

PETITION FOR SPECIAL EXCEPTION

366 87-485-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, tenant(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Video Arcade.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Form with fields for Tenant, Resort Amusements, Inc., 12017 Ridge Valley Drive, Owings Mills, MD 21117, Attorney for Petitioner, G. Farrell Russell, Jr., 209 Courtland Avenue, Towson, MD 21204, and Attorney's Telephone No. (301) 321-8818.

MAP NE 124, 3C, 9, DATE 5/16/87, 200, 1600, DP

IN RE: PETITION FOR SPECIAL EXCEPTION S/S Allegheny Ave., 350' W of York Rd. (13 Allegheny Ave.) 9th Election District 4th Councilmanic District BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Nathan M. Harris Petitioner Case No. 87-485-X

The Petitioner herein requests a special exception for a video arcade at the above-referenced location, as more particularly described on the plan submitted, prepared by T & T Surveying, Inc., and identified as Petitioner's Exhibit 3.

Resort Amusements, Inc., the contract tenant of the subject property, was represented by Counsel who presented testimony in support of the project. Numerous Protestants appeared and were represented by Counsel.

Testimony on behalf of Resort Amusements, Inc. indicated that the Petitioner proposes to use the property, correctly identified as 13A West Allegheny Avenue, for a video arcade and that the previous location for this arcade, 403 York Road, is no longer available due to the redevelopment plans for the 400 Block of York Road. The York Road location was granted a special exception for an arcade on May 31, 1984 (Case No. 84-324-XA). A co-owner of the establishment testified that his experience in the field extends at least 8 years and that the former location was open from October 1983 to January 1987. The proposed site is an improvement over the former location because there is no adjacent vacant building. About 16 parking spaces are available in the rear, in addition to parking at metered spaces on the street, and on a nearby municipal lot. Approximately 35 to 42 machines are proposed. The public area will be 784 sq.ft. with another 232 sq.ft. set aside for office and maintenance equipment (see drawing submitted and identified as Petitioner's Exhibit 5). Two persons, one

ORDER RECEIVED FOR FILING Date 7/16/87 By Beth Salzman

directly responsible to him, will staff the establishment at peak times, identified as 12:00 PM to 2:00 PM and 7:00 PM to 10:00 PM weekdays, as well as after 10:00 PM on weekends. It is his intention to run a family entertainment center. He never received a complaint from Police, nearby businesses, the Towson Business Association, or the Towson Development Corporation regarding the former location. He offered to be responsible for trash removal from the site, including the front of the building and adjacent areas and to have those areas cleaned twice each day.

A commercial real estate agent considered a number of Towson locations before suggesting the instant site. That agent testified that she assumed the landlord worked in the best interests of the area in the matter of consideration for the neighborhood.

The man who managed the former location for three years and is the proposed manager for the Allegheny Avenue site testified that he has been in the video arcade business for ten years and reports directly to the owner. He has taken equipment repair courses and provides general management for personnel and equipment. The maximum number of machines proposed for this location is 40. The business hours proposed for Monday through Friday will be 11:00 AM to midnight, Friday and Saturday from 11:00 AM to 1:00 AM and on Sunday from 12:00 PM to midnight. During the daytime at the former location, one employee was always on duty. Inside rules included no smoking, food or drinks, no one under 18 years of age during school hours, no foul language, and no rough-housing. His instructions to the 3 to 5 employees were to give one warning for customer misbehavior; if there was a second offense, the person was asked to leave; and if a third offense occurred, the person was banned from the arcade. Persons were asked to take drinks and smoking outside the building. If patrons sat outside the building to smoke and drink, employees asked them to move. He has called the Police

ORDER RECEIVED FOR FILING Date 7/16/87 By Beth Salzman

on approximately 8 to 10 occasions to ask young persons to move away from the front of the building. He was unaware that the business had not complied with Restriction #5 of the Order in Case #84-324-XA.

Two adult customers testified on behalf of the Petitioner. A local businessman frequented the former location for 1 to 2 hours each day, sometime between 3:00 PM and 9:00 PM, 5 days a week for 3 years. In his opinion the appearance of the business was clean and well-organized with no smoking, drinking or swearing allowed inside, and no loitering allowed in or outside the building. The staff managed by being on the floor policing and asking rule-breakers to leave. The daytime customers were business people, from 3:00 PM to 7:00 PM, aged 20 to 50 years, and from 7:00 PM to 9:00 PM youngsters from age 15 through the 20's. A local attorney was a regular lunchtime customer. Most customers at that time were blue and white-collared businessmen. Rules and regulations were strictly enforced and one staff member was always on the floor.

The Police Commander of the Towson Precinct from September 1986 to date, testified that the records showed two officers were assigned to a selective enforcement detail to concentrate on the area from the public library north for one and one-half blocks and to enforce the loitering laws. The special detail grew out of complaints from businesses. Since November 1986, there has been no police program in the area related to loitering and since the closing of the former arcade location in January 1987, there has been no loitering problem.

A member of the Board of the nearby Penthouse Apartments testified that foul language, intimidation of women, debris (including cans and bottles), and loitering were present outside the former location. The Penthouse Board unanimously opposes the instant petition because the unit block of Allegheny Avenue is utilized heavily by residents at night and on the weekends. Penthouse residents include a number of older persons, handicapped persons, and neighborhood

ORDER RECEIVED FOR FILING Date 7/16/87 By Beth Salzman

walkers. Those residents fear real or perceived threats from potential customers and fear those excluded from the arcade for misbehavior will congregate in and around their building.

A nearby businessman testified that excessive trash, loitering and foul language, which existed while the former location was in operation, disappeared when that business closed. In his opinion, an undesirable element left the area when the arcade closed. Allegheny Avenue is a quiet, shopping street, different from York Road, which is a State highway with heavy traffic and no street parking during the day, and thus the proposed site is an even poorer location for an arcade.

The President of the Greater Towson Council of Community Associations testified that the Council opposes the Petition. She noted that the Zoning Commissioner's Order (Case #84-324-XA) for the prior location was considered a compromise and that the reality around that site had been detrimental to the area: walkers spat upon, pushing, shoving, minor assaults, etc.

The Director of the Towson Development Corporation testified that his organization advocates healthy, economic growth, and that the perceived image is critical. The former arcade operation left much to be desired. In fact, his office received specific complaints concerning the York Road location from area businesses and requested additional police coverage for the area. He is opposed to a video arcade in a center/core street such as Allegheny Avenue, a shopping, pedestrian street. In his opinion, the proposed location is unsuitable, although another location might be acceptable and not detrimental to the desired Towson image. The proposed site is not a mall or even a strip shopping center where control can be provided outside as well as inside the arcade area. In addition, he anticipates that the arcade would have an adverse effect on the Towson Farmer's Market.

ORDER RECEIVED FOR FILING Date 7/16/87 By Beth Salzman

Pursuant to the advertisement, posting of property and public hearing held in this case, in the opinion of the Deputy Zoning Commissioner, the specific site proposed for a video arcade in the instant petition would be detrimental to the immediately surrounding SM-CT zoned, commercially developed land, and would have an adverse effect on the residents of the nearby Penthouse Apartments as well as other neighborhood walkers. The operation at the former nearby location indicates that in this immediate vicinity, a video arcade located in a store-front with direct access to the sidewalk, most likely cannot have its patrons so monitored that its operation will not be detrimental to the welfare of occupants and users of its particular block, as well as the passers-by and users of the Towson core. It is also noted that other, more suitable locations may exist or become available within the Towson area. Strict compliance with the Baltimore County Zoning Regulations (BCZR) would not result in practical difficulty or unreasonable hardship upon the petitioner. The health, safety and general welfare of the community will be adversely affected.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 16th day of July, 1987 that a special exception for a video arcade be and is hereby DENIED.

Jean M. H. Jung Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING Date 7/16/87 By Beth Salzman

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 484-3353

Arnold Jablon Zoning Commissioner

July 6, 1987

Stephen J. Nolan, Esquire Nolan, Plumhoff & Williams, Chartered 204 West Pennsylvania Avenue Towson, Maryland 21204

Mr. Joel M. Smoyne Secretary-Treasurer Resort Amusements, Inc. 12017 Ridge Valley Drive Owings Mills, Maryland 21117

Mr. Nathan M. Harris 2442 Eutaw Place Baltimore, Maryland 21217

RE: PETITION FOR SPECIAL EXCEPTION S/S Allegheny Ave., 350' W of York Rd. (13 Allegheny Ave.) 9th Election District - 4th Councilmanic District Case No. 87-485-X

Gentlemen:

Pursuant to the recent hearing held in the above-referenced case, enclosed please find a copy of the decision rendered. Your Petition for Special Exception has been Denied.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours, Jean M. H. Jung Deputy Zoning Commissioner

JMH:med Enclosures

ccs: See Page 2



Stephen J. Nolan, Esquire
Mr. Joel M. Smoyne
Mr. Nathan M. Harris

July 6, 1987
Page 2

cc: Honorable F. Vernon Boozer
State Senator
Ninth District
614 Bosley Avenue
Towson, Maryland 21204

Honorable Martha S. Klima
Ninth Legislative District
State Delegate
1403 Newport Place
Lutherville, Maryland 21093

J. Norris Byrnes, Esquire
Whiteford, Taylor & Preston
300 Lafayette Building
40 West Chesapeake Avenue
Towson, Maryland 21204

John C. Beers, Esquire
408 Allegheny Avenue
Towson, Maryland 21204

Mr. Joseph S. Parker
The Joseph S. Parker Company, Inc.
11 Allegheny Avenue
Towson, Maryland 21204

Mr. LeRoy Y. Halle, Jr.
13 West Chesapeake Avenue
P.O. Box 6781
Towson, Maryland 21204

Mr. Andrew J. Hundertmark, III
President
Ms. Susan K. DiLorenzo
Executive Director
Towson Business Association
P.O. Box 10115
Towson, Maryland 21204

People's Counsel for Baltimore County

T&T SURVEYING INC.
Consulting / Land Surveying
4314 Wilshire Ave. • Baltimore, Maryland 21206 (301) 485-7986

DESCRIPTION OF A PARCEL OF
LAND SITUATED ON ALLEGHENY AVE

Beginning for the same on the south side of Allegheny Avenue at
A distance of 350 feet west of York Road
thence running with the street in a westerly direction (1) N
83°-00' W 35.00', (2) thence S 07°-00' W 150.00', (3) thence S 83°-
00' E 35.00' (4) thence N 07°-00' E 150.00' to the place of
beginning. Containing 5,250.00 Square Feet of land more or less.



**PETITIONER'S
EXHIBIT 4**

PETITION FOR SPECIAL EXCEPTION

9th Election District - 4th Councilmanic District

Case No. 87-485-X

LOCATION: South Side of Allegheny Avenue, 350 feet West of York Road
(13 Allegheny Avenue)

DATE AND TIME: Tuesday, June 9, 1987, at 11:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

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

Petition for Special Exception to approve a video arcade

Being the property of Nathan M. Harris, as shown on plat
plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued
within the thirty (30) day appeal period. The Zoning Commissioner will, however,
entertain any request for a stay of the issuance of said permit during this period
for good cause shown. Such request must be received in writing by the date of the
hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
S/S Allegheny Ave., 350' W of
York Rd. (13 Allegheny Ave.) : OF BALTIMORE COUNTY
9th District

NATHAN M. HARRIS, Petitioner : Case No. 87-485-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-
captioned matter. Notices should be sent of any hearing dates or other
proceedings in this matter and of the passage of any preliminary or
final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 20th day of May, 1987, a copy
of the foregoing Entry of Appearance was mailed to G. Darrell Russell,
Jr., Esquire, 209 Courtland Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JING
DEPUTY ZONING COMMISSIONER

June 2, 1987

G. Darrell Russell, Jr., Esquire
209 Courtland Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
S/S Allegheny Ave., 350' W of York Rd.
(13 Allegheny Ave.)
9th Election District - 4th Councilmanic District
Nathan M. Harris - Petitioner
Case No. 87-485-X

Dear Mr. Russell:

This is to advise you that \$67.81 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 35885

DATE: 6/10/87
SIGNATURE: *Joel M. Smoyne*
RETURNED - Post window
Nolan, Plumhoff A. Williams, 204 W. Pennsylvania
Ave., Towson, Md. 21204

ADVERTISING & POSTING COSTS RE CASE # 87-485-X

B 004*****07211 80367

VALIDATION OR SIGNATURE OF AGENT

Baltimore County, Maryland, and remit
Towson, Maryland

Office of
PATUXENT

10750 Little Patuxent Ferry
Columbia, MD 21044

May 28 19 87

THIS IS TO CERTIFY that the annexed advertisement of
PETITION FOR SPECIAL EXCEPTION

was inserted in the following:
 Catonsville Times TOWSON FLIER X \$23.85
 Arbutus Times
weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the 23 day of May 19 87, that is to say,
the same was inserted in the issues of

May 21, 1987

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

vs.

Defendant

CERTIFICATE OF PUBLICATION OF

CERTIFICATE OF POSTING

SENIOR DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-485-X

District: 9th Date of Posting: May 21-87

Posted for: Special Exception

Postman: Nathan M. Harris

Location of property: S/S of Allegheny Ave. 350' W of York Rd.
(13 Allegheny Ave.)

Location of sign: Attached to front door of subject property 13 Allegheny Ave.

Remarks: *[Handwritten note]*

Posted by: *[Signature]* Date of return: May 22-87

Number of signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 21 19 87

THIS IS TO CERTIFY that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
May 21 19 87

THE JEFFERSONIAN,

[Signature]
Publisher

2896

G. Darrell Russell, Jr., Esquire
209 Courtland Avenue
Towson, Maryland 21204

April 30, 1987

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION
S/S Allegheny Ave., 350' W of York Rd.
(13 Allegheny Ave.)
9th Election District - 4th Councilmanic District
Nathan M. Harris - Petitioner
Case No. 87-485-X

TIME: 11:30 a.m.

DATE: Tuesday, June 9, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 32440

DATE: 6/10/87
SIGNATURE: *[Signature]*
RECEIVED FROM: *[Signature]*

ADVERTISING & POSTING COSTS RE CASE # 87-485-X

B 003*****1000018 81627

VALIDATION OR SIGNATURE OF AGENT

to Mr. Joseph Parker,
21204, [unclear]

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this day of April, 1987.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Received by: *James E. Spier*
Chairman, Zoning Plans
Advisory Committee

Petitioner: *Nathan M. Harris*
Petitioner's Attorney: *G. Darrell Russell, Jr., Esquire*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: May 7, 1987

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions Nos. 87-472-A, 87-475-A, 87-476-SPH, 87-480-A, 87-481-A, 87-482-A, 87-485-X, 87-486-A and 87-487-A

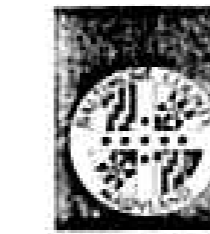
There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:sib

Baltimore County, Maryland
Executive Office
Courthouse Mezzanine
Towson, Maryland 21204

June 17, 1987



Dennis F. Rasmussen
County Executive

Mr. Joseph S. Parker
The Joseph S. Parker Company, Inc.
11 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 87-485-X
Nathan M. Harris,
Petitioner

Dear Mr. Parker:

Thank you for your letter of June 4, 1987 concerning the video arcade proposed to be located adjacent to your grocery business.

This matter came before Deputy Zoning Commissioner Jean M.H. Jung on June 9th, and many individuals attended the hearing and presented testimony. It is my understanding that a representative from The Joseph S. Parker Company, Inc., was also present and testified in opposition to the proposed use.

The concerns you raise are very real, and I understand that, if realized, they could adversely affect not only your business but others in Towson as well. This would not be permitted to happen, and whatever precautions are necessary to prevent them from occurring will be taken. There is no question that such problems would be unsettling and injurious, and no business or individual would be permitted to operate under such circumstances without opposition from the County. They would not be tolerated. However, as long as the matter is in the judicial process, I cannot interfere or intervene at this time. Although Mrs. Jung has not yet rendered a decision, I know that she will carefully consider and weigh all of the testimony and evidence presented and that her decision will be fair and equitable.

Again, thank you for bringing this matter to my attention and be assured that those concerns expressed in your letter will be addressed by Mrs. Jung in her decision.

Sincerely,

DENNIS F. RASMUSSEN
County Executive

DFR/AJ/srl

THE JOSEPH S. PARKER COMPANY, INC.

PRIME BEEF SEAFOOD FRESH POULTRY
TOWSON'S COMPLETE FOOD MARKET
11 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

RECEIVED
JUN 5 1987
EXECUTIVE OFFICE

June 4, 1987

Dear Mr. Rasmussen,

Ken H. Harris
87-485-X
NATHAN M. HARRIS

I can appreciate how busy you are, so I will be as brief as possible. As a board member of Beachmont Christian Camp, I am aware and thankful for your help in the camp's recent zoning problems. Camp director, Mr. Paul Twining has told me how instrumental you have been in helping the camp.

My family business now faces a zoning problem, and I am asking for your help. We have operated a small grocery and meat business for forty-five years. Now we are faced with a video arcade moving next to us. This arcade would be under the same ownership as the one that was next to your campaign headquarters on York road.

As you probably saw at that location, it caused problems. Trash, broken windows, graffiti, and excessive loitering, mostly by punk rockers, were the main objections. I, Towson Business Association, Towson Development Corporation, every merchant on our block, and the residents of Towson Towers Condominium are all adamantly opposed to this and quite frankly, we do not want the street ruined by having a noisy, trashy place.

Baltimore County, Maryland

Date: 6-10-87

To: *Arnold Jablon*

From: *Kenny Dwyer*

- Please Note & File
- For Your Information
- Please Note & Return
- Please Handle
- Please answer, sending me copy of your letter
- Please Prepare reply for my signature
- To be Signed
- Please Comment
- Please See Me
- Investigate & Report

Remarks: *Need response letter for Jean Davis ASAP.*

RECEIVED
JUN 12 1987
ZONING OFFICE

CPS-004

RECEIVED
MAY 11 1987
ZONING OFFICE

77-3760

F. VERNON BOOZER
STATE SENATOR
NINTH DISTRICT
BALTIMORE COUNTY, MARYLAND
JUDICIAL PROCEEDINGS COMMITTEE
COMMITTEE ON INVESTIGATIONS
JOINT BUDGET & ALLOT COMMITTEE



SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401-1991

874 BOSLEY AVENUE
TOWSON, MARYLAND 21204
410-2429
SENATE OFFICE BUILDING
ROOM 403
ANNAPOLIS, MARYLAND 21401-1991
841-3706

RECEIVED
JUN 11 1987
ZONING OFFICE

June 11, 1987

Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Courts Building
Towson, Maryland 21204

Re: Case # 87 - 485 X
Item # 366
NATHAN M. HARRIS

Dear Arnold:

I understand a request has been filed to change the zoning at 13 Allegheny Avenue to allow a video arcade. The arcade located at York and Chesapeake Avenue has recently discontinued operation and many businesses and residents of the Towson area have expressed to me their pleasure with the closing. Frankly, the arcade seemed to attract unsavory individuals who loitered in the area and caused problems for shoppers and businesses. I feel these arcades are better located in malls which provide security and can better deal with problems. Revitalization and growth of the Towson business community would not seem to be benefited by any such zoning on Allegheny Avenue.

Your attention to this matter is appreciated.

F. Vernon Booser
F. Vernon Booser

FVB/nk
cc: Towson Business Association

77-3760

In Re:	BEFORE THE
PETITION FOR SPECIAL EXCEPTION	ZONING COMMISSIONER
S/S Allegheny Ave., 350' W of	OF
York Rd. (13 Allegheny Avenue)	BALTIMORE COUNTY
9th Election District - 9th	Case No.: 87-485-X
Election District - 4th	Hearing Date: June 9, 1987
Councilmanic District	
Nathan M. Harris - Petitioner	

NOTICE TO STRIKE APPEARANCE

Madame Secretary:

Please strike the appearance of G. DARRELL RUSSELL, JR., as counsel for the petitioners in the above case.

RECEIVED
JUN 9 1987
ZONING OFFICE

REQUEST TO ENTER APPEARANCE

Please enter the appearance of Stephen J. Nolan and Nolan, Plumhoff and Williams, Chartered as counsel for the Petitioners in the above-captioned case.

Dated: June 5, 1987

Stephen J. Nolan
STEPHEN J. NOLAN

Nolan, Plumhoff & Williams
NOLAN, PLUMHOFF & WILLIAMS, CHTD
204 W. Pennsylvania Avenue
Towson, Maryland 21204
(301) 823-7800

LAW OFFICES
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 9 day of June, 1987, copies of the foregoing Notice to Strike Appearance and Request to Enter Appearance were *hand delivered* ~~mailed postage prepaid~~ to Phyllis Friedman, Esquire and Peter Max Zimmerman, Esquire of the Office of People's Counsel of Baltimore County, Court House, Towson, Maryland 21204.

Stephen J. Nolan
STEPHEN J. NOLAN

RECEIVED
JUN 9 1987
ZONING OFFICE

LAW OFFICES
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

2434A

I have contacted our Councilperson, and have been told that there is nothing she can do. I ask you as a brother in Christ for your help. There is absolutely nothing this arcade has to offer to benefit the kingdom of God, or on a much lesser scale, the community of Towson.

Since the arcade closed on York Road, the problems and the punk rockers have disappeared.

I thank you for your help and pray that you will be able to help our situation. The hearing is scheduled for Tuesday, June 9th, at 11:30 a.m., and the case number is 87-485-X.

In Christ,
Joe Parker
Joseph S. Parker

JSP/bep

Protestants for Update 6/19/87

Jaime Davis Deitz 494-3888 Scripps
Tim Souis McFadden - 653-1950 3 Allegheny Ave
Eugene Sauer Sakles 828-4700 Scripps
Mrs. John (Mary) ...
Tom Donahoe 825-1900 Scripps
Robert Barber MD 823-1235 Scripps
Richard M. ...
Thomas A. ...
Susan K. DiLorenzo 805-1144 T.B.A.
Joe DiBlasi 221-7220 PH.
John K. ...
Walter Campbell Penthouse - 823-8568

DICK PARSONS - 412 Woodbury Ave ETECA
Marion S. ...
JOHN PERRELLA 583-9010 Country Life Building 8 ALLEGHENY
JOE Parker - 11 Allegheny Ave 2nd fl
Robert T. ...
Frank ...
Frances ...
Mary ...
Mc. ...
Al Williamson 28 Allegheny Ave, apt #1103
Joy ...

Sign in ... GTCOA
Validoscope - 6/9/87
Penthouse - Al Williams
828-8655 - member of
Joe Parker
Penthouse - Frances A ...
823-6952 - Suite 2001
Penthouse - ...
Marie P. ...
Andrew ...
Neil ...
PAUL ...
M. Ballard Hampton Co 503 York Rd 321-5030
Bodark 515 York Rd Towson RT 8400
Barbara ...
John C. ...
Jim Gilpatrick FADER'S 25 ALLEGHENY AVE.
Rick ...
CRATZ W PARKER PARKER'S 11 ALLEGHENY AVE.

TOWSON DEVELOPMENT CORPORATION a nonprofit community improvement organization
29 West Susquehanna Avenue • Suite 10 • Towson, MD 21204 • (301) 825-2211
June 5, 1987
Baltimore County Zoning Commissioner
Office of Planning & Zoning
111 W. Chesapeake Avenue
Towson, MD 21204
Dear Commissioner: Re: Case 87-485-X Item 366
This letter is being sent to inform you that TDC's Executive Committee, at its May 20 meeting, wished to record officially its great concern about the video arcade proposed for the south side of Allegheny Avenue west of York Road. In fact, after our lengthy discussion of the problems caused by such an enterprise in Towson's towncenter, we voted unanimously to oppose this use. Our opposition is not only for this particular location, but also for the whole core area where we have, or expect to have, busy, high-count pedestrian shopping streets.
We are aware of the sad experience our merchants had with the previous video arcade on York Road, and don't expect any basic improvements in the new installation. Towson is becoming increasingly an elderly population. Much of what TDC has planned for and done accounts for this demographic shift-- the introduction of the shuttle bus, for example. The conflicts which tend to be caused by the type of clientele (very young adults collecting in large numbers) drawn by this type of business is antithetical to the healthy economic growth which is occurring in our towncenter today.
We ask you to deny this special exception zoning request.
Sincerely,
Julie ...
Executive Director
LHC:lg
PROTESTANT'S EXHIBIT 3

LEROY Y. HAILE, INC. REALTOR
Real Estate, Sales and Management
13 W. CHESAPEAKE AVE. P.O. BOX 6781
TOWSON, MARYLAND 21204
PHONE (301) 823-6808 OR 823-6806
June 4, 1987
Baltimore County Zoning Department
County Office Building
Baltimore, MD 21204
Attention: Mr. Arnold Jablon 87-485-X
NATHAN M. PARRIS
Dear Mr. Jablon:
In reading the minutes of the last Towson Business Association Board meeting I see mentioned the zoning petition of Resorts Amusements for a zoning change proposed to allow video games at an Allegheny Avenue address. I check, further and find this business would be located near Joe Parker's grocery.
I saw the operation of similar video games shops at Balloons Over America next to my office which was a negative scene and also at 403 York Road which was a very negative scene. The later operation became a gathering place for loud teen-aged loiterers.
We can't rid Towson of the vagrants and bag people who rummage through the trash receptacles on the street. They have rights. So do the boisterous teenagers. We can try to control the type of businesses that are allowed in the community. As a lifelong resident of Towson, active in community affairs, I feel I must support the Towson Business Association in requesting that you deny the request for the zoning change for a business which would not be compatible with other Towson businesses.
Very truly yours,
LeRoy Y. Haile, Jr.
LYH:sh
cc: Towson Business Association
Mr. Joseph Parker

Towson Business Association
INC. JUNE 3, 1987
Mr. Arnold Jablon
Zoning Commissioner
Office of Planning & Zoning
Courts Building
Towson, MD 21204
RE: Case No. 87-485-X
Item No. 366
Dear Mr. Jablon:
We are writing in regard to the above request for a special exception for a video arcade on Allegheny Avenue. At our May 1987 Board of Directors Meeting, it was decided to notify you of our opposition to permitting a business of this nature located inside the loop road of Towson.
We believe that an establishment of this type would be better for the community if it were located in a shopping or strip mall area. The unit block of Allegheny Avenue is a combination of small retail establishments and a residential high rise. As a result, there is an enormous amount of pedestrian traffic in this area, including many elderly people.
The Towson Business Association feels that a video arcade in the Core area of Towson would create more parking problems for an already congested area and we would not want our pedestrians to encounter the problems that were created when this establishment was located on York Road.
Please consider our feelings when making your decision and we hope that you will deny this zoning request.
Sincerely,
Andrew J. Hundertmark, III
President 1986-87
Susan K. DiLorenzo
Executive Director
cc: Jean M. Jung
Deputy Zoning Commissioner
p.o. box 10115 towson, md. 21204 825-1144

Towson Business Association
INC. JUNE 3, 1987
Mr. Arnold Jablon
Zoning Commissioner
Office of Planning & Zoning
Courts Building
Towson, MD 21204
RE: Case No. 87-485-X
Item No. 366
NATHAN M. PARRIS
Dear Mr. Jablon:
We are writing in regard to the above request for a special exception for a video arcade on Allegheny Avenue. At our May 1987 Board of Directors Meeting, it was decided to notify you of our opposition to permitting a business of this nature located inside the loop road of Towson.
We believe that an establishment of this type would be better for the community if it were located in a shopping or strip mall area. The unit block of Allegheny Avenue is a combination of small retail establishments and a residential high rise. As a result, there is an enormous amount of pedestrian traffic in this area, including many elderly people.
The Towson Business Association feels that a video arcade in the Core area of Towson would create more parking problems for an already congested area and we would not want our pedestrians to encounter the problems that were created when this establishment was located on York Road.
Please consider our feelings when making your decision and we hope that you will deny this zoning request.
Sincerely,
Andrew J. Hundertmark, III
President 1986-87
Susan K. DiLorenzo
Executive Director
cc: Jean M. Jung
Deputy Zoning Commissioner
p.o. box 10115 towson, md. 21204 825-1144

The Greater Towson Council of Community Assoc.
Mrs. Jean K. Duvall, President
227 Murdock Road
Baltimore, MD 21212
June 3, 1987
J. Norris Byrnes, Esq.
Whiteford, Taylor and Preston
Suite 300
Lafayette Bldg.
40 W. Chesapeake Avenue
Towson, MD 21204
Dear Mr. Byrnes:
At its regular meeting on Thursday, May 21, 1987, the board of the Greater Towson Council of Community Associations passed a motion supporting the Towson Business Association's position opposing the Special Exception sought by Mr. Joel Smeeny and his company, being the tenants operating the video arcade known as Kaleidoscope. We oppose the relocation of Kaleidoscope or any video arcade to, and the request for permission to open at, 138 Allegheny Avenue, Towson, and are prepared to testify concerning our opposition.
Yours truly,
Richard Parsons
Secretary
RP:par
cc: Mrs. Jean K. Duvall
Mrs. Susan DiLorenzo
PROTESTANT'S EXHIBIT 2

THE PENTHOUSE
June 4, 1987
Arnold Jablon, Esq.
2338 York Road
Timonium, Maryland 21093
Re: Case 87-485X
Dear Mr. Jablon:
At our monthly meeting, May 26, 1987, the Board of Director's of Penthouse Condominium Association, discussed the issue of the proposed arcade. At this time, it was voted unanimously to oppose the petitioner's request to open a video arcade on our block.
The Board also agrees to support the view that an arcade is not a suitable business and may have an adverse impact on the welfare and safety of the building's tenants and residents.
For your information, Alfred Williamson will be attending any future hearings and will speak on behalf of the Association.
Sincerely,
Robert W. Larkin
Secretary
RWL/dtg
cc: Alfred Williamson
Morris J. Barnes
PROTESTANT'S EXHIBIT 1
28 Allegheny Avenue / Towson, Maryland 21204 / 821-6700

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 21, 1987

G. Darrell Russell, Jr., Esquire
209 Courtland Avenue
Towson, Maryland 21204

RE: Item No. 366 - Case No. 87-485-X
Petitioner: Nathan M. Harris
Petition for Special Exception

Dear Mr. Russell:

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

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

Very truly yours,

James E. Dyer, Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: T&T Surveying, Inc.
4314 Willshire Avenue
Baltimore, Maryland 21206

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

C. Richard Moore
Acting Director

April 17, 1987

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 360, 361, 362, 363, 364, 365, 359, and 366.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

March 19, 1987

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Nathan M. Harris

Location: S/S Allegheny Avenue, 350' W. York Road

Item No.: 366

Zoning Agenda: Meeting of 3/24/87

Gentlemen:

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

- 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Special Inspection Division Fire Prevention Bureau

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

April 16, 1987

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 366 Zoning Advisory Committee Meeting are as follows:

Property Owner: Nathan M. Harris
Location: S/S Allegheny Ave, 350 ft W York Road
District: 9th

APPLICABLE ITEMS ARE CITED:

- All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Age (A.S.C.G. #117-1 - 1986) and other applicable codes and standards.
A Building and other miscellaneous permits shall be required before the start of any construction.
Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
All Two Group except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. Any Two Group require a one hour wall if closer than 1'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 107, Section 106.2 and Table 107. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Applicable Architectural or Engineer seals are usually required. The classes of Two Groups are from Section 401 to Section 407 or to Mixed Use B, W, A, A-1. See Section 311 of the Building Code.
The proposed project appears to be located in a Flood Plain. Flood/Inversion. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
Comments: If the existing building is a business or mercantile use, a change of occupancy to an A-3 use should be required. A full set of architectural drawings shall be required to upgrade the space, to the proposed new use - assuming it can meet those requirements.
These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 127 of the County Office Building at 111 S. Chesapeake Avenue, Towson, Maryland 21204.

[Signature] Building Plans Review

17-3530
A.C. Case #12



HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401-1991

RESPOND TO OFFICE INDICATED
DISTRICT OFFICE:
1403 NEWPORT PLACE
LUTHERVILLE, MARYLAND 21093
337-2799
DELEGATION OFFICE:
HOUSE OFFICE BUILDING
1000 306
TOLL FREE 811-3359

MARTHA S. KLIMA
WITH LEGISLATIVE DISTRICT
BALTIMORE COUNTY
APPROPRIATIONS COMMITTEE
SUBCOMMITTEE
HEALTH & THE ENVIRONMENT

May 18th, 1987

RE: 13 Allegheny Avenue
Hearing, June 9, 1987

Dear Commissioner Jablon:
I am writing to protest the zoning exception for the Resort Amusements to establish a video arcade at 15 Allegheny Avenue. The special exception which has been applied for should not be granted due to the nature of this neighborhood and the effects of such an establishment would have on the community.

The clientele that had been attracted to this type of amusement center, a video arcade on York Road between Chesapeake and Pennsylvania Avenues, would not be compatible with a small street with elderly residents typical of those that live at The Penthouse. Many of these residents do not drive, but walk the area at night, and would be threatened by such an establishment located almost across the street. I myself travel to meetings at 31 Allegheny Avenue and find the area marginally safe at night, but would find it totally unacceptable to park in the municipal lot with this arcade just a few doors away, open till 11 p.m. on weekdays, even later on weekends.

Litter, graffiti, and assemblage of loitering persons would be a threat to this area. A more reasonable location, and one that is compatible with neighboring stores and restaurants, would be and continues to be in a mall setting. The people that seem to be attracted to these facilities are youngsters with parents shopping nearby, or teens and adults who know the acceptable behavior patterns due to the security forces monitoring behavior and safety at the mall.

I am unable to attend the hearing on June 9, due to the Appropriations Committee meeting in Annapolis on June 9, from 9:30 a.m. to 3:00 p.m. I would appreciate it if you would consider my strong objections to this facility at this site, and deny an exception to the zoning application. Thank you for your kind attention in this matter.

Yours sincerely,
Martha S. Klima

Law Offices
Michael P. Tanczyn, P.A.
118 West Pennsylvania Ave.
Towson, Maryland 21204
(301) 296-8823
(301) 296-8824

Michael P. Tanczyn
Agatha M. Rosenbaum

March 19, 1984

Chairman of the Board of Appeals
Old Courthouse
Towson, MD 21204

RE: Case No. S3-3-XSPHA

Mr. Chairman:

I am writing on behalf of the Greater Towson Council of Community Associations to advise that group's position with regard to the appeal scheduled for hearing.

As long as the Rich's are abiding by the Zoning Commissioner's Order, the park and ride stipulation and the conditions agreed to in Mr. Williams' letter of December 29, 1982 to me, a copy of which is enclosed, then the Community Association has no objections to the use of this property as an arcade.

Very truly yours,

MPT
Michael P. Tanczyn

MPT/kvm

cc: Mrs. Jean Duvall
Newton Williams, Esq.

PETITIONER'S
EXHIBIT 7

17-1766
S3-3-3 XSPHA

Law Offices
G. DARRELL RUSSELL, JR.
200 COURTLAND AVENUE
TOWSON, MARYLAND 21204
(410) 321-8600

March 13, 1987

Hon. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, MD 21204

NATHAN M. Harris - Petitioner
RE: Resort Amusement, Inc.
Item 366 3/16/87

Dear Commissioner Jablon:

Please find enclosed our Petition for a variance together with appropriate plats and Deed and other information. We would appreciate your having this case set in as early as practically possible. Mr. Smeyne, the Petitioner, has ordered \$50,000.00 worth of equipment and has signed a lease effective May 1, 1987.

He took the liberty in this regard, because he had the same business around the corner for which he obtained a variance, and he had the full cooperation of the TSA and no community opposition, thus he anticipated no problem in this particular variance.

Thank you for your cooperation in this matter.

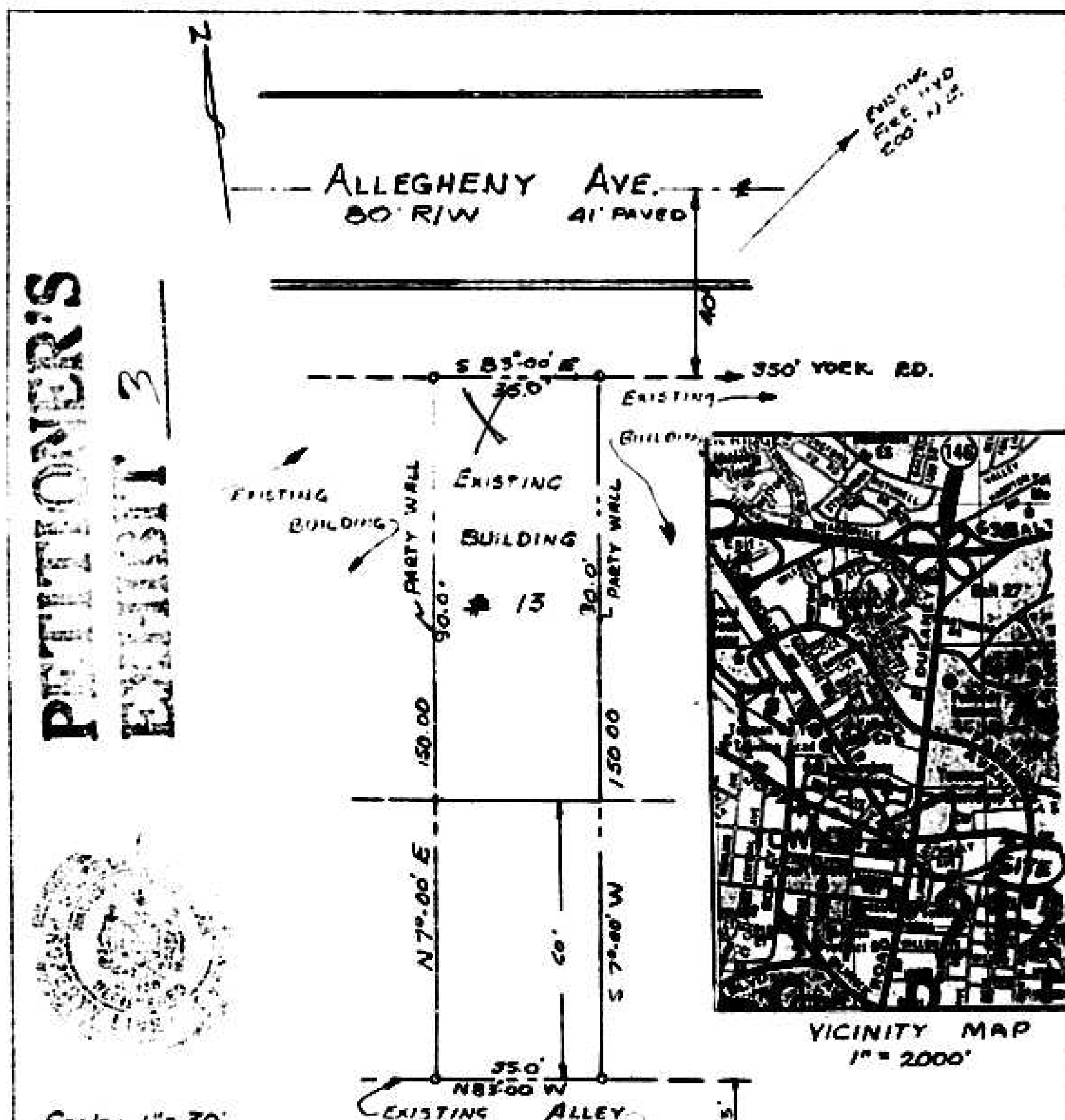
Sincerely,

[Signature] G. Darrell Russell

GDR:ef

Enclosures

PETITIONER'S EXHIBIT 3



89-485-X
366

SURVEYING INC.
 Consulting / Land Surveying
 4314 White Avenue
 Baltimore, Maryland 21206
 (301-485-7980)

OFFICER NAME	NR	FEET	ENFORCEMENT ACTION TAKEN	ISSUES ENCOUNTERED
J. Michael	217	2000-2130	LOITERING JUVENILES ADVISED TO MOVE NO PROBLEMS. (1) ALCOHOL CITATIONS ISSUED E-811217 (2) CAP CITATIONS ISSUED POSSESSION OF MARIJUANA CDS.	NONE
T.W. Potts	214	2100-2130	LOITERING JUVENILES ADVISED (4) ALCOHOL CITATIONS ISSUED (JUVENILES)	NONE
C.W. Knott D. Powell	217	7/11/86 2100	LOITERING JUVENILES ① [REDACTED] ② [REDACTED] ③ [REDACTED] ④ [REDACTED] ⑤ [REDACTED] ⑥ [REDACTED] ⑦ [REDACTED] ⑧ [REDACTED] ⑨ [REDACTED] ⑩ [REDACTED] ⑪ [REDACTED] ⑫ [REDACTED] ⑬ [REDACTED] ⑭ [REDACTED] ⑮ [REDACTED] ⑯ [REDACTED] ⑰ [REDACTED] ⑱ [REDACTED] ⑲ [REDACTED] ⑳ [REDACTED] ㉑ [REDACTED] ㉒ [REDACTED] ㉓ [REDACTED] ㉔ [REDACTED] ㉕ [REDACTED] ㉖ [REDACTED] ㉗ [REDACTED] ㉘ [REDACTED] ㉙ [REDACTED] ㉚ [REDACTED] ㉛ [REDACTED] ㉜ [REDACTED] ㉝ [REDACTED] ㉞ [REDACTED] ㉟ [REDACTED] ㊱ [REDACTED] ㊲ [REDACTED] ㊳ [REDACTED] ㊴ [REDACTED] ㊵ [REDACTED] ㊶ [REDACTED] ㊷ [REDACTED] ㊸ [REDACTED] ㊹ [REDACTED] ㊺ [REDACTED] ㊻ [REDACTED] ㊼ [REDACTED] ㊽ [REDACTED] ㊾ [REDACTED] ㊿ [REDACTED]	NONE

5 or 6 Alcohol Citations
 15 times officers made entry journals
 6 parking tickets
 Paints collected

PETITIONER'S EXHIBIT 1

OFFICER NAME	NR	FEET	ENFORCEMENT ACTION TAKEN	ISSUES ENCOUNTERED
Knott	217	7/11/86 2100	LOITERING JUVENILES ADVISED TO MOVE NO PROBLEMS. (1) ALCOHOL CITATIONS ISSUED E-811217 (2) CAP CITATIONS ISSUED POSSESSION OF MARIJUANA CDS.	NONE
Potts	214	2100-2130	LOITERING JUVENILES ADVISED (4) ALCOHOL CITATIONS ISSUED (JUVENILES)	NONE
Knott	217	7/11/86 2100	LOITERING JUVENILES ① [REDACTED] ② [REDACTED] ③ [REDACTED] ④ [REDACTED] ⑤ [REDACTED] ⑥ [REDACTED] ⑦ [REDACTED] ⑧ [REDACTED] ⑨ [REDACTED] ⑩ [REDACTED] ⑪ [REDACTED] ⑫ [REDACTED] ⑬ [REDACTED] ⑭ [REDACTED] ⑮ [REDACTED] ⑯ [REDACTED] ⑰ [REDACTED] ⑱ [REDACTED] ⑲ [REDACTED] ⑳ [REDACTED] ㉑ [REDACTED] ㉒ [REDACTED] ㉓ [REDACTED] ㉔ [REDACTED] ㉕ [REDACTED] ㉖ [REDACTED] ㉗ [REDACTED] ㉘ [REDACTED] ㉙ [REDACTED] ㉚ [REDACTED] ㉛ [REDACTED] ㉜ [REDACTED] ㉝ [REDACTED] ㉞ [REDACTED] ㉟ [REDACTED] ㊱ [REDACTED] ㊲ [REDACTED] ㊳ [REDACTED] ㊴ [REDACTED] ㊵ [REDACTED] ㊶ [REDACTED] ㊷ [REDACTED] ㊸ [REDACTED] ㊹ [REDACTED] ㊺ [REDACTED] ㊻ [REDACTED] ㊼ [REDACTED] ㊽ [REDACTED] ㊾ [REDACTED] ㊿ [REDACTED]	NONE

OFFICER NAME	NR	FEET	ENFORCEMENT ACTION TAKEN	ISSUES ENCOUNTERED
CARROLL L. BOLLINGER 6/19/86	217	2000-2130	LOITERING JUVENILES WERE TOLD TO MOVE. THREATS WITH SEVERAL STEREO OWNERS. NAMES OF JUVENILES WERE TAKEN FOR REFERENCE BY OFF. W. S. HARRIS.	NONE
T. HUNTERWILL 6/19/86	214	2130-2132	JUVENILES REQUESTED TO MOVE @ 11:30	NONE
CARROLL BOLLINGER 07/25/86	217	2000-2130	LOITERING JUVENILES MOVED WHEN THEY SAID POLICE OFFICER	NONE
ROBERT MALCOLM 7/14/86	219	2100-2130	No KIDNAP CHARGES AS PER [REDACTED] AT 5:15 PM. PER [REDACTED] AT 5:15 PM. E-811217	NONE
BRADY 7/20/86	214	2030/2100	LOITERING JUVENILES WERE TOLD TO MOVE.	NONE

OFFICER NAME	DATE	NR	FEET	ENFORCEMENT ACTION TAKEN	ISSUES ENCOUNTERED
STEVEN CENNY	6/5	218	2000-2130	4 PARKING CITATIONS MOVING JUVENILES FROM PLACE TO INSIDE STORES	RADIO COMMUNICATIONS NOT GOOD WHEN TRYING FROM VEHICLES AND BETWEEN BUILDINGS
DAVID NATAMASTER	6/6	213	2130-2300	LOITERING JUVENILES WERE ADVISED TO MOVE	NONE
E. LACEY	6/7	217	2000-2130	LOITERING JUVENILES WERE ADVISED TO MOVE	NONE
D.J. NATAMASTER	6/7	219	2130-2300	JUVENILES MOVED. LOITERING TO PREVENT OF STORES.	NONE

OFFICER NAME	NR	FEET	ENFORCEMENT ACTION TAKEN	ISSUES ENCOUNTERED
GO KING	214	2130-2132	8:30 PM - 10:35 PM EXCEPT FOR [REDACTED] RE [REDACTED] DETAIL AND AN ALARM CALL.	A PARKING CITATIONS - INDIVIDUALS WERE WARNED ABOUT SKATEBOARDING AND LOITERING. INDIVIDUALS WERE MOVED FROM ONE CORNER TO ANOTHER. NAMES OBTAINED.
BURGER	217	2000-2130	TWO UNIDENTIFIED WOMEN JUVENILES WERE WARNED FOR LOITERING + DISORDERLY CONDUCT.	LOITERING - DISORDERLY CONDUCT SKATEBOARDS JUVENILES - [REDACTED] m/w 17 [REDACTED] m/w 17 [REDACTED] 21 HICKORY/NOT ET. [REDACTED] m/w 17 [REDACTED] 256-4433 [REDACTED] m/w 17 [REDACTED] 777-9144

NEWS

Towson Neighbors Object To Proposed Video Arcade

By Joan Wines-Coffin

Local business owners and community leaders have joined forces to try to shut down plans for a video arcade in downtown Towson.

Orange Mills-based Resort Amusements Inc., the parent company for a former Kildare site on York Road, is seeking permission from the county zoning commission to reopen at 15 Allegheny Ave. The five-arcade chain pulled up stakes in Towson last January when its lease wasn't renewed by landlord James West III - whose plans for a \$45 million development project encompass the York Road site.

Kalidoscope's proposed comeback is being fought by the Towson Business Association and the Greater Towson Council of Community Associations. They claim the proposed arcade site, which is two doors from Parker's Market, is not compatible with the small shops and the Pennington residential and office condominium complex lining Allegheny. They also say that the York Road Kildare site was an attraction for hitmen, occasional litter and rickety shop fronts.

"We're not opposed to video arcades in Towson - just within the central business district," said Steve DiLorenzo, TBA's executive director.

The proposed site, which is across from the site of the former York Road and Washington Yards, is a 15,000-sq-ft building. DiLorenzo said a planning commission, which has been applied for by property owner Nathan Harris, is up to the zoning commission to decide if the proposed business is compatible with the public's health, safety and welfare.

Joan Durall, president of the Greater Towson Council, an umbrella group of community associations, hopes to convince the zoning commission that the arcade will not be compatible. "The York Road arcade was a nuisance," Durall said, adding that she was asked to go near the building when 20 to 30 teenagers were loitering outside.

In response, Resort Amusements co-owner Joel Swartz, who reopened the York Road arcade, said, "I feel like I'm on a witch hunt... We ran a clean busi-

ness and paid our taxes. We stand on our record."

According to Police Capt. Dwight Swartz, who will testify for those opposing the arcade, persistent complaints from other business owners prompted the posting of one or two police officers on weekends to break up crowds in front of the arcade. He said the York Road arcade, located near a bus stop, was a prime spot for loiterers.

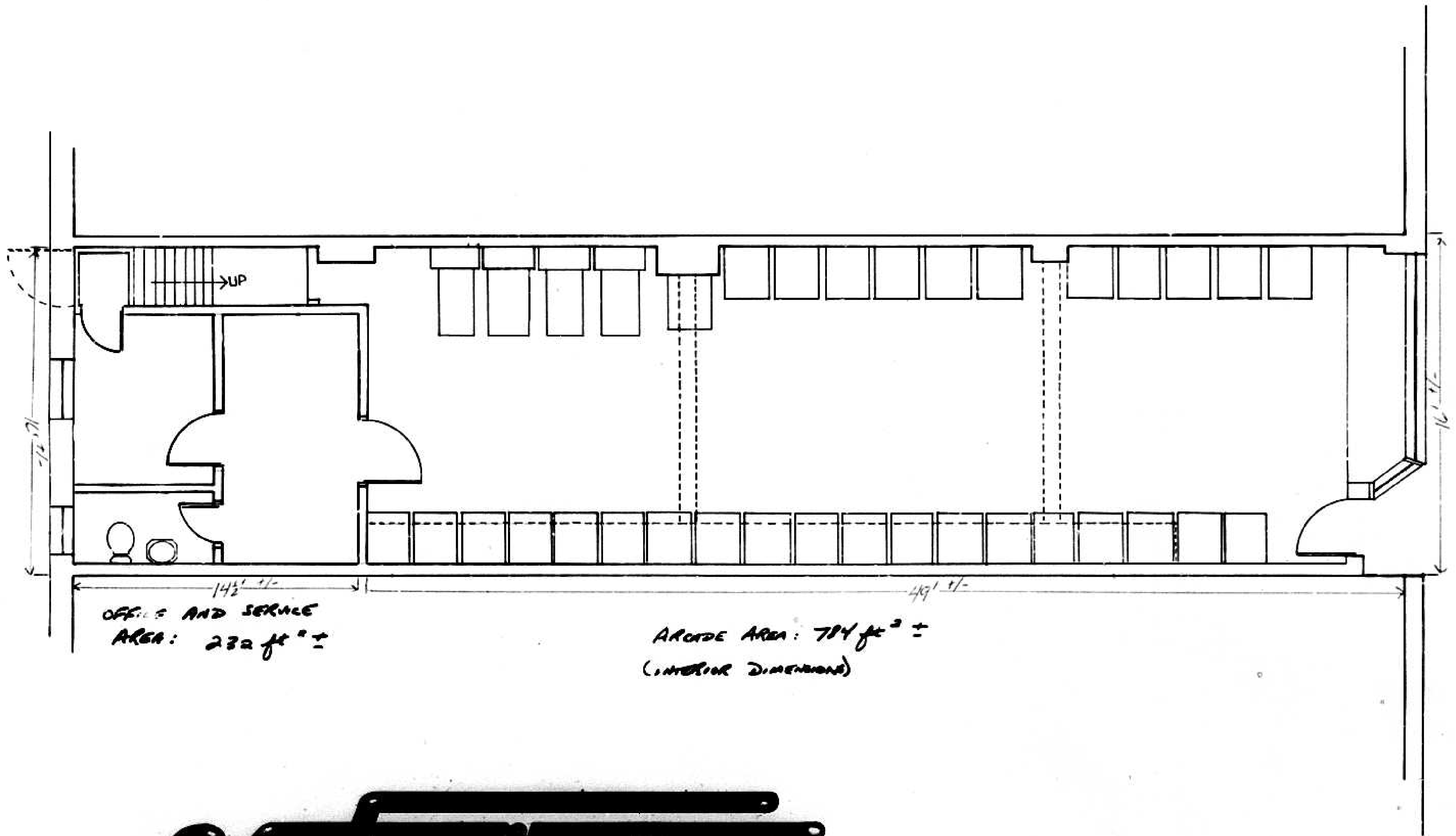
Swartz denies there were any major problems at the arcade, formerly owned for less than a year by Towson Rich, a Towson lawyer. Swartz said many of his patrons were "three-piece suits" counteracting teenagers during the past year.

A special exception was granted by the zoning commission in November 1982 to allow Kalidoscope to open on York Road. Restrictions imposed included limiting hours of operation, limiting admission to those under 18 during school hours, and limiting video machines to 25. That decision was later upheld by the zoning board when Swartz appealed.

The video arcade hearing will be held at 11:30 a.m. June 9 in Room 306 of the County Office Building at Chesapeake Avenue.

Court Challenge Possible

PARKING LOT

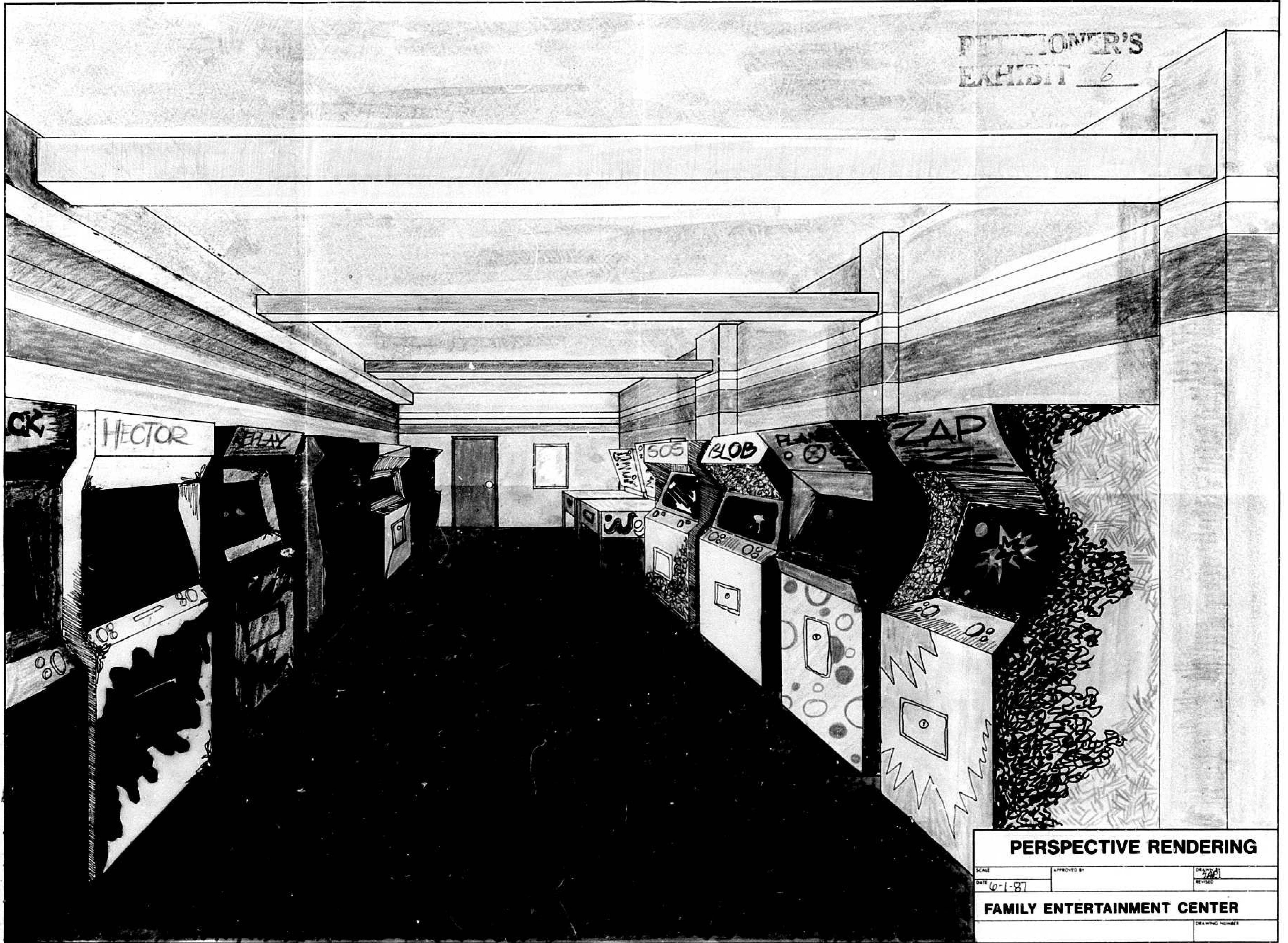


Kaleidoscope

PETITIONER'S
EXHIBIT 5

FLOOR PLAN 13A		
<i>WEST ALBANY</i>		
SCALE: 1/4" = 10'	APPROVED BY:	DATE: 6-1-81
FAMILY ENTERTAINMENT CENTER		
		DRAWING NUMBER:

PUNTLONER'S
EXHIBIT 6



PERSPECTIVE RENDERING

SCALE	APPROVED BY	DRAWN BY
DATE 10-1-87		7/82
FAMILY ENTERTAINMENT CENTER		REVISED
		DRAWING NUMBER