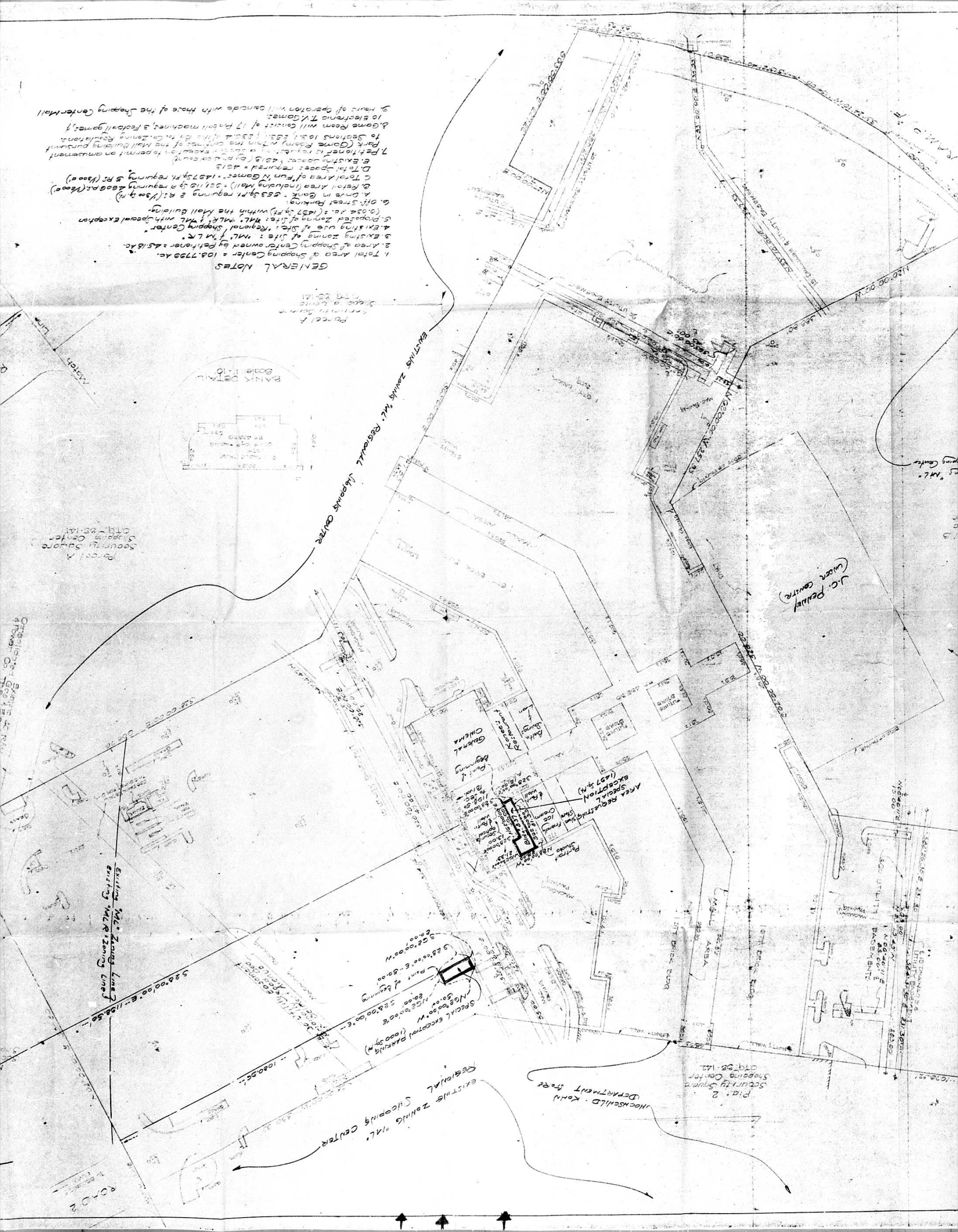
STATE OF MARYLAND — PAUL LEE — No. 4861 — REGISTERED PROFESSIONAL ENGINEER

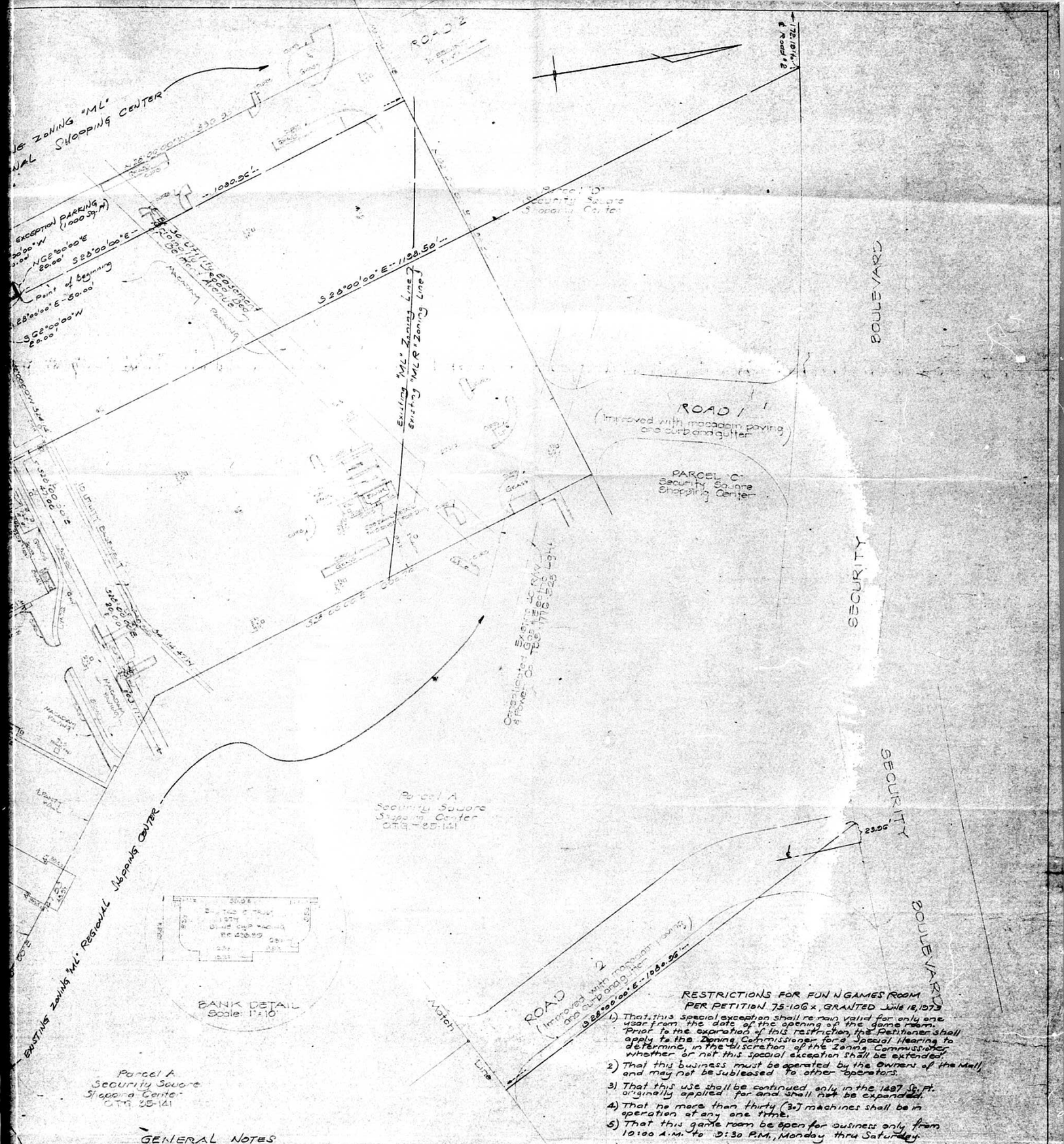
MCA Engineering Corporation
1020 Cromwell Bridge Road
Towson Md. 21204

C693

JAN 28 1977


INTERSTATE ROUTE 70 N
LEGEND
Light Standard
Storm Drain Manhole
Storm Drain Inlet
Sanitary Manhole
Sanitary Cleanout
Water Valve
Fire Hydrant
Lot 1 Portions
Security Square
Shopping Center
Existing Zones "M-1"
Regional Shopping Center
J.C. Penney
(Under Construction)
Lot 2
Security Square
Shopping Center
Mall Area
1st Brick Bldg
Highshield - Kohn
Department Store
Area Requesting Special Exception
Special Exception
Existing Zone
Regional
General Cinema
Point of Beginning
Patriot Square
Ice Cream
Restaurant
Drive Thru
Utility Easements
Drainage & Utility Easement


GENERAL NOTES
1. Total area of Shopping Center = 108.7799 ac.
2. Area of Shopping Center owned by Petitioner = 45.18 ac.
3. Existing zoning of site: "MC" & "M LR".
4. Existing use of site: "Regional Shopping Center"
5. Proposed Zoning of site: "MC" & "MC with Special Exception"
(0.034 ac. ± (1487 sq.ft) within the Mall Building.
6. Off Street Parking:
A. Drive in Bank: 353 sq.ft. requiring 2 S.S (1/300 sq.ft)
B. Retail Area (including Mall) = 321,115 sq.ft requiring 4608 P.S. (1/200 ft)
C. Total Area of "Fun 'N Games" = 14,875 sq.ft. requiring 5 P.S (1/300 ft)
D. Total Spaces required = 4818
E. Existing Spaces (4818 (as per court)
7. Petitioner is requesting a special exception to permit an amusement park (Game Room) within the confines of the Mall Building pursuant to Sections 1B.3.1, 1B.3.1.1 and 1B.3.1.2 of the Zoning Regulations.
8. Game Room will consist of 17 Pinball machines, 3 Foosball games, & 10 electronic T.V. Games.
9. Hours of operation will coincide with those of the Shopping Center Mall
EXISTING ZONING "MC" & "M LR"
EXISTING ZONING "MC" REGIONAL SHOPPING CENTER
Parcel A
Security Square
Shopping Center
CTA-'88-141
Parcel 2
Security Square
Shopping Center
CTA-'88-141
J.C. Penney
(Outer Center)
Parcel 2
Security Square
Shopping Center
CTA-'88-141
JHOCHSCHILD - KOHN
DEPARTMENT Store
EXISTING ZONING "MC" REGIONAL SHOPPING CENTER
SPECIAL EXCEPTION PARCEL (1000 sq.m)
N 68°00'00" W
N 68°00'00" E
S 68°00'00" E
S 68°00'00" W
Point of Beginning
S 68°00'00" E - 1100.00'
S 68°00'00" E - 1100.00'
Point of Beginning
AREA REQUESTING SPECIAL EXCEPTION (1487 sq.ft)
Point of Beginning
Point of Beginning
Existing Mall Building
Existing Mall Building
Existing Mall Building



Parcel A
Security Square
Shopping Center
CTG 25-141

GENERAL NOTES

1. Total Area of Shopping Center = 108.7799 Ac.
2. Area of Shopping Center owned by Petitioner = 45.18 Ac.
3. Existing Zoning of Site: "ML" & "MLR"
4. Existing use of Site: "Regional Shopping Center"
5. Proposed Zoning of Site: "ML", "MLR" & "ML with Special Exception (0.034 Ac. ± (1497 Sq.Ft) within the Mall Building.
6. Off-Street Parking:
   A. Drive in Bank = 553 Sq.Ft. requiring 2 P.S. (1/300 Sq.Ft.)
   B. Retail Area (including Mall) = 321,110 Sq.Ft requiring 4606 p.s. (1/200 a')
   C. Total Area of "Fun 'N Games" = 1497 Sq.Ft. requiring 5 P.S (1/300 a')
   D. Total Spaces required = 4613
   E. Existing Spaces = 4913 (by physical count)
7. Petitioner is requesting a Special exception to permit an amusement Park (Game Room) within the confines of the Mall Building pursuant to Sections 103.1, 253.1, & 236.4 of the Balto. Co. Zoning Regulations.
8. Game Room will consist of 17 Pinball machines, 3 Football games, & 10 Electronic T.V. Games.
9. Hours of Operation will coincide with those of the Shopping Center Mall

RESTRICTIONS FOR FUN N GAMES ROOM PER PETITION 75-106 x, GRANTED June 18, 1975

1) That this special exception shall remain valid for only one year from the date of the opening of the game room. Prior to the expiration of this restriction, the Petitioner shall apply to the Zoning Commissioner for a Special Hearing to determine, in the discretion of the Zoning Commissioner, whether or not this special exception shall be extended.
2) That this business must be operated by the owners of the Mall and may not be subleased to other operators.
3) That this use shall be continued only in the 1497 Sq.Ft. originally applied for and shall not be expanded.
4) That no more than thirty (30) machines shall be in operation at any one time.
5) That this game room be open for business only from 10:00 A.M. to 9:30 P.M., Monday thru Saturday.
6) That all Security measures be enforced to prevent loitering and disorderly conduct detrimental to adjacent businesses.

PLAT TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION TO PORTION OF PROPERTY
KNOWN AS
SECURITY SQUARE SHOPPING CENTER

Election Dist #1 — Baltimore County, Md.
Scale: 1"=50' — August 28, 1974

STATE OF MARYLAND — PAUL F. E. — No. 10000 — PROFESSIONAL ENGINEER

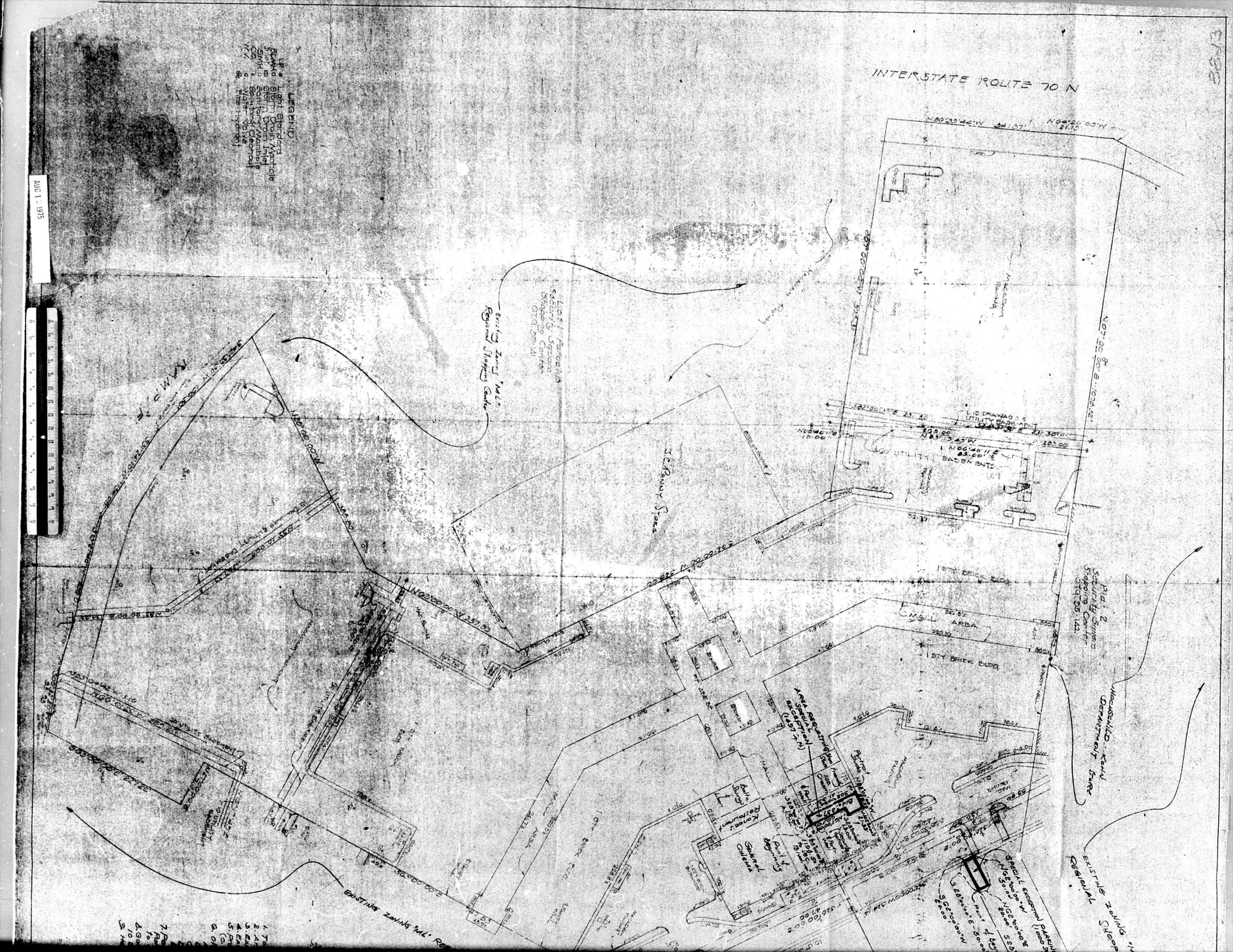
MCA Engineering Corporation
1060 Cromwell Bridge Road
Towson Md. 21204

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: John J. Levy
DATE: 8/11/75
75-106-X

AUG 12 1975

No.	Revision	Date
1	Added Restrictions Passed By Bd. of Appeals	7-30-75

GENERAL NOTES
1. Total area of Shopping Center = 108.7799 Ac.
2. Area of Shopping Center owned by Petitioner = 45.18 Ac.
3. Existing zoning of site : "M.L." & "M.L.R."
4. Existing use of site : "Regional Shopping Center"
5. Proposed Zoning of site : "M.L." & "M.L." with Special Exception
(0.034 Ac. ± (1487 sq.ft) within the Mall building.
6. Off Street Parking:
A. Drive in Bank : 353 sq.ft requiring 2 RS (1/300 sq.ft)
B. Retail Area (including Mall) = 261,110 sq.ft requiring 4600 R.S. (1/200 sq.ft)
C. Total Area of "Fun 'N Games" = 1497.59 sq.ft requiring 5 RS (1/300 sq.ft)
D. Total Spaces required = 4613
E. Existing Spaces = 4513 (by physical count)
7. Petitioner is requesting a special exception to permit an amusement park (Game Room) within the confines of the Mall building pursuant to Sections 101.1, 253.1, 236.4 of the Balto. Co. Zoning Regulations
8. Game Room will consist of 17 Pinball machines, 3 Foosball games, & 10 electronic TV Games
9. Hours of Operation will coincide with those of the Shopping Center Mall
EXISTING ZONING "M.L." & "M.L.R."
EXISTING "M.L." ZONING LINE
S28°00'00"E-1198.50'
EXISTING ZONING "M.L." REGIONAL SHOPPING CENTER
REGIONAL SHOPPING CENTER
SPECIAL EXCEPTION PARKING (1000 sq.ft)
N62°00'00"W 80.00'
N62°00'00"E 80.00'
S28°00'00"E 80.00'
Point of Beginning
S62°00'00"W 80.00'
N62°00'00"W 80.00'
AREA REQUESTING SPECIAL EXCEPTION (1487 sq.ft)
Point of Beginning
Petitioner's Studio
Ice Cream Shop
Pizza Shop
Sub Shop
Gourmet Cuisine
Pretzel Shop
Gourmet Cuisine
Bakery
Bakery
Bakery


INTERSTATE ROUTE 70 N
LEGEND
Light Standard
Storm Drain Manhole
Storm Drain Inlet
Sanitary Manhole
Sanitary Cleanout
Water Valve
Fire Hydrant
Existing Zoning "M1" Regional Shopping Center
Plat 2 Security Square Shopping Center Stg 85-142
MEADOW RUNG
MALL AREA
1STY BRICK BLDG
Area Requiring Special Exception (1497 A.M.)
Point of Beginning
Point of Beginning
Point of Beginning