

PETITION FOR SPECIAL PERMIT

IN THE MATTER OF :
RUTH & CARROLL FREDERICK :
Legal Owners : REPORT THE :
COUNTY COMMISSIONERS :
OF BALTIMORE COUNTY :
Henry Bernicker :
Contract Purchaser :
For a Special Permit :
To The Zoning Commissioner of Baltimore County :

Paul Frederick - Carroll Frederick Local Owner
Henry Bernicker Contract Purchaser

herby petition for a Special Permit, Under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

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

General Air Drive-In Movie

All that parcel of land on the southeast side of Eastern Avenue, beginning 300 feet west of Carroll Island Road, thence easterly, on the southeast side of Eastern Avenue, 100 feet; thence South 36 degrees 06 minutes East 400 feet; thence North 53 degrees 54 minutes East 220 feet; thence South 36 degrees 06 minutes East 355 feet; thence North 33 degrees 15 minutes East 230 feet; thence South 55 degrees 30 minutes East 127 feet; thence South 69 degrees 43 minutes East 120 feet; thence North 20 degrees 18 minutes East 200 feet to the south side of Carroll Island Road, thence easterly, on the south side of Carroll Island Road, 50 feet; thence South 20 degrees 18 minutes East 200 feet; thence South 69 degrees 43 minutes East 50 feet; thence South 3 degrees 23 minutes East 530 feet; thence South 69 degrees 53 minutes East 830 feet; thence North 20 degrees 37 minutes East 600 feet; thence North 15 degrees 37 minutes East 450 feet and thence North 8 degrees 37 minutes East 150 feet to beginning.

Baltimore 7 Md

ADDRESS

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General Air Drive-In Movie

Henry Bernicker Contract Purchaser
Paul Frederick Local Owner
3626 Washington Ave.
Baltimore 7 Md
3312 Eastern Blvd. (So)
Baltimore 7 Md

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Baltimore 7 Md

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General Air Drive-In Movie

Henry Bernicker Contract Purchaser
Paul Frederick Local Owner
3626 Washington Ave.
Baltimore 7 Md
3312 Eastern Blvd. (So)
Baltimore 7 Md

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BALTIMORE DEPARTMENT OF BALTIMORE COUNTY
1515 FIFTH AVE. A SPECIAL PERMIT
FIFTEENTH DISTRICT

Pursuant to petition filed with the Zoning Commissioner of Baltimore County for a Special Permit to use the property hereinafter described for an Open Air Drive-In Movie, the Zoning Commissioners of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in the Second Room, Second Building, Tower Maryland, at Baltimore, Maryland, on Wednesday, July 21, 1954, at 1:00 p.m.

All that parcel of land in the Fifteenth District of Baltimore County on the southeast side of Eastern Avenue, beginning 300 feet west of Carroll Island Road, thence easterly, on the southeast side of Eastern Avenue, 100 feet; thence South 36 degrees 06 minutes East 400 feet; thence North 53 degrees 54 minutes East 220 feet; thence South 36 degrees 06 minutes East 355 feet; thence North 33 degrees 15 minutes East 230 feet; thence South 55 degrees 30 minutes East 127 feet; thence South 69 degrees 43 minutes East 120 feet; thence North 20 degrees 18 minutes East 200 feet to the south side of Carroll Island Road, thence easterly, on the south side of Carroll Island Road, 50 feet; thence South 20 degrees 18 minutes East 200 feet; thence South 69 degrees 43 minutes East 50 feet; thence South 3 degrees 23 minutes East 530 feet; thence South 69 degrees 53 minutes East 830 feet; thence North 20 degrees 37 minutes East 600 feet and thence North 15 degrees 37 minutes East 450 feet to beginning. Being property of Carroll Frederick and Ruth Frederick as shown on plot plan filed with the Zoning Department.

By Order of
Zoning Commissioner
of Baltimore County

Hearings

Wednesday, July 21, 1954

at 1:00 p.m.

Second Building
Baltimore, Md.

PAID
JUL 14 4
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
HARRIS

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Zoning Commissioner
of Baltimore County

Milvia S. Adams
Zoning Commissioner
of Baltimore County

Zoning Commissioner
of Baltimore County

Zoning Commissioner
of Baltimore County

cc: Mr. William Wheatley,
Box 113, Route 15,
Bowleys Quarter Road,
Baltimore 20, Maryland

Zoning Commission:

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THE JEFFERSONIAN,
N. Smith

Cost of Advertisement, \$.....

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Preston A. Pairo
Attorney for Appellants

[illegible]

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SE side)

SE of Eastern tree beg 380'
W of Carroll Island Rf then
Ely & binding on the SE of
Eastern tree 100' thence
S 36° 06' E 400' "
N 53° 54' E 220' "
S 36° 06' E 355' "
N 33° 46' E 238' "
S 55° 30' E 127' "
S 68° 43' E 428' "
N 20° 18' E 200' to the
SE of Carroll Island Rf then
Ely & binding on the SE of
Carroll Island Rf 50' thence
S 20° 18' W 200' "
S 69° 43' E 58' "
S 30 23' E 530' "

(OVER)

S 89° 53' W 830' there
 N 28° 37' W 609' "
 N 42° 37' W 450' "
 N 80 37' W 155' to
 place of log as etc

15th
2 - SIGNS

RE: PETITION FOR A SPECIAL PERMIT FOR OPEN-AIR DRIVE-IN MOVIE - S. E. Side Eastern Avenue
380 feet W. Carroll Island Road, 15th Dist.,
Carroll Frederick and Ruth Frederick,
Petitioners

This is an appeal by the petitioners, in the above matter, from an Order of the Zoning Commissioner of Baltimore County denying a special permit for an Open Air Drive-In Movie on the southeast side of Eastern Avenue, 380 feet west of Carroll Island Road, in the Fifteenth District of Baltimore County.

The case came on for hearing before the Board, testimony was taken and counsel heard.

It is the opinion of the Board that means of ingress and egress to the proposed movie will involve access to very narrow roads. Such roads presently service a preponderant amount of traffic serving the area northeast, east, southeast and south of The Glenn L. Martin Company's premises. Such roads are extremely narrow and have very heavy traffic. This could seriously interfere with unobscure of shifts at the Martin plant and would impose traffic hazards and conditions in excess of the existing hazardous conditions.

Further, that practically the entire operations of the Martin Company are devoted to the National Defense Effort. This involves urgent defense contracts, some of which require night flying and night testing of aircraft. The volume of such flying may well increase in the future rather than decrease, particularly in the jet engine field. This is all in the normal course of business and has been required in the operation of this Company since its incorporation in the State of Maryland in 1928. It is also worthy to note that the

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proposed theatre will be in the traffic pattern of one of the runways, an extremely dangerous location for public assembly. There is always the possibility that an airplane in taking off or making a landing may fall directly into the proposed Drive-In Movie which could result in virtually a massacre of people. This Board feels that in the interest of the safety of the would-be patrons the permit should be denied.

Therefore, it is this 17th day of March, 1955, ORDERED by the Board of Zoning Appeals of Baltimore County, that the aforesaid Order of the Zoning Commissioner of Baltimore County, denying the special permit, is hereby affirmed.

Charles H. Downing
Chairman
Samuel M. Robinson
Member
Carl F. Volker
Member
Board of Zoning Appeals
of Baltimore County

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March 17, 1955
Hon. John Graham Turnbull,
21 West Tenth Avenue
Towson 1, Maryland

Re: Petition for a Special Permit for
Open-Air Drive-In Movie - S. E. Side
Eastern Avenue, 380 feet W. Carroll
Island Road, 15th District - Carroll
Frederick and Ruth Frederick,
Petitioners

Dear Senator Turnbull:

The Board of Zoning Appeals of Baltimore County passed its Order on March 17, 1955, affirming the Order of the Zoning Commissioner denying the special permit, in the above matter, for the reasons stated in the attached copy of said Order.

Very truly yours,

Zoning Commissioner

cc: Preston A. Pairo, Esq.,
1700 Court Square Building
Baltimore 2, Maryland

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LAW OFFICE
PRESTON A. PAIRO, JR.
BALTIMORE 2

WASHINGTON OFFICE
ALTON S. BRADFORD, ASSOCIATE
1415 W. 4th St. N.
NORTH WYOMING, WY.

PLAID 2350

February 23, 1955

Board of Zoning Appeals,
Towson-4, Maryland.

Re: Application of Carroll A. & Ruth A. Frederick
Gentlemen:

Subsequent to my letter to you of February 17th, I checked the various times of shift changes at Glenn L. Martin and find that the evening shift reports for work at 5:00 P.M. and goes off at 1:30 A.M. From my previous letter to you, it is apparent that any traffic on the roads either to or from the proposed theatre would in no manner interfere with traffic to or from the Martin plant.

This seems to conclusively refute any contention of increased traffic interfering with Martin employees.

Very truly yours,
Preston A. Pairo
Preston A. Pairo

PAP:PH

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November 30, 1954

The following notified of appeal hearing on Thursday
December 16, 1954 at 10:00 A.M.

Board of Zoning Appeals
Council to Board
John G. Turnbull counsel for petitioners
Preston A. Pairo " " "
Dr. Shattley protestant
Leroy A. Sinsack " "

October 25, 1954

\$30.00

RECEIVED of Preston Pairo, Attorney for Carroll A. Frederick, and wife, petitioners, the sum of Thirty (\$30.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner denying petition for a special permit for an open-air movie, southernmost side of Eastern Boulevard, between Hughes Shore Road and Carroll Island Road, 15th District.

Zoning Commissioner

PAID
OCT 29 1954
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY 24.24

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November 30, 1954

Mr. Charles H. Downing,
227 E. Holling Road,
Calverville 25, Md.

Dear Mr. Downing:

Hearings on the two following appeals have been scheduled for Thursday, November 16, 1954 at 10:00 A. M. and 3:00 P. M. respectively:

Petition for a Special Permit of Carroll A. and Ruth A. Frederick for an Open Air Drive-In Movie, southeast side of Eastern Avenue, 380 feet west of Carroll Island Road, 15th District.

Petition for a Special Permit of Fred. Chesapeake for Storage Yard, southeast corner of Fred Avenue and Antietam Roads, 15th District.

Very truly yours,

Zoning Commissioner

cc: Mr. Daniel W. Hahore
Mr. Carl F. Volker
Glenn L. Martin, Inc., 254

March 17, 1955

John W. Hessian, Jr., Esq.,
Campbell Building
Towson 1, Maryland

Re: Petition for a Special Permit for
Open Air Drive-In Movie - S. E.
Side Eastern Ave., 380 feet W.
Carroll Island Road, 15th Dist.,
Carroll Frederick and Ruth Frederick,
Petitioners

Dear Mr. Hessian:

The Board of Zoning Appeals of Baltimore County passed its Order today affirming the Order of the Zoning Commissioner denying the special permit, in the above matter.

Very truly yours,

Zoning Commissioner

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John Turnbull - Rep. Carroll Friedrich Movie
Preston Puro - Former Patent

18 Acres. -

Jos. Thompson -

Says Val of 700 Cars would not affect Traffic
Traffic lite should be installed for movie and
" 80 Cars can get off Highway before backing up ^{at traffic} office

Harold Brazier -

Says he lives 2 1/2 miles away from this Loc.
Pump has 3 Road Frontages.

Carroll Friedrich ->

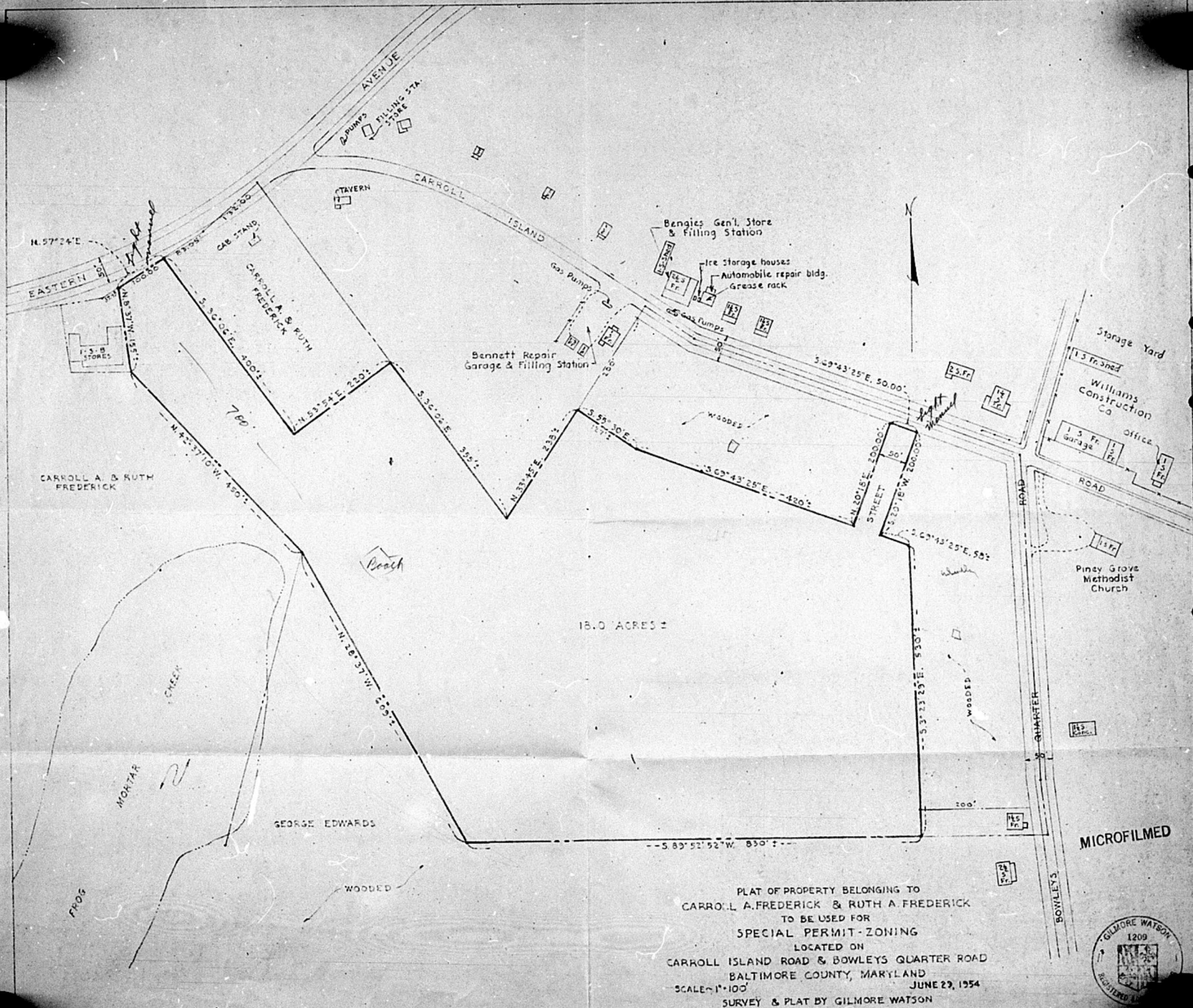
Henry Burnike 3626 Wash Ave. (Realtor)

H. C. Dismann 12 E. 25th St. (Sells Movie
(Good witness) (Equip't.))

William F. Wheatley Port 143 - "OBJECTOR"
Represents - Church - 100 people -
Says - Lived here 2 yrs. -

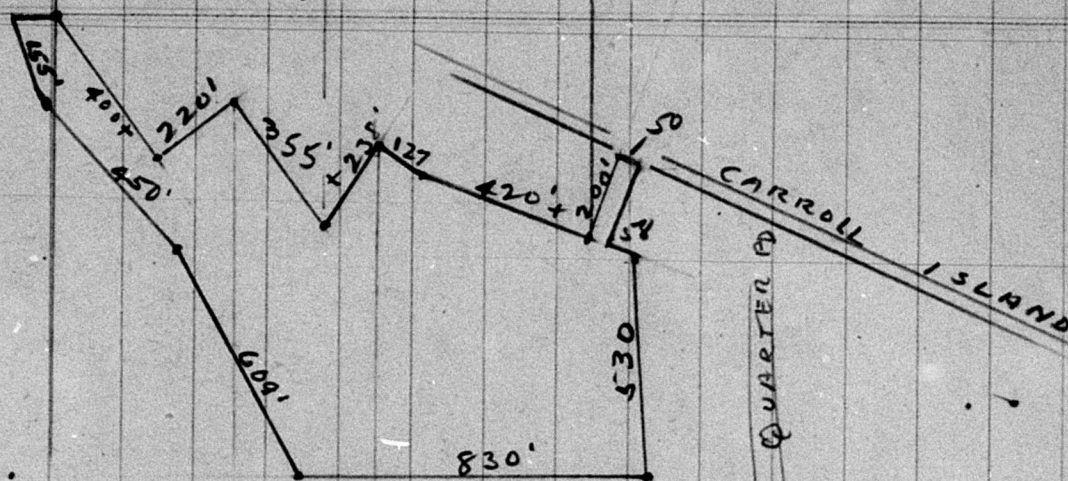
App. 437 713, 729 & 1083

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3105-S

Eastern ave



1" = 500'
SCALE

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