



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

September 11, 2012

Jennifer R. Busse, Esquire
Whiteford, Taylor & Preston, LLP
One West Pennsylvania Avenue, Suite 300
Towson, Maryland 21204

RE: Petitions for Special Hearing and Special Exception
Case No.: 2013-0007-SPHX
Property: 1924 Greenspring Drive

Dear Ms. Busse:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal stroke extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Eric Rockel, 1610 Riderwood Drive, Lutherville, MD 21093

IN RE: PETITIONS FOR SPECIAL HEARING *
AND SPECIAL EXCEPTION
(1924 Greenspring Drive) *
Wilmer Realty, LLC, *Legal Owner* *
Titan Games, *Lessee* *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2013-0007-SPHX

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Hearing and Special Exception filed by Jennifer R. Busse, Esquire, on behalf of Wilmer Realty, LLC, Legal Owner, and Titan Games, Lessee, (the "Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), if required, to amend/update the approval provided in prior companion zoning cases (08-143-SPH and 08-144-SPHX) permitting various parking requirements and arrangements. In addition, a Petition for Special Exception was filed to permit a Commercial Recreational Facility (indoor game playing, club and party meeting space, and a showroom space for associated products and materials), pursuant to § 253.2.D.3 of the B.C.Z.R.

Appearing at the public hearing in support of the requests were Roger Cassell, Kurt Pierson, Mike Gioioso, Jon DiVirgilio, and Rick Richardson, with Richardson Engineering, LLC, the consulting firm that prepared the site plan. Jennifer R. Busse, Esquire, with Whiteford, Taylor & Preston, LLP, appeared as counsel and represented the Petitioners. Eric Rockel appeared as an interested citizen. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. The file does not contain any letters of opposition.

ORDER RECEIVED FOR FILING

Date 9-11-12

By [Signature]

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The subject property is just over two (2) acres in size and is located in a business park in Timonium. The Petitioner proposes to operate a facility (housed in a 4,000 square foot space on the second story of a warehouse building) that will attract niche hobbyists who hold meetings and competitions involving battlefield recreations with small scale action figurines. The photos submitted at the hearing reflect that the "battlefields" are situated on elevated platforms, much like a seasonal train garden display. Exhibits 3A-D. The Petitioner testified that the facility will not have coin operated amusement devices (i.e., video poker machines).

Special Exception Standards

Special exception uses are presumptively valid and consistent with the comprehensive zoning plan, People's Counsel v. Loyola College, 406 Md. 54, 77 n. 23 (2008), and no evidence was offered here to rebut the presumption. Petitioners' expert, Mr. Richardson, testified via proffer that the project would satisfy Section 502.1 of the B.C.Z.R., and I concur, based upon the same factors Mr. Richardson recited in his testimony. Most importantly, he described the proposed operation as a "destination" use, in that the business will be patronized by a group of hobbyists, many of whom know each other. In addition, Mr. Richardson noted that the business would not generate a large volume of traffic, and that it is located a good distance off of York Road, and would therefore not contribute to the heavy traffic load on that thoroughfare.

Special Hearing

Petitioners have also requested special hearing relief, primarily at the urging of County zoning officials. Their concern was whether approval in the present case would in any way

ORDER RECEIVED FOR FILING

Date 9-11-12

By [Signature]

impact upon the alternative parking arrangements for other commercial users at 1928 and 1930 Greenspring Drive approved in Case Nos. 08-143-SPH and 08-144-SPHX. Mr. Richardson explained, and it is clearly detailed on the site plan, that the 40 spaces dedicated to those businesses were excluded from the parking calculations for the present site. See Exhibit 1, note 17. As such, I do not believe the approval in this case will in any way impact those prior zoning orders, and special hearing relief is therefore not required.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Exception request should be granted, subject to the comments and conditions which follow.

THEREFORE, IT IS ORDERED this 11th day of September, 2012, by this Administrative Law Judge, that Petitioners' request for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), be and is hereby DISMISSED without prejudice, given that such relief is unnecessary in the present case;

IT IS FURTHER ORDERED that Petitioners' Special Exception request from § 253.2.D.3 of the B.C.Z.R., to permit a Commercial Recreational Facility (indoor game playing, club and party meeting space, and a showroom space for associated products and materials), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

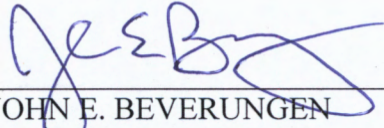
ORDER RECEIVED FOR FILING

Date 9-11-12

By RS

2. Unless extended by subsequent Order, the special exception approval granted herein must be utilized within two (2) years from the date hereof.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING

Date 9-11-12

By law



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 1924 Greenspring Drive

which is presently zoned ML-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Please 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.

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

Contract Purchaser/Lessee:

David Kaufman, Titan Games

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Jennifer R. Busse, Esq.

Name - Type or Print

Signature

Whiteford, Taylor & Preston L.L.P.

Company

One W. Pennsylvania Avenue, Suite 300 410-832-2077

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s):

Wilmer Realty, LLC

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Jennifer R. Busse, Esq.

Name

One W. Pennsylvania Avenue, Suite 300 410-832-2077

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By

AT

Date

7/16/12

Case No. 2013-0007-SPHX

ORDER RECEIVED FOR FILING

REV 09/15/98

Date

9-11-12

By

kw

Petition for Special Exception to permit a Commercial Recreational Facility (indoor game playing, club and party meeting space, and showroom space for associated products and materials) pursuant to Section 253.2.D.3 of the B.C.Z.R.; and in combination therewith, pursuant to Section 253.2.D of the B.C.Z.R., Accessory Warehouse Use.

2013-0007-SPHX



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1924 Greenridge Dr.
which is presently zoned ML-1M

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

please 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 Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

David W. Kaufman II
Name - Type or Print
David W. Kaufman II
Signature
10 E Lee St, Apt 2305 570-510-1140
Address Telephone No.
Baltimore MD 21202
City State Zip Code

Attorney For Petitioner:

Jennifer Busse
Name - Type or Print
Jennifer Busse
Signature
Whitebird Taylor Preston
Company
One W. Pennsylvania Ave.
Address
Towson MD 21204
City State Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

State Zip Code

Representative to be Contacted:

Jennifer Busse
Name
One W. Pennsylvania Ave. 410 832
Address Telephone No. 2077
Ste. 300 Towson MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By AT Date 7/16/12

Case No. 2013-0007-SPHX

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 9-11-12

By 1905



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1924 Greenspring Drive
which is presently zoned ML-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Please 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 Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Jennifer R. Busse, Esq.
Name - Type or Print _____
Signature _____
Whiteford, Taylor & Preston L.L.P.
Company _____
One W. Pennsylvania Avenue, Suite 300 410-832-2077
Address _____ Telephone No. _____
Towson, MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Wilmer Realty, LLC
Name - Type or Print _____
Signature _____
Roger Cassell - Owner
Name - Type or Print _____
Signature _____
1953 Greenspring Drive
Address _____ Telephone No. _____
Lutherville MD 21093
State _____ Zip Code _____

Representative to be Contacted:

Jennifer R. Busse, Esq., Whiteford, Taylor & Preston L.L.P.
Name _____
One W. Pennsylvania Avenue, Suite 300 410-832-2077
Address _____ Telephone No. _____
Towson, Maryland 21204
City _____ State _____ Zip Code _____

ORDER RECEIVED FOR FILING

Date 9-11-12

By [Signature]
Case No. 2013-0001-SPHX

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By AT Date 7/16/12

Petition for Special Hearing, if required, to amend/update the approval provided in prior companion zoning cases 08-143-SPH and 08-144-SPHX permitting various parking requirements and arrangements.

2013-0007-SPHX



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1924 Greenspring Dr.
which is presently zoned ML-1A

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

please 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 Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

David W. Kaufman II
Name - Type or Print
David W. Kaufman II
Signature
10 E Lee St Apt 2305 570510140
Address Telephone No.
Baltimore MD 21202
City State Zip Code

Attorney For Petitioner:

Jennifer Busse
Name - Type or Print
Jennifer Busse
Signature
Whiteford Taylor Preston
Company
One W. Pennsylvania Ave. Ste. 300 410 832 2077
Address Telephone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

State Zip Code

Representative to be Contacted:

Jennifer Busse
Name
One W. Pennsylvania Ave. 410 832 2077
Address Telephone No.
Towson MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By AT Date 7/16/12

Case No. 2013-0007-SPHX

REV 9/15/98

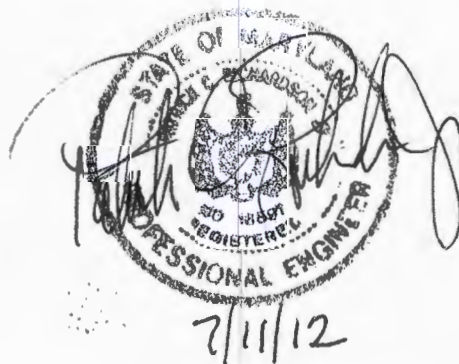
ORDER RECEIVED FOR FILING

Date 9-11-12

By 192

**ZONING PROPERTY DESCRIPTION FOR
#1924 GREENSPRING DRIVE
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the **west** side of **Greenspring Drive** which is **60** feet wide at the distance of **467** feet **south** of the centerline of the nearest improved intersecting street **Business Park Drive** which is **60** feet wide. Thence the following courses and distances: (1) By a curve to the right, having a radius of 1370.00 feet and an arc length of 123.06 feet, (2) By a curve to the right, having a radius of 58.61 feet and an arc length of 49.49 feet, (3) By a curve to the left, having a radius of 75.00 feet and an arc length of 143.00 feet, thence running (4) South 79 degrees 14 minutes 16 seconds West 291.56 feet, (5) North 06 degrees 16 minutes 58 seconds East 291.39 feet, and (6) North 84 degrees 11 minutes 48 seconds East 354.25 feet to the point of beginning as recorded in Deed Liber 13206, Foilo 674, containing 83,529 square feet or 1.918 acres of land. Located in the 8th Election District and 3rd Council District.



2013-0007-SPHX

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **85580**
 Date: **7/16/12**

PAID RECEIPT

BUSINESS ACTUAL TIME
 7/17/2012 7/16/2012 10:33:31

RD 1803 WALKIN RD08 LRB
 > RECEIPT # 596855 7/16/2012
 Dept 5 528 ZONING VERIFICATION
 CR NO. 085580

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 835

Recpt Tot \$835.00
 \$1.00 CK \$835.00
 Baltimore County, Maryland

Total: **\$ 835**

Rec From: _____
 For: **1924 GREENSPRING DRIVE**
2013-0007-SPHX

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2013-0007-SPHX

Petitioner: Titan Games

Address or Location: 1924 Greenspring Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: ~~David~~ Jennifer Burr, Esquire

Address: 46 Whitford Taylor Preston
One W. Pennsylvania Ave., Suite 300
Towson, MD 21204

Telephone Number: 410 832 2077

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: #2013-0007-SPHX

1924 Greenspring Drive

W/s of Greenspring Drive, 467 ft. s/of centerline of Business Park Drive

8th Election District - 3rd Councilmanic District

Legal Owner(s): Wilmer Realty, LLC, Roger Cassell

Contract Purchaser: Titan Games, David Kaufman

Special Exception: to permit a Commercial Recreational Facility (indoor game playing, club and party meeting space, and showroom space for associated products and materials) pursuant to Section 253.2.D.3 of the BCZR, and in combination therewith, pursuant to Section 253.2.D of the BCZR, Accessory Warehouse use. **Special Hearing:** if required, to amend/update the approval provided in prior companion zoning cases 08-143-SPH and 08-144-SPHX, permitting various parking requirements and arrangements.

Hearing: Monday, September 10, 2012 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

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

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

JT 08/655 August 21

869790



501 N. Calvert Street, Baltimore, MD 21278

August 23, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on August 21, 2012.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

CERTIFICATE OF POSTING

2013-0007-SPHX

RE: Case No.: _____

Petitioner/Developer: _____

Titan Games, David Kaifman

September 10, 2012

Date of Hearing/Closing: _____

**Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1924 Greenspring Dr

August 21, 2012

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

~~August 21, 2012~~

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

August 13, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2013-0007-SPHX

1924 Greenspring Drive

W/s of Greenspring Drive, 467 ft. s/of centerline of Business Park Drive

8th Election District – 3rd Councilmanic District

Legal Owners: Wilmer Realty, LLC, Roger Cassell

Contract Purchaser: Titan Games, David Kaufman

Special Exception to permit a Commercial Recreational Facility (indoor game playing, club and party meeting space, and showroom space for associated products and materials) pursuant to Section 253.2.D.3 of the BCZR, and in combination therewith, pursuant to Section 253.2.D of the BCZR, Accessory Warehouse use. Special Hearing, if required, to amend/update the approval provided in prior companion zoning cases 08-143-SPH and 08-144-SPHX, permitting various parking requirements and arrangements.

Hearing: Monday, September 10, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Jennifer Busse, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204
David Kaufman, Titan Games, 10 E. Lee St., Apt. 2305, Baltimore 21202
Wilmer Realty, 1953 Greenspring Drive, Lutherville 21093

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 21, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 21, 2012 Issue - Jeffersonian

Please forward billing to:

Jennifer Busse
Whiteford, Taylor & Preston
1 West Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2077

NOTICE OF ZONING HEARING

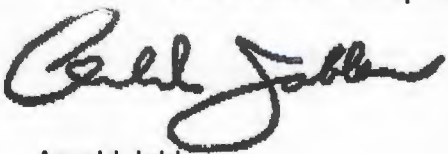
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CASE NUMBER: 2013-0007-SPHX

1924 Greenspring Drive
W/s of Greenspring Drive, 467 ft. s/of centerline of Business Park Drive
8th Election District – 3rd Councilmanic District
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Contract Purchaser: Titan Games, David Kaufman

Special Exception to permit a Commercial Recreational Facility (indoor game playing, club and party meeting space, and showroom space for associated products and materials) pursuant to Section 253.2.D.3 of the BCZR, and in combination therewith, pursuant to Section 253.2.D of the BCZR, Accessory Warehouse use. Special Hearing, if required, to amend/update the approval provided in prior companion zoning cases 08-143-SPH and 08-144-SPHX, permitting various parking requirements and arrangements.

Hearing: Monday, September 10, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND SPECIAL EXCEPTION		
1924 Greenspring Drive; W/S Greenspring	*	OF ADMINISTRATIVE
Drive, 467' S of c/line of Business Park Drive		
8 th Election & 3 rd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Wilmer Realty, LLC		
Contract Purchaser(s): Titan Games,	*	BALTIMORE COUNTY
By David Kaufman		
	*	2013-007-SPHX

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

JUL 26 2012

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of July, 2012, a copy of the foregoing Entry of Appearance was mailed to Jennifer Busse, Esquire, Whiteford, Taylor & Preston, LLP, One West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

JB 9/10
1:30

Case No.: 2013-0007-SHx

Exhibit Sheet

Petitioner/Developer

Protestant

DW 10-15-12
DW 9-11-12

No. 1	Site Plan	
No. 2	BC Zoning Map	
No. 3	3A-3D Color Photos	
No. 4	Site Layout + Floorplan	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



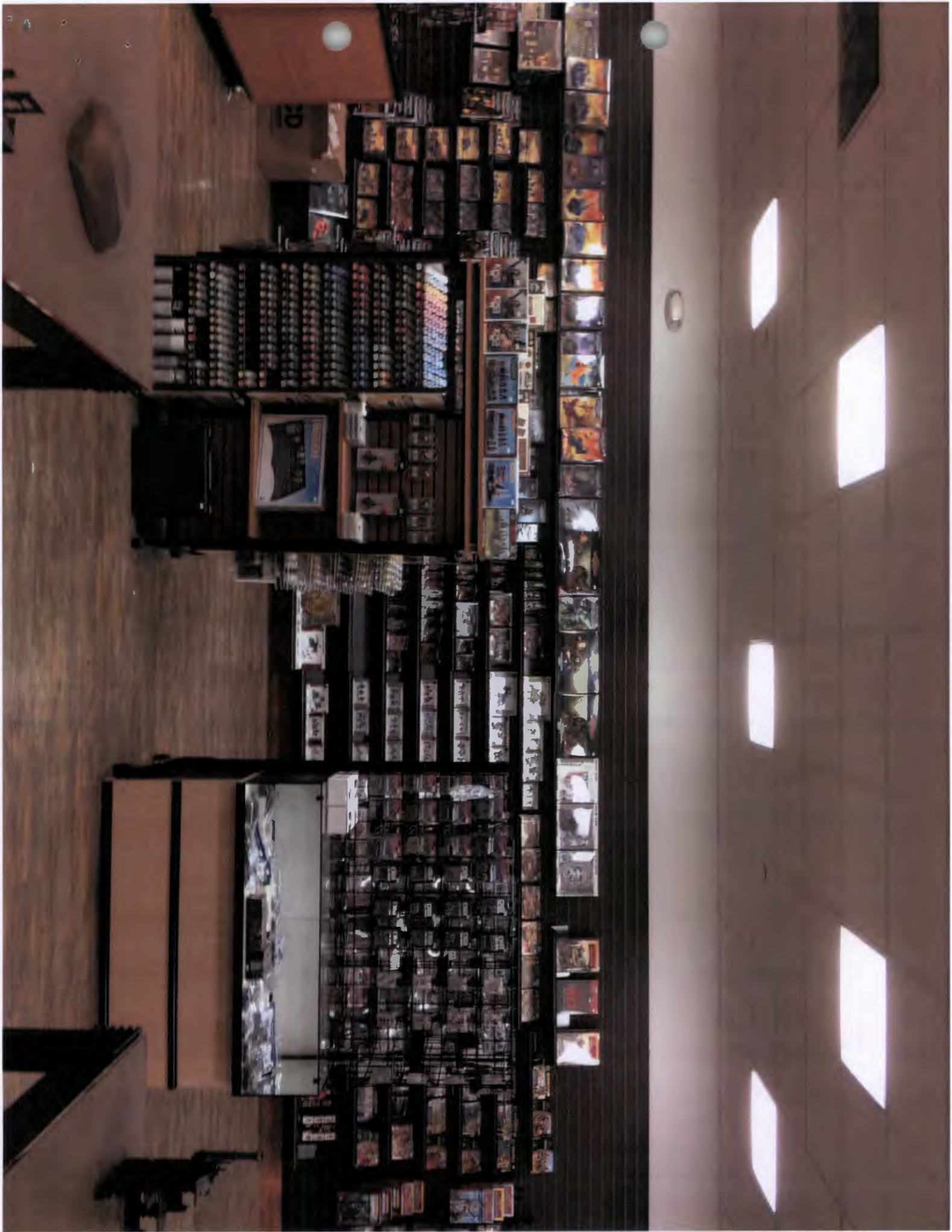
ALL-STATE LEGAL®

34-D

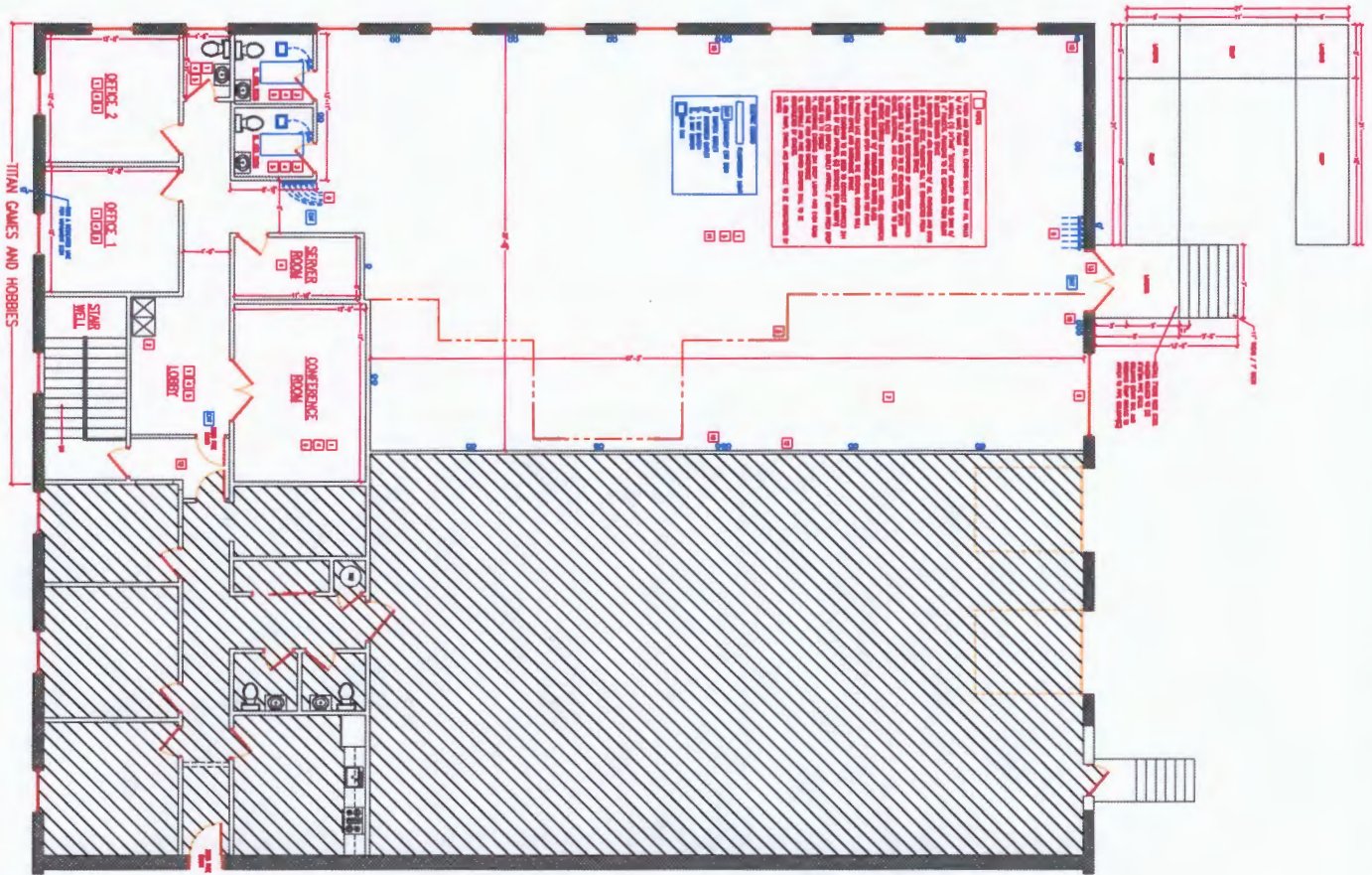
EXHIBIT







CONSTRUCTION FLOOR PLAN



PROJECT NAME & LOCATION: TITAN GAMES AND HOBBIES

McGregor & Associates
Terence McGregor
1524 Greenspring Dr. 2nd Floor, Timonium, MD

SHEET TITLE:

CONSTRUCTION FLOOR PLAN

HIGHROCK, INC.

7877 Gristtown Rd. Hanover, PA 17331

Fax (717) 633-7577 Phone (717) 633-7584

MHC 123810 PA 010384

HighrockConstruction@highrockinc.com

DATE: 06/13/2012
SCALE: 1/8" = 1'-0"
SHEET: A2

CLIENT SIGNATURE:
CONTRACTOR SIGNATURE:
DRAWN BY: SHANE HOFF

REVISIONS (DATE/CHANGE)

MEMORANDUM

DATE: October 15, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0007-SPHX - Appeal Period Expired

The appeal period for the above-referenced case expired on October 12, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c:  Case File
Office of Administrative Hearings

CASE NAME 1924 GREENSPRING DR
CASE NUMBER 2013-0007-SP1X
DATE 9/10/12

[illegible]

PLEASE PRINT CLEARLY

CASE NAME 1924 Greenspring Dr.
CASE NUMBER 2013-000T-SPHX
DATE Sept 10, 2013

CITIZEN'S SIGN-IN SHEET

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>7-31</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>8-20</u>	PLANNING (if not received, date e-mail sent _____)	<u>Comments</u>
<u>7-24</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>8-21-12</u>	<u>Jeffersonian</u>
SIGN POSTING	Date: <u>8-21-12</u>	by <u>Black</u> ✓ <u>20 days</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

9/10 1:30 PM

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 08 Account Number - 1600003055

Owner Information

Owner Name: WILMER REALTY LLC **Use:** INDUSTRIAL
Principal Residence: NO
Mailing Address: 1953 GREENSPRING DR
LUTHERVILLE TIMONIUM MD 21093-4113 **Deed Reference:** 1) /13206/ 00674
2)

Location & Structure Information

Premises Address **Legal Description**
1924 GREENSPRING DR 1.91 AC WS
TIMONIUM MD 21093-0000 GREENSPRING DR
2700 S TIMONIUM RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0060	0011	0763		0000				2	Plat Ref:

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1973	32000	1.9100 AC	07

Stories **Basement** **Type** **Exterior**
DISTRIBUTION WAREHOUSE

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	954,700	954,700		
Improvements:	1,095,800	1,068,200		
Total:	2,050,500	2,022,900	2,022,900	2,022,900
Preferential Land:	0			0

Transfer Information

Seller: HEW PARTNERSHIP	Date: 10/09/1998	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /13206/ 00674	Deed2:
Seller: WHITE STEWART S	Date: 06/29/1984	Price: \$900,000
Type: ARMS LENGTH IMPROVED	Deed1: /06744/ 00313	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

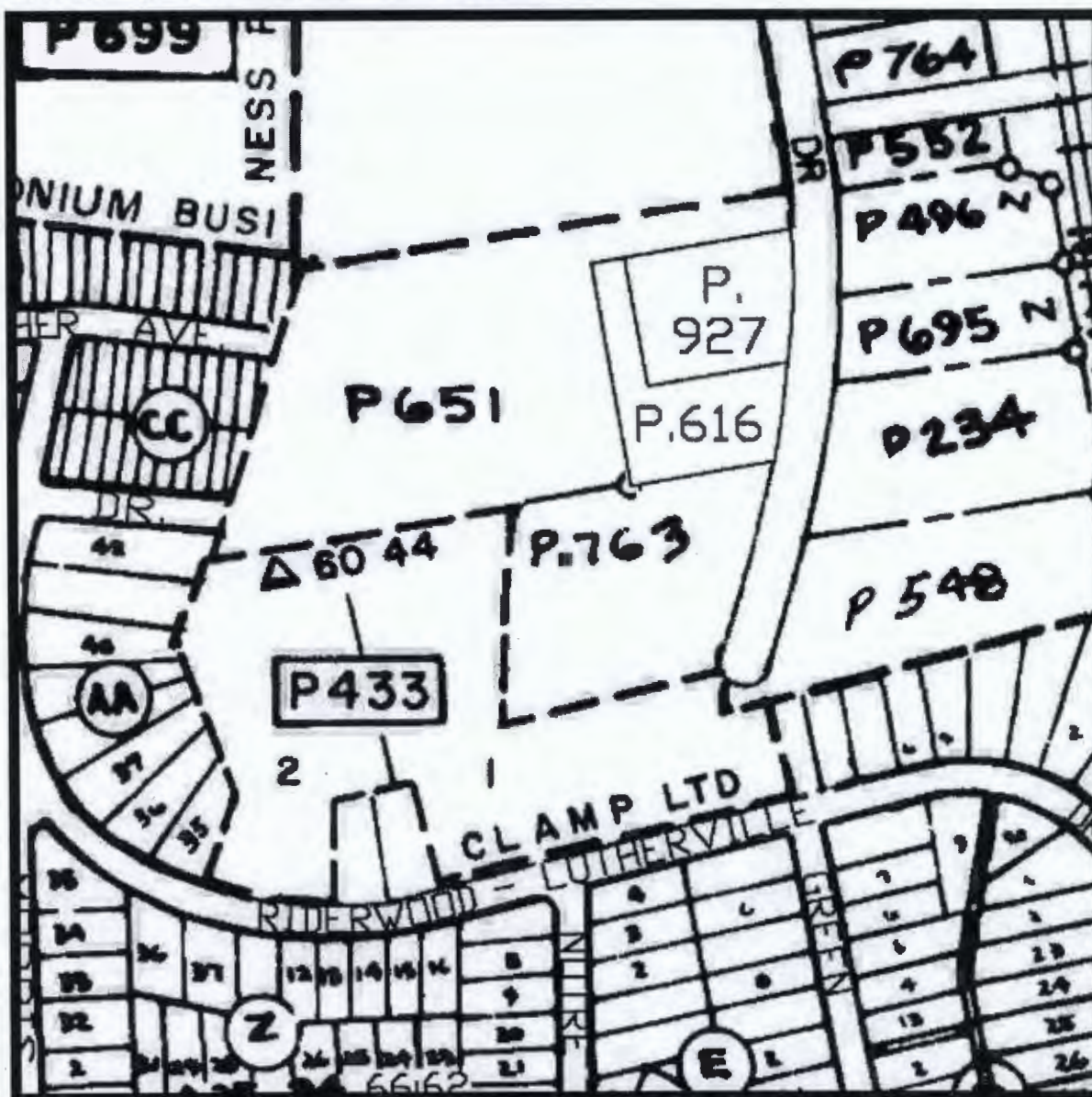
Homestead Application Status: No Application



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

District - 08 Account Number - 1600003055



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2011. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

✓ 9/10 1:30 PM
205

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: May 7, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 1924 Greenspring Drive

RECEIVED

INFORMATION:

AUG 20 2012

Item Number: 13-007

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: David Kaufman, Titan Games

Zoning: ML-IM

Requested Action: Special Hearing and Special Exception

SUMMARY OF RECOMMENDATIONS:

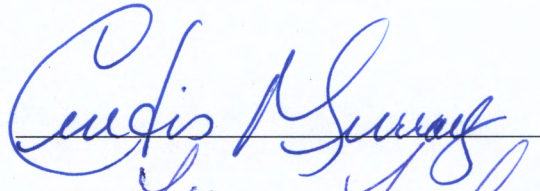
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning supports the petitioner's request for a special hearing and special exception for a commercial recreational facility.

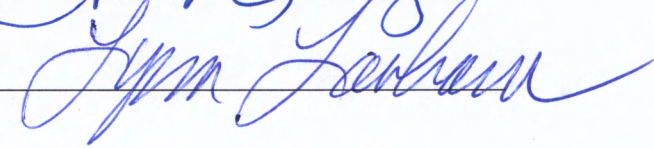
It has been indicated that this is a site for hobbyists and gamers who hold competitions using miniature action figures on battlefields. There will also be gaming tables with the same. The business model focuses on a niche hobby. The enthusiasts generally know each other and use the site as a gathering place for those interested in this type of hobby/recreational entertainment.

Additionally there is a small area – less than 15% of the building—that is dedicated to retail sales of action figures, models, and games and an area where hobbyist can work to create the action figures themselves with lamps and magnifiers. There are also collectible card games, but the main activity is the use of action figures in various battle type scenarios.

As such, the Department of Planning has determined that this type of use will not be detrimental to the health, safety, or general welfare of the surrounding community.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by: 

Division Chief: 
AVA/LL: CM

9/10
1:30**Debra Wiley - ZAC Comments - Distribution Mtg. of 7/23**

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 7/25/2012 4:00 PM
Subject: ZAC Comments - Distribution Mtg. of 7/23

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2013-0005-A - 12206 Jerusalem Road
Administrative Variance - Closing Date: 8/6

2013-0007-SPHX - 1924 Greenspring Drive
No hearing date in data base as of today

2013-0008-A - 8803 Harkate Way
Administrative Variance - Closing Date: 8/13

2013-0009-A - 2735 A Still Haven Court
Administrative Variance - Closing Date: 8/13

2013-0010-SPHA - 18403 Ensor Farm Court
No hearing date in data base as of today

2013-0011-A - 1502 Burke Road
No hearing date in data base as of today

2013-0012-SPHA - 135 Village Queen Drive - **HISTORIC AREA**
No hearing date in data base as of today

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Subject: ZAC Comments - Distribution Mtg. of 7/23
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 7/25/2012 4:00 PM
From: Debra Wiley

Recipient	Action	Date & Time	Comment
To: Curtis Murray (cjmurray@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	
To: David Lykens (dlykens@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	
To: Dennis Kennedy (DKennedy@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	
To: Don Muddiman (dmuddiman@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	
To: Jeffrey Livingston (jlivingston@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	
To: Lynn Lanham (mlanham@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

September 6, 2012

Wilmer Realty LLC
Roger Cassell
1953 Greenspring Drive
Lutherville, MD 21093

RE: Case Number: 2013-0007 SPHX, Address: 1924 Greenspring Drive

Dear Mr. Cassell:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 16, 2012. 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:jaf

Enclosures

c: People's Counsel
Jennifer Busse, Esquire, One Pennsylvania Avenue, Suite 300, Towson, MD 21204

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Maryland Department of Transportation

Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 7-24-12

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

RE: Baltimore County
Item No 2013-0007-SPHX
Special Exception
Wilmer Realty LLC
Roger Casseil
1924 Greenspring Drive

Dear Ms. Lewis:

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. 2013-0007-SPHX.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Zeller", is written over the typed name "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: July 31, 2012

FROM: ^{DAK}
Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For August 06, 2012
Item Nos. 2013-0005, 0007, 0008, 0009, 0010 and 0012

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08062012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: May 7, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 1924 Greenspring Drive

INFORMATION:

Item Number: 13-007

Petitioner: David Kaufman, Titan Games

Zoning: ML-IM

Requested Action: Special Hearing and Special Exception

SUMMARY OF RECOMMENDATIONS:

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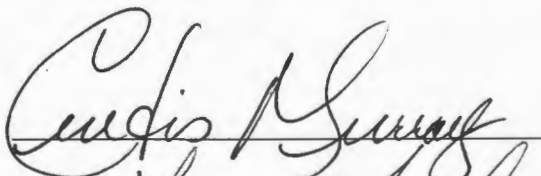
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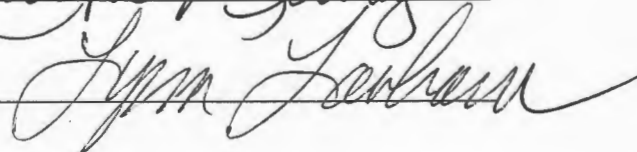
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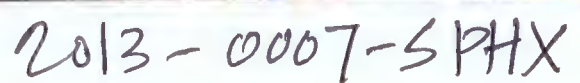
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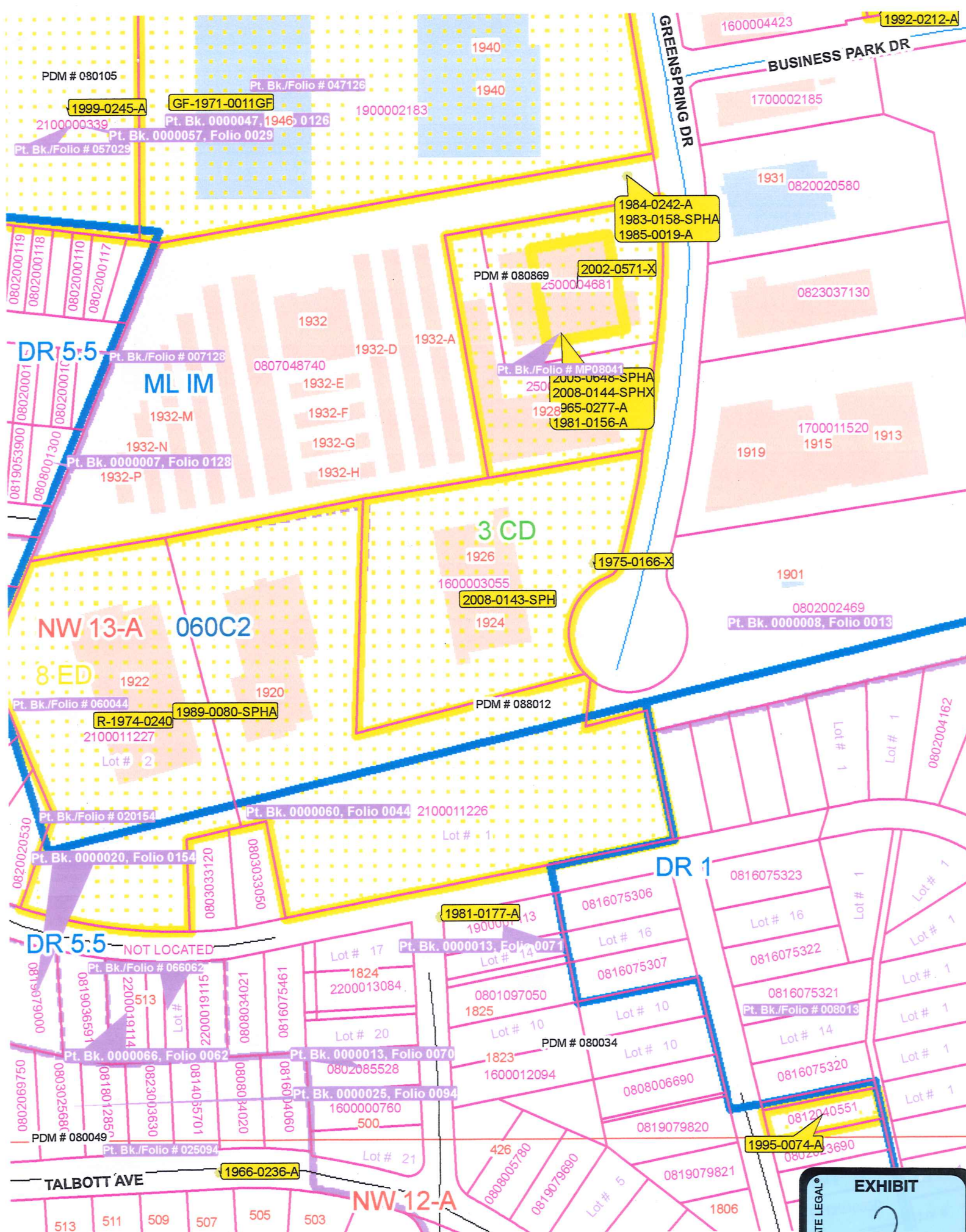
Prepared by:

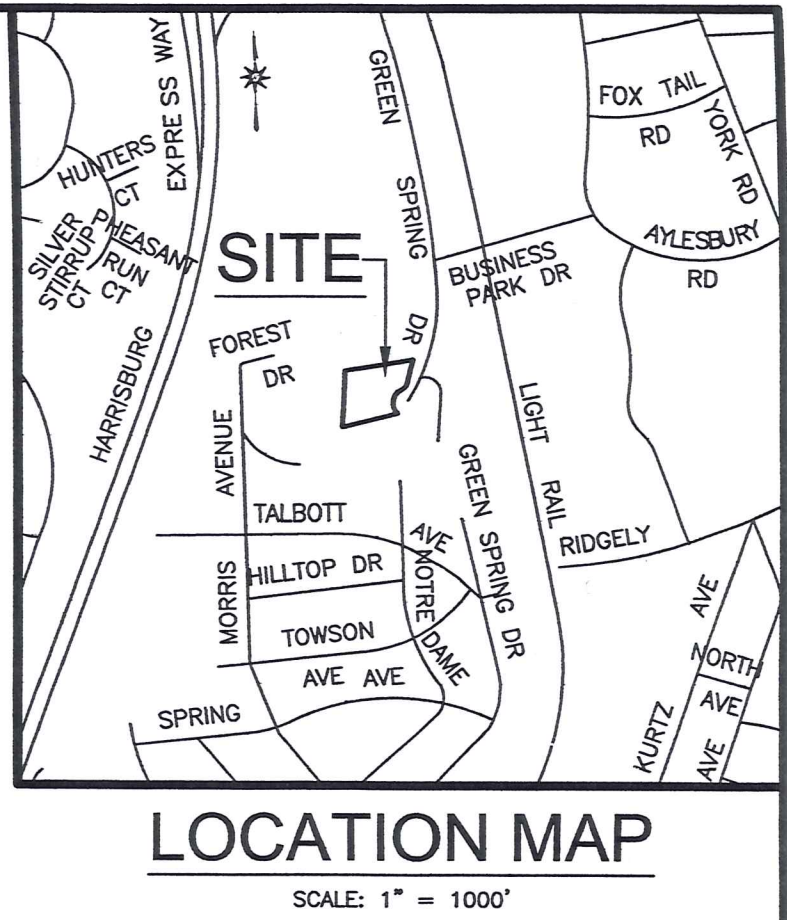


Division Chief:
AVA/LL: CM









GENERAL NOTES:

- OWNER: WILMER REALTY, LLC
#1924 GREENSPRING DRIVE
LUTHERVILLE / TIMONIUM, MARYLAND 21093-4113
- SITE AREA:
GROSS: 90,919 Sq.Ft. or 2.087 Ac.±
NET: 83,529 Sq.Ft. or 1.918 Ac.±
- USES:
EXISTING: COMMUNICATION WAREHOUSE 4,000 SF LOWER LEVEL
GREAT FINDS AND DESIGNS 12,000 SF LOWER LEVEL
SCREEN PRINTING COMPANY 8,000 SF UPPER LEVEL
COMMUNICATION WAREHOUSE 3,950 SF UPPER LEVEL
VACANT 4,050 SF UPPER LEVEL
PROPOSED: COMMUNICATION WAREHOUSE 4,000 SF LOWER LEVEL
GREAT FINDS AND DESIGNS 12,000 SF LOWER LEVEL
SCREEN PRINTING COMPANY 8,000 SF UPPER LEVEL
COMMUNICATION WAREHOUSE 3,950 SF UPPER LEVEL
TITAN GAMES 4,050 SF UPPER LEVEL
- UTILITIES:
WATER: PUBLIC
SEWER: PUBLIC
- DEED REF: 13206/674
- TAX ACCOUNT: #1600003055
- COUNCILMANIC DISTRICT: 3RD
- ZONING: ML-IM
(PER 1"-200' ZONING MAP 08002)
- TAX MAP #60, GRID #11, PARCEL #763.
- SITE LIES WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #2400100245 F PANEL 240 OF 580 DATED AUGUST 2, 2011.
ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
- PREVIOUS ZONING CASES:
08-143-SPH; SPECIAL HEARING TO APPROVE OFF-SITE PARKING FOR THE PROPOSED USE 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 (08-144-SPH) GRANTED ON JANUARY 16TH, 2008
- PREVIOUS PERMITS ON FILE: B701540 7/29/08
- SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE PROPERTY IS NOT HISTORIC.
- BUILDING FLOOR AREAS:
MAXIMUM PERMITTED: 2.0
PROVIDED: 32,000 Sq.Ft. / 90,919 = 0.35 FAR
- WATERSHED: JONES FALLS
- PARKING
REQUIRED:
WAREHOUSE USES WITH 19 EMPLOYEES = 19 SPACES
GREAT DESIGNS WAREHOUSE WITH 8 EMPLOYEES = 8 SPACES
TITAN GAMES: COMM. RECREATIONAL USE 4,050 Sq.Ft. @ 10/1000=41 SPACES
TOTAL = 68 SPACES
PROVIDED: 84 SPACES
(DOES NOT INCLUDE 40 SPACES DEDICATED TO 1928 GREENSPRING DRIVE)
- ANY PROPOSED SIGNS WILL CONFORM TO BCZR.
- ZONING RELIEF REQUESTED:
A.) PETITION FOR SPECIAL EXCEPTION TO PERMIT TITAN GAMES, A COMMERCIAL RECREATION FACILITY (INDOOR GAME PLAYING, CLUB AND PARTY MEETING SPACE, AND SHOWROOM SPACE FOR ASSOCIATED PRODUCTS AND MATERIALS) PURSUANT TO SECTION 253.2.D.3 OF THE B.C.Z.R.; AND IN COMBINATION THEREWITH, PURSUANT TO §253.2.E OF THE B.C.Z.R., ACCESSORY WAREHOUSE USE.
B.) PETITION FOR SPECIAL HEARING, IF REQUIRED, TO AMEND/UPDATE THE APPROVAL PROVIDED IN PRIOR COMPANION ZONING CASES 08-143-SPH AND 08-144-SPH; PERMITTING VARIOUS PARKING REQUIREMENTS AND ARRANGEMENTS."

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR

#1924 GREENSPRING DRIVE

#1924 GREENSPRING DRIVE
TIMONIUM, MARYLAND 21093

8TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

REVISIONS

EXHIBIT

DRAWN BY:	DESIGNED BY:	SCALE:
CND	PCR	1" = 30'
DATE:	JOB NO.:	SHEET NO.:
06-28-12	12069	1 OF 1



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2013

7/12/12

