


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 2830 South Hanover Street		

TO

Mr. David Tanner, Executive Director
Board of Municipal and Zoning Appeals
417 East Fayette Street, 14th Floor

DATE: January 22, 2014

REQUEST

The Department of Planning has received Nathaniel Greene's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Hanover Bridge LLC, to erect a 6' by 8' exterior wall sign with LED messaging. The Zoning Administrator has determined that a variance of Zoning Code signage requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on January 28, 2014.

SITE

2830 South Hanover Street is located on the northern cusp of the intersection with Potee Street. This somewhat triangular property measures approximately 266' along Hanover Street and approximately 241'7" along Potee Street and contains approximately 0.695 acre, and is currently improved with a one-story detached commercial building measuring approximately 56' by 160' (maximum length). This site is zoned M-2-1.

ANALYSIS

Use: In this zoning district, wall-mounted business signs are a permitted use, and so are allowed (§11-416). In this case, the property was last authorized for use as a grocery store, which is a nonconforming use in this M-2 Industrial District. The proposed sign would be attached to the north wall of the existing commercial use.

Use: Any use that is not expressly allowed in a district is prohibited (§3-106). The proposed LED sign is a type of directly-illuminated sign (§11-101.c.). In an Industrial District, such as the M-2 Zoning District containing this property, signs may not have or consist of any flashing, blinking, fluctuating, or otherwise animated light (§11-405). The LED sign face, although capable of being controlled remotely to display flashing, blinking, fluctuating, or otherwise animated light, is not *per se* prohibited if it is used to provide a fixed display or message.

The proposed sign would substitute for a standard internally-illuminated sign a light-emitting diode (LED) light source which can be controlled by a remote computer-activated system that allows changes in advertising copy (text, images, or both). Because of this capability of the system the LED sign could display several images or messages within a relatively short period of time. For this reason, Board approval of the wall-mounted sign structure must be conditioned upon certain limitations intended to minimize distraction of passing motorists and protect drivers in the vicinity from excessive glare.

TransForm Baltimore: This property would become part of a C-2 District (Proposed Zoning Map Area 13-A) in which wall signs including an electronic message sign would be permitted uses subject to certain conditions (§17-803).

RECOMMENDATION

The Department of Planning has no objection to this appeal, provided that the Board requires that the approved sign meets and continues to meet these conditions:

- That the new wall-mounted sign will not be placed at a height exceeding 12 feet above grade and will not contain an area greater than 48 square feet;
- That the entire face of the sign is approved for a light-emitting diode (LED) screen, that this new sign must be installed in a single step, and that the LED sign adheres to the operational limits or other conditions that may be imposed by the Board;
- That the performance of the LED sign conforms to all of the requirements of §11-205 and §11-405 of the Zoning Code by having a minimum dwell (uninterrupted display of message or image) time of ten seconds; that it will not exceed the degree of illumination otherwise allowed for wall-mounted signs, and that it will not have any flashing, blinking, fluctuating, or otherwise animated light;
- That the LED screen will not have animations, movie clips and/or sound elements;
- That the LED sign will default to black entirely in the event of a failure of its remote control system or an interruption of advertising copy (text, images, or both); and
- That the LED sign will have automatic brightness controls so that the sign will not constitute a hazard to passing motorists at night, or during inclement weather.

TJS/wya/mf

cc: Nathaniel Greene, Appellant