

86-1069

In Re: * BEFORE THE
*
PETITION ZONING VARIANCE * ZONING COMMISSIONER
N/S of Rolandvue Avenue *
1,500' East of the center *
line of Bellona Avenue *
(1014 Rolandvue Avenue) * BALTIMORE COUNTY
9th Election District *
*
PHILIP A. DOCCOLO *
1014 Rolandvue Avenue *
Towson, Maryland 21204 *
* Case No. 85-276-A
*
Petitioner *

SUBPOENA

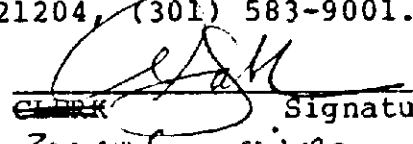
STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO: Don Heinicke
Action Earth Satellite Corporation
4128 Washington Boulevard
Baltimore, Maryland 21227

YOU ARE HEREBY COMANDED TO Personally appear and produce documents or objects; at Baltimore County Zoning Office, Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland on Wednesday the 13th day of November, 1985, at 10:00 o'clock, a.m.

YOU ARE COMMANDED TO produce the following documents or objects: All documents, pictures, diagrams, regarding placing the satellite dish on Mr. Doccolo's roof.

Subpoena requested by Plaintiff; and any questions should be referred to: Zelle Debra Gilden, 306A Hampton Plaza, 300 East Joppa Road, Towson, Maryland 21204, (301) 583-9001.

Date issued: 11/12/85

Signature & Seal
Zoning Commissioner

NOTICE:

- (1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
- (2) This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.
- (3) If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate a person to testify pursuant to Rule 2-412(d).

86-1068

In Re: * BEFORE THE
*
PETITION ZONING VARIANCE * ZONING COMMISSIONER
N/S of Rolandvue Avenue *
1,500' East of the center * OF
line of Bellona Avenue *
(1014 Rolandvue Avenue) * BALTIMORE COUNTY
9th Election District *
*
PHILIP A. DOCCOLO *
1014 Rolandvue Avenue *
Towson, Maryland 21204 *
* Case No. 85-276-A
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Petitioner *

SUBPOENA

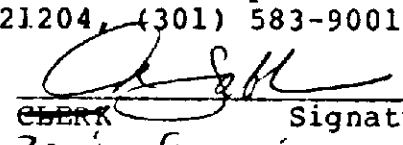
STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO: Fred Williams
Action Earth Satellite Corporation
4128 Washington Boulevard
Baltimore, Maryland 21227

YOU ARE HEREBY COMANDED TO Personally appear and produce documents or objects; at Baltimore County Zoning Office, Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland on Wednesday the 13th day of November, 1985, at 10:00 o'clock, a.m.

YOU ARE COMMANDED TO produce the following documents or objects: All documents, pictures, diagrams, regarding placing the satellite dish on Mr. Doccolo's roof.

Subpoena requested by Plaintiff; and any questions should be referred to: Zelle Debra Gilden, 306A Hampton Plaza, 300 East Joppa Road, Towson, Maryland 21204, (301) 583-9001.

Date issued: 11/12/85

Signature & Seal
Zoning Commissioner

NOTICE:

- (1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
- (2) This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.
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86-1067

In Re: * BEFORE THE
*
PETITION ZONING VARIANCE * ZONING COMMISSIONER
N/S of Rolandvue Avenue *
1,500' East of the center * OF
line of Bellona Avenue *
(1014 Rolandvue Avenue) * BALTIMORE COUNTY
9th Election District *
*
PHILIP A. DOCCOLO *
1014 Rolandvue Avenue *
Towson, Maryland 21204 *
* Case No. 85-276-A
*
Petitioner *

SUBPOENA

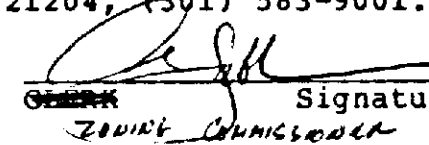
STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO: ~~Fred Williams~~ Ken Wagner
Action Earth Satellite Corporation
4128 Washington Boulevard
Baltimore, Maryland 21227

YOU ARE HEREBY COMANDED TO Personally appear and produce documents or objects; at Baltimore County Zoning Office, Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland on Wednesday the 13th day of November, 1985, at 10:00 o'clock, a.m.

YOU ARE COMMANDED TO produce the following documents or objects: All documents, pictures, diagrams, regarding placing the satellite dish on Mr. Doccolo's roof.

Subpoena requested by Plaintiff; and any questions should be referred to: Zelle Debra Gilden, 306A Hampton Plaza, 300 East Joppa Road, Towson, Maryland 21204, (301) 583-9001.

Date issued: 11/12/85

Signature & Seal
Zoning Commissioner

NOTICE:

- (1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
- (2) This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.
- (3) If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate a person to testify pursuant to Rule 2-412(d).



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

July 19, 1985

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Phyllis C. Friedman, Esquire
People's Counsel for Baltimore County
Room 223, Courthouse
Towson, Maryland 21204

RE: Petition for Variance
N/S of Rolandvue Avenue,
1,500' E of the centerline
of Bellona Avenue
(1014 Rolandvue Avenue)
9th Election District
Philip A. Doccio, Petitioner
Case No. 85-276-A

Dear Ms. Friedman:

Please be advised that an appeal has been filed by the Attorney for the Petitioner, Zelle Debra Gilden, from the decision rendered by the Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:bg

cc: Louis E. Schmidt, Esquire
Ms. Louise Schulz
Ms. Christina Rizzo
Hon. Barbara F. Bachur

In Re:

PETITION ZONING VARIANCE
N/S of Rolandvue Avenue
1,500' East of the center
line of Bellona Avenue
(1014 Rolandvue Avenue)
9th Election District

PHILIP A. DOCCIO
1014 Rolandvue Avenue
Towson, Maryland 21204
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
*
*
* Case No. 85-276-A
*

MOTION FOR RECONSIDERATION

Now comes Petitioner, PHILIP A. DOCCIO, by and through his attorneys, Lawrence I. Weisman, Zelle Debra Gilden and Weisman and Clarke and pursuant to Maryland Rule 2-535 requests the Zoning Commissioner to exercise his revisory powers over the Order dated June 20, 1985 and as reasons therefor states the following:

1. That placement of a satellite dish in the side yard does not result in substantial detriment to the public good, health, safety and general welfare.
2. That Petitioner will suffer a practical difficulty if the satellite dish is placed in any other location.
3. That placement of the satellite dish in the rear yard provides little, if any satellite reception.
4. That the satellite dish placed in the side yard with additional shubbery and landscaping around the satellite dish would be more attractive and appealing to the

eye than placing the satellite on the roof of Petitioner's house.

WHEREFORE, Petitioner requests the Zoning Commissioner reconsider the Opinion dated June 20, 1985 denying the variance for the satellite dish in the front yard and grant the variance allowing Petitioner to landscape the area around the satellite dish to afford adequate screening.

WEISMAN AND CLARKE

Zelle Debra Gilden
Zelle Debra Gilden
306A Hampton Plaza
300 East Joppa Road
Towson, Maryland 21204
(301) 583-9001

Attorneys for Petitioner

I HEREBY CERTIFY, that on this 17th day of July, 1985, a copy of the foregoing Motion for Reconsideration was mailed, postage prepaid, to Phyllis Cole Friedman, Esquire and Peter Max Zimmerman, Esquire, Room 223, Courthouse, Towson, Maryland 21204.

Zelle Debra Gilden
Zelle Debra Gilden

- 2 -

In Re:

PETITION ZONING VARIANCE
N/S of Rolandvue Avenue
1,500' East of the center
line of Bellona Avenue
(1014 Rolandvue Avenue)
9th Election District

PHILIP A. DOCCIO
1014 Rolandvue Avenue
Towson, Maryland 21204
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
*
*
* Case No. 85-276-A
*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 1985, a copy of the Motion for Reconsideration in the above-captioned matter was mailed, postage prepaid, to Louis E. Schmidt, Esquire, 1007 Rolandvue Road, Towson, MD 21204; Ms. Louise Schultz, PO BOX 204, Rideview, MD 21139; and Ms. Christina Rizzo, 305 Washington Avenue, Towson, MD 21204.

Zelle Debra Gilden
Zelle Debra Gilden
306A Hampton Plaza
300 East Joppa Road
Towson, Maryland 21204
(301) 583-9001

Attorneys for Petitioner

THE RUXTON - RIDERWOOD - LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

Box 204
Riderwood, Md. 21139

August 26, 1985

Baltimore County Board of Appeals
County Office Building
Room 200
Towson, Maryland 21204

Attention: Ms. Edith T. Eisenhart

Please notify our office regarding hearing date for case # 85-276-A.

Thank you.

Sincerely,

Louise Schulz
Louise M. Schulz

RECEIVED
COUNTY BOARD OF APPEALS
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already listed in file

In Re:

PETITION ZONING VARIANCE
N/S of Rolandvue Avenue
1,500' East of the center
line of Bellona Avenue
(1014 Rolandvue Avenue)
9th Election District

PHILIP A. DOCCIO
1014 Rolandvue Avenue
Towson, Maryland 21204
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
*
*
* Case No. 85-276-A
*

MOTION FOR POSTPONEMENT

Now comes, Philip A. Doccio, Appellant, and motions the County Board of Appeals for a postponement of the above-captioned appeal for the following reasons:

1. That the Zoning Commission granted on November 13, 1985 for placement of the satellite dish on the roof.
2. That the Petitioner/Appellant is satisfied with the Zoning Commissioner's decision at the hearing on November 13, 1985.
3. That the Appellant will pursue the appeal of Case No. 85-276-A in the event that Protestants appeal the decision rendered on November 13, 1985.
4. That the Appellant seeks a postponement of the Appeal presently scheduled on November 27, 1985, for 30 days from the day that the Zoning Commissioner signs the Order granting the variance for the satellite dish on the roof.

WHEREFORE, Appellant requests a postponement of the above-captioned case for at least 30 days from the day that the Zoning Commissioner signs the Order granting the variance for placement of the satellite dish on the roof.

Zelle Debra Gilden
Zelle Debra Gilden
Weisman and Clarke
306A Hampton Plaza
300 East Joppa Road
Towson, Maryland 21204
(301) 583-9001

Attorneys for Appellant

I HEREBY CERTIFY that on this 13th day of November, 1985, a copy of the foregoing Motion for Postponement and proposed Order was mailed to Phyllis Cole Friedman, Esquire and Peter Max Zimmerman, Esquire, Room 223, Courthouse, Towson, Maryland 21204; Deborah C. Dupkin, Esquire, Cook, Howard, Downes & Tracy, Bosley Building, 210 Allegheny Avenue, Towson, Maryland 21204; Louis E. Schmidt, Esquire, 1007 Rolandvue Road, Towson, Maryland 21204; Mrs. Louise Schultz, PO BOX 204, Rideview, Maryland 21139; and Ms. Cristina Rizzo, 305 Washington Avenue, Towson, Maryland 21204.

Zelle Debra Gilden
Zelle Debra Gilden

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COUNTY BOARD OF APPEALS
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- 2 -

In Re:

PETITION ZONING VARIANCE
N/S of Rolandvue Avenue
1,500' East of the center
line of Bellona Avenue
(1014 Rolandvue Avenue)
9th Election District

PHILIP A. DOCCIO
1014 Rolandvue Avenue
Towson, Maryland 21204
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
*
*
* Case No. 85-276-A
*

ORDER

Upon Motion for Postponement filed by the Appellant, Charles D. Schnee, IT IS HEREBY ORDERED, this _____ day of November, 1985, that the Appeal of Case No. 85-276-A be postponed for at least 30 days from the day that the Zoning Commissioner signs the Order granting the variance for placement of the satellite dish on the roof.

WILLIAM T. HACKETT
Chairman of Board of Appeals

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COUNTY BOARD OF APPEALS
NOV 15 4 10 06



County Board of Appeals of Baltimore County

Room 200 Court House

Towson, Maryland 21204

(301) 494-3180

November 15, 1985

NOTICE OF POSTPONEMENT

CASE NO. 85-276-A

PHILIP A. DOCCOLO

N/S of Rolandvue Ave., 1500' E
of c/l of Bellona Ave.
(1014 Rolandvue Avenue)

9th District

Variance-Section 400.1 to permit
accessory structure in front yard
in lieu of rear yard (satellite dish)

The above case, set for hearing on WEDNESDAY, NOVEMBER 27, 1985, at
10 a.m., HAS BEEN POSTPONED by the Board at the request of counsel for
the Petitioner.

cc: Lawrence I. Weisman, Esq. Counsel for Petitioner
Zelle D. Gilden, Esq. Petitioner
Philip A. Doccolo Protestants
Louis E. Schmidt, Esq. Ruxton-Riderwood Improve. Assoc.
Louise Schulz
Christina Rizzo
Hon. Barbara F. Bachur
Phyllis C. Friedman People's Counsel
Norman Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer

June Holmen, Secretary

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

December 16, 1985

JAMES H. COOK
JOHN B. HOWARD
DAVID D. DOWNES
DANIEL O. TRACY, JR.
JOHN H. ZINN, II
JOSEPH C. WICK, JR.
HENRY B. PICK, JR.
HERBERT R. O'CONNOR, III
THOMAS L. HUDSON
C. CAREY DEFELEY, JR.
GEORGE K. REYNOLDS, III
LAWRENCE L. HOOPER, JR.
A. AND HILL, III
ROBERT A. HOFFMAN
DEBORAH C. DOPKIN
CRYSTIA H. JAMES
KATHLEEN M. GALLAGHER
KEVIN R. SMITH
H. BARNETT PETERSON, JR.

County Board of Appeals
of Baltimore County
Room 200
Court House
Towson, Maryland 21204

ATTN: Edith T. Eisenhart

Re: Case No. 85-276A

Philip A. Doccolo, Petitioner

Dear Mrs. Eisenhart:

Enclosed herewith is a Stipulation entered into by
the above-named Petitioner and the various Protestants in
Case No. 85-276A.

Very truly yours,

Deborah C. Dopkin
Deborah C. Dopkin

DCD:lmh
Enclosure

HAND DELIVERED

RECEIVED
COUNTY BOARD OF APPEALS
DEC 16 1985

IN RE:

PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Rolandvue Avenue * BOARD OF APPEALS
1500' East of Center Line of * OF BALTIMORE COUNTY
Bellona Avenue * Case No.: 85-276A
(1014 Rolandvue Avenue) *
Ninth Election District *
Philip A. Doccolo, *
Petitioner *

* * * * *

STIPULATION

Albert H. Williams, by his attorney, Deborah C. Dopkin
and Cook, Howard, Downes & Tracy, and the Ruxton Riderwood Lake
Roland Improvement Association, by its attorney, Stuart S.
Janney, III and Niles, Barton & Wilmer (hereinafter collectively
called "Protestant"), and Philip A. Doccolo (hereinafter
"Petitioner"), by his attorneys, Lawrence I. Weisman, Zelle
Debra Gilden, and Weisman & Clark, hereby stipulate as follows:

1. Petitioner petitioned the Zoning Commissioner of
Baltimore County in Case No. 85-276A to permit a satellite
receiving dish as an accessory structure to be located in a side
yard in lieu of the required rear yard, which petition was
denied by Order dated June 20, 1985.
2. Petitioner then filed an Order of Appeal to the
Board of Appeals of Baltimore County (the "Board") from the
aforementioned Order, which Appeal was scheduled for hearing before
the Board on November 27, 1985.
3. Petitioner further petitioned the Zoning Commissioner
for Baltimore County in Case No. 86-196A to permit a satellite

receiving dish as an accessory structure to be located on the
roof in lieu of the required rear yard, which Petition was
granted by Order dated November 18, 1985 subject to the require-
ment that the size of the dish not exceed eight (8) feet in
diameter and that the dish be constructed of a black mesh
material.

4. Following the decision of the Zoning Commissioner
to permit placement of a satellite dish on the roof, Petitioner
filed a Motion for Postponement in Case No. 85-276A before the
Board of Appeals of Baltimore County for a postponement of 30
days from the date that the Zoning Commissioner signs the Order
granting the variance for the satellite dish on the roof.

5. The Protestants are property owners and neighbors
of Petitioner who wish to preserve the residential quality of
the neighborhood.

6. The Protestants and Petitioner wish to provide for
the disposition of Case No. 86-196A and 85-276A based upon
the following conditions and agreements:

- a. Petitioner and Protestants agree that they
will not appeal the Order of the Zoning Commissioner in Case
No. 86-196A.
- b. Upon the expiration of 30 days from the date
of the Order in Case No. 86-196A, Petitioner will have the
appeal filed in Case No. 85-276A before the Board of Appeals
of Baltimore County dismissed, with prejudice.

2

c. Petitioner shall remove the satellite receiving
dish now located in his side yard by December 31, 1985.

d. This Stipulation shall be submitted to the
Board of Appeals of Baltimore County to be made a part of the
record in Case No. 85-276A and to be incorporated in such Order
as the Board of Appeals deems appropriate.

e. Protestants will not object to the satellite dish
on the roof.

Zelle Debra Gilden
ZELLE DEBRA GILDEN
WEISMAN AND CLARKE
300 East Joppa Road
Towson, Maryland 21204
(301) 583-9001

Attorney for Petitioner

Stuart S. Janney, III
STUART S. JANNEY, III
NILES, BARTON AND WILMER
929 North Howard Street
Baltimore, Maryland 21201
(301) 539-3240

Attorney for Protestant Ruxton
Riderwood Lake Roland Improvement
Association

Deborah C. Dopkin
DEBORAH C. DOPKIN
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P. O. BOX 5517
TOWSON, MARYLAND 21204
(301) 823-4111

Attorney for Protestant
Albert H. Williams

RECEIVED
COUNTY BOARD OF APPEALS
DEC 16 1985

CERTIFICATE OF MAILING

I hereby certify that on this 16 day of December,
1985, a copy of the foregoing Stipulation was mailed, postage
pre-paid, to Phyllis Cole Friedman, Esquire, Room 223, Court
House, Towson, Maryland 21204; Zelle Debra Gilden, Esquire,
Weisman & Clark, 300 E. Joppa Road, Towson, Maryland 21204;
and Stuart S. Janney, III, Esquire, Niles, Barton & Wilmer
929 N. Howard Street, Baltimore, Maryland 21201.

Deborah C. Dopkin
Deborah C. Dopkin

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COUNTY BOARD OF APPEALS
DEC 16 1985



County Board of Appeals of Baltimore County

Room 200 Court House

Towson, Maryland 21204

(301) 494-3180

January 10, 1986

Lawrence I. Weisman, Esq.
Zelle Debra Gilden, Esq.
300 E. Joppa Rd.
Towson, Md. 21204

Re: Case No. 85-276-A
Philip A. Doccolo

Dear Mr. Weisman and Ms. Gilden:

Enclosed herewith is a copy of the Order of
Dismissal passed today by the County Board of Appeals in the
above entitled case.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.
cc: Philip Doccolo
Louis E. Schmidt, Esq.
Louise Schulz
Christina Rizzo
Hon. Barbara Bachur
Phyllis C. Friedman, Esq.
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer

Cook's Office - 1-27-86

IN RE:

PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Rolandvue Avenue * BOARD OF APPEALS
1500' East of Center Line * OF BALTIMORE COUNTY
of Bellona Avenue * Case No.: 85-276A
(1014 Rolandvue Avenue) *
Ninth Election District *
Philip A. Doccolo, *

Petitioner *

* * * * *

ORDER OF DISMISSAL

Appeal of Philip A. Doccolo of variance to permit a
satellite receiving dish as an accessory structure at 1014
Rolandvue Avenue, Baltimore County, Maryland.

WHEREAS, the Board of Appeals is in receipt of a
Stipulation filed December 16, 1985, a copy of which is attached
and made a part hereof, from the attorneys representing the
Appellant and the Protestants in the above-entitled matter; and

WHEREAS, the said parties request that the Appeal of
the denial of the variance filed on behalf of the said
Appellant be dismissed as of December 16, 1985,

IT IS HEREBY ORDERED, this 10th day of January, 1986,
that said Appeal be and the same is hereby dismissed.

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Lawrence E. Schmidt
Lawrence E. Schmidt

LeRoy S. Spurrer
LeRoy S. Spurrer

IN RE:

PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Rolandvue Avenue * BOARD OF APPEALS
1500' East of Center Line * of Bellona Avenue
(1014 Rolandvue Avenue) * OF BALTIMORE COUNTY
Ninth Election District * Case No.: 85-276A
Philip A. Docclo, *

Petitioner *

* * * * *

WITHDRAWAL OF APPEAL AND
MOTION TO DISMISS

Philip A. Docclo, by Zelle Debra Gilden and Weisman & Clark, his attorney, hereby withdraws his Appeal of the denial of a variance to permit a satellite receiving dish as an accessory structure, and therefore respectfully requests that this case be dismissed.

Zelle Debra Gilden
ZELLE DEBRA GILDEN
Weisman & Clark
300 E. Joppa Road
Towson, Maryland 21204
(301) 583-9001

RECEIVED
COUNTY BOARD OF APPEALS
MAY DEC 26 P 12:44

IN RE:

PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Rolandvue Avenue * BOARD OF APPEALS
1500' East of Center Line * of Bellona Avenue
(1014 Rolandvue Avenue) * OF BALTIMORE COUNTY
Ninth Election District * Case No.: 85-276A
Phillip A. Docclo, *

Petitioner *

* * * * *

STIPULATION

Albert H. Williams, by his attorney, Deborah C. Dopkin and Cook, Howard, Downes & Tracy, and the Ruxton Riderwood Lake Roland Improvement Association, by its attorney, Stuart S. Janney, III and Niles, Barton & Wilmer (hereinafter collectively called "Protestant"), and Phillip A. Docclo (hereinafter "Petitioner"), by his attorneys, Lawrence I. Weisman, Zelle Debra Gilden, and Weisman & Clark, hereby stipulate as follows:

1. Petitioner petitioned the Zoning Commissioner of Baltimore County in Case No. 85-276A to permit a satellite receiving dish as an accessory structure to be located in a side yard in lieu of the required rear yard, which petition was denied by Order dated June 20, 1985.
2. Petitioner then filed an Order of Appeal to the Board of Appeals of Baltimore County (the "Board") from the aforementioned Order, which Appeal was scheduled for hearing before the Board on November 27, 1985.
3. Petitioner further petitioned the Zoning Commissioner for Baltimore County in Case No. 86-196A to permit a satellite

receiving dish as an accessory structure to be located on the roof in lieu of the required rear yard, which Petition was granted by Order dated November 18, 1985 subject to the requirement that the size of the dish not exceed eight (8) feet in diameter and that the dish be constructed of a black mesh material.

4. Following the decision of the Zoning Commissioner to permit placement of a satellite dish on the roof, Petitioner filed a Motion for Postponement in Case No. 85-276A before the Board of Appeals of Baltimore County for a postponement of 30 days from the date that the Zoning Commissioner signs the Order granting the variance for the satellite dish on the roof.

5. The Protestants are property owners and neighbors of Petitioner who wish to preserve the residential quality of the neighborhood.

6. The Protestants and Petitioner wish to provide for the disposition of Case No. 86-196A and 85-276A based upon the following conditions and agreements:

- a. Petitioner and Protestants agree that they will not appeal the Order of the Zoning Commissioner in Case No. 86-196A.
- b. Upon the expiration of 30 days from the date of the Order in Case No. 86-196A, Petitioner will have the appeal filed in Case No. 85-276A before the Board of Appeals of Baltimore County dismissed, with prejudice.

2

c. Petitioner shall remove the satellite receiving dish now located in his side yard by December 31, 1985.

d. This Stipulation shall be submitted to the Board of Appeals of Baltimore County to be made a part of the record in Case No. 85-276A and to be incorporated in such Order as the Board of Appeals deems appropriate.

e. Protestants will not object to the satellite dish on the roof.

Zelle Debra Gilden
ZELLE DEBRA GILDEN
WEISMAN AND CLARKE
300 East Joppa Road
Towson, Maryland 21204
(301) 583-9001

Attorney for Petitioner

Stuart S. Janney, III
STUART S. JANNEY, III
NILES, BARTON AND WILMER
929 North Howard Street
Baltimore, Maryland 21201
(301) 539-3240

Attorney for Protestant Ruxton
Riderwood Lake Roland Improvement
Association

Deborah C. Dopkin
DEBORAH C. DOPKIN
COOK, HOWARD, DOWNES & TRACY
210 Allegheny Avenue
P. O. Box 5517
Towson, Maryland 21204
(301) 823-4111

Attorney for Protestant
Albert H. Williams

RECEIVED
COUNTY BOARD OF APPEALS
MAY DEC 26 P 12:45

3

CERTIFICATE OF MAILING

I hereby certify that on this 19th day of December, 1985, a copy of the foregoing Motion and Order was mailed, postage pre-paid, to Phyllis Cole Friedman, Esquire, Room 223, Court House, Towson, Maryland 21204; Deborah C. Dopkin, Cook, Howard, Downes & Tracy, 210 Allegheny Avenue, Towson, Maryland 21204; and Stuart S. Janney, III, Niles, Barton and Wilmer, 929 North Howard Street, Baltimore, Maryland 21201.

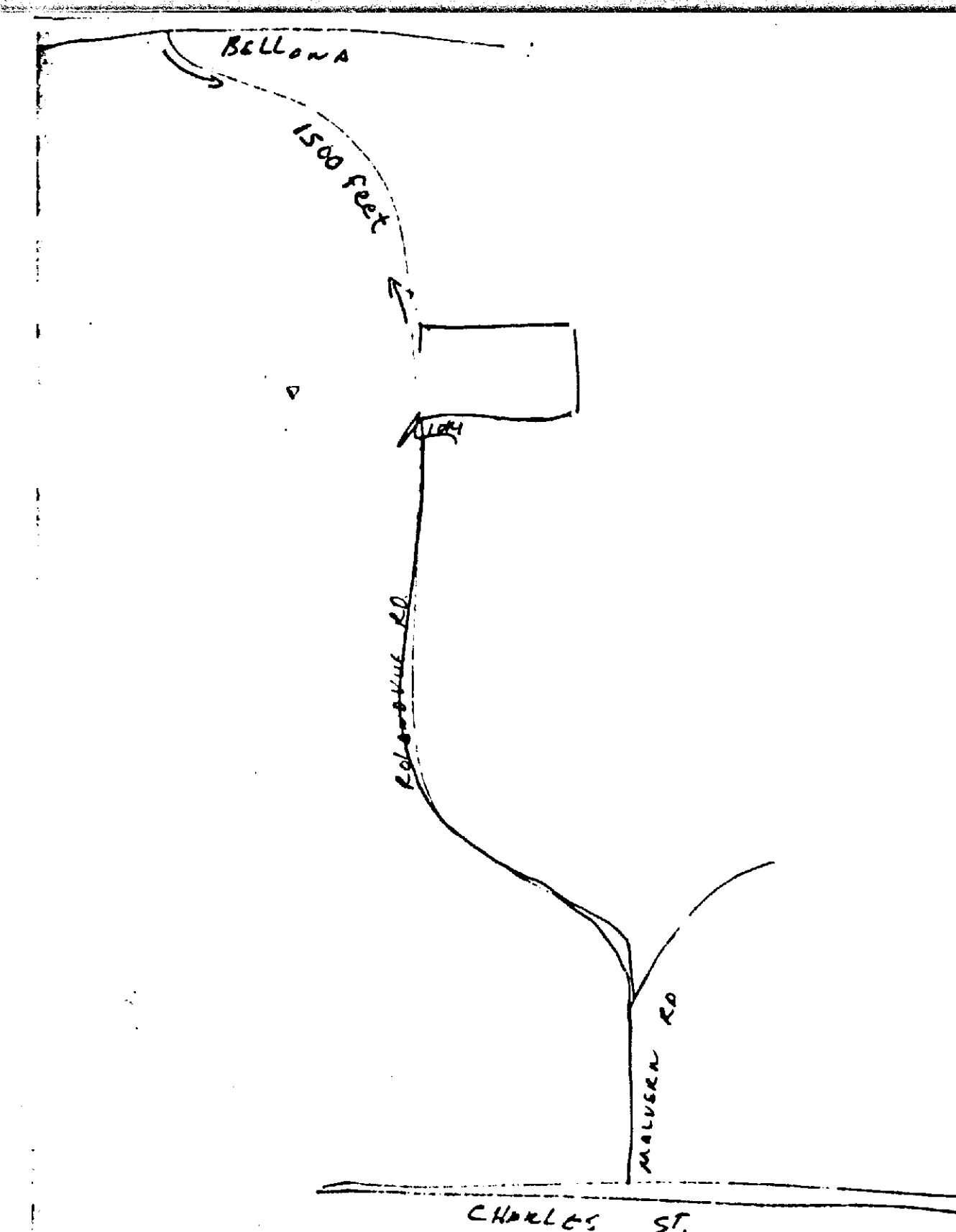
Zelle Debra Gilden
Zelle Debra Gilden

CERTIFICATE OF MAILING

I hereby certify that on this 16 day of December, 1985, a copy of the foregoing Stipulation was mailed, postage pre-paid, to Phyllis Cole Friedman, Esquire, Room 223, Court House, Towson, Maryland 21204; Zelle Debra Gilden, Esquire, Weisman & Clark, 300 E. Joppa Road, Towson, Maryland 21204; and Stuart S. Janney, III, Esquire, Niles, Barton & Wilmer 929 N. Howard Street, Baltimore, Maryland 21201.

Deborah C. Dopkin
Deborah C. Dopkin

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COUNTY BOARD OF APPEALS
MAY DEC 26 P 12:44



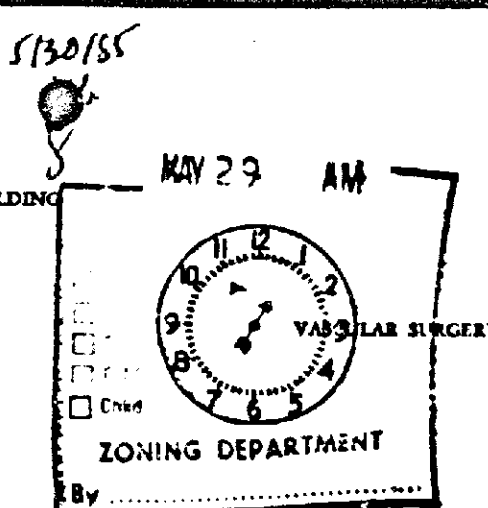
7/225

85-2767
Jek:lv
JEFFREY E. KREMEN, M.D., F.A.C.S.
WILLIAM H. ROGERS, M.D., F.A.C.S.

GOOD SAMARITAN HOSPITAL PROFESSIONAL BUILDING
3601 LOCH RAVEN BOULEVARD SUITE 307
BALTIMORE, MARYLAND 21239
Telephone: (301) 415-4700

HOPPERIDGE PROFESSIONAL CENTER
2403 W. BELVEDERE AVENUE SUITE 21
BALTIMORE, MARYLAND 21215
Telephone: (301) 466-0700

May 24, 1985



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

I am writing regarding case #85-276 to be heard on June 4, 1985. The owner of the property at 1014 Rolandvue Avenue wishes to keep a television satellite dish in his front yard as a nonconforming use of an accessory structure. His request should be denied. The presence of this structure is not in keeping with the intent of D1 zoning nor does it enhance the quality of this, or any other, residential area.

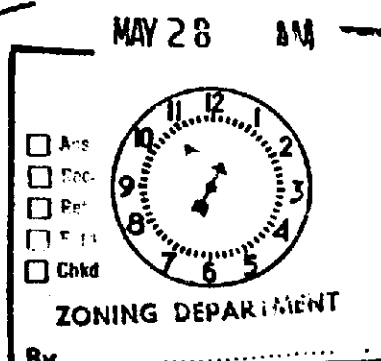
Sincerely,

Jeffrey E. Kremen
Jeffrey E. Kremen, M. D.

JEK:lv

JUN 29 1985

Mrs. Michael P. Goodrich
1010 Cloverlea Road
Ruxton, Maryland 21204



Dear Sir:

I feel the addition to Mr. Doccio's front lawn in Ruxton is inappropriate, improper and inconsiderate to his neighbors.

I hope you will not allow satellite dishes to invade the quiet, rural area of Ruxton.

Thank you.

Sincerely,
Carolyn Goodrich

85-276-A
3/1/85
1011 Cloverlea Rd.
Baltimore, Maryland 21204
March 14, 1985

Mrs. Jung
Deputy Zoning Commissioner
111 West Chesapeake Avenue
Towson, Maryland 21204

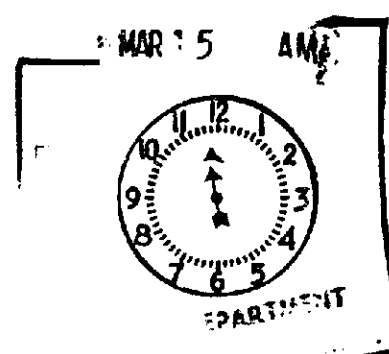
re: Case no. 85-276-A
Stem No. 225
1014 Roland Avenue Road

Dear Mrs. Jung:

Mr. Doccio, owner of 1014 Roland Avenue Road, is in violation of current zoning laws and I protest any variance allowing his satellite dish to remain.

My concerns include the cheapening of property values, the probability of other satellite dishes being installed, and the decline of the rural charm of our lovely street.

Sincerely,
Gayle Williams

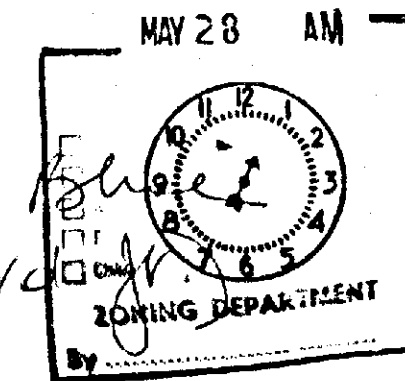


85-276-A
3/1/85
Mr. and Mrs. Richard F. Blue Jr.
1011 Cloverlea Rd., Baltimore 21204

Dear Mr. Jablon,
concerning case # 85-276-A
I am requesting you to please have the satellite dish belonging to Mr. Philip A. Doccio moved to his back yard, where homeowners accessories belong. It is an eyesore to his neighbors.

Sincerely,

Elizabeth
(Mrs. Richard F. Blue Jr.)



85-276-A
3/1/85
Mrs. Daniel Baker
1012 Cloverlea Road
Ruxton, Maryland 21204

May 24, 1985

Dear Mr. Jablon,
This letter is in reference to Case Number 85-276. Our neighborhood is a lovely area in the Towson area. Some of us in the area have been disturbed by the satellite dish in the front yard of Mr. Philip Doccio at 1014 Roland Avenue Road. Not only is it unsightly, but the dish does not go on with the view for accessory use. My husband and I would encourage you to support the removal of Mr. Doccio's dish.

Thank you very kindly.

Sincerely,
Patricia Baker
(Mrs. Daniel Baker)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting May 12-85
Posted for: Variance
Petitioner: Philip A. Doccio
Location of property: N/S of Roland Avenue, 1.500' E. of the C/L of Baltimore Avenue (1014 Roland Ave.)
Location of Sign: On front of 1014 Roland Avenue
Remarks:
Posted by: A. J. Pate
Number of Signs: 1 Date of return: May 24-85

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 16, 1985
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 16, 1985

THE JEFFERSONIAN,
18 Kenton
Publisher

Cost of Advertising

24.75

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 14, 1985
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 14, 1985

85-276-A
THE JEFFERSONIAN,
18 Kenton
Publisher

Cost of Advertising

18.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting 3-16-85
Posted for: Variance
Petitioner: Philip A. Doccio
Location of property: N/S of Roland Avenue, 1.500' E. of the C/L of Baltimore Avenue (1014 Roland Ave.)
Location of Sign: On front of 1014 Roland Avenue, approx. 16.50' E. of the C/L of Baltimore Avenue, on front of 1014
Remarks:
Posted by: A. J. Pate
Number of Signs: 1 Date of return: 3-22-85

STATE OF PUBLICATION
85-276-A

Towson, Md. 4/3 1985
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 13th day of March 1985

THE TOWSON TIMES
M. G. G. G.
Cost of Advertisement: \$ 24.75

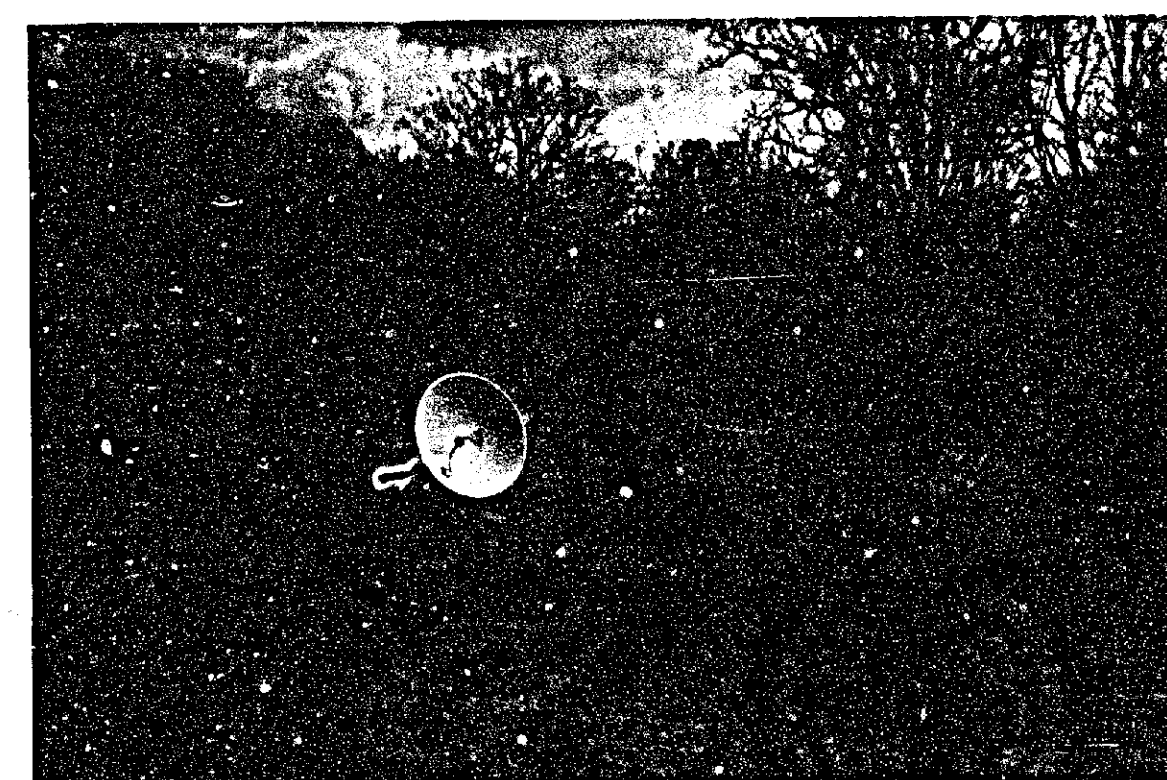
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting July 26-85
Posted for: Appeal
Petitioner: Philip A. Doccio
Location of property: N/S of Roland Avenue, 1.500' E. of the C/L of Baltimore Avenue
Location of Sign: North side of Roland Avenue, approx. 14.50' east of Baltimore Avenue, on front of 1014 Roland Avenue
Remarks:
Posted by: A. J. Pate
Number of Signs: 1 Date of return: August 2, 1985

CIFICATE OF PUBLICATION
85-276-A

Towson, Md. 6/5 1985
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 13th day of May 1985

THE TOWSON TIMES
M. G. G. G.
Cost of Advertisement: \$ 40.95



85-276A
DOCCOLO

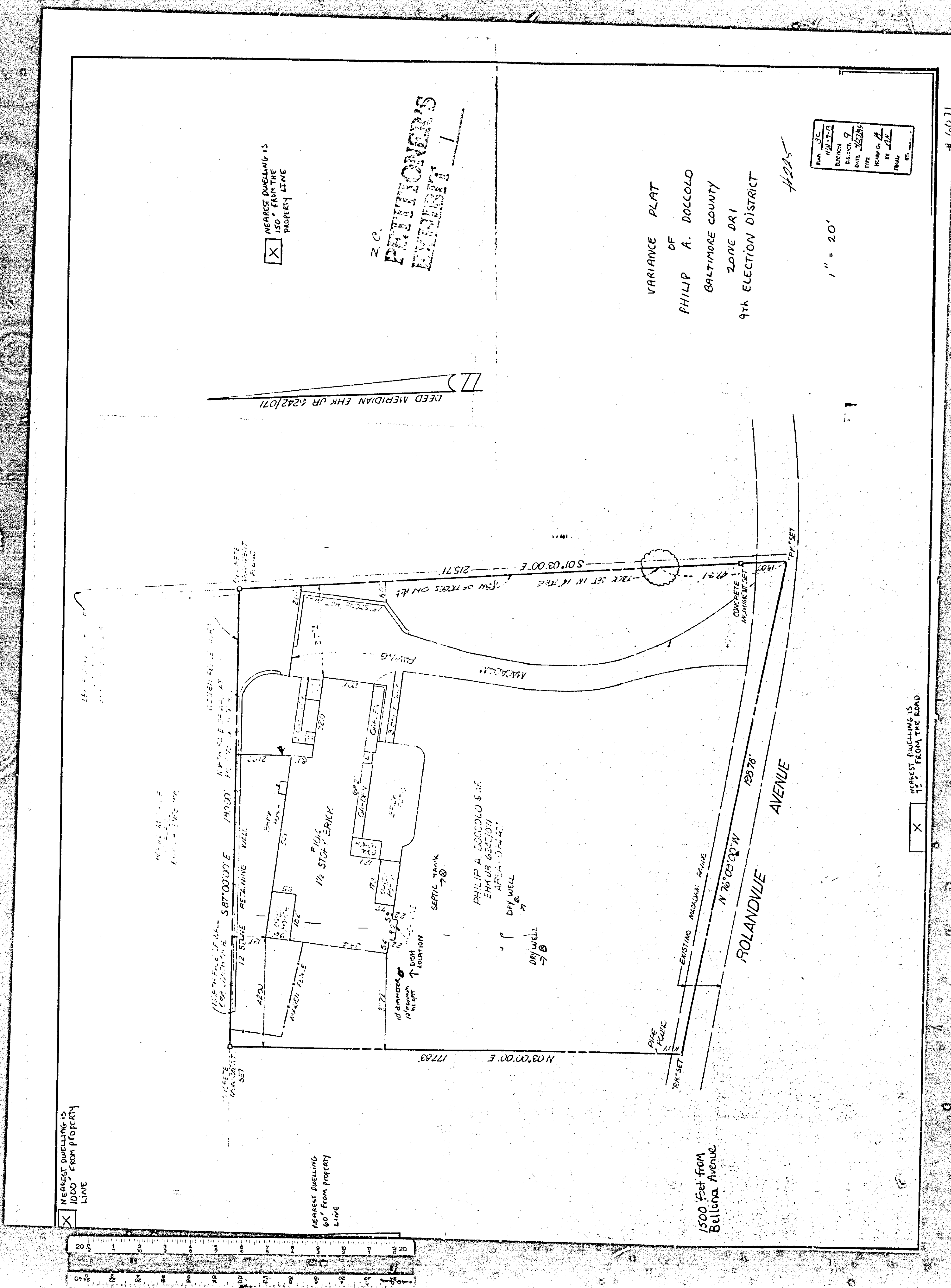
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2C
PROTESTANT'S
MEMORIT /

Doccolo

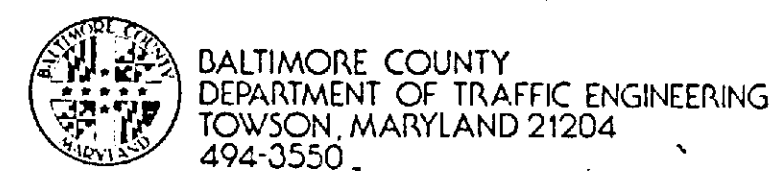


FT-276A



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



STEPHEN E. COLLINS
DIRECTOR

February 27, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 220, 221, 223, 224, and 225, ZAC- Meeting of February 12, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 220, 221, 223, 224, and 225.

Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/ccm

Docco
4/2
85-216-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: March 27, 1985
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 85-276-A

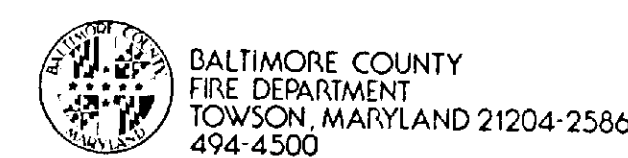
Proposed regulations governing this type of structure have been prepared by staff and are to be reviewed by the appropriate Planning Board committee on April 4, 1985. The proposed regulations would limit the diameter of dishes in a residential zone to 8 feet. Further, the report proposes that all such structures be confined to rear yards.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:elm

ZONING DESCRIPTION 1014 Roland Avenue

Beginning in the roadbed of Roland Avenue, 1,500 feet east of right centerline of Bellona Avenue and running North 03 degrees 00 minutes 00 seconds East 177.83 feet thence South 87 degrees 00 minutes 00 seconds East 180.00 feet thence South 01 degrees 03 minutes 00 seconds East 215.71 feet to the center of Roland Avenue and thence North 76 degrees 09 minutes 00 seconds West 198.78 feet to the place of beginning. Also known as 1014 Roland Avenue in the Ninth Election District.



PAUL H. REINCKE
CHIEF

February 11, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Philip A. Doccio

Location: E/S Roland Avenue 1500' S. from c/l Bellona Avenue

Item No.: 225 Zoning Agenda: Meeting of 2/12/85

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

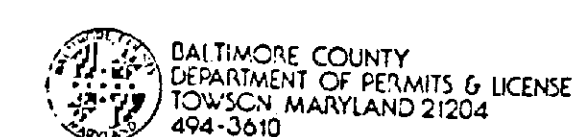
() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature] Noted and Approved: Roy W. Kemmer
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



February 27, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 225 Zoning Advisory Committee Meeting are as follows:

Property Owner: Philip A. Doccio
Location: E/S Roland Avenue 1500' S. from c/l Bellona Avenue
Existing Zoning: Variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard.

Acres: 0.84
District: 9th.

The items checked below are applicable:

(X) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable codes.

(X) A building/ other miscellaneous permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 5'0" for commercial uses or 3'0" for One and Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 1401.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham, Chief
Plans Review

PETITION FOR VARIANCE

9th Election District

LOCATION: North side Roland Avenue, 1,500 ft. East of the centerline of Bellona Avenue

DATE AND TIME: Tuesday, April 2, 1985 at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit an accessory structure to be located in the front yard in lieu of the required rear yard

Being the property of Philip A. Doccio as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION FOR VARIANCE

9th Election District

LOCATION: North side Roland Avenue, 1,500 ft. East of the centerline of Bellona Avenue

DATE AND TIME: Tuesday, June 4, 1985 at 1:30 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit an accessory structure to be located in the front yard in lieu of the required rear yard

Being the property of Philip A. Doccio as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

IN RE: PETITION ZONING VARIANCE
N/S of Rolandvue Avenue,
1,500' E of the centerline
of Bellona Avenue
(1014 Rolandvue Avenue) -
9th Election District
Philip A. Doccio,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-276-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit an accessory structure (satellite dish) in the front yard in lieu of the required rear yard.

The Petitioner, Philip A. Doccio, appeared and testified and was represented by Counsel. Also testifying on behalf of the Petitioner was Harold Verret, a sales representative for Action Earth Satellite Company. Louis E. Schmidt, a neighbor and an attorney, appeared and testified as a Protester. Nine other neighbors and residents of the community also appeared, including Gail B. O'Donovan, a member of the Board of Directors of The Ruxton-Riderwood-Lake Roland Improvement Association, Inc.; Mrs. Richard B. Steeper; and Judith Kremen who testified as well.

Testimony indicated that the Petitioner's home, located at 1014 Rolandvue Avenue, is zoned D.R.1. He purchased a satellite dish, 10 feet in circumference and 1 1/2 feet high, from Action Earth Satellite Company and had it placed to the side of his home. Mr. Verret testified that, to be effective, the dish had to be angled to reach the southwestern sky at 258 degrees. Only at the location it was placed on the roof of the home would the dish be effective and economically feasible. It could also be located in the rear yard but only if placed on top a tower 50 feet in height. Otherwise, the dish would be useless. Mr. Doccio testified that he purchased the dish because he could not receive cable

television due to an objection by an immediate adjoining neighbor to the cable traversing the neighbor's property.

All of the Protestants are opposed to the dish and argued that it contributes to the reduction of real estate values, aesthetics of the community, and general character of the neighborhood.

William Deys, also a neighbor, was called as an adverse witness by the Petitioner and testified, among other things, that, based on 36 years as a real estate broker, the dish adversely impacts property values where located. Mr. Doccio, a developer and real estate broker, disagreed.

Further testimony indicated that Mr. Doccio would have put the dish on the roof of his home but did not because he believed it would be less aesthetically acceptable than where he placed it. Indeed, he believes it is not an eyesore where it is. He also testified that Mr. Verret told him there were no zoning problems placing it where he wanted. The satellite dish cost him \$5,000.

Counsel for the Petitioner argued that no variance is required because there are no zoning regulations on satellite dishes and that they should be treated as a TV aerial. He argued that since there are no applicable regulations there can be no violation and the dish must be permitted anywhere on the Petitioner's property.

The argument, however, lacks merit. The Baltimore County Zoning Regulations (BCZR) are inclusive. Only those uses permitted either by right or by special exception are delineated in the BCZR. If not listed, a use is not allowed. Any use other than those permitted and being carried on by right or by special exception is prohibited. *Kowalski v. Lamar*, 334 A.2d 536 (1975). If there were no appropriate provision to cover such uses, then they would be totally prohibited. I do not believe the Baltimore County Council (Council) intended such.

Section 1801.1.A.14, BCZR, permits accessory uses or structures as a matter of right in a D.R. zone. Section 101--Definitions, BCZR, defines an [a]ccessory use or structure as one which is customarily incident and subordinate to and serves as a principal use or structure; is subordinate in area, extent, or purpose to the principal use or structure; is located on the same lot as the principal use or structure served; and contributes to the comfort, convenience, or necessity of the occupants in the principal use or structure served. Unlike the R.C. zones, when an accessory use or structure, such as swimming pools, tennis courts, garages, utility sheds or others, is subject to Section 400, BCZR, the D.R. zones do not so specifically make such uses subject to the restrictions delineated therein. However, if the result so implied would be followed, it would permit an accessory use or structure, not a building, to be placed on a lot unrestricted by Section 400.1, BCZR, in any D.R. zone. This clearly was not the intent of the Council. Section B400, BCZR, enacted within Bill No. 18, 1976, stated:

The provisions of this article apply only to principal uses except as otherwise specified (as in Item 405.4.C.12) or unless the provision implicitly relates to accessory usage (as in Section 405A). (emphasis added)

Therefore, the Council has recognized that "accessory uses" are to be included in addition to accessory buildings in Section 400.1. This intent is obvious and not contradictory.

The meaning of the plainest words in a statute may be controlled by the context. A statute should be so construed that all its parts harmonize with each other and render them consistent with its general object and scope. *Pittman v. Housing Authority*, 25 A.2d 466.

The basic principles of statutory construction were comprehensively set out by the Court of Appeals in *State v. Fabritz*, 276 Md. 416 (1975), cert. denied, 425 U.S. 942 (1976):

The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature. *Purifoy v. Merc. Safe Dep. & Trust*, 273 Md. 58, 321 A.2d 483 (1974); *Scoville Serv., Inc. v. Comptroller*, 269 Md. 390, 306 A.2d 534 (1973); *Height v. State*, 225 Md. 251, 170 A.2d 212 (1961). Equally well settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished. *Walker v. Montgomery County*, 244 Md. 98, 223 A.2d 181 (1966), and in light of the evils or mischief sought to be remedied. *Mitchell v. State*, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be "considered in its entirety, and in the context of the purpose underlying [its] enactment." *Giant of Md. v. State's Attorney*, 267 Md. 501 at 509, 298 A.2d 427, at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import of its language, since it is the language of the statute which constitutes the primary source for determining the legislative intent. *Grosvenor v. Supervisor of Assessors*, 271 Md. 232, 315 A.2d 758 (1974); *Height v. State*, supra. Where there is no ambiguity or obscurity in the language of a statute, there is usually no need to look elsewhere to ascertain the intention of the Legislature. *Purifoy v. Merc. Safe Deposit & Trust*, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its plain meaning. *Gateswood v. State*, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in *Maguire v. State*, 192 Md. 615, 623, 65 A.2d 299, 302 (1949), "[a]dherence to the meaning of words does not require or permit isolation of words from their context." (emphasis added) "Since the meaning of the plainest words in a statute may be controlled by the context In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning." *B. F. Saul Co. v. West End Park*, 250 Md. 707, 246 A.2d 591 (1968); *Sanza v. Md. Board of Censors*, 245 Md. 319, 226 A.2d 317 (1967); *Height v. State*, supra.

The intent of the BCZR must be determined as being construed as a whole. See *Smith v. Miller*, 249 Md. 390. While Section 1801.1.A.14 appears to permit accessory uses or structures (the terms are combined by definition, Section 101) without restriction, it is clear that the intent of the Council was to subject such uses or structures to Section 400.

The record unequivocally establishes that the dish serves no use other than the receipt of television signals, a use obviously incidental and subordinate to the principal use of this property. A satellite dish is a device used or designed to receive electromagnetic signals from earth-orbiting satellites and other extraterrestrial sources and is external or attached to the exterior of any building. The term includes satellite earth stations, satellite television antennae, satellite dish antennae, or any other devices designed to receive signals from satellites in the manner described above. A satellite dish is more than a TV aerial mounted on a roof top. Its intent is to expand the visual horizons available and exhibits technological advancement beyond limits imaginable for merely mortal TV aerials. Section 300.1.a, BCZR, is not applicable. Section 400 is.

As it has been so determined, it must then be judged whether the Petitioner deserves relief from Section 400.1, pursuant to Section 307, BCZR. The answer is no.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would be contrary to the spirit of the BCZR and would result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would not result if the instant variance were not granted. It has been established that the requirement from which the Petitioner seeks relief would not unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of June, 1985, that the Petition for Zoning Variance to permit an accessory structure (satellite dish) in the front yard in lieu of the required rear yard be and is hereby DENIED, subject, however, to the following restrictions:

- The Petitioner has 60 days from the date of this Order to remove the satellite dish or file a Petition for Zoning Variance to place the satellite dish on his roof. At that hearing, if the testimony and evidence are similar to the testimony and evidence presented in the instant case, such variance shall be seriously and favorably considered.
- The Petitioner may, of course, place the dish in his rear yard as a matter of right.

Zoning Commissioner of
Baltimore County

cc: Zelle Debra Gilden, Esquire
Lawrence I. Weisman, Esquire
Louis E. Schmidt, Esquire
Ms. Louise Schulz
Ms. Christina Rizzo
People's Counsel



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABON
ZONING COMMISSIONER

March 29, 1985

Zelle Debra Gilden, Esquire
300 East Joppa Road
Towson, Maryland 21204
RE: Petition for Variance
N/S Rolandvue Ave., 1500' E of the c/l
of Bellona Avenue
Philip A. Doccio - Petitioner
Case No. 85-276-A
Dear Ms. Gilden:

Please be advised that your request for a postponement of the subject case has been granted. You are responsible for the advertising and posting costs, in the amount of \$47.91, which is due upon receipt of this letter. Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204. Upon the rescheduling of the hearing, a subsequent bill will be issued for the second advertising and posting costs incurred.

If this postponement was due to a necessary court assignment, this office for our file. Suggested hearing date.

No. 005377

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
SCENARIOS CASH RECEIPT

DATE 6/15/85 ACCOUNT 20-615-000

AMOUNT \$47.91

RECEIVED FROM Philip A. Doccio

FOR advertising and posting Case No. 85-276-A

VALIDATION OR SIGNATURE OF CASHIER

Zelle Debra Gilden, Esquire
300 East Joppa Road
Towson, Maryland 21204

NOTICE OF HEARING

RE: Petition for Variance
N/S Rolandvue Ave., 1,500' E of the c/l
of Bellona Avenue
Philip A. Doccio - Petitioner
Case No. 85-276-A

TIME: 1:30 p.m.

DATE: Tuesday, June 4, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

cc: The Honorable Barbara F. Bachur
County Council

Richard B. Steeper
1016 Rolandvue Road
Towson, Maryland 21204

Louis E. Schmidt, Esquire
1007 Rolandvue Road
Baltimore, Maryland 21204

Mr. & Mrs. J. Brian Pabst
906 Rolandvue Avenue
Baltimore, Maryland 21204

David C. Cannon
1000 Rolandvue Road
Baltimore, Maryland 21204

Gayle Williams
1101 Rolandvue Road
Baltimore, Maryland 21204

Edward A. Davis
1102 Rolandvue Road
Baltimore, Maryland 21204

Edward A. Taber, III
1019 Rolandvue Road
Baltimore, Maryland 21204

[Signature]
Zoning Commissioner
of Baltimore County

1014 Rolandvue Road
Baltimore, Maryland 21204

29 May 1985

re: #85-276-A
Philip A. Doccio, Petitioner

Dear Mr. Jablon:

Mr. Philip A. Doccio, 1014 Rolandvue Road has placed a very large satellite dish in his front yard. This represents a non-conforming use of an accessory structure.

I am writing to ask you to deny Mr. Doccio his request for a variance.

Thank you very much for your attention to this matter.

Sincerely,
Louise H. Hildreth
(Mrs. Arthur M. Hildreth)

Zelle Debra Gilden, Esquire
300 East Joppa Road
Towson, Maryland 21204

NOTICE OF HEARING

RE: Petition for Variance
N/S Rolandvue Ave., 1,500' E of the c/l of
Bellona Avenue
Philip A. Doccio - Petitioner
Case No. 85-276-A

TIME: 10:30 a.m.

DATE: Tuesday, April 2, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

cc: Mr. Richard B. Steeper
1016 Rolandvue Avenue
Towson, Maryland 21204

The Honorable Barbara F. Bachur
County Council

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 004918

DATE: 2-1-85 ACCOUNT: 7-01-615-000

AMOUNT: \$ 70.70

RECEIVED FROM: Philip A. Doccio

FOR: Advertising and Posting Case #85-276-A

VALIDATION OR SIGNATURE OF CASHIER

THE RUXTON - RIDERWOOD - LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

Box 204
Riderwood, Md. 21139

May 28, 1985

Arnold Jablon, Zoning Commissioner
Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

The petitioner, owner of the property located at 1014 Rolandvue Avenue, wishes to keep a TV Satellite dish in his front yard. This is a non-conforming use of an accessory structure.

The Ruxton-Riderwood-Lake Roland Area Improvement Association feels strongly that his request should be denied.

Sincerely,

[Signature]
Wayne N. Schelle
President

RE: Case# 85-276-A
Philip A. Doccio, Petitioner



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

May 29, 1985

Zelle Debra Gilden, Esquire
300 East Joppa Road
Towson, Maryland 21204

RE: Petition for Variance
N/S Rolandvue Ave., 1500' e of the c/l
of Bellona Avenue
Philip A. Doccio - Petitioner
Case No. 85-276-A

This is to advise you that \$70.70 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 007384

DATE: 7/10/85 ACCOUNT: 7-01-615-000

AMOUNT: \$ 70.70

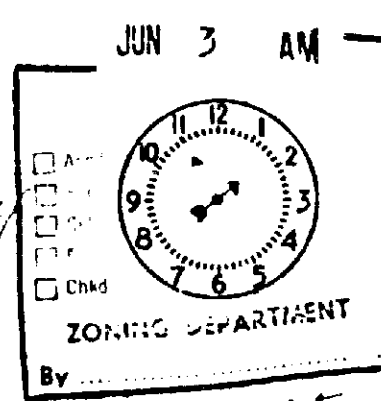
RECEIVED FROM: Philip A. Doccio

FOR: Advertising and Posting Case #85-276-A

VALIDATION OR SIGNATURE OF CASHIER

[Signature]
JABLON
Commissioner

1009 Cloverlea Rd. 8
Baltimore, Md 21204



Friday, May 31st

Re: 85-276-A

Mr. Arnold Jablon

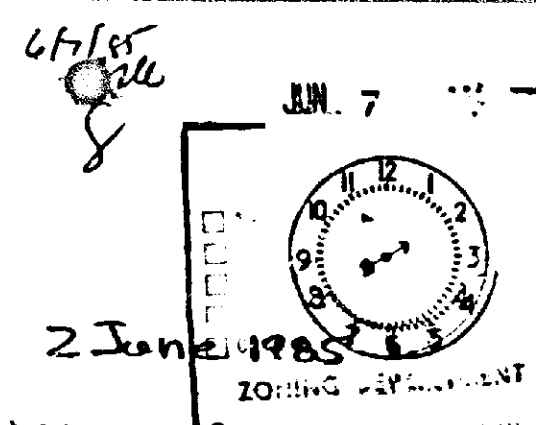
Commissioner of Zoning
County Office Bldg. Room 106
111 W. Chesapeake Ave.
Towson, Md 21204

Dear Mr. Jablon:

My husband and I are writing this letter to protect the existence of a satellite dish in the front yard of Mr. Philip Doccio, 1014 Rolandvue Road. This dish does not conform with the law for accessory use.

As our street, Cloverlea, sits into Rolandvue Rd., we pass this dish several times each day. The dish upsets the rural setting

ROBERT P. KOWAL
1003 Wagner Road
Ruxton, MD 21204



Dear Sir:

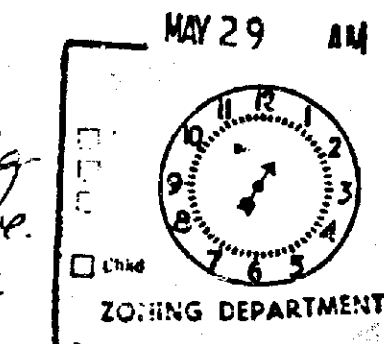
In Reference To Case # 85-276-A

I am writing on behalf of the Kowal family 1003 Wagne Road. As new residents of the Ruxton Community we feel that the satellite dish in the front yard of Mr. Doccio's home definitely upsets the atmosphere of our "long sought after" rural setting. We hope that you would support the removal of a satellite dish in anyone's front yard. Please help us protect our environment! I'm thanking you in advance for your attention to our concerns.

Sincerely,

[Signature]
Maj Kowal

Re: Case # 85-276 Satellite Dish Ruxton
Thursday June 4th 1:30 pm
Mr. Arnold Jablon
Commissioner of Zoning
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204



Dear Mr. Jablon,

I would like to address the issue of the satellite dish in Mr. Doccio's front yard on Rolandvue Road. It does not conform with the law for accessory use and should like to suggest that it be removed from the front yard and possibly be moved in the back yard.

Thank you.

[Signature]
Ruxton 21204

25-276-A

517 Rolandvue Road
Ruxton, Maryland, 21204
March 21, 1985

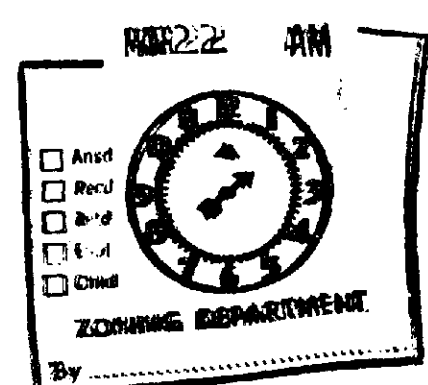
Mrs. Jean Jung
111 West Chesapeake Avenue
Towson, Maryland
21204

Dear Mrs. Jung,

My husband and I wish to express our opposition to the satellite dish antenna located on the front of the property owned by Phillip A. Docclo at 1014 Rolandvue Road. The antenna, in addition to being in active violation of county zoning regulations, is unsightly and a distraction in a neighborhood of beautifully maintained homes.

Sincerely,

Dorothy Neeld Mann
Dorothy Neeld Mann



DEVELOPERS, OWNERS AND
MANAGERS OF INCOME PROPERTIES
BTR REALTY, INC.
817 MAIDEN CHOICE LANE
SUITE 100
BALTIMORE, MARYLAND 21228
301 247-4591

March 22, 1985

Mrs. Jean Jung
Deputy Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Case No. 85-276-A
ITEM NO. 213
1014 ROLANDVUE ROAD
PHILLIP A. DOCCOLO, OWNER

Dear Mrs. Jung:

As a property owner at 907 Rolandvue Road, and as a professional in the field of real estate, I hereby would like to register my official protest at granting any variance in the above case. Here are the facts as I see them:

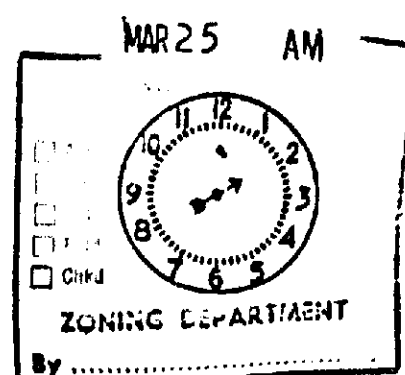
1. The above-captioned property owner installed said satellite antenna dish knowingly and without regard to Baltimore County's zoning code.
2. This dish could have been placed much closer to his house and in the rear where this dish may interfere with his quiet enjoyment of patio, but not be offensive to his neighbors.
3. There was no effort to mask, screen or otherwise fence the satellite dish.

The Ruxton area is very vigilant in protecting its zoning precisely to prevent such unattractive uses as property as satellite dishes and the like. I believe that people should have the maximum use of their own, private property for their own benefit, but also believe that they should be sensitive to the desires and needs of their neighbors so as to produce harmonious relationships. I will be most happy to testify against this variance and am available for any testimony that you might desire.

Very truly yours,
BTR REALTY, INC.

F. Patrick Hughes
F. Patrick Hughes
Vice President, Controller
and Secretary

FPH:brw



906 Rolandvue Avenue
Ruxton, MD 21204
March 18, 1985

Mrs. Jean Jung
Deputy Zoning Commissioner
111 West Chesapeake Ave.
Towson, Maryland 21204

Re: Case No. 85-275-A
Item No. 213
1014 Rolandvue Ave.
Phillip A. Docclo, Owner

Dear Mrs. Jung:

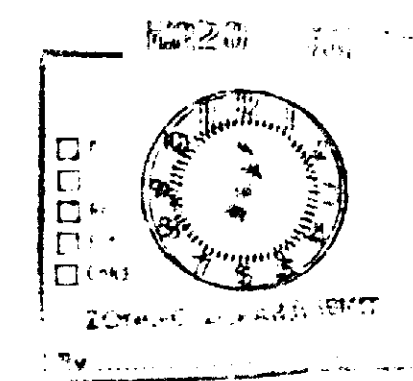
As residents of Rolandvue Avenue, we are particularly concerned with the recent placement of a satellite dish antenna in the front yard of Mr. Phillip A. Docclo's residence at 1014 Rolandvue Avenue. Not only is this antenna an eyesore but its placement constitutes an active violation of county zoning regulations.

We respectfully request that you deny Mr. Docclo's plea for a variance and compel him to either remove or relocate the antenna.

We are confident that you will enforce the county zoning regulations in this case.

Very truly yours,

J. Brian and Mary S. Pabst
J. Brian and Mary S. Pabst



DAVID C. CANNON

1006 ROLANDVUE ROAD
BALTIMORE, MARYLAND 21204
March 19, 1985

Mrs. Jean Jung
111 W. Chesapeake Ave.
Towson, MD 21204

Dear Mrs. Jung:

Re: Case #85-275-A
Item #213
1014 Rolandvue Rd.
Phillip A. Docclo,
Owner

It has been brought to my attention that there will be a zoning hearing on the above subject on April 2, 1985. I am also advised that Mr. Docclo is in active violation of county zoning regulations and is requesting a variance from the regulation.

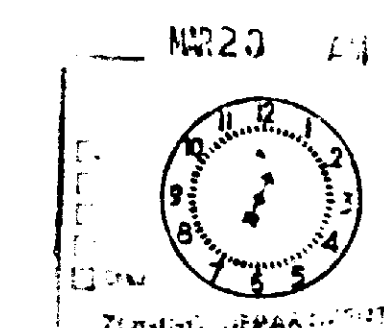
It is absolutely essential that he not receive this variance as the satellite dish antenna is most unattractive and certainly detracts from the neighborhood.

I have had my taxes raised every year and do not object to this as long as the neighborhood is kept up to its past standards. If indeed we permit violations of this zoning regulation, it would just be a matter of time before further regulations are violated.

Very truly yours,

David C. Cannon

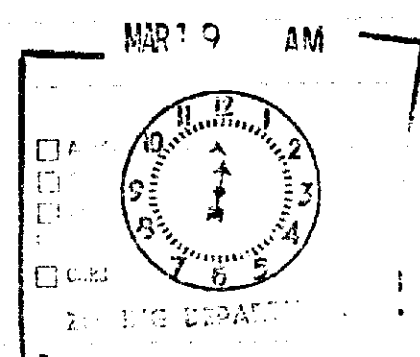
cc: Mr. William E. deBuys



85-276-A

3/18/85

Mrs. Jean Jung
111 West Chesapeake Ave
Towson Md.



Regarding Mr. Docclo of 1014 Rolandvue Rd; I believe he should put his antenna antenna where it can not be seen by others or removed entirely.

It is a bad precedent to set.

Edward A. Davis

Case # 85-276-A 102 Rolandvue Rd

85-1834

EDWARD A. TABER III
VICE PRESIDENT & DIRECTOR
T. ROWE PRICE ASSOCIATES, INC.
100 EAST PRUIT STREET
BALTIMORE, MARYLAND 21202

March 18, 1985

Mrs. Jean Jung
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 85-275-A
Item No. 213
1014 Rolandvue Road
Phillip A. Docclo, Owner

Dear Mrs. Jung:

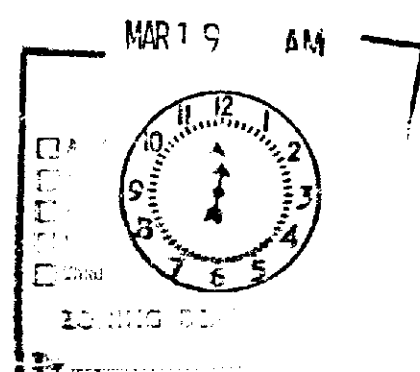
This letter is to express my objection against Mr. Phillip A. Docclo's request for a zoning variance with regards to the satellite dish.

The huge, blindingly white dish is completely out of character with the beautiful rural landscape which has attracted myself and many of my neighbors to this area. Mounted high on a hillside, it "sticks out" so much as to be bizzare. I am convinced it detrimentally affects my property value. My property is almost directly across the street from 1014 Rolandvue Road and very nearly in front of the dish - which seems to be ominously "pointing" at my home.

Sincerely,

Edward A. Taber III
Edward A. Taber, III
1019 Rolandvue Road
Ruxton, Maryland 21204

EAT:jjjs
cc: Ms. Gayle Williams
Mr. William E. deBuys



LAW OFFICES
LOUIS E. SCHMIDT
ATTORNEY & COUNSELOR AT LAW
1007 ROLANDVUE ROAD
BALTIMORE, MARYLAND 21204

LOUIS E. SCHMIDT & ASSOCIATES
ATTORNEYS AT LAW

TELEPHONE: 583-9090
REPLY TO: 211 Courtland Ave.
Towson, Md. 21204

March 19, 1985

Mrs. Jean Jung,
Deputy Zoning Commissioner for
Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 85-275-A
Item 213
Address: 1014 Rolandvue Road
Owner: Phillip A. Docclo

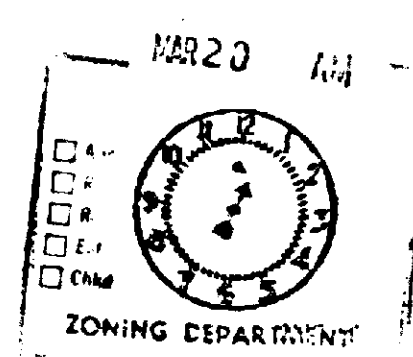
Dear Mrs. Jung:

Since Mrs. Schmidt and I are unable to attend the hearing on April 2, 1985, relative to the zoning ordinance for the above captioned property, please consider this our vote against the said variance.

In the instant case, the painful truth is that a landowner has totally violated the County zoning laws and apparently and hopefully anticipated that the Community would assist him in the violation.

Regardless of where the property may be located, when an individual property owner, without checking with local authorities, violates the zoning law, a variance should not be permitted unless there are some unusual and extreme circumstances.

Mr. Docclo received the message from his Community loud and clear when a complaint apparently was made and now he seeks a variance of the zoning law. Had he been wiser....or maybe he chose not to be....he would have discovered his error in judgment and would have saved himself the pressure of the hearing.



Mrs. Jean Jung

-2-

March 19, 1985

the wrath of the Community and, above all, unnecessary expense.

All individuals have the duty and obligation to obey the law and the mere fact that one expends a considerable sum to satisfy his television eye does not relieve the individual of his obligation....in this instance, compliance with the zoning laws of Baltimore County.

Were the land owner to be successful, other "tricks" may be tried within the Community and the mere statement of ignorance of the law would possibly be acceptable and variances could well be granted within the Rolandvue area leading possibly to some distasteful use of residential property.

There is no justification for the grant of the variance in this instance and we request that it be denied.

Respectfully submitted,

Louis E. Schmidt
Louis E. Schmidt

LES:med
cc: Mr. William E. deBuys
Mr. Milton Marisc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arlene January Date: February 4, 1985
 FROM: James Thompson
 Item #225
 SUBJECT: 1014 Rolandvue Road
 Phillip A. Docclo - Petitioner

At present, the above referenced case is the subject of an active violation case, Case No. C-85-578.

When this petition has established a formal hearing date, please notify the following individuals:

The Honorable Barbara F. Bachur

Richard B. Steeper
 1016 Rolandvue Road
 Towson, Maryland 21204

JHT:ech



BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JABLON
 ZONING COMMISSIONER

JEAN M. H. JUNG
 DEPUTY ZONING COMMISSIONER

March 21, 1985

Mr. Richard B. Steeper
 1016 Rolandvue Road
 Towson, Maryland 21204

RE: Petition for Variance
 N/S Rolandvue Ave., 1500' E of the c/l
 of Bellona Avenue
 Phillip A. Docclo - Petitioner
 Case No. 85-276-A

Dear Mr. Steeper:

Please be advised that the above referenced case which has been scheduled for April 2, 1985 has been postponed at the request of Counsel for the Petitioner.

You will be notified of the date and time of the new hearing when it is rescheduled. In addition, the hearing date will be readvertised and a sign re-posted on the property.

Sincerely,

Jean M. H. Jung
 JEAN M. H. JUNG
 Deputy Zoning Commissioner

JMH:ech

cc: The Honorable Barbara F. Bachur
 County Council of Baltimore County

Louis E. Schmidt, Esquire
 1007 Rolandvue Road
 Baltimore, Maryland 21204

Mr. and Mrs. J. Brian Pabst
 906 Rolandvue Avenue
 Baltimore, Maryland 21204

Mr. David C. Cannon
 1000 Rolandvue Road
 Baltimore, Maryland 21204

Ms. Gayle Williams
 1101 Rolandvue Road
 Baltimore, Maryland 21204

Mr. Edward A. Davis
 1102 Rolandvue Road
 Baltimore, Maryland 21204

Mr. Edward A. Taber, III
 1019 Rolandvue Road
 Baltimore, Maryland 21204

LAW OFFICES
 WEISMAN AND CLARKE

HAMPTON PLAZA, SUITE 306 A
 300 EAST JOPPA ROAD
 TOWSON, MARYLAND 21204
 301-583-9001

LAWRENCE I. WEISMAN
 EMMA THUR CLARKE
 ZELLE DEBRA GILDEN
 ATTORNEYS AT LAW

March 18, 1985

Ms. Arlene January
 c/o Eileen Hennegan
 Zoning Office
 111 West Chesapeake Avenue
 Towson, Maryland 21204

Dear Ms. January

Mr. Docclo cannot attend the April 2, 1985 Hearing for a Satellite Variance scheduled on April 2, 1985. He understands that he must pay the costs for readvertising and reposting. Would you please reschedule the hearing date? You may bill Mr. Docclo for these expenses and send a copy of the bill to the above address.

When you are ready to reset the hearing, please contact us first so that it will not be necessary for Mr. Docclo to pay the costs of rescheduling the hearing a second time.

Very truly yours,

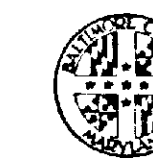
Zelle Debra Gilden
 Zelle Debra Gilden

ZDG:atd

cc--Phyllis Cole Friedman, Esquire
 People's Counsel for Baltimore County

Peter Max Zimmerman, Esquire
 Deputy People's Counsel

*Doccolo wedding Calif.
 as last mail
 gone from Mar 28 through
 April 5
 99 says reschedule 15th
 after Apr 5. Clerk has
 reschedule 1 round
 Apr 19, 22 & 23 if
 convenient 9/2/85*



BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JABLON
 ZONING COMMISSIONER

JEAN M. H. JUNG
 DEPUTY ZONING COMMISSIONER

June 7, 1985

Mr. Henry M. Wright, Jr.
 9022 Rolandvue Road
 Towson, Maryland 21204

RE: Case No. 85-276-A
 Philip Docclo, Petitioner

Dear Mr. Wright:

For your information, Mr. Philip Docclo was denied the right to keep the satellite dish in his side yard.

Sincerely,

Arnold Jablon
 ARNOLD JABLON
 Zoning Commissioner

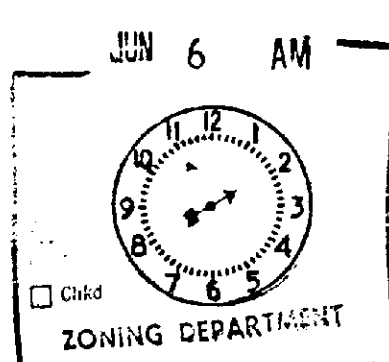
AJ:dg

301 247-2600



4809 Benson Avenue, Baltimore, Maryland 21227

301 247-2604



June 4, 1985

Mr. Arnold Jablon
 Commissioner of Zoning
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Dear Mr. Jablon,

I would like to call your attention to the fact that Mr. Philip Docclo has erected a satellite dish antenna in his front yard on Rolandvue Road in Ruxton.

This dish does not conform in appearance or with the zoning law in this area.

I would appreciate your looking into this matter.

Very truly yours,

Henry M. Wright Jr.

Henry M. Wright Jr.
 9022 Rolandvue Road
 Towson, Maryland 21204

LAW OFFICES
 WEISMAN AND CLARKE
 HAMPTON PLAZA, SUITE 306 A
 300 EAST JOPPA ROAD
 TOWSON, MARYLAND 21204
 301-583-9001

May 13, 1985

Zoning Commissioner
 Baltimore County Government
 111 West Chesapeake Avenue
 Towson, Maryland 21204

Re: Case No. 85-276-A

Dear Sir:

This is in reference to your notice dated May 7, 1985, that the Petition for Variance by Philip A. Docclo in the above-referenced case is scheduled for hearing on June 4, 1985, at 1:30 P.M.

While our client has filed a petition for a variance, it is our client's position that the acts upon which you require the variance do not violate the zoning laws or regulations of Baltimore County and that your actions in connection therewith are ultra-vires. Accordingly, unless your notice is withdrawn within ten (10) days, we intend to bring suit in the Circuit Court for Baltimore County for an injunction enjoining you from holding the hearing and enjoining you from taking any action pursuant to your notice.

We hope you understand that we are merely acting to protect our client's rights and that there is nothing personal involved in our actions.

Thank you for your courtesy.

Very truly yours,

WEISMAN AND CLARKE

By: *Lawrence I. Weisman*
 Lawrence I. Weisman

LIW:ls

cc: Mr. Philip Docclo

6/4 1:30 85-276-A

Lawrence I. Weisman, Esquire
 Hampton Plaza, Suite 306 A
 300 East Joppa Road
 Towson, Maryland 21204

May 17, 1985

RE: Case No. 85-276-A
 Philip Docclo, Petitioner

Dear Mr. Weisman:

I am in receipt of your letter dated May 13, 1985.

Please be advised that the hearing will proceed as scheduled.

Sincerely,

Arnold Jablon
 ARNOLD JABLON
 Zoning Commissioner

AJ/srl

In Re:

PETITION ZONING VARIANCE
 N/S of Rolandvue Avenue
 1,500' East of the center
 line of Bellona Avenue
 (1014 Rolandvue Avenue)
 9th Election District

PHILIP A. DOCCLO
 1014 Rolandvue Avenue
 Towson, Maryland 21204

Petitioner

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF
- * BALTIMORE COUNTY
- * Case No. 85-276-A

ORDER FOR APPEAL BY PHILIP A. DOCCLO

MR. CLERK:

Please enter an appeal on behalf of Philip A. Docclo, Petitioner, from the Order of the Zoning Commissioner of Baltimore County, passed in the above case on June 20, 1985.

WEISMAN AND CLARKE

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE: 7/19/85 ACCOUNT: 7-01-615-000

AMOUNT: \$ 80.00

RECEIVED FROM: Philip A. Docclo

FOR: Appeal Fee for Case No. 85-276-A

8 2088 ***** 01.28

VALIDATION OR SIGNATURE OF CASHIER

Zelle Debra Gilden
 Zelle Debra Gilden

17th day of July, 1985,
 appeal by Philip A.
 to Phyllis Cole
 Zimmerman, Esquire, Room
 1204.