



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 5, 2000

Ms. Marsie Venske
The Planning and Zoning
Resource Corporation
25 S. Oklahoma Avenue, Ste. 300
Oklahoma City, OK 73104

Dear Ms. Venske:

RE: 8250 Eastern Blvd., Diamond Point Plaza, 15th Election District

Your letter dated April 19, 2000, has been referred to me for reply. No site plan information was included. Based upon the information provided therein and our research of the zoning records the following has been determined.

The above referenced property is currently zoned BR-CCC (Business Roadside with a Commercial, Community Core district overlay) as per Baltimore County zoning map NE-1F. Enclosed with this letter is a copy of a portion of said map. District C.C.C. Districts may be applied only to certain existing or proposed centers of shopping and auxiliary commercial activity which are on land zoned B.L., B.M. and/or B.R., any one of which centers must be intended to serve between 30,000 and 50,000 persons; provide shopping opportunities for convenience goods, appliances and, optionally, furniture; and include one or more junior department stores or variety stores. A planned shopping center having such characteristics may lie wholly or partially within a C.C.C. District.

The search of the zoning records shows multiple zoning cases associated with this property. These cases include but are not limited to 91-318-XA, 82-218-SPH, 78-46R, 75-59A. I have included copies a portion of the files for the two most recent cases on file. This is not to be considered the extent of zoning history for this property. It would be advisable to engage an attorney familiar with Baltimore County zoning who can research and report on zoning histories associated with Baltimore County properties.

Please be advised that provided the property was developed and occupied in accordance with Baltimore County approved permit plans, the present use of the site does not violate applicable zoning ordinances. Additionally, the property conforms to all subdivision and building setback requirements, the floor area and the off-street parking conform to applicable B.C.Z.R.
Ms. Margie Venske

May 4, 2000
Page 2

Baltimore County Code Enforcement has advised that there are no current of outstanding zoning violations on the subject property at this time. You may contact the Office of Permits and Licenses for information on site plan availability at 410-887-3391.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Lloyd T. Moxley
Planner II
Zoning Review

LTM:kew



MARSIE VENSKE
Information Specialist

BRIDGEMONT Oklahoma Hardware Building
25 S. Oklahoma Avenue, Suite 300 • Oklahoma City, Oklahoma 73104
Telephone: (405) 840-4344 • FAX: (405) 840-2608 • 1-800-344-2944
E-mail: marsie@pjr.com

ZONING RESOURCE CORPORATION

AVENUE, STE. 300 OKLAHOMA CITY, OK 73104
(518) 840-4344 • FAX (405) 840-2608
TOLL FREE (800) 344-2944

To: John Alexander
111 W. Chesapeake Avenue
Towson, MD 21284

Date: April 19, 2000

Subject: Zoning Verification Letters for:
Diamond Point Plaza at 8250 Eastern Blvd
Windsor Corporate Park at 2555 and 2605 Lord Baltimore Drive

We are preparing a due diligence report for the lender on the above mentioned site. Our client would like to know the Zoning Designation and a Brief Description of the property, as follows: Is the property in any special, restrictive or overlay district? Does this property have any other zoning designation that would affect the site? Was this developed with a Site Plan Approval? If so, can we please get a copy of the Site Plan? Was this a Planned Unit Development? If so, can we please get a copy of the PUD? Was this property granted any variances, special exceptions, or conditional use permits? If so, can we please get a copy of them? Are there any legal nonconforming issues? To the best of your knowledge, do your records show any outstanding Zoning or Building Code Violations? Is this site in compliance with the current Zoning Ordinance Code?

Please incorporate as much as you can, in a letter, on your letterhead. If there are any questions you are unable to answer, please let me know who to contact. Also, please fax me a copy of the letter before mailing.

Our deadline for this information is 4-26-00, so we would appreciate any help you can give us prior to that time.

Thank you for your time and consideration on the above matter. If you have any questions or concerns, please do not hesitate to give me a call at the toll free number above, extension 616.

Sincerely: Marsie Venske

IN RE. PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
NW/SE Eastern Boulevard, SW/S Diamond Point Road
8374 Eastern Boulevard
15th Election District
7th Councilmanic District
Legal Owner: Diamond Point Plaza Limited Partnership
Tenant: ShowBiz Pizza Time, Inc.
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests approval, pursuant to the Petition for Special Exception, and Section 423(b) of the Baltimore County Zoning Regulations (B.C.Z.R.) to use the herein described property for an arcade; a variance from Section 230.11 of the B.C.Z.R. to permit a maximum of 50 coin operated children's rides in lieu of the permitted maximum of 6 coin operated children's rides, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner, by Richard Houston, appeared and testified and was represented by Stuart Kaplow, Esquire. Also appearing on behalf of the Petitioner was George Gavrelis, Professional Land Planner. There were no Protestants.

Testimony indicated that the Petitioner is desirous of placing a Chucke Cheese's establishment on the subject property, commonly known as the Diamond Point Plaza Shopping Center, consisting of 34.70 acres +/-, split zoned B.R. and D.R.16, which lies within the Chesapeake Bay Critical Area. Testimony indicated that the Petitioner desires to centrally locate the proposed pizza establishment within the Plaza on a .204 acre site as indicated on Petitioner's Exhibit 1. The subject .204 acre site is located on the B.R. zoned portion of the Plaza.

Richard Houston, Executive Vice President of ShowBiz Pizza Time, Inc., testified that there are currently 144 Chucke Cheese's Pizza around the country which cater to families with children 11 years of age and younger. Mr. Houston testified that no minors (18 years or younger) are permitted in the establishment absent a guardian. Testimony indicated that the proposed establishment has the capacity to serve 300 persons at one time. Mr. Houston testified that the entertainment will consist of a showroom (child oriented play) an arcade area and kiddie area.

Regarding the requested variance relief, Mr. Houston indicated that the proposed rides are kiddie type coin operated rides which are designed for children with an average age of approximately 5-1/2 years. He testified that the primary entree' in the restaurant will be pizza but, sandwiches and a salad bar will also be available.

George Gavrelis, Professional Land Planner, testified regarding the layout of the site, and the compatibility of the subject use therewith. Mr. Gavrelis testified that he has personally visited a Chucke Cheese Restaurant and indicated that they are family oriented, well managed and provide good supervision for the children. He indicated that the requested use will compliment the existing uses and, in his opinion, meets the requirements of Section 502.1 of the B.C.Z.R. He also indicated that the Petitioner would suffer an undue hardship and practical difficulty should the requested variance relief be denied.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable

-2-

to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

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These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Sections 502.1 and 432.4. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 291 Md. 1 432 A2d 1319 (1981).

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PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY **9-318-KA CRITICAL AREA**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for an arcade as provided in Section 423(b) of the BCZR

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.

Contract-Purchaser: Tenant:
ShowBiz Pizza Time, Inc.
(Type or Print Name)
By: [Signature]
Signature
4441 W. Airport Freeway
Address
Irving, Texas 75015
City and State
Attorney for Petitioner:
Stuart D. Kaplow
(Type or Print Name)
Signature
Frank, Bernstein, Conaway & Goldman
210 W. Pennsylvania Ave., #630
Towson, MD 21204
City and State
Attorney's Telephone No.: (301)821-3103

Legal Owner(s):
Diamond Point Plaza, Ltd. Partnership
(Type or Print Name)
By: [Signature]
Signature
c/o Fedder Properties, Inc.
514 North Crain Highway
Address
Glen Burnie, MD 21061
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Stuart D. Kaplow
Frank, Bernstein, Conaway & Goldman
210 W. Pennsylvania Ave., #630
Towson, MD 21204 (301)821-3103
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 30 day of January, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10 day of April, 1991, at 9:30 o'clock A.M.

E.C.O.-No. 1

(over)

mtk- 1/18/91
Est time - 1/2 to 45 min
and anything

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 2, 1991

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of May, 1991 that the Petition for Special Exception from Section 423(b) of the Baltimore County Zoning Regulations (B.C.Z.R.) to use the herein described property for an arcade, in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance, from Section 230.11 of the B.C.Z.R. to permit a maximum of 50 coin operated children's rides in lieu of the permitted maximum of 6 coin operated children's rides, in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition; and,

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated April 4, 1991, attached hereto and made a part hereof.

JRH:mmm
cc: Peoples Counsel

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

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PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY **91-318-KA CRITICAL AREA**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 230.11 to permit a maximum of 50 coin operated children's rides in lieu of the permitted maximum of 6 coin operated children's rides.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; the grant would do substantial justice to the applicant as well as other property owners in the district and no lesser relaxation than that applied for would give substantial relief; and that relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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

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

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

Contract-Purchaser: Tenant:
ShowBiz Pizza Time, Inc.
(Type or Print Name)
By: [Signature]
Signature
4441 W. Airport Freeway
Address
Irving, Texas 75015
City and State
Attorney for Petitioner:
Stuart D. Kaplow
(Type or Print Name)
Signature
Frank, Bernstein, Conaway & Goldman
210 W. Pennsylvania Ave., #630
Towson, MD 21204 (301)821-3103
City and State
Attorney's Telephone No.: (301)821-3103

Legal Owner(s):
Diamond Point Plaza Ltd. Partnership
(Type or Print Name)
By: [Signature]
Signature
c/o Fedder Properties, Inc.
514 North Crain Highway
Address
Glen Burnie, MD 21061
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Stuart D. Kaplow
Frank, Bernstein, Conaway & Goldman
210 W. Pennsylvania Ave., #630
Towson, MD 21204 (301)821-3103
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 30 day of January, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10 day of April, 1991, at 9:30 o'clock A.M.

(over)



Land Planning
Engineering
Landscape Architecture
Surveying
Computer Design
Graphics

CRITICAL AREA

91-318-XA



Description to Accompany Zoning Petition

0.204 Acre Parcel

Northwest of Eastern Avenue/Boulevard

West of Diamond Point Road

Fifteenth Election District, Baltimore County, Maryland

Beginning for the same at the end of the second of the two following courses measured from the intersection of the centerline of Eastern Avenue/Boulevard, having a variable width, with the centerline of Diamond Point Road, 60 feet wide, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District (1) Southwesterly, measured along the centerline of Eastern Avenue/Boulevard, 305 feet, more or less, and (2) Northwesterly, at right angles with said Eastern Avenue/Boulevard, 385 feet, more or less, said beginning point being at the southeast corner of the masonry building there erected, thence running and binding on the south face of said building, (1) South 70 degrees 27 minutes 00 seconds West 96.00 feet, thence by a line through said building, (2) North 19 degrees 33 minutes 00 seconds West 92.75 feet, thence running and binding on the north face of said building, (3) North 70 degrees 27 minutes 00 seconds East 96.00 feet, and thence running and binding on the east face of said building, (4) South 19 degrees 33 minutes 00 seconds East 92.75 feet to the point of beginning; containing 0.204 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

November 14, 1990

Project No. 85122-B (851122B)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th
Posted for: 91-318-XA
Petitioner: Diamond Point Plaza Limited Partnership
Location of property: 8374 Eastern Boulevard, 15th Election District
Location of signs: 8374 Eastern Boulevard, 15th Election District
Number of signs: 2
Date of Posting: 3/14/91
Date of return: 3/22/91

CERTIFICATE OF PUBLICATION

TOWSON, MD. 3-19-1991
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3-14-1991.

THE JEFFERSONIAN,

S. Zeke Orman
Publisher

\$ 39.87

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

March 14, 1991

THIS IS TO CERTIFY, that the annexed advertisement of Baltimore County Zoning Office - Case #91-318-XA - P.O. #0111186 - Req. #M50277 - Notice of Hearing 62 lines @ \$31.00 was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for One successive weeks before the 15th day of March 1991; that is to say, the same was inserted in the issues of March 14, 1991

Kimbel Publication, Inc.

per Publisher.

By Kimbel Burke

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt

CRITICAL AREA

PUBLIC HEARING FEES CITY FEE
NO. HEARING VARIANCE FEE
NO. SPECIAL EXCEPTION FEE
TOTAL: \$950.00

Please Make Checks Payable To: Baltimore County
04404#0021MICHR
#03124PM01-18-91
NEXT BUSINESS DAY \$350.00

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt

91-318

Please Make Checks Payable To: Baltimore County
04404#0021MICHR
#03124PM01-18-91
NEXT BUSINESS DAY \$120.57

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 3/26/91

ShowBiz Pizza Time, Inc.
4441 W. Airport Freeway
Irving, Texas 75015

Diamond Point Plaza Limited Partnership
c/o Fodder Properties, Inc.
514 North Crain Highway
Glen Burnie, Maryland 21061

RE: Case Number: 91-318-XA
M/S Eastern Boulevard, S/W Diamond Point Road
8374 Eastern Boulevard
15th Election District - 7th Councilmanic
Legal Owner(s): Diamond Point Plaza Limited Partnership
Tenant: ShowBiz Pizza Time, Inc.
HEARING: WEDNESDAY, APRIL 10, 1991 at 9:30 a.m.

Dear Petitioner(s):

Please be advised that \$120.57 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING ON THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Stuart D. Kaplow, Esq.

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 22, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-318-XA
M/S Eastern Boulevard, S/W Diamond Point Road
8374 Eastern Boulevard
15th Election District - 7th Councilmanic
Legal Owner(s): Diamond Point Plaza Limited Partnership
Tenant: ShowBiz Pizza Time, Inc.
HEARING: WEDNESDAY, APRIL 10, 1991 at 9:30 a.m.

Special Exception for an arcade.
Variance to permit a maximum of 50 coin operated children's rides in lieu of the permitted maximum of 6 coin operated children's rides.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Diamond Point Plaza Limited Partnership
ShowBiz Pizza Time, Inc.
Stuart D. Kaplow, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 28, 1991

Stuart D. Kaplow, Esquire
Frank, Bernstein, Conaway & Goldman
210 W. Pennsylvania Avenue, #630
Towson, MD 21204

RE: Item No. 287, Case No. 91-318-XA
Petitioner: Fodder Management Corp.
Petition for Zoning Variance and
Special Exception

Dear Mr. Kaplow:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Robert G. Pollokoff
ShowBiz Pizza Time

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 30th day of January, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Diamond Point Plaza Ltd.
Petitioner's Attorney: Stuart D. Kaplow

TO: J. Robert Haines
Zoning Commissioner

DATE: February 11, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Charles Leonard Thomas, Item No. 280
Cynthia Edelberg, Item No. 284
Trustees of Middle River Baptist Church, Item No. 288
Diamond Point Plaza Ltd. Partnership, Item No. 287 ✓
Chuong Vinh, Item No. 291
Fauver Properties, Item No. 293
Robert Harvey, Item No. 303

PK/JL/cmm
ITEMS.VAR/ZAC1

February 14, 1991

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 278, 279, 280 282, 283 284, 285, 286, and 287.

Very truly yours,

 Michael S. Flanigan
 Traffic Engineer Associate II

MSF/lvd

received
3791

700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

JANUARY 28, 1991

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

EE: Property Owner: DIAMOND POINT PLAZA LIMITED PARTN.

Location: #8374 EASTERN BOULEVARD

Item No.: 287 Zoning Agenda: JANUARY 29, 1991

Gentlemen:

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

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", 1988 edition prior to occupancy.

REVIEWER: Capt. Joseph Kelly 1-28-91 Foted and
Approved Capt. William F. Brady
Planning Group File Prevention Bureau
Special Inspection Division

JK/KEK

received
1/30/91

received
2/5/91

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Mr. J. James Dieter
Director

SUBJECT: Petition for Zoning Variance - Item 287
Diamond Point Plaza, LTD. Partnership
Chesapeake Bay Critical Area Findings

SITE LOCATION The subject property is located at 8374 Eastern Avenue. The site is within the Chesapeake Bay Critical Area and is classified as an Intensely Developed Area (IDA).

APPLICANTS Fedder Management Corporation

APPLICANT PROPOSAL The applicant has requested a variance from section 230.11 of the Baltimore County Zoning Regulations to permit a maximum of 50 coin operated children's rides in lieu of the permitted maximum of 6 coin operated children's rides and a Special Exception for an arcade as provided in Section 423(b) of the Baltimore County Zoning Regulations.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a findings which assures that proposed projects are consistent with the following goals of the Chesapeake Bay Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in this area can create adverse environmental impacts" (COMAR 14.15.10.01.02).

Mr. J. Robert Haines
April 4, 1991
Page 2

DEFINITIONS

"Development Activities" means the construction or substantial alteration of residential, commercial, industrial, or transportation facilities or structures." <COMAR 14.15.01.01.A(21)>.

REGULATIONS AND FINDINGS

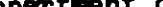
Regulation: "New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loading by ten percent of the on-site level prior to new development or redevelopment" <Baltimore County Code Section 22-216>.

Findings: No proposed development activities as defined above, are proposed for this site. Therefore, this project shall not need to reduce pollutant loadings by 10% of the on-site level. However, any construction or alteration of structures shall be required to comply with all Critical Area requirements.

CONCLUSION

This project proposal does not require a Chesapeake Bay Critical Area Findings for the reasons stated above.

Please contact Mr. David C. Flowers at 887-2904 if you require additional information.


J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD:DCF:ju
cc: The Honorable Vincent Gardina
The Honorable Donald Mason
Mrs. Janice B. Outen
Mr. Ronald B. Hickernell
Fedder Management Corporation, Agent
Mr. Stuart D. Kaplow

BALTIMORE COUNTY, MARYLAND

APPLICATION FOR COIN OPERATED AMUSEMENT DEVICE LICENSE

YEAR 1991

County Executive
Dennis P. Hanesmeyer
and the
Baltimore County Council
PHONE NO. 301/288-9391



NAME OF BUSINESS Chuck E. Cheese's
(Where devices will be operated)

LOCATED AT 8354 Eastern Avenue, Baltimore, MD ZIP CODE 21224

NAME OF BUSINESS OWNER OR OPERATOR Chuck E. Cheese of Diamond Point, Inc.
(Where devices will be operated)

SIGNATURE OF APPLICANT Chuck E. Cheese of Diamond Point, Inc.
Chuck E. Cheese

OWNER OF MACHINES Chuck E. Cheese of Diamond Point, Inc.
Alice Winicki, President

ADDRESS 8354 Eastern Avenue, Baltimore, MD ZIP CODE 21224

FEE: \$150.00 FOR EACH MACHINE PER YEAR

NO. OF DEVICES	TYPE	INSTALLATION DATE	LICENSE NUMBER	FEE
10	Skeeball	08/06/91		\$150.00
1	Climb Up & Down	08/06/91		150.
1	Boso	08/06/91		150.
1	CEC Jr. Basketball	08/06/91		150.00
1	Hoop Shot	08/06/91		150.00
1	Munch Mouth	08/06/91		150.00
1	Pizza Drop	08/06/91		150.00
1	Juggling Jasper	08/06/91		150.
1	Slurfeet	08/06/91		150.00
1	Cheex Hockey	08/06/91		150.00
2	Wac a Munch	08/06/91		300.00
1	Water game	08/06/91		150.00
1	Rad Mobile	08/06/91		150.00
1	Lunar Golf	08/06/91		150.00
1	Simpson's Video	08/06/91		150.00

DATE FILED _____ CASH SLIP NO. _____ TOTAL FEE _____

DATE APPROVED 30 July 91 BY Lt. J. J. [Signature]
CASE # 91-318 MA OFFICE OF ZONING

MAKE CHECK OR MONEY ORDER PAYABLE TO: BALTIMORE COUNTY, MD.

[illegible]

2011-10-10 10:10:10

BALTIMORE COUNTY, MARYLAND
APPLICATION FOR COIN OPERATED AMUSEMENT DEVICE LICENSE
YEAR 1991

County Executive
Dennis F. Rasmussen
and the
Baltimore County Council

NAME OF BUSINESS Chuck E. Cheese's
(Where devices will be operated)
LOCATED AT 8354 Eastern Avenue, Baltimore, MD ZIP CODE 21224
PHONE NO. 301/288-9391

NAME OF BUSINESS OWNER OR OPERATOR Chuck E. Cheese of Diamond Point, Inc.
(Where devices will be operated)
SIGNATURE OF APPLICANT Alice Winters
OWNER OF MACHINES Chuck E. Cheese of Diamond Point, Inc.
ADDRESS 8354 Eastern Avenue, Baltimore, MD ZIP CODE 21224

FEE: \$150.00 FOR EACH MACHINE PER YEAR

NO. OF DEVICES	TYPE (Kids' Rides)	INSTALLATION DATE	LICENSE NUMBER	FEE
1	Dune Racer	08/06/91		150.00
1	Small Train	08/06/91		150.00
1	Helicopter	08/06/91		150.00
1	Turtle	08/06/91		150.00
1	Jeep	08/06/91		150.00
1	Fire Engine	08/06/91		150.00
1	Beach Bike	08/06/91		150.00
1	Day Car	08/06/91		150.00
1	Clown Up & Down	08/06/91		150.00
1	Dino	08/06/91		150.00
1	CEC Telephone	08/06/91		150.00

DATE FILED 30 JUL 91 CASH SLIP NO. 11 To 14 TOTAL FEE \$1,650.00
DATE APPROVED 30 JUL 91 BY L. L. Walker OFFICE OF ZONING
CASE # 91-318-XA
MAKE CHECK OR MONEY ORDER PAYABLE TO: BALTIMORE COUNTY, MD.

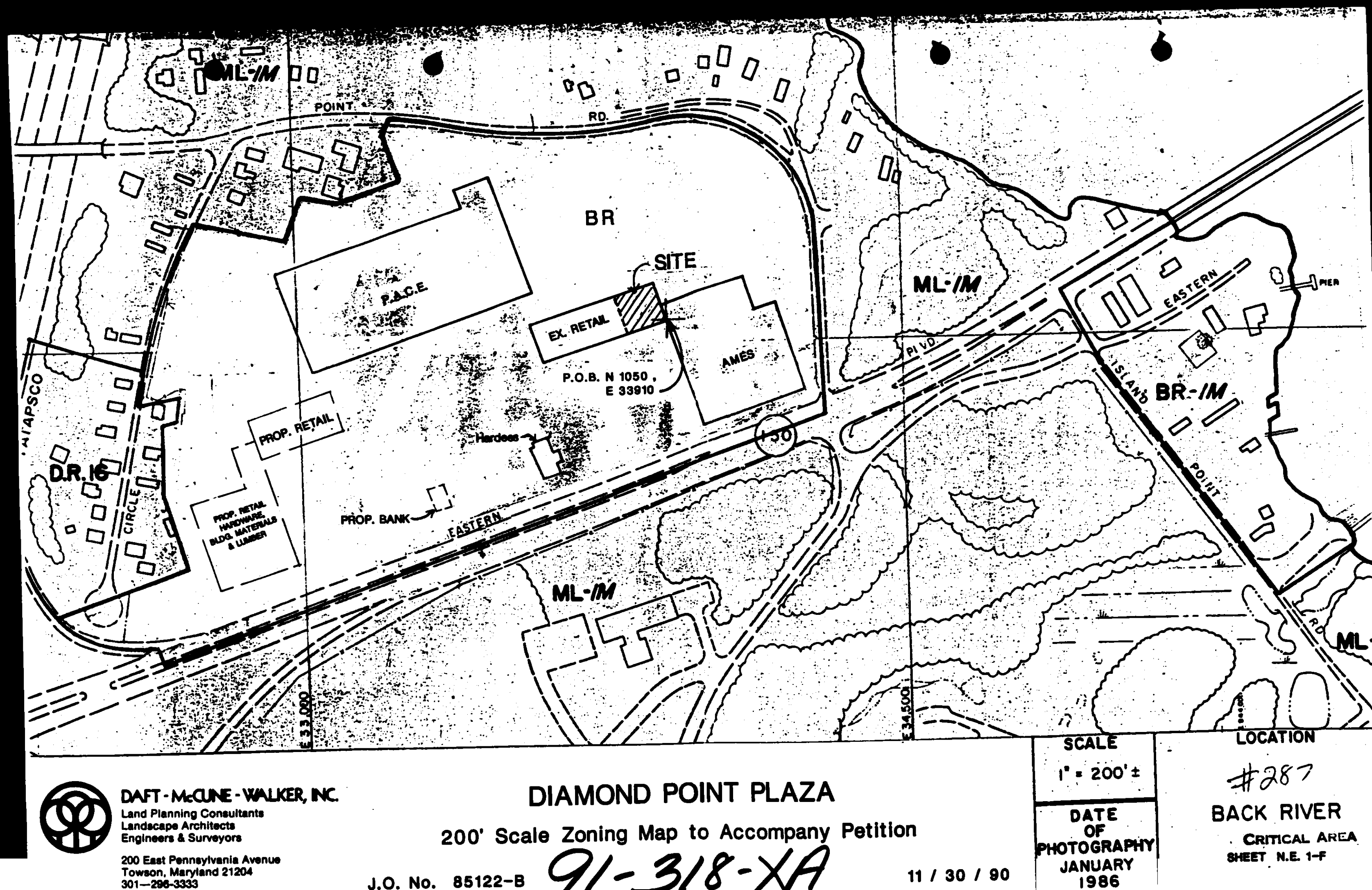
PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
RICHARD T. HUSTON	4441 ARBORT IRVING TX 75069
STUART D. KIRBY	200 E. Pennsylvania Ave 21204
George E. Garpelis	200 E. Pennsylvania Ave 21204

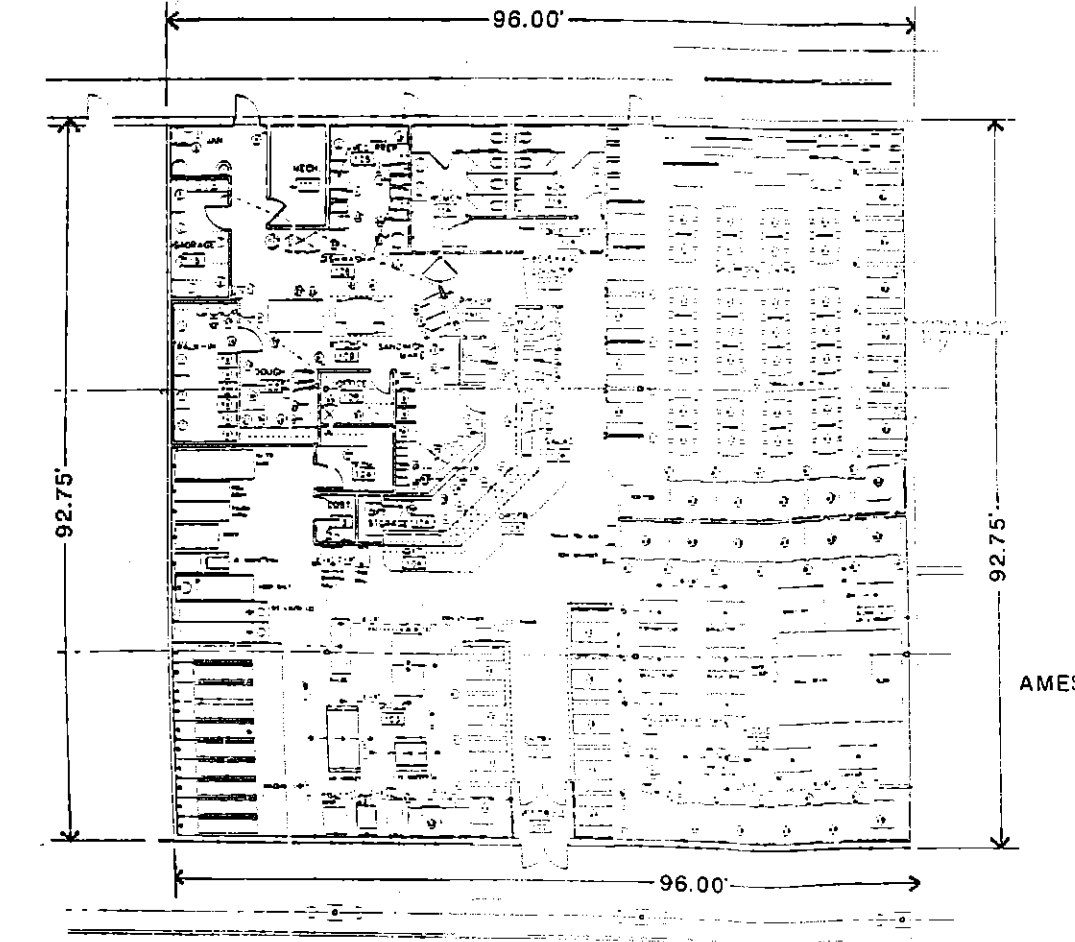
91-426XA

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

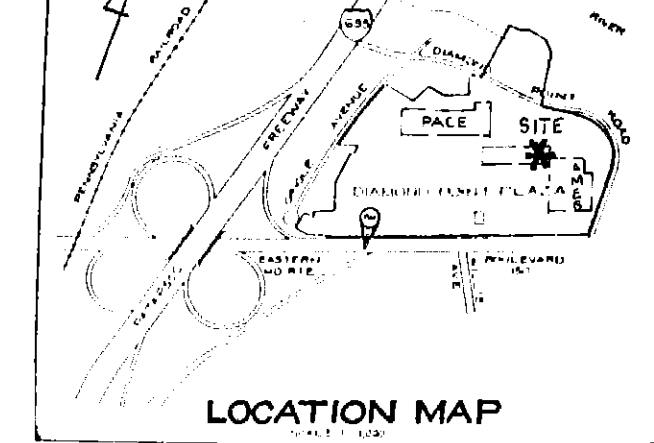
NAME	ADDRESS
STUART D. KIRBY	210 W. Penn Ave 21204
JIM KLINE (GNS STEPHENS)	650 KENILWORTH DR 21204
ALICE WINTERS	444 W. ALBANY EAY.
LARRY KENDRICK	12019 TX
ALAN MESS	24 FOLLEN TREE CT 21227
MICHAEL CONTER	7342 BAKER HAVEN CT
BRETT ANZ	1101 N. HAYES, DALLAS, TX



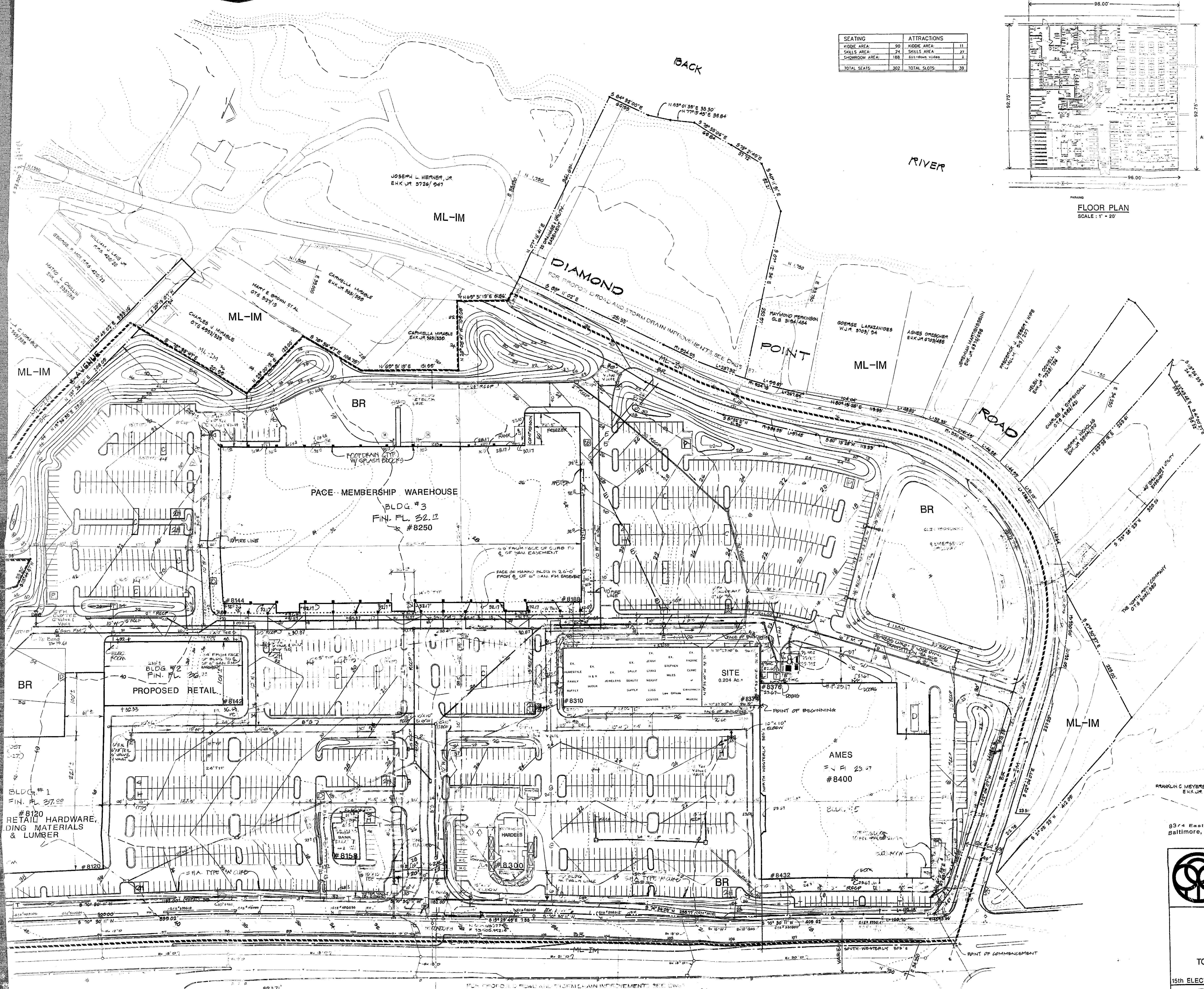
SEATING	ATTRICTIONS
WODIE AREA 90	WODIE AREA 11
SKILLS AREA 74	SKILLS AREA 27
SHOWROOM AREA 188	811-ROOM 10000
TOTAL SEATS 352	TOTAL SLOTS 35



FLOOR PLAN
SCALE: 1" = 20'



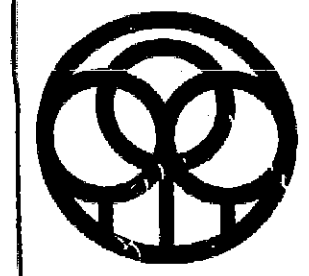
LOCATION MAP



PETITIONER'S EXHIBIT 2

FRANKLIN C MEYERS & WILLIAM E MEYERS
ENR 9947/488

8374 Eastern Boulevard
Baltimore, Maryland 21221

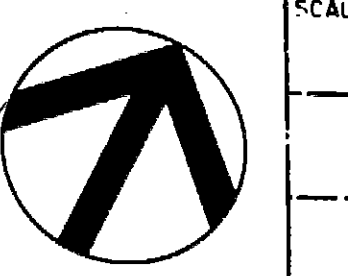


DAFT McCUNE WALKER, INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS, SURVEYORS
201 EAST PENNSYLVANIA AVENUE
PHILADELPHIA, PA 19106-3311

DIAMOND POINT PLAZA
PLAN & PLAT
TO ACCOMPANY ZONING PETITION

15th ELECTION DISTRICT 7th COUNCILMATIC DISTRICT

Jeffrey J. J...
DATE 9/13/88



JOB ORDER NO. 3
ISSUE DATE 12/5/90

91-318-XA

#287
CRITICAL AREA

SEATING		ATTN
KIDDIS AREA:	90	KIDDIS
SKILLS AREA:	24	SKILLS
SHOWROOM AREA:	188	SHOWROOM
TOTAL SEATS:	302	TOTAL

