87-271-A #143	SW/S of Hillsway Ave., 127' S of the c/l of Halstead Rd. (7514 Hillsway Ave.) 9th Elec. Dist.
11/21/86	Variance - filing fee \$35.00 - Lawrence K. Thomson, et ux
11/21/86	Hearing set for 12/30/86, at 9:45 a.m.
12/30/86	Advertising and Posting - \$78.00
1/13/87	Ordered by the Deputy Zoning Commissioner that the request for a zoning variance to permit an accessory structure (satellite dish) to be attached to the roof of the dwelling and to allow a height for said structure of 36.66' is GRANTED with restrictions.

THE ZONING COMMISSIONER F BALTIMORE COUNTS! The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a attached to the roof of the dwelling whit with a height of 38.66 feet in Lieu of the required 15 feet. iman I to an an an in the first of the required 15 feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for MAP NE &C following reasons: (indicate hardship or practical difficulty) Satellite dish could not be installed in back yard. Roof 30 was the only reasible location. (Per Mid-Atlantic Satellits. 918 Company). Property is to be posted and advertised as prescribed by Zoning Regulations. 1 we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm under the penalties of perjur, that I/we are the legal owner(s) of the property which is the subject of this Petition. Lawrence K. Thomso Patricia F. Thomson (Type or Print Name) Attorney for Cetitioner: 7514 Hillsway Avenue 821-5511 Baltimore, Maryland 2/235 Paul Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Zoom 106, County Office Building in Towson, Baltimore ARNOLD JABLON. ZONING COMMISSIONER Petitioner LRWTCZE K. Thompson, et ex Licenson of property: SWIS Hillsmey Axis, 127: 5/Helsten L. Rd. Londina at Signar Listing Little May Are, approx 20' For Moduly, or

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 13 day of January, 1987, that the herein request for a zoning variance to permit an accessory structure (satellite dish) to be attached to the roof of the dwelling and to allow a height for said structure of 36.66 feet is hereby GRANTED, subject, however, to the following restrictions:

- The center support for the dish shall be installed within 4 feet of the rear wall of the house.
- The dish shall be black mesh and not exceed 8 feet in

OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

January 13, 1997

Mr. & Mrs. Lawrence K. Thomson 7514 Hillsway Avenue Baltimore, Maryland 21234

> RE: Petition for Zoning Variance SW/S of Hillsway Ave., 127' S of the c/l of Halstead Road 9th Election District Case No. 87-271-A

Dear Mr. & Mrs. Thomson:

Enclosed please find a copy of the decision rendered in the case refer enced above. Your Petition for Zoning Variance has been Granted, subject to the restrictions noted in the attached Order.

If you have any questions on the subject, please do not hesitate to contact this office.

> EAN M. H. JUNG Députy Zoning Commissioner

Enclosures

cc: Mr. John J. Wallace 7516 Hillsway Avenue Baltimore, Maryland 21234

People's Counsel

IN RE: PETITION FOR ZONING VARIANCE SW/S of Willsway Avenue, 127' S of the c/l of Halstead Road (7514 Hillsway Avenue) 9th Election District

Lawrence K. Thomson, et ux

Petitioners

DEPUTY ZONING COMMISSIONER OF BALTIMORE COURTY Case No. 87-271-A

The Petitioners herein request a zoning variance to permit an accessory lieu of the required rear yard, and to allow a height for said structure to be 38.66 feet in lieu of the permitted 15 feet.

Testimony by one of the Petitioners indicated that they had the 8-foot wide satellite dish installed in June 1985 in a location recommended by the Mid-Atlantic Satellite Company as the only feasible location providing a clear line of sight. The company representative testified that two large trees in the rear the roof was necessary for proper reception. The Petitioners further testified that their home had been the subject of vandalism, fire and harassment for about a year but those activities had ceased several months ago when the suspect apparently moved. The dish installation has never required adjustment or repair

The adjacent neighbor testified in protest, stating that the welfare of the neighborhood had been jeopardized both by the appearance of the dish, sidered an eyesore in this residential community, and by the noises the dish created, which kept him awake for at least three months.

All parties stipulated to a visit by the Deputy Zoning Commissioner to the site and the neighborhood. That visit revealed the large, prominent dish

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

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

December 19, 1986

Mr. Lewrence K. Thomson Mrs. Patricia F. Thomson 7514 Hillsway Avenue Baltimore, Maryland 21234

> RE: PETITION FOR ZONING VARIANCE SW/S of Hillsway Ave., 127' S of the c/l of Halsteed Rd. (7514 Hillsway Ave.) 9th Election District Lawrence K. Thomson, et ux - Petitioners Case No. 87-271-A

Dear Mr. and Mrs. Thomsont

Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

PALLIMORE COUNTY, MARYLAND & SECTION OF THE PARTY OF THE	ity, Mar Towson,		16
OFFICE OF FINANCE REVENUE DIVISION 025767 MISCELLANEOUS CASH RECEIPT			
DATE 12/30/86 ACCOUNT P-01-615-000			
SIGN & POST RETURNED  AMOUNT 78_00			
RECEIVED Balto., Md. 21234			
ADVIKTISING & POSTING COSTS RE CASE #87-271-A			
B BC14************************************		e wrest	yr y New y
Q VALIDATION OR SIGNATURE OF CASHIER			

Mr. Lawrence K. Thomson Mrs. Patricia F. Thomson 7514 Hillsway Avenue Baltimore, Maryland 21234

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE SW/S of Hillsway Ave., 127' S of the c/l of Halstead Rd. (7514 Hillsway Ave.) 9th Election District Lawrence K. Thomson, et ux - Petitioners Case No. 87-271-A

PLACE: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

OFFICE OF FI	COUNTY, M	III Same		NR 02	6036	
MISCELLANE	OUS CASH	RECEIPT	Arthur L. I		* <b>*</b> * * * * * * * * * * * * * * * * *	
30		* ***		1-615 500	- 000	
RECEIVED FROM	<u> </u>					
1/10	,	Z" -7	;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;	9112		
	# B 104.	****	44 *97*			1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1
	ACLIAV	TION OR BIGNA	TURE OF CAS	HIER		

TO ACCUPACT ZONING VERIANCE SUBD: HILLENDALE . STH ELECT. DIST.

PUT NO G., BUN, G. T. BOOK 24 TOUR PIG TO PROTING TOWNS CONTROLS

PULLE UTILITIES EXSTANG IN THE DITEET

BALTIMORE COUNT! ZONING PLANS ADVISORY COMMITTEE

Jureau of

Duxeau of

Fire Prevention

Health Department

Project Planning

Building Department

loning Administration

Board of Education

State Roads Commissio

Mr. Lawrence K. Thomson ି 7514 Hillsway Avenue 🖺 Baltimore, Maryland 21234

RE: Item No. 143 - Case No. 87-271-A Petitioner: Lawrence K. Thomson, Petition for Zoning Variance

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> JAMES E. DYER Zoning Plans Advisory Committee

JED:kkb Enclosures, BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204 NORMAN E. GERBER

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

DECEMBER 2, 1986

Re: Zoning Advisory Meeting of OCTOBER 21, 1986 Property Owner: LAWRENCE K. THOMSON, etal Location: SE/S HILLSWAY, 127'S. OF & OF HOLSTEAD RD.

Dear Mr. Jablon:

Regulations.

the Baltimore County Master Plan.

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

There are no site planning factors requiring comment. County Review Group Meeting is required. A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services. )This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract. )A record plat will be required and must be recorded prior to issuance of a building permit. The access is not satisfactory. )The circulation on this site is not satisfactory. )The parking arrangement is not satisfactory. )Parking calculations must be shown on the plan. )This property contains soils which are defined as wetlands, and development on these soils is prohibited. )Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development

)The amended Development Plan was approved by the Planning Board )Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service )The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council. )Additional comments:

Development of this site may constitute a potential conflict with

David Fields, Acting Chief Current Planning and Development BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO.\_Zoning Commissioner Date December 8, 1986

Norman E. Gerber, AICP. Director FROM Cifice of Planning and Zoning

SUBJECT\_\_Zoning\_Petitions\_No\_\_87-265-A, 87-270-A, 87-271-A, 87-272-A and 87-273-A

There are no comprehensive planning factors requiring comment

NEG:JGH:slb

(FC) NEWS FEDERAL COMMUNICATIONS COMMISSION 1919 M STREET, N.W.

WASHINGTON, D.C. 20554

Report No.

ACTION IN DOCKET CASE

Jenuary 14, 1986

FCC ADOPTS LIMITED PREEMPTION OF LOCAL ZORING OR

OTHER REGULATION OF SATELLITE PARTY.

""-5-15 an uncompany announcement of Commission action. Reveale of the full spall of a Commission graph (Commission See MCI v. FCC) 515 F 20 365 (O.C. Circ. 1975)

OTHER REGULATION OF SATELLITE EARTH STATIONS (CC DOCKET 85-87) The Commission has sdopted limited precuption of local rosing or other regulation of satellite earth stations.

The FCC ruled that state and local zoning and other regulations which differentiate petween satellite receive-only antennas and other types of antenna facilities are preempted unless such regulations;

-- have a ressonable and clearly defined health, safety or easthetic

-- do not operate to impose unreasonable limitations 'oo; or pravente reception of satellite-delivered signals by receive-only antennes, or to impose costs on the users of such antennas that are excessive in light of the purchase and installation cost of equipment.

Regulation of satellite transmitting autennes is presmpted in the same manner, except that state and local health and safety

The Commisssion noted this action ensures that state and local regulations will not interfere unreasonably with the federal right to construct and use antennas to receive satellite-delivered signals.

Under the adopted rule, local governments may impose non-discriminatory regulations on earth stations as long as the same regulations are applied to all entennes. Thus, a community may preserve its historic character by limiting construction of all external antennas without singling out satel-

If an ordinance or regulation differentiates in the treatment of antennas, the community must show that the ordinance or regulation has a reasonable and clearly defined health, safety or seathetic objective. In addition, the regulation must not limit or prevent reception un easonably, nor impose unreasonable costs on an antenna user.

## BAL MORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date\_11/3/86 Zoning Supervisor FROM Zoning Enforcement Coordinator

Item No.: 143 (if known)
SUBJECT Petitioner: 7hom 50N (if known)

VIOLATION CASE # 86-963 LOCATION OF VIOLATION 7514 Hills way Ave Balto-Md 21234 Lay Thomson Thomson ADDRESS 7514 Hillway Ave

active violation case. When the petition is scheduled for a public hearing. please notify the following persons:

7516 Hillsway Auc Balto Mu Z1234

After the public learing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the propriate action may be taken relative to the violation case.

cc: James Hoswell

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

November 3, 1986

TED ZALESKI, JR.

Lawrence K. Thomson, et ux SE/S Hillsway, 127 feet S of the C/L of Halstead Road

APPLICABLE ITEMS ARE CIRCLED: All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.H.S.I. #117-1 - 1980) and other applicable Codes and

Residentials Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-h Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-h Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0 of an interior lot line. F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this depart

G. The requested variance appears to conflict with Section(s) \_\_\_\_\_\_, of the Baltimore

H. When filing for a required Change of Use/Occupancy Permit, an alteration parmit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or to Mixed Uses

The change of Use Groups are from Use

to Use

. See Section 312 of the Building Code. I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

(J.) comments: Section 615.0 is applicable due to the 15' height.

of Planning and Zoning and are not intended to be construed as the full extent of any pormit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 V. Chesapeaks Avenue, Towson, Haryland 21304.



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586

PAUL H. REINCKE CHIEF

October 20, 1986

Mr. Arnold Jablon

Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson Maryland 21704

RE: Property Owner: Lawrence K. Thomson, et ux

Location: SE/S Hillsway, 127 ft. S of the centerline of Halstead Road Item No.: Zoning Agenda: Meeting of Oct. 21, 1986

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 or \_\_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the

( ) 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

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

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

REVIEWER: A HOUSE TO Special Inspection Division

· Fire Presention Bureau

The Department of Traffic Engineering has no comments for items number 137, 138, 140, 141, 142, (143) 144, 145, 146, 147, 148, and 149,

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

Mr. Arnold Jablon

Dear Mr. Jablon:

Zoning Commissioner County Office Building

Towson, Maryland 21204

STEPHEN E. COLLINS DIRECTOR

ZONING DESCRIPTION PETITION FOR ZONING VARIANCE 9th Election District BEFORE THE ZONING COMMISSIONER RE: PETITION FOR VARIANCE Case No. 87-271-A SW/S of Hillsway Ave., 127'S of OF BALTIMORE COUNTY C/L of Balstead Rd (7514 BEGINNING ON THE SOUTHWEST SIDE OF HILLSWAY AVENUE. 70 Hillsway Ave.), 9th District FLET WICE, AT THE DISTANCE OF 127 FEET SOUTH OF THE LOCATION: Southwest Side of Hillsway Avenue, 127 feet South of the Centerline LAWRENCE K. THOMSON, et ux, of Halstead Road (7514 Hillsway Avenue) Petitioners CENTERLINZ OF HALSTEAD ROAD. BEING LOT 36 BLOCK G, IN DATE AND TIME: Tuesday, December 30, 1986, at 9:45 a.m. THE SUBDIVISION OF HILLENDALE. BOOK NO. 24 FOLIO 126. PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, ENTRY OF APPEARANCE Towson, Maryland ALSO KNOWN AS 7514 HILLSWAY AVENUE IN THE 9TH ELECTION Please enter the appearance of the People's Counsel in the above-The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: DISTRICT. captioned matter. Notices should be sent of any hearing dates or other Petition for Zoning Variance to permit a satellite dish to be attached to the roof of the dwelling unit with a height of 38.66 feet in lieu of the proceedings in this matter and of the passage of any preliminary or required 15 feet final Order. People's Counsel for Baltimore County Being the property of Lawrence K. Thomson, et ux, as shown on plat plan filed with the Zoning Office. Peter Max Zimmerman Deputy People's Counsel Room 223, Court House In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, Towson, Maryland 21204 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 I DEREBY CERTIFY that on this 4th day of December, 1986, a copy hearing set above or made at the hearing. of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Lawrence BY ORDER OF ARNOLD JABLON K. Thomson, 75!4 Hillsway Ave., Baltimore, MD 21234, Petitioners. ZONING COMMISSIONER OF BALTIMORE COUNTY Peter Max Zimmerman OFFICE COPY CERTIFICATE OF PUBLICATION CERTIFICATE OF PUBLICATION BALT MORE COUNTY OFFICE OF PLANNING & ZONING County Office Building
111 W. Chesapeere Avenue
Towson Maryland 21204 and published in Towson, Baltimore County, Md., appearing and published in Towson, Baltimore County Milion December 10 Your perition has been received and accepted for filing this day of movement 1986. De cember 11 THE JEFFERSONIAN, TOWSON TIMES, Susan Sender Obrect Zoning Commissioner 38.25