

Mr. James W. Blackhurst, Executive- Secretary, Airport Zoning Board (cont'd)

By Ordinance No. 242, approved April 27, 1948, approach zone districts, transition zone districts and turning zone districts were created and the original boundaries thereof in the vicinity of the Friendship International Airport were established. This Ordinance further regulated and restricted the height of structures and objects of natural growth in the vicinity of the Airport and prescribed the conditions for the use of property within said zone districts and boundaries. This Ordinance provided for three types of airport zoning districts; namely, twelve (12) approach zone districts, twenty-four (24) transition zone districts, and one (1) turning zone district. This Ordinance approved and established these various districts for Friendship International Airport for that land area within a circle whose radius is four (4) miles from a point whose Maryland Grid Coordinates are E893,909.99 N490,279.30. This point, upon reference to the Airport Zoning Map for Friendship International Airport dated March 16, 1948, is approximately in the center of the airport boundaries. Further reference to this map will show the various districts above named and further reference to the description of the turning zone districts as set out in the aforementioned Ordinance No. 242 provides:

"The height of any structure or tree within the turning zone district, which shall include all that land within four (4) miles from a point within the airport proper whose Maryland Grid Coordinates are E893,909.99 N490,279.30, and which is not included in an approach or transition zone district shall not exceed two hundred and eighty (280) feet above mean sea level."

Ordinance No. 242 further provides for use restrictions and under Par.III of the Ordinance entitled "Regulations", the use restrictions are more fully set out. However, for the purposes of this opinion, we quote the introductory paragraph which reads as follows:

"Except as otherwise provided in these regulations or Ordinance No. 150 and the county resolution aforementioned, it shall be unlawful to put any land located within any zone hereby created to any of the following prohibited uses:"

We are, therefore, of the opinion that the wording of Ordinance No. 242 is clear and unambiguous and conclude that the Baltimore City-Anne Arundel County