IN RE: PETITION FOR SPECIAL HEARING	*		BEFORE THE
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W side Greenspring Drive, 467 feet S

of c/l Business Park Drive

8th Election District

3rd Councilmanic District

(1924 Greenspring Drive)

* OF BALTIMORE COUNTY

COMMISSIONER

DEPUTY ZONING

Wilmer Realty, LLC by Roger Cassell

Legal Owner

WJS Entertainment, LLC

Lessee

CASE NO. 08-143-SPH

IN RE: PETITION FOR SPECIAL HEARING AND SPECIAL EXCEPTION

W side Greenspring Drive, 145 feet S

of c/l Business Park Drive

8th Election District

3rd Councilmanic District

(1928 and 1930 Greenspring Drive)

BEFORE THE

DEPUTY ZONING

COMMISSIONER

OF BALTIMORE COUNTY

1930 Greenspring Drive, LLC;

by Wilmer Realty, LLC

Legal Owner

WJS Entertainment, LLC

Lessee

CASE NO. 08-144-SPHX

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

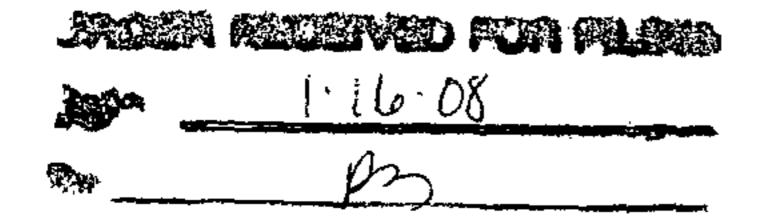
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This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing (Case No. 08-143-SPH) and Petitions for Special Hearing and Special Exception (Case No. 08-144-SPHX). The requests for relief are as follows:

Case No. 08-143-SPH

Special Hearing relief is requested for the property located at 1924 Greenspring Drive by the proposed lessee, WJS Entertainment, LLC, on behalf of the legal property owner, Wilmer Realty, LLC, in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:



to approve, pursuant to Sections 409.6.B.3 and 409.7.B.1 of the B.C.Z.R., off-site parking for the proposed uses on the adjoining property (1928 Greenspring Drive) in connection with the Petitions for Special Hearing and Special Exception filed in the companion case for 1928 and 1930 Greenspring Drive.

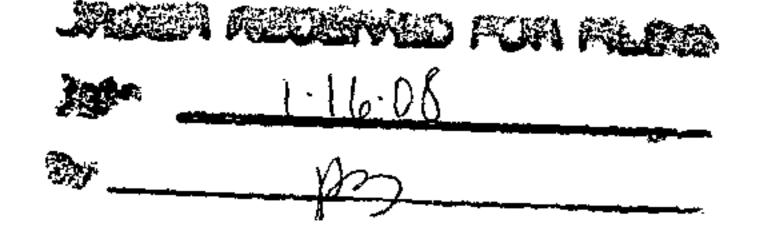
Case No. 08-144-SPHX

In this companion case, Special Exception relief is requested for the property located at 1928 Greenspring Drive by the proposed Lessee, WJS Entertainment, LLC, on behalf of the legal property owner, 1930 Greenspring Drive, LLC, as follows:

- for a commercial recreational facility (indoor cosmic miniature golf, laser tag and accessory facilities for birthday parties associated with such uses) pursuant to Section 253.2.D.3 of the B.C.Z.R.; and
- in combination therewith, pursuant to Sections 253.2.E and 423.C of the B.C.Z.R., an accessory arcade.

Special Hearing relief is requested for the properties located at 1928 and 1930 Greenspring Drive by the proposed lessee, WJS Entertainment, LLC, on behalf of the legal property owner, 1930 Greenspring Drive, LLC, in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

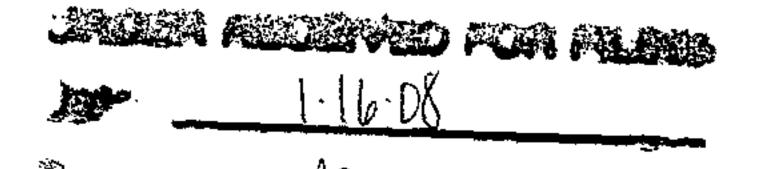
- to confirm the parking requirements for the proposed principal uses; and
- to approve a shared parking adjustment and off-site parking (adjoining property) for the proposed uses; and
- to approve an amendment to the variance relief previously granted to conform to the recent boundary survey and to the site plan in Case No. 05-648-SPHA consistent with the relief requested and site plan to accompany this Petition and the accompanying Petition for Special Exception.



Descriptions of the properties and the relief requested in the aforementioned petitions are more fully shown on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the special hearing and special exception requests was Petitioner Darin Winick on behalf of WJS Entertainment, LLC, and his attorney, Howard L. Alderman, Esquire with Levin & Gann, PA. Also appearing in support of the requests for relief was Geoffrey Schultz with McKee & Associates, Inc., the consultant who prepared the site plan, and Mickey Cornelius with The Traffic Group, Inc., Petitioner's parking and traffic consultant. Appearing as an interested citizen was Eric Rockel of 1610 Riderwood Drive. Mr. Rockel is also President of the Greater Timonium Community Council. There were no Protestants or other interested citizens in attendance at the hearing.

Due to the consolidation and related nature of the above-captioned matters, the testimony and exhibits marked as evidence were numbered and accepted into evidence simultaneously and considered concurrently as to both cases. Testimony and evidence offered revealed that the subject properties lie adjacent to one another at the south end of Greenspring Drive in the Lutherville area of Baltimore County. At the intersection of Timonium Road, just east of Interstate 83, is Greenspring Drive. Headed north, the road eventually turns into Deerco Road and crosses Padonia Road. Headed south, Greenspring Drive ends in a cul-de-sac after approximately one-half mile -- where the subject properties are located. In Case No. 08-143-SPH, the subject property (hereinafter "1924 Greenspring") is an irregular-shaped parcel located at the southernmost end of Greenspring Drive consisting of approximately 90,919 square feet or 2.087 acres, more or less, and zoned M.L.-I.M. The property is improved with an existing 32,000 square foot two-story concrete building with abundant parking surrounding the building. In Case No. 08-144-SPHX, the subject properties are described as follows: 1928 Greenspring Drive (hereinafter



"1928 Greenspring") is an L-shaped parcel consisting of approximately 42,235 square feet or .970 acre, more or less, and zoned M.L.-I.M. It abuts 1924 Greenspring to the south. It is improved with an existing 19,292 square foot one-story concrete block building, with a small second story. 1930 Greenspring Drive (hereinafter "1930 Greenspring") is square-shaped with a slight taper on the east side of the property fronting Greenspring Drive. It consists of approximately 44,405 square feet or 1.019 acre, more or less, and zoned M.L.-I.M. It is surrounded to the south and west by 1928 Greenspring. It is improved with an existing 21,400 square foot two-story concrete and metal building, also with a small mezzanine level. The property consisting of 1928 and 1930 Greenspring is two parcels comprising the two separate addresses and buildings erected thereon.

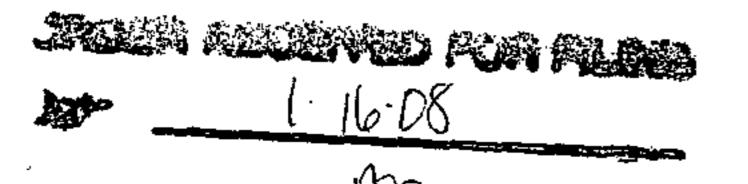
In Case No. 08-144-SPHX, Petitioner is proposing to open a family entertainment center to be known as "Baltimore Laser Blast" in the building located at 1928 Greenspring. In order to do so, and pursuant to Section 253.2.D.3 of the B.C.Z.R., Petitioner is requesting special exception use of the property as a commercial recreational facility. Petitioner is also requesting special exception use of the property in combination therewith as an accessory arcade pursuant to Section 423.C of the B.C.Z.R. In addition, because the parking layout and configuration for both 1928 and 1930 Greenspring is somewhat unique and presents certain challenges which will be discussed infra, Petitioner is also requesting special hearing relief to formalize the parking requirements for the properties and to approve a shared parking adjustment and off-site parking, as well as to approve an amendment to the variance relief previously granted to conform to the recent boundary survey and site plan in Case No. 05-648-SPHA. In Case No. 08-143-SPH, Petitioner is requesting special hearing relief for the property located at 1924 Greenspring in order to alleviate the parking issues associated with the aforementioned proposed uses at 1928 Greenspring by approving offsite parking on the adjoining property (1924 Greenspring) pursuant to Sections 409.6.B.3 and 409.7.B.1 of the B.C.Z.R.

1-16-08

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In order to give context and some important background information to these requests, it is necessary to briefly review the prior zoning history of parcels 1928 and 1930 Greenspring. In Case No. 02-571-X, the owner of 1930 Greenspring, Edward Kovens, and the lessee, Earth Treks Climbing Center, requested special exception use of the property for the lessee's proposed use as a commercial recreational facility involving an indoor climbing center and a small retail shop. In an Order dated August 7, 2002, then-Deputy Zoning Commissioner Timothy M. Kotroco granted the special exception use and approved the parking layout and design as represented on the site plan. A copy of the Order was marked and accepted into evidence as Petitioner's Exhibit 2. Thereafter, in Case No. 05-648-SPHA, the current owner of 1928 and 1930 Greenspring, 1930 Greenspring, LLC, requested special hearing relief to approve an amendment to the site plan and a modified parking plan, and a reduction of the area of the special exception granted in prior Case No. 02-571-X for the building at 1930 Greenspring. A variance was also requested for the building at 1928 Greenspring to permit a front yard setback of 12.5 feet in lieu of the required 25 feet, and for the building at 1930 Greenspring to permit a rear yard setback of 12.5 feet in lieu of the required 30 feet. Essentially, the property owner sought relief in order to legitimize existing conditions on the property, while also making certain changes to the use and parking. In an Order dated August 25, 2005, Zoning Commissioner William J. Wiseman, III granted the special hearing relief as to 1930 Greenspring, and granted the variance relief as to both 1928 and 1930 Greenspring. A copy of the Order was marked and accepted into evidence as Petitioner's Exhibit 3.

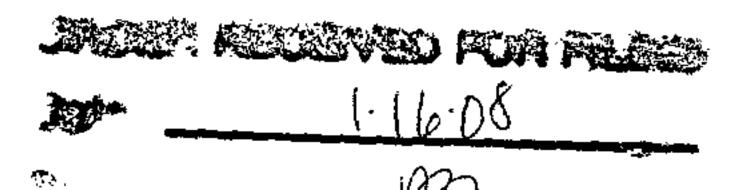
In support of the current zoning relief requests, Petitioner's attorney, Mr. Alderman, proffered the testimony and evidence. At the outset, Mr. Alderman wished to address the letter dated October 30, 2007 from People's Counsel, Peter Max Zimmerman, to the Zoning Commissioner concerning potential parking issues associated with these matters. Mr. Zimmerman also attached with the letter an email dated October 29, 2007 from Stephen E. Weber, Chief of the



Division of Traffic Engineering for the Department of Public Works, whom he requested to review the petitions and provide input as to any potential parking issues. Mr. Weber indicated that he saw no significant concerns regarding Petitioner's special exception request, and that the shared parking arrangements between 1924, 1928, and 1930 Greenspring seem reasonable and workable. Both the letter and Mr. Weber's email were offered by Mr. Alderman and marked and accepted into evidence as Petitioner's Exhibit 4.

Mr. Alderman then discussed the specifics of the proposed parking plan and the related request for special hearing and special exception. Presently, the building at 1930 Greenspring is used primarily as a commercial recreational facility by Earth Treks Climbing Center. Other portions of the building are used as general office, warehouse, and machine shop uses. These combined uses require 56 parking spaces. As shown on the site plan, 1930 Greenspring provides 38 parking spaces on site. It also utilizes another 22 spaces reserved from 1928 Greenspring for a total of 60 parking spaces provided. However, as a result of the reservation of the 22 spaces at 1928 Greenspring for use by 1930 Greenspring, there are only four spaces on site for use by 1928 Greenspring. In addition, the building at 1924 Greenspring is used as a communications warehouse, a printing company, a screen printing company, and a restoration service. These combined uses require 46 parking spaces. As shown on the site plan, 1924 Greenspring provides 123 spaces on site -- almost triple what is required.

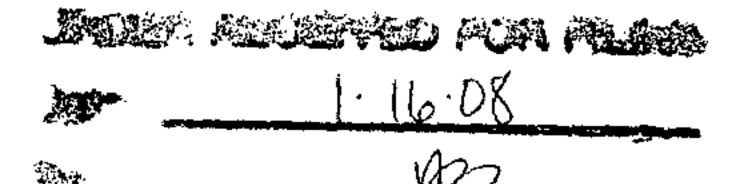
As to the parking requirements for Petitioner's proposed use of 1928 Greenspring as a commercial recreational facility, Mr. Alderman explained that Petitioner's proposed use is not specifically delineated in the zoning regulations and, therefore, his client sought an evaluation and analysis of the potential parking requirements in order to aid the undersigned in making that determination. Petitioner retained Mickey Cornelius of The Traffic Group to perform the review and provide a written report. Mr. Cornelius is a licensed professional engineer and professional



traffic operations engineer and was offered and accepted as an expert in traffic engineering and parking as applied to the Baltimore County Zoning Regulations. Mr. Cornelius reviewed the current uses of 1924 and 1930 Greenspring and their parking needs and requirements, the "Statement of Operations" for the proposed Baltimore Laser Blast at 1928 Greenspring, and conducted parking occupancy studies at the properties.

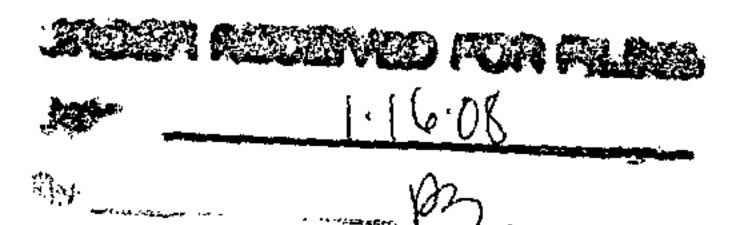
Based upon the analyses of these factors, Mr. Cornelius offered his opinion that a maximum of 24 parking spaces will be needed to serve the proposed use at 1928 Greenspring. He also indicated that the shared parking arrangement between 1928 and 1930 Greenspring, and the possibility that the parking needs of the properties as commercial recreational facilities would peak at similar times, resulted in the need for additional off site spaces. He also offered the opinion that the office/warehouse use at 1924 Greenspring has parking occupancy patterns that do not coincide with the recreational uses existing at 1930 Greenspring and proposed at 1928 Greenspring, which would provide potential parking availability at 1924 Greenspring. Cornelius's report was marked and accepted into evidence as Petitioner's Exhibit 5. Mr. Alderman then indicated that an agreement had been reached to allow 40 spaces from 1924 Greenspring to be made available for the exclusive use of 1928 Greenspring. As shown on the site plan, these 40 spaces at 1924 Greenspring are shaded in gray. The agreement would provide a total of 44 spaces for 1928 Greenspring and would still provide 83 spaces for 1924 Greenspring -almost double what is required. 1930 Greenspring would also maintain its current allotment of 60 spaces.

As to the special exception request for 1928 Greenspring, Mr. Alderman proffered the testimony of Petitioner Darin Winick and his consultant, Geoffrey Schultz. Mr. Schultz was offered and accepted as expert in land use and zoning as they pertain to the Baltimore County Zoning Regulations. As mentioned previously, Petitioner proposes to open the "Baltimore Laser



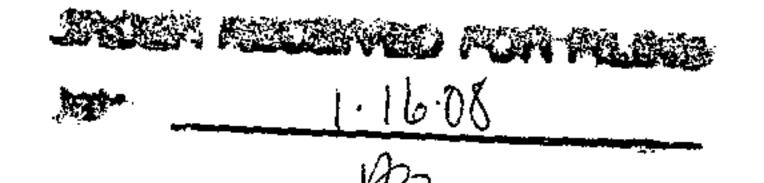
Blast" family entertainment center as a commercial recreation center. The three major attractions will include laser tag, cosmic golf (indoor space-themed mini-golf), and arcade games. The center will also provide party rooms and concessions, as well as other attractions, including themed props, obstacle props, wall murals, and other structures to be incorporated into the games. Examples are depicted in the photographs which were marked and accepted into evidence as Petitioner's Exhibit 6. The center will have seasonal hours and be open Tuesday through Friday 5:00 PM – 10:00 PM, Saturday 10:00 AM – 12:00 AM, and Sunday 12:00 PM – 8:00 PM from September through May, and Tuesday through Friday 4:00 PM – 11:00 PM, Saturday 10:00 AM – 12:00 AM, and Sunday 12:00 PM – 8:00 PM from June through August. The center will not be open to the general public at other times, but anticipates group outings during the workday hours. In addition, customers will fall into five broad categories, including birthday parties, youth and community groups, corporate outings, frequent individual players (i.e. "gamers"), and casual individual players.

In addition to the commercial recreation facility containing laser tag and cosmic golf, which are explained more fully in the Statement of Operations attached as an Appendix to The Traffic Group report, Petitioner also proposes an arcade. The arcade is proposed as an accessory use in combination with the commercial recreational facility. During the hearing, Petitioner indicated the business proposes to start with approximately 45 arcade machines, but is requesting approval of up to 60 machines in the event demand warrants additional machines. The arcade would consist of typical video games (i.e. Pac-Man, Golden Tee Golf), as well as redemption games (i.e. Skee-Ball) involving the issuance of tickets that could be redeemed for prizes. As explained by Petitioner, these games are intended to provide entertainment options to customers before, between, and after laser tag and cosmic golf game plays.



Mr. Alderman proffered that Mr. Schultz would testify that in his professional opinion, the uses proposed by Petitioner for 1928 Greenspring are consistent with the use as a commercial recreational facility as that term is defined in Section 101 of the B.C.Z.R., and that a commercial recreational facility is permitted in an M.L.-I.M. zone. In addition, the proposed arcade will meet the requirements of Section 423.C of the B.C.Z.R. including that it will be an accessory use in combination with the commercial recreational facility and will be located on the same lot within the same building, and will be clearly subordinate in area, extent, and purpose to the principal use. Mr. Schultz would also testify that the special exception uses meet the factors in Section 502.1 of the B.C.Z.R. In particular, that the uses will not be detrimental to the health, safety, or general welfare of the locality, will not create traffic problems or congestion, especially given that the property is located at the end of a commercial cul-de-sac, will comply with all applicable fire codes, will not overcrowd the land and will operate indoors, and will be consistent with the property's zoning classification. Finally, Mr. Schultz would testify that the facts and circumstances do not show that the use proposed by Petitioner will have any adverse impact above and beyond that inherently associated with such special exception use at the subject location more than any other potential location in the M.L.-I.M. zone. See, Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319 (1981).

Following Petitioner's case, Mr. Rockel testified and raised several issues of concern on his own behalf and on behalf of the Greater Timonium Community Council. First, Mr. Rockel indicated that the nearby Lutherville Community Association, located to the south of the subject properties, has had problems with flooding. He indicated that there appears to be an overall increase in commercial uses and existing properties being re-used for other commercial purposes such as in the instant matter, but there are not associated storm water management strategies in place to address the effects of the commercial development. Second, and specifically as to the



instant matter, Mr. Rockel indicated that while the proposed use of 1928 Greenspring appears to be geared toward wholesome and family entertainment, he is concerned about "walk up" activity and the center becoming a "teen hangout" for walk up traffic, especially with regard to the availability of arcade games. He believes the higher the number of arcade machines, the more it is likely that the center could become a detriment to the surrounding area.

Shortly after the hearing was concluded, the undersigned received notification that following the hearing, Petitioner contacted Mr. Rockel to discuss the arcade component to the family entertainment center. As a result of that discussion, Petitioner agreed to a limit of forty (40) amusement games, which will remain accessory and incidental to the principal special exception use as a commercial recreational facility. This information was confirmed in letters to the undersigned dated December 10, 2007 from Mr. Alderman and December 11, 2007 from Mr. Rockel, which are contained within the case file.

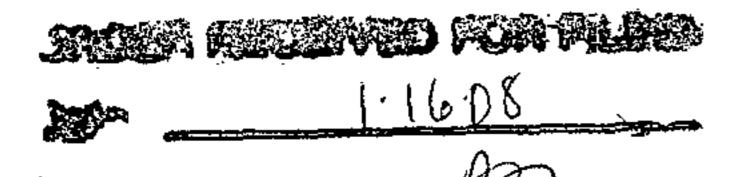
The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

After due consideration of the testimony and evidence presented, I find that the requests for special hearing and the request for special exception should be granted. In Case No. 08-144-SPHX as to the special exception use requested, I find that the proposed use at 1928 Greenspring is consistent with the definition of a commercial recreational facility and is permissible under Section 253.2.D.3 of the B.C.Z.R. in the M.L.-I.M. zone. I also find that the proposed use satisfies the criteria set forth in Section 502.1 of the B.C.Z.R., and generally will not be detrimental to the health, safety, or welfare of the locality involved. I also find that the proposed use of an arcade is an accessory use that will be in combination with the primary use as a commercial recreational facility, and further find that the use satisfies the requirements of Section 423.C of the B.C.Z.R.

Moreover, pursuant to Section 423.C.4 of the B.C.Z.R., and based on the testimony and evidence concerning the arcade as an attraction at the center, as well as the agreement reached between Petitioner and Mr. Rockel, I shall specify the maximum number of amusement devices to be maintained at the arcade at forty (40). Any subsequent proposal for machines in excess of that number will necessitate a separate petition for special exception and public hearing.

As to the request for special hearing in Case No. 08-144-SPHX, I am persuaded to grant this relief as well. In so doing, I find that the parking required for the proposed use at 1928 Greenspring as a commercial recreational facility consisting primarily of laser tag, cosmic golf, and an arcade to be 24 parking spaces. I approve, pursuant to Section 409.6.B.3 of the B.C.Z.R., a shared parking adjustment between 1928 and 1924 Greenspring and find that the hours or days of peak parking for the two uses are so different so as to provide adequately for all uses without conflict or encroachment. I also approve, pursuant to Section 409.7.B.1, off site parking for the proposed uses at 1928 Greenspring and find that, according to the site plan, the off site parking spaces shall be located within 500 feet walking distance of a building entrance. In addition, as to 1928 and 1930 Greenspring, I also approve an amendment to the variance relief previously granted to conform to the recent boundary survey and to the site plan in Case No. 05-648-SPHA consistent with the relief requested and site plan accompanying this Petition and the related Petition for Special Exception.

As to the request for special hearing in Case No. 08-143-SPH, I am persuaded to grant the relief and approve shared off site parking at 1924 Greenspring for the proposed uses at the adjoining 1928 Greenspring pursuant to Sections 409.6.B.3 and 409.7.B.1 of the B.C.Z.R. Overall, the parking arrangement proposed by Petitioner makes efficient use of the space available on all three parcels (1924, 1928, and 1930 Greenspring). Approval of Petitioner's plan will enable 1930 Greenspring to continue to utilize on site spaces and the additional spaces reserved at 1928



Greenspring, which are necessary for 1930 Greenspring's own special exception use. Further, the limited on site spaces still available at 1928 Greenspring, combined with the available off site spaces at 1924 Greenspring, will enable Petitioner to proceed with its plan for a family entertainment center at 1928 Greenspring. Finally, Petitioner's plan will have virtually no impact on 1924 Greenspring due to the abundance of parking at that site, nor is there any evidence that it will have any detrimental impact on the health, safety, or welfare of the surrounding locality.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered, I find that Petitioner's request for special exception and requests for special hearing should be granted.

CASE NO. 08-143-SPH

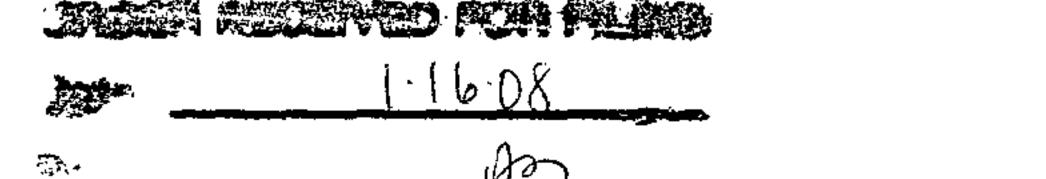
The Special Hearing relief requested for the property located at 1924 Greenspring Drive in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

• to approve, pursuant to Sections 409.6.B.3 and 409.7.B.1 of the B.C.Z.R., off-site parking for the proposed uses on the adjoining property (1928 Greenspring Drive) in connection with the Petitions for Special Hearing and Special Exception filed in the companion case for 1928 and 1930 Greenspring Drive be and is hereby GRANTED; and

Case No. 08-144-SPHX

The Special Exception relief requested for the property located at 1928 Greenspring Drive as follows:

• for a commercial recreational facility (indoor cosmic miniature golf, laser tag and accessory facilities for birthday parties associated with such uses) pursuant to Section 253.2.D.3 of the B.C.Z.R., be and is hereby GRANTED; and



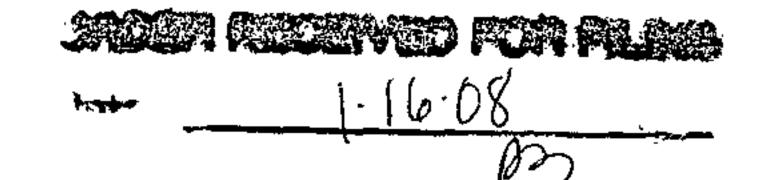
• for use in combination therewith, pursuant to Sections 253.2.E and 423.C of the B.C.Z.R., an accessory arcade for up to forty (40) amusement games be and is hereby GRANTED; and

The Special Hearing relief requested for the properties located at 1928 and 1930 Greenspring Drive in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

- to confirm the parking requirements for the proposed, principal uses at 1928 Greenspring Drive be and is hereby GRANTED and is determined to be 24 spaces; and
- to approve, pursuant to Sections 409.6.B.3 and 409.7.B.1 of the B.C.Z.R., a shared parking adjustment and off-site parking (adjoining property) for the proposed uses at 1928 Greenspring Drive be and is hereby GRANTED; and
- to approve an amendment to the variance relief previously granted for 1928 and 1930 Greenspring Drive to conform to the recent boundary survey and to the site plan in Case No. 05-648-SPHA consistent with the relief requested and site plan accompanying this Petition and the accompanying Petition for Special Exception be and is hereby GRANTED.

The relief granted herein is subject to the restrictions set forth below, and are conditions precedent to the granting of the relief:

- 1. Petitioner may apply for its permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. Petitioner shall be limited to forty (40) amusement games, which will remain accessory and incidental to the principal special exception use as a commercial recreational facility. Any subsequent proposal for machines in excess of that number will necessitate a separate petition for special exception and public hearing.



3. The relief granted herein, as it relates to 1924 Greenspring Drive, shall not be effective unless and until a copy of a written agreement, signed by the Owner(s) of 1924 Greenspring Drive, evidencing permission to utilize the forty (40) parking spaces and the terms related thereto is provided to the Zoning Commissioner. The Owner(s) of 1924 Greenspring Drive may reconfigure existing parking on the subject property as necessary to address changing tenant mix, provided that forty (40) of all parking spaces located on 1924 Greenspring Drive remain available, within five hundred (500) feet of the entrance to 1928 Greenspring Drive (the "off-site parking arrangement"), for use by patrons of the Special Exception uses for 1928 Greenspring Drive granted in Case No. 08-144-SPHX. Upon the failure to establish within the time frame of Section 502.3 of the B.C.Z.R., or cessation or termination of the Special Exception uses granted for 1928 Greenspring Drive or upon termination by the owner(s) of 1924 Greenspring Drive of the permission to utilize the forty (40) parking spaces pursuant to written agreement, the off-site parking arrangement approved by this Order shall terminate and be of no further force or effect.

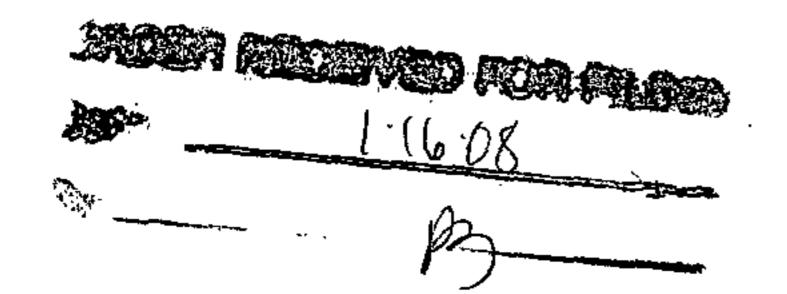
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 1928 Greenspring Drive

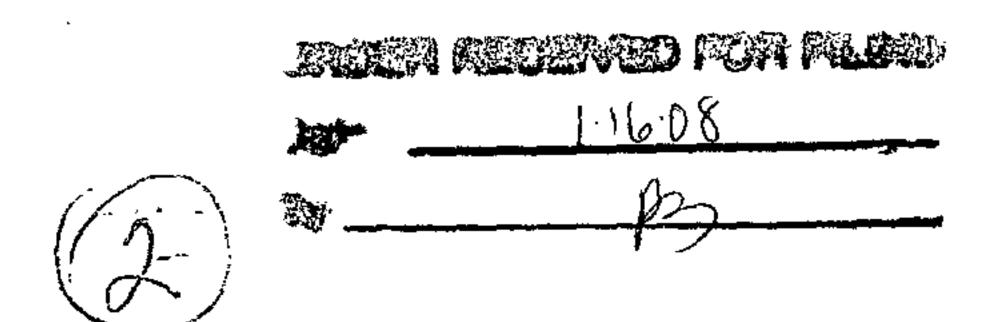
This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and herein described property for

SEE ATTACHED

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

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that live are the legal owner(s) of the property which is the subject of this Petition. SEARCH PORTER MANUELLOSSOO: Legal Owner(s): WIS Entertainment LLC 1930 Greenspring Drive, LLC Name - Type of Print Name - Type or Poles. B₂ DARIN WINICK Service Simetime 2 Sheepfold Lane 443-812-8522 Address Telephone No. Cockeysville MD 21030 21030 Chy State Zip Code Attorney For Petitioner: 4412 Fdx Chaser Lane Addense Howard L. Alderman, Jr., Esquire Telephone No. White Hall MD 21161 Name - Type or Print City State Zio Code Representative to be Contected: Signature Levin & Gann, PA Nottingham Centre, 8th Floor Geoffrey C. Schultz, PLS McKee & Associates, Inc. Company Name 502 Washington Avenue 410-321-08000 5 Shawan Road, Suite 1 410-527-1555 Address Telephone No. Address Talanhone No Townon, MD 21204 Hunt Valley MD 21030 CIV Zip Code City Stete Zip Code OFFICE USE ONLY ESTEMATED LENGTH OF HEARING Case No. 08-144-SPHX UNAVAILABLE FOR HEARING REV 09/15/98



ATTACHMENT

PETITION FOR SPECIAL EXCEPTION

CASE NO: 08- H -SPHX

Address:

1928 Greenspring Drive

Legal Owner:

1930 Greenspring Drive, LLC

Present Zoning:

ML-IM

REQUESTED RELIEF:

Special Exception Uses Requested:

- per BCZR Section 253.2D.3, a commercial recreational facility (indoor cosmic miniature golf, laser tag and accessory facilities for birthday parties associated with such uses); and
- in combination therewith per BCZR §§ 253.2E & 423C, an accessory arcade; and
- such additional relief as the nature of this case as presented at the time of the hearing on this Petition may require, within the spirit and intent of the BCZR to permit the proposed uses.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire Levin & Gann, P.A. 8th Floor, Nottingham Centre 502 Washington Avenue Towson, Maryland 21204

(410) 321-0600 Fax: (410) 296-2801 halderman@LevinGann.com Engineering • Surveying • Environmental Planning Real Estate Development

September 4, 2007

Zoning Description of 1928 Greenspring Drive 3rd Councilmanic District 8th Election District Baltimore County, MD



Beginning at a point on the West side of Greenspring Drive (60 foot right-of -way), at the distance of 329 feet South of the center of Business Park Drive, thence running along Greenspring Drive (1) S 09-52-40 W 25.90 feet, (2) by a curve to the right, having a radius of 1370.00 feet and an arc length of 111.91 feet, thence running (3) S 84-11-48 W 197.65 feet, (4) N 05-52-42 W 311.72 feet, (5) N 84-11-48 E 45.86 feet, (6) S 05-55-22 E 180.96 feet, and (7) N 84-01-43 E 193.43 feet to the point of beginning.

Containing 37,075 square feet or 0.851 acres of land and being part of the property recorded indeed Liber 19363 Folio 238.

NOTICE OF ZONING HEARING

thority of the Zoning Act and Regulatings of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #08-144-SPHX

1928 & 1930 Greenspring Drive
Wiside of Greenspring Drive, 145 feet south of centeriline of Business Park Drive
8th Election District - 3rd Councilmanic District
Legal Owner(s): 1930 Greenspring Drive, LLC,
by Wilmer Realty, LLC

Special Hearing: to confirm the parking requirements for the proposed, principal uses and to approve a shared parking adjustment and off-site parking (adjoining property) for the proposed uses, and approve an amendment to the variance relief previously granted to conform to the recent boundary survey and to the site plan in Case No. 05-648-SPHA consistent with the relief requested and stee plan to accompany this Petition and the accompanying Petition for Special Exception. Special Exception: for a commercial recreational facility (Indoor cosmic miniature golf, laser tag and accessory facilities for bithday parties associated with such uses) and in combination therewith and accessory arrange.

and accessory arcade. Hearing: Wednesday, December 5, 2007 at 11:00 a.m. In Room 407, County Courts Building, 401 Basley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for
special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing,
Contact the Zoning Review Office at (410) 887-3391,
JT/11/731 Nov. 20

OCERTIFY that the annexed advant:	11/22	
duations	2007	

in the following weekly newspaper published in Baltimore Co once in each of THIS IS TO -successive weeks, the first publication appearing auverusement was published ounty, Md.,

LEGAL ADVERTISIN & myn M

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET AND FINANCE MISCELLANFOLIS DECELET		Rev Sub			Rec	기	For The William CPHX	1938 + 1930 GREWIGDRING DR	WHITE - CASHIER PINK - AGENCY

4 .

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MEKEE & ASSOCIATES, PNC.

Engineering • Surveying • Environmental Planning Real Estate Development

DATE: 9/18/07

TO: BALTIMORE COUNTY ZONING OFFICE

RE: 1928 & 1930 GREENSPRING DR.

ATTE	NTION: DONNA	THOMPSON	
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Very tru	uly yours,		
McKee	& Associates, Inc.		
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	ey C. Schultz, Presider	nt	RECEIVED
Enclosi			SEP 19 2007
Cc:	McKee Files HOWARD ALDE	RMAN W/ENC.	DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

HOWARD ALDERMAN W/ENC.

DEPT. OF PERMITS A DEVELOPMENT MANAGE DEVELOPMENT DEVELOPMENT MANAGE DEVELOPMENT MANAGE DEVELOPMENT DEVELOPM

MEKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning -Real Estate Development

DATE: November 19, 2007

TO:	Baltimore	County,	Zoning

RE: Case No. 08-144-SPHX

#1928 & 1930 Greenspring Orive

		MAI	:Job No. : 07-121
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cc: File			

NOV 2 0 2007

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030 Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits & Development Management 111 W. Chesapeake Avenue, Rm. 111 Towson, MD 21204

Attention: Ms. Kristen Matthews / Mr. Timothy Kotroco

RE:Case Number: No. 08-144-SPHX

Petitioner/Developer: WJS Entertainment

Date of Hearing/Closing: Wed. December 05, 2007 @ 11:00 am

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 1928 & 1930 Greenspring Drive

The sign(s) were posted on

SEE

ATTACH PHOTOGRAPH

OF

SIGN POSTED ON

PROPERTY

November 16, 2007

(Month, Day, Year)

(Signature of Sign Poster)

Date: November 19, 2007

MAI Job No: 07-121

William D. Gulick, Jr.

(Printed Name of Sign Poster)

McKee and Associates, Inc.

5 Shawan Road, Suite 1

(Street Address of Sign Poster)

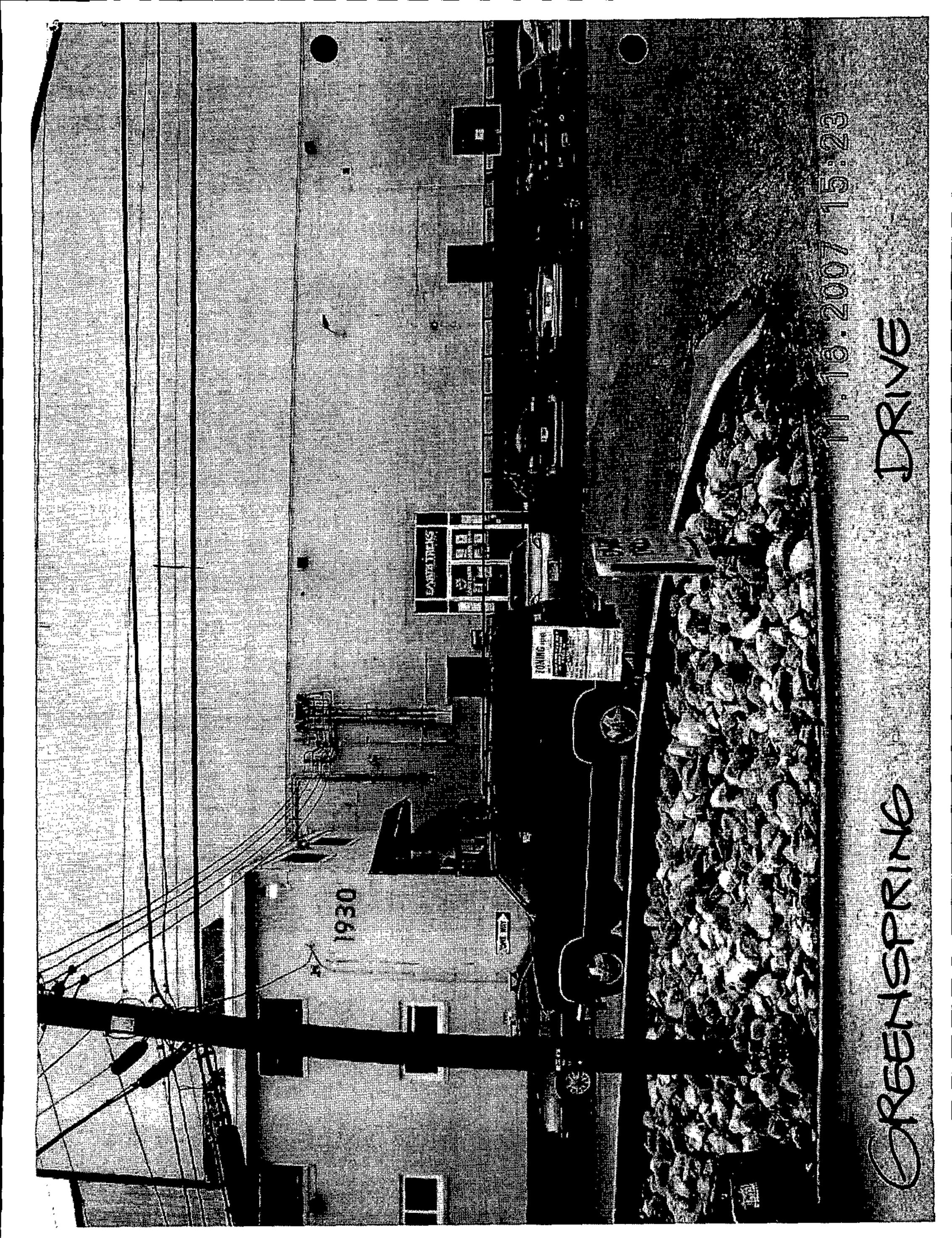
Cockeysville, MD 21030

(City, State, Zip Code of Sign Poster)

(410) 52<u>7</u>-15<u>5</u>5

(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ



ZONING NOTICE

CASE # 08-14-4-5PHX

A PUBLIC BEARING WILL BE HELD BY
THE ZORING COMMISSIONER

PLACE TOWNSHIP AND A PARTY.

DATE AND TIME: CESSINGS A 5,2007 (8) 11:00 AM

REQUEST: OPECIAL HEARING

AND SPECIAL FRANKING

Company of the content the parking requirements for the proposed, principal uses and to dispose a state of polyton disposed polyton disposed and the proposed polyton disposed to the proposed, principal uses and to use and entire of the proposed principal disposed to the proposed proposed to the proposed proposed to the proposed proposed to the conformation of the disposed proposed plant to accompany the Pathon and the special disposed proposed principal content to the disposed proposed principal problem for disposed principal problem and the conformation of the disposed principal problem and the conformation of the disposed principal problem and the conformation of the disposed principal problem.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. To confirm Hearing Call 887-3301

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PHYALTY OF LAW
NANDICAPPED ACCESSIBLE



October 4, 2007

JAMES T. SMITH, JR. County Executive

NOTICE OF ZONING HEARING, MOTHY M. KOTROCO, Director Department of Permits and

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

CASE NUMBER: 08-144-SPHX

1928 & 1930 Greenspring Drive

W/side of Greenspring Drive, 145 feet south of centerline of Business Park Drive

8th Election District – 3rd Councilmanic District

Legal Owners: 1930 Greenspring Drive, LLC, by Wilmer Realty, LLC

Special Hearing to confirm the parking requirements for the proposed, principal uses and to approve a shared parking adjustment and off-site parking (adjoining property) for the proposed uses, and approve an amendment to the variance relief previously granted to conform to the recent boundary survey and to the site plan in Case No. 05-648-SPHA consistent with the relief requested and site plan to accompany this Petition and the accompanying Petition for Special Exception. Special Exception for a commercial recreational facility (indoor cosmic miniature golf, laser tag and accessory facilities for birthday parties associated with such uses) and in combination therewith and accessory arcade.

Hearing: Tuesday, November 27, 2007 at 10:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204.

Timothy Kotroco

Director

TK:klm

C: Howard Alderman, Jr., 502 Washington Avenue, Ste. 800, Towson 21204
Darin Winick, WJS Entertainment, 2 Sheepfold Lane, Cockeysville 21030
Wilmer Realty, LLC, 4412 Fox Chaser Lane, White Hall 21161
Geoffrey Schultz, McKee & Assoc., 5 Shawan Rd., Ste. 1, Hunt Valley 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 12, 2007.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPÉCIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 13, 2007 Issue - Jeffersonian

Please forward billing to:

Darin Winick
2 Sheepfold Lane
Cockeysville, MD 21030

443-812-8522

NOTICE OF ZONING HEARING

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

CASE NUMBER: 08-144-SPHX

1928 & 1930 Greenspring Drive

W/side of Greenspring Drive, 145 feet south of centerline of Business Park Drive

8th Election District – 3rd Councilmanic District

Legal Owners: 1930 Greenspring Drive, LLC, by Wilmer Realty, LLC

Special Hearing to confirm the parking requirements for the proposed, principal uses and to approve a shared parking adjustment and off-site parking (adjoining property) for the proposed uses, and approve an amendment to the variance relief previously granted to conform to the recent boundary survey and to the site plan in Case No. 05-648-SPHA consistent with the relief requested and site plan to accompany this Petition and the accompanying Petition for Special Exception. Special Exception for a commercial recreational facility (indoor cosmic miniature golf, laser tag and accessory facilities for birthday parties associated with such uses) and in combination therewith and accessory arcade.

Hearing: Nuesday Movember 27, 2007 at 10:00 a.m. in Room 407, County Courts Building,

WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 08-144-SPHX
Petitioner: WJS Entertainment LLC
Address or Location: 1928 & 1930 Geenspring Drive
PLEASE FORWARD ADVERTISING BILL TO: Name: DARIN WINICK
Address: 2 Sheepfold Lone
Address: 2 Sheepfold Lone Cockeysville Md. 21030
Telephone Number: 443-812-8522



October 17, 2007

JAMES T. SMITH, JR. County Executive

NEW NOTICE OF ZONING HEARING HY M. KOTROCO, Director
Department of Permits and

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

CASE NUMBER: 08-144-SPHX

1928 & 1930 Greenspring Drive

W/side of Greenspring Drive, 145 feet south of centerline of Business Park Drive

8th Election District – 3rd Councilmanic District

Legal Owners: 1930 Greenspring Drive, LLC, by Wilmer Realty, LLC

Special Hearing to confirm the parking requirements for the proposed, principal uses and to approve a shared parking adjustment and off-site parking (adjoining property) for the proposed uses, and approve an amendment to the variance relief previously granted to conform to the recent boundary survey and to the site plan in Case No. 05-648-SPHA consistent with the relief requested and site plan to accompany this Petition and the accompanying Petition for Special Exception. Special Exception for a commercial recreational facility (indoor cosmic miniature golf, laser tag and accessory facilities for birthday parties associated with such uses) and in combination therewith and accessory arcade.

Hearing: Wednesday, December 5, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Howard Alderman, Jr., 502 Washington Avenue, Ste. 800, Towson 21204 Darin Winick, WJS Entertainment, 2 Sheepfold Lane, Cockeysville 21030 Wilmer Realty, LLC, 4412 Fox Chaser Lane, White Hall 21161 Geoffrey Schultz, McKee & Assoc., 5 Shawan Rd., Ste. 1, Hunt Valley 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 20, 2007

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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 20, 2007 Issue - Jeffersonian

Please forward billing to:

Darin Winick
2 Sheepfold Lane
Cockeysville, MD 21030

443-812-8522

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 08-144-SPHX

1928 & 1930 Greenspring Drive

W/side of Greenspring Drive, 145 feet south of centerline of Business Park Drive

8th Election District – 3rd Councilmanic District

Legal Owners: 1930 Greenspring Drive, LLC, by Wilmer Realty, LLC

Special Hearing to confirm the parking requirements for the proposed, principal uses and to approve a shared parking adjustment and off-site parking (adjoining property) for the proposed uses, and approve an amendment to the variance relief previously granted to conform to the recent boundary survey and to the site plan in Case No. 05-648-SPHA consistent with the relief requested and site plan to accompany this Petition and the accompanying Petition for Special Exception. Special Exception for a commercial recreational facility (indoor cosmic miniature golf, laser tag and accessory facilities for birthday parties associated with such uses) and in combination therewith and accessory arcade.

Hearing: Wednesday, December 5, 2007 at 11:00 a.m. in Room 407, County Courts Building,

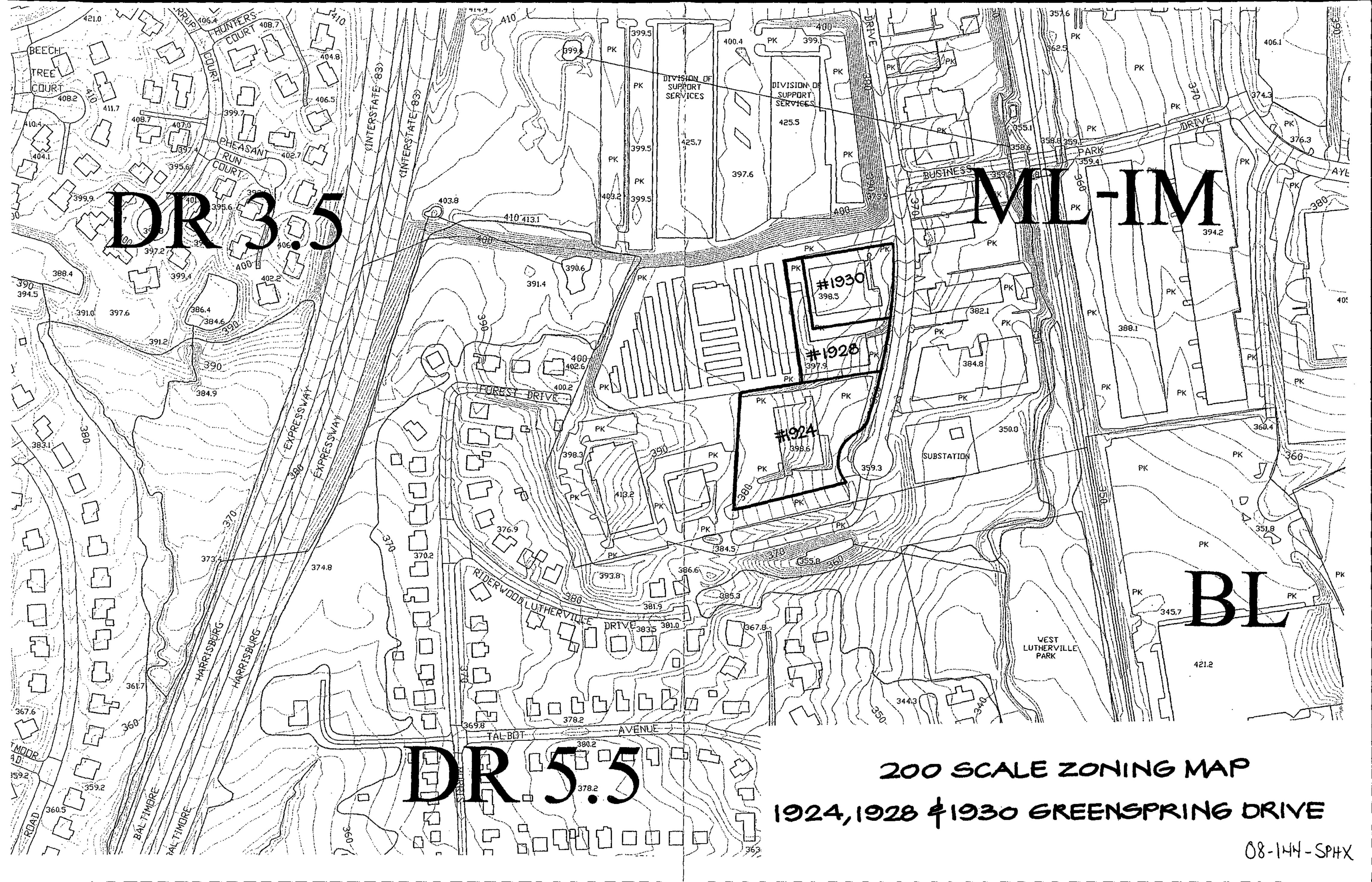
401/Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

November 28, 2007

Howard L. Alderman, Jr., Esquire Levin & Gann, PA 502 Washington Avenue, Suite 800 Towson, Maryland 21204

Dear Mr. Alderman:

RE: Case Number: 08-144-SPHX, 1928 & 1930 Greenspring Drive

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 20, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf Enclosures

c: People's Counsel

WJS Entertainment, LLC Darin Winick 2 Sheepfold Lane Cockeysville 21030 Geoffrey C. Schultz, PLS McKee & Associates, Inc. 5 Shawan Road, Suite 1 Hunt Valley 21030

1930 Greenspring Drive 4412 Fox Chaser Lane White Hall 21161



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor John D. Porcari, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: SEPT. 26, 2007

Ms. Kristen Matthews Baltimore County Office Of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Baltimore County RE:

Item No. 8-144-5PHX

1928 E1930 GIREENSPRING DRIVE BILLINER REALTY LLC

SPECIAL HEARING OPECIAL EXCEPTION

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-144-5PHX

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief U Engineering Access Permits

Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: October 22, 2007
ECEIVE

OCT 2 5 2007

BY:____

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-143 and 144- Special Hearing and/or Special Exception

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

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

Prepared By:

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 2, 2007

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 1, 2007

Item Nos. 08-131, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, and 144

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-10012007.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: October 22, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-143 and 144- Special Hearing and/or Special Exception

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

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

Prepared By:

Division Chief:

CM/LL



Balamore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

> 410-887-2188 Fax: 410-823-4236

PETER MAX ZIMMERMAN People's Counsel

CAROLE S. DEMILIO Deputy People's Counsel

October 30, 2007

HAND DELIVERED William J. Wiseman, III, Zoning Commissioner County Courts Building 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

Re:

PETITION FOR SPECIAL HEARING

1930 Greenspring Drive, LLC & Wilmer Realty LLC, Legal Owners

& WJS Entertainment, LLC, Contract Purchasers- Petitioners

Case No.: 08-144-SPHA

Dear Mr. Wiseman,

Because this case appeared to involve significant parking issues, we asked Stephen E. Weber, Chief of Traffic Engineering, to review the site plan. As a result, he sent us the enclosed email dated October 30, 2007. I am forwarding it to you for your consideration at the hearing.

Thank you for your consideration.

Sincerely,

Peter Max Zimmerman

People's Counsel for Baltimore County

Deputy People's Counsel

Howard L. Alderman, Jr. Esquire, Attorney for Petitioner Stephen Weber, Chief

cc:

(10/30/2007) People's Counsel - Case No. 08-144-SPHA, 1924, 1928 & 1930 Greenspring Dr

From:

Stephen Weber People's Counsel

To: Date:

10/29/2007 3:18 PM

Subject:

Case No. 08-144-SPHA, 1924, 1928 & 1930 Greenspring Dr

Peter -

In reviewing the petition for special exception, we do not have any significant concerns regarding the request. The shared parking arrangements between #1924, 1928, & 1930 seem reasonable and workable. The use that is somewhat difficult to gauge is the commercial recreational facility in #1930. The type of uses that are mentioned are ones that can generate significant parking issues. However, at the same time, the size of the building is relatively small for such activities and thus are very likely to be limited to events on the scale of a birthday party as mentioned. It is doubtful that the activities could reach a scale of concern only because this building is relatively small in size.

On-street parking is allowed on Greenspring Dr. It is used by adjacent businesses for employees during the day. Therefore, if there was occasional overflow parking out onto Greenspring Dr, it is doubtful that it would ever reach a degree to cause any type of significant problem.

If you have any questions regarding these comments, please give me a call.

Stephen E. Weber, Chief Div. of Traffic Engineering Baltimore County, Maryland 111 W. Chesapeake Avenue, Rm. 326 Towson, MD 21204 (410) 887-3554 HOWARD L. ALDERMAN, JR. halderman@LevinGann.com

DIRECT DIAL 410-321-4640 LAW OFFICES

LEVIN & GANN

A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

ELLIS LEVIN (1893-1960) CALMAN A. LEVIN (1930-2003)

December 10, 2007

Thomas H. Bostwick, Deputy Zoning Commissioner Baltimore County Office of the Zoning Commissioner 401 Bosley Avenue, Suite 405 Towson, Maryland 21204 DEC 1 1 2007

BY:

RE:

1924, 1928 & 1930 Greenspring Drive Case Nos. 08-143-SPH & 08-144-SPHX Agreed Limits on Arcade Use

Dear Mr. Bostwick:

You will recall that on Wednesday, December 5, 2007, you held a public hearing on each of the above-referenced cases. I represented the Petitioners and was accompanied by Mr. Darin Winick of WJS Entertainment, LLC, Geoffrey C. Schultz, President of McKee & Associates and Mickey Cornelius of The Traffic Group. Mr. Eric Rockel represented the Greater Timonium Community Council in his capacity as President of that organization.

One of the issues addressed by Mr. Rockel was the Petitioner's request for 65 amusement games (as defined during the hearing) as part of the special exception arcade use petitioned. Mr. Winick listened to Mr. Rockel's concerns and, after the conclusion of the hearing, revisited WJS Entertainment's operational plan and contacted Mr. Rockel directly. After discussing the matter with Mr. Rockel, Mr. Winick advises that he has agreed to a limit of forty (40) amusement games pursuant to the Petition for Special Exception, which will remain accessory and incidental to the principal special exception use of commercial recreation facility, including laser tag and cosmic mini golf.

I am sending a copy of this letter directly to Mr. Rockel and requesting that he confirm noopposition to the proposed uses as described at the hearing and as limited by this letter. Should you or he need additional information, as always, please do not hesitate to contact me.

Very truly yours,

Howard L. Alderman, Jr.

HLA/gk

: WJS Entertainment, LLC

Mr. Eric Rockel [1610 Riderwood-Lutherville Dr. 21093]



The Greater Timonium Community Council

9b Ridgely Rd., Box 276, Timonium, Maryland 21093 http://www.gtccinc.com

DEC 1 2 2007

December 11, 2007

Thomas H. Bostwick
Deputy Zoning Commissioner
Office of the Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Maryland 21204

Re: Cases 08-143-SPH & 08-144-SPHX 1924, 1928 & 1930 Greenspring Drive

Dear Mr. Bostwick:

As you will recall, I appeared on behalf of the Greater Timonium Community Council at the above cited hearings concerning the commercial recreational facility proposed for 1928 Greenspring Drive. After those hearings, Mr. Darin Winick of WJS Entertainment, LLC approached me to discuss his firm's plans for the site, and specifically the number of amusement games proposed within the arcade use. I am most appreciative that Mr. Winick elected to discuss this matter further, and he seems genuinely concerned about the community's reactions to his proposal.

As a result of our discussion, Mr. Winick agreed to limit the operation to forty amusement games. Today I received a copy of the letter from Howard L. Alderman, Jr. that agrees to this limitation. Based upon this limitation, the Greater Timonium Community Council has no opposition to the proposed uses. We are appreciative of the consideration extend by Mr. Alderman and his client, Mr. Winick.

Sincerely,

Eric Rockel, President

CC: H.L. Alderman, Jr., Esq.

LAW OFFICES

HOWARD, ALDERMAN, JR.

DIRECT DIAL 410-321-4640 LEVIN & GANN

A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

October 12, 2007

ELLIS LEVIN (1893-1960) CALMAN A. LEVIN (1930-2003)

List to Cost Pormit

VIA TELEFAX & REGULAR MAIL

Timothy M. Kotroco, Director
Baltimore County Department of Permits
and Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

RE: 1924 Greenspring Drive

Case No. 08-143-SPH 1930 Greenspring Drive Case No. 08-144-SPHX

Request for Postponement and Immediate Rescheduling

Dear Mr. Kotroco:

I received yesterday, the Notice of Hearing in the above-referenced case indicating that these cases are scheduled for hearing on Tuesday, November 27, 2007 at 9:00 a.m. and 10:00 a.m., respectively. I immediately contacted my clients to ensure their availability. My clients will not be available on that date; they will be out of the Country. Therefore, on behalf of my clients, I respectfully request that the hearing on the above-referenced case be postponed and that it be rescheduled as soon as possible. If Christen will contact me before rescheduling the hearing I will ensure that the date is clear with all concerned. Also, these cases concern the same, proposed use involving adjoining properties.

Thank you and please contact me if there is any problem with this request.

Very truly yours,

Howard L. Alderman, Jr.

HLA/gk

c: WJS Entertainment, LLC

Wilmer Realty, LLC Geoffrey C. Schultz, PLS

Ms. Kristen Matthews

OCT 15 2007
O 7 - 116 7
DEFT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

RE: PETITION FOR SPECIAL HEARING

AND SPECIAL EXCEPTION

1928 & 1930 Greenspring Dr; W/S Greenspring

Drive, 145' S of c/line Business Park Drive *

8th Election & 3rd Councilmanic Districts

· Legal Owner(s): Wilmer Realty LLC

Contract Purchaser(s): WJS Entertainment, LLC

Petitioner(s) *

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

08-144-SPHX

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of October, 2007, a copy of the foregoing Entry of Appearance was mailed to, Geoffrey C. Schultz, McKee & Associates, Inc, 5 Shawan Road, Suite 1, Cockeysville, MD 21030 and Howard L. Alderman, Jr. Esquire, Levin & Gann, P.A., 502 Washington Apprecent Eleor, Towson, MD 21204, Attorney for Petitioner(s).

COT 0 2 2007

Per.....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME 1924, 1928 & 1920 GRANDAN, CASE NUMBER 08-143 &8-144 DATE S DE 2007

CITIZEN'S SIGN-IN SHEET

E- MAIL											
A TE	Contreville 21093										
(0)	1670 Riderwood DR										
NAME	Leur Rockel										

1928 & 1930 GREENSPRING DRIVE

CASE NAME
CASE NUMBER 08-144-SPHX


05 DECEMBER 2007 DATE

PETITIONER'S SIGN-IN SHEET


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
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08-144-SPHX





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