



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

January 3, 2023
MEMORANDUM

TO: Barbara Jay
Executive Director
Montgomery County Board of Appeals

FROM: Jennyffer Vargas
Permitting and Code Enforcement Inspector
Department of Permitting Services
Zoning and Site Plan Enforcement

SUBJECT: Complaint Investigation – Olney Boys & Girls Club – S-2385

On August 23rd, DPS received a complaint from Mrs. Wendy Atkinson regarding the Field of Screams and the upcoming “Winter City” event at the Olney Boys & Girls Club (OBGC). Mrs. Atkinson is a neighbor of OBGC and lives at 4310 Brookeville Rd. At the time of the complaint, DPS did not have the complete file in our system, so we asked that the Board of Appeals (BOA) order the file from archives. Also, at the time, I was on leave, there were county-observed holidays and, there were other unforeseen events that delayed the review of this file. Once I was able to review the file, I was also able to perform an inspection of the Field of Screams event on October 21st and found the following violations:

1. Violation of Condition #3: *Condition #3 States the annual hours of operation as “M-F 5 pm – 10:30 pm and Sat-Sun 8:30 pm – 10:30 pm.”* The Field of Scream (FOS) event is one of many fundraising events and OBGC does extensive advertising for it. In their advertising (see attached) they state that the FOS event will stop accepting patrons at 10:30 pm but that “Attractions stay open until you’re done.” While performing my inspection on October 21st, I can confirm that the attractions stayed open to patrons well past 11 pm. I left the property at 11:50 pm and there were patrons completing the haunted attractions.



Ex 37

2. Violation of Condition #15: *Condition #15 states that "All lights, other than security lights, shall operate from dusk till 10:30p."* On October 21st, I observed the violation of this condition as there were lights for the haunted trail and the other attractions still in operation after 10:30 pm.

I would like to also inform the Board that I was made aware that the FOS event has received citations from DPS and an abatement order from the court that explicitly instructed OBGC "Do not operate the Field of Screams event without permits, inspection approvals, and issued Certificates of Use & Occupancy..." as of April 20th, 2021. The FOS event was still operated by OBGC while this order was in effect and with a lack of appropriate permits from both DPS and State agencies.

An NOV was issued to OBGC and delivered via email on November 8th, 2022 to Ken Bradford (director@obgc.com) and Kevin McClaren (kmclaren@greeneearthinc.com). To bring the NOV into compliance, OBGC needed to stop all activities by 10:30 pm, including the operation of lights, or request a modification with the BOA for conditions #3 and #15.

A compliance inspection was conducted on December 1st, 2022 during the Winter city event and I found that the violations have been abated. The lights were turned off and the event promptly closed at 10:10 pm.

For these reasons, and in accordance with Section 59-G-1.3(b)(3) of the Montgomery County Ordinance, DPS is forwarding the complaint investigation of S-2385 to the Board of Appeals.

If you have any questions, please contact me by email at, Jennyffer.Vargas@MontgomeryCountyMD.gov, or by phone at (240) 447-2016.