FILER JUL 6 1953

IN THE MATTER OF: FETITION OF MARTIN F. FIROS, et al :
FOR A SPECIAL PERMIT FOR OPEN AIR
DRIVELIN MOVIES ON SOUTH SIDE OF JOPPA :
EGAD, EAST OF OLD HARFORD EGAD, IN

BEFORE CHARLES H. DOING 20N ING COMMISSIONER

OF : BALTIMORE COUNTY, MARYLAND

CRUER OF DISMISSAL

Mr. Consissioner:

Please Dismiss the Appeal heretofore filed in the above captioned

Attorners for Petitioners

SMALKIN & HESSIA TOWNON, MARTLAN

DISTURBLE FOR SPECIAL PRESENT

2375-5

For A Special Parait To The Loning Consission r of Daltimore

IN THE MATTER OF

Martin T. Firor and Hattie T. Piror, his wife Logal O mor

Truck Terminal, Inc.

hereby potition for a Special Permit, under the Zening Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chepter 677 of the Acts of the General Assembly of meryland of 1943, for a cort in permit and use, as provided under said Regulations and Act, as follows:

A Special Permit to use the land (and improvements now or be erected thereon) hereinofter described for Open Air

On the south side of Jopa Ma, beginning 110' east of Old Earford Md., Chacke easterly and minding, on the south side of Jopa Md. 55 ff., thence the following courses and distances South July 29, 2014 ff., South 60 21' east 20-4), if ft., South 7931 W. 2014 Md. 100' of the State of South July 29, 2014 ff., South 60 21' east 2014 ft., North 52' 21' East 1130 ft., North 52' 22' East 1130 ft.

Truck Terminal Sac Martin J. Front Control Pulow our Hallie F. Tiron

503 Mathiuson Bldg. Baltimore M. C

FIFE NOV 3 1952

BENNER IN THE NATTER OF: PETITION OF MARCIN F. PINOR, et al :
FOR A SPEULAL YEART FOR OFFS ATR
DRIVE-IN NOUTH SIDE OF .
JOPPA MAND, KAST OF OLD MARGUED .
ROAD, IN THE MINTH RESPITOR DIS .
THEOT OF BAUTTONS DIST. ; MARGAND. ADGRATINE J. MULLER BALTDHORS COUNTY, MARKLAND

ORDER FOR AFFEAL

Flease enter an Appeal to the Board of Zoning Appeals from the Decision and Order of the Zoning Commissioner of Baltimore County, State of Maryland, passed in the above captioned cause on October 28, 1952, and transmit all papers and records incident thereto to said Board of Zoning Appeals, Towson,

We hereby certify that a copy of the foregoing Order for Appeal was mailed to Louis E. Fetrick, Esq., 305 Supplee Building, 11 E. Lexington Street, Baltimore 2, Maryland, A. Gordon Boone, Esq., Masonic Building, Town h, Maryland, and C. Bowie Hose, Esq., Munsey Building, Baltimore 2, Maryland, Attorneys for Protestants, this 3 and day of November, 1952.

Attorneys for Petitioners

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

Date of Posting 10-8-52 Parted for applicant blance (Calore Gir Basic Leve March)
Petitioner: Market I. F. Aprille, P. Servel Location of property See Sepposeld by 310 ft & Of Hayland town & the Lynn 185 Sport of 5th Street Brief and the County of Street And The County of the County of the Street and the Street

Posted by Glasge Advantage Date of return 18-8-52

#2375

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RED OCT 14 1952

CERTIFICATE OF PUBLICATION

TOWSON, MD October 10, 19 52 THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly Rewspaper printed and published in Towson, Baltimore County, Md., XXXXXXX xk 2 times xxxxxxxxxxxx before the 22nd day of _______Qctober______1952_, the first publication appearing on the 3rdday of Oatober THE JEFFERSONIAN,

A Leulit

RE: PETITION FOR A SPECIAL MEMIT FOR OPEN AIR DRIVE-IN MOVIE - S. S. Joppa Read 310' E. Old Harford Read, 9th District -Martin F. and Rattle P. Biror, Feititoners Truck Terminal, Inc., Contract Purchaser

The property which is the subject of this petition is southeast of Old Harford Road and south of Joppa Road, Ninth District, upon which the petitioner proposes to place an Open Air Drive-In Movie. The petitioner intends to have an entrance from Joppa Road and an exit into Old Harford Road. The projection screen is to be located on the southeast corner of the property and will face Old Harford Road.

The property adjacent to the northeasternmost edge of the property in question is practically developed solidly with cottages, the backs of which would face the proposed Movie. Approximately 300 feet on the south side of Joppa Road is develope with cottages, the backs of which also would face the proposed Movie. The netitioner is providing an entrance on the south side of Joppa Road, said entrance will be situate between two existing cottages. Joppa Road at the location of the proposed entrance is approximately 30 feet in width. Immediately east of the proposed entrance is a rather sharp curve on Joppa Road bearing to the southeast.

It was pointed out at the hearing that this section of the Joppa Road in the past has been extremely hazardous and it is falt that the existence of an entrance at this location would only add to the danger. in view of the traffic entering from both directions which would have a tendency to cause congestion and impede the flow of traffic. The exit for this project will be located at the nouthwesternmost end of the property and 't also will run between two cottages entering the Old Harford Road which is a 19 foot roadbed at the present time. The Old Harford Road is of an old type construction and has guite a number of curves

and the edges of the pavement on either side have drainage ditches which is most cases are a foot or more in depth.

It is felt that the cars leaving the Movie between the hours of 11:00 p. m. and midnight will cause concention on this with the sounding of horns and the racing of motors, etc.

The potitioner stated that he intended to place the projection screen on the southeasternmost corner of the property facing Old Harford Road, said screen will be 45 feet in height and 60 feet in width. He also stated that the screen would not rause disturbance in view of the fact that the serven would be located in a deep hollow section of the property. Upon investigation of this property it was found that there is apparently no more than twenty to twenty five foot variation between the Old Harford Road and the southeasternmost portion of the property, therefore, it is falt that the reflection generated from a screen of this size and location will cause hardship upon the residents in the area.

It is the opinion of the Acting Zoning Commissioner of Baltimore County in view of the aforegoing that the granting of this special permit for the conduct of an Open Air Drive-In Movie would be detrimental to the health, safety morals and the general welfare of the community and the said petition

It is this 28 day of October, 1952, ORDERED Acting by the/Zoning Commissioner of Baltimore County that the aforesaid special permit petitioned should be and the same is hereby denied.

7 Charles Heinmule

RECEIVED of Smalkin & Hessian, Attorneys for Petitioners, the sum of Twenty Two (\$22.00) Collars, being cost of appeal to the Board of Zoming Appeals of Baltimore County from the decisions Acting of the Zoning Commissioner denying special permit for Open Air Drive-In Movie on the routh side of Joppa Road, east of Old Harford Road, 9th District.

an with the comment

Zoning Commissioner



