

File No. 86423

November 16, 1950

Mr. James W. Blackhurst
Executive-Secretary
Airport Zoning Board
1 Central Avenue, S. W.
Glenburnie, Maryland

Dear Mr. Blackhurst:

You have requested this office, through Mr. John E. Semmes, Chairman of your Board, for an opinion as to whether or not the Baltimore City-Anne Arundel County Airport Zoning Board can under the airport zoning laws now in effect enforce any airport zoning regulations within the confines of the airport proper.

Chapter 13 of the Laws of Maryland of 1944 (Special Session) authorized certain political subdivisions to adopt, revise, administer and enforce reasonable airport zoning regulations and within certain districts to regulate the height of certain objects, specify the land uses permitted, and in connection therewith to authorize certain political subdivisions to incorporate airport zoning regulations in their general zoning regulations and to administer and enforce airport zoning regulations in connection with their general zoning regulations. Under this Act, the Baltimore City - Anne Arundel County Airport Zoning Board was authorized to adopt, revise, administer and enforce airport zoning regulations to protect aerial approaches of the Airport. This Act further provided the procedure for the manner in which the boundaries of airport zoning districts and airport zoning regulations and restrictions shall be determined, established, adopted and enforced and from time to time amended, revised, supplemented or changed. Further, under this Act, an Airport Zoning Commission was authorized to be established to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein.

Pursuant to the above mentioned Chapter 13, Ordinance No. 150, approved December 15, 1944, created the Baltimore City-Anne Arundel County Airport Zoning Board and delegated to that Board the authority to adopt, revise, administer and enforce airport zoning regulations to protect aerial approaches to any airport located, in whole or in part, in Anne Arundel County and owned by the Mayor and City Council of Baltimore. This Ordinance further authorized the appointment and creation of the Airport Zoning Commission to recommend to your Board the boundaries of the various original airport zoning districts and appropriate regulations to be enforced therein.