

**CITY OF BALTIMORE
COUNCIL BILL 06-0362
(First Reader)**

Introduced by: Councilmembers Young, Curran

Introduced and read first time: March 20, 2006

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation, Department of Public Works

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Satellite Dishes –
Residence and Office-Residence Districts**

FOR the purpose of limiting the placement of certain accessory microwave antennas (satellite dishes) in Residence and Office-Residence Districts; providing for the discontinuance of nonconforming satellite dishes; and generally relating to accessory microwave antennas (satellite dishes).

By repealing and reordaining, with amendments

Article - Zoning

Section(s) 4-202(2), 4-203(2), 5-203(2), and 14-316

Baltimore City Revised Code

(Edition 2000)

By adding

Article - Zoning

Section(s) 13-617

Baltimore City Revised Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Zoning

Title 4. Residence Districts

§ 4-202. Accessory uses.

In an R-1 District, accessory uses and structures include the following:

(2) Accessory microwave antennas (satellite dishes), as follows:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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(i) A mounted satellite dish that:

(A) is attached to the rear half of the roof of the principal building at least 5 feet beyond the center line of the roof; and

(B) has the following dimensions:

1. if constructed of solid material, it:

A. is 4 feet or less in diameter; and

B. projects 6 feet or less from the building on which it is mounted; and

2. if constructed of expanded aluminum mesh or wire screen, it:

A. is 6 feet or less in diameter; and

B. projects 8 feet or less from the building on which it is mounted.

(ii) A free-standing satellite dish that is:

(A) mounted on a single stanchion;

(B) 6 feet or less in diameter;

(C) less than 10 feet high; [and]

(D) constructed of expanded aluminum mesh or wire screen; AND

(E) LOCATED IN A REAR YARD.

(iii) Any accessory satellite dish not exceeding 12 feet in diameter that is located:

(A) on the premises of a tavern, regardless of lot size; or

(B) on the premises one of the following uses, if the use is on lot of at least 7,500 square feet:

1. Convalescent, nursing, or rest homes.

2. Educational and cultural institutions: nonprofit or publicly owned, as specified in § 4-201(4) of this subtitle.

3. Hotel and motels.

4. Housing for the elderly.

5. Medical facilities: nonprofit or publicly owned.

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6. Religious institutions, as specified in § 4-201(6) of this subtitle.

7. VFW and American Legion Posts.

§ 4-203. Conditional uses — Board approval required.

In an R-1 District, conditional uses that require Board approval are as follows:

(2) Accessory microwave antennas (satellite dishes), as follows:

(i) A mounted satellite dish that:

(A) is attached to [the front half of the roof of the principal building or to] the rear half of the roof less than 5 feet beyond the center line; and

(B) has the following dimensions:

1. if constructed of solid material, it:

A. is over 4 feet in diameter; or

B. projects more than 6 feet from the building on which it is mounted; and

2. if constructed of expanded aluminum mesh or wire screen, it:

A. is over 6 feet in diameter; or

B. projects more than 8 feet from the building on which it is mounted.

(ii) A free-standing satellite dish that is:

(A) more than 6 feet in diameter;

(B) more than 10 feet high; [or]

(C) not constructed of expanded aluminum mesh or wire screen; OR

(D) IS LOCATED IN AN INTERIOR SIDE YARD.

Title 5. Office-Residence Districts

§ 5-203. Conditional uses — Board approval required.

In an O-R District, conditional uses that require Board approval are as follows:

(2) Accessory microwave antennas (satellite dishes), as follows:

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(i) A mounted satellite dish that:

(A) is attached to [the front half of the roof of the principal building or to]
the rear half of the roof less than 5 feet beyond the center line; and

(B) has the following dimensions:

1. if constructed of solid material, it:

A. is over 4 feet in diameter; or

B. projects more than 6 feet from the building on
which it is mounted; and

2. if constructed of expanded aluminum mesh or wire screen, it:

A. is over 6 feet in diameter; or

B. projects more than 8 feet from the building on
which it is mounted.

(ii) A free-standing satellite dish that is:

(A) more than 6 feet in diameter;

(B) more than 10 feet high; [or]

(C) not constructed of expanded aluminum mesh or wire screen; OR

(D) IS LOCATED IN AN INTERIOR SIDE YARD.

Title 13. Nonconformance

§ 13-617. SATELLITE DISHES IN RESIDENCE AND OFFICE-RESIDENCE DISTRICTS.

ACCESSORY MICROWAVE ANTENNAS (SATELLITE DISHES) IN A RESIDENCE OR OFFICE-
RESIDENCE DISTRICT THAT HAVE BECOME NONCONFORMING, WHETHER BY AMENDMENT TO
THIS ARTICLE OR BY RECLASSIFICATION OF A DISTRICT OR PROPERTY, MUST BE DISCONTINUED
AND CEASE NO LATER THAN 6 MONTHS AFTER THE DATE ON WHICH THE USE BECAME
NONCONFORMING.

Title 14. Conditional Uses

§ 14-316. Microwave antennas.

(a) *Required findings.*

For the placement or erection of microwave antennas (satellite dishes), the Board may
consider the quality of signal reception but must find, and require as a condition of

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1 approval, that the antenna will not interfere with the rights of the adjacent and
2 neighboring properties to light, air, and sun.

3 (b) *Additional conditions.*

4 In addition, the Board may:

5 (1) specify the placement of the antenna; and

6 (2) require screening.

7 (c) *LIMITATIONS.*

8 IN NO EVENT MAY THE BOARD ALLOW:

9 (1) ANY MICROWAVE ANTENNA (SATELLITE DISH) TO BE ATTACHED TO THE FRONT
10 HALF OF THE PRINCIPAL BUILDING OR PLACED IN A FRONT OR OTHER YARD
11 ADJOINING A STREET; OR

12 (2) IN AN R-1 OR O-R DISTRICT, ANY MICROWAVE ANTENNA (SATELLITE DISH) THAT
13 IS OVER 5 FEET IN DIAMETER TO BE PLACED ON ANY PART OF THE ROOF OF ANY
14 RESIDENTIAL PROPERTY.

15 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
16 are not law and may not be considered to have been enacted as a part of this or any prior
17 Ordinance.

18 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
19 after the date it is enacted.