


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 111 Hamlet Hill Road		

TO

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

DATE: March 7, 2014

**REQUEST**

The Department of Planning has received Timothy Dwyer's Board of Municipal and Zoning Appeals (BMZA) conditional use application, on behalf of Verizon Wireless, to install twelve panel antennas on an existing penthouse and related equipment on a rooftop platform covered by a canopy. The Zoning Administrator has determined that this is a conditional use in a R-6 District. We understand that this appeal is scheduled for hearing on March 11, 2014.

**SITE**

111 Hamlet Hill Road is located on the south side of the street, on a hillside overlooking the Jones Falls and the Jones Falls Expressway. This property is currently improved with a 16-story detached residential multiple-family building known as Harper House Condominiums. This site is zoned R-6 and is located within the Village of Cross Keys Planned Unit Development.

**ANALYSIS**

Conditional Use: In this zoning district, antenna towers, microwave relay towers, and similar installations for communications transmission or receiving, are a conditional use, requiring approval by the Board (§4-903).

Neighborhood Impact: There should be minimal impact, if any, on the surrounding area or community, due to the height of the existing building on the subject property, the size of the antennas, and the height at which they will be placed.

Co-location: In order to minimize the number of antenna towers and monopoles constructed throughout the City of Baltimore, the Department of Planning has adopted a policy of co-location. When our Department receives applications for antenna towers or monopoles, staff encourages the applicant to design a structure that can accommodate several other wireless technology providers. This co-location of antennas minimizes the number of antenna towers or monopoles needed throughout Baltimore City.

Historical and Architectural Preservation: The Historical and Architectural Preservation Division of the Department of Planning has reviewed the application and determined that the proposed location is not:

- On a Baltimore City Landmark property list or within a Baltimore City Historical and Architectural Preservation District
- A property, or within a district, listed on the Maryland Inventory of Historic Properties
- A property, or within a district, listed on the National Register of Historic Places.

However, proximity to the Roland Park National Register Historic District may necessitate some mitigation on the eastern side of the structure if the antennas mounted on that side of the penthouse would be visible from there. The applicant is encouraged to contact the Historical and Architectural Preservation Division of the Planning Department for additional information.

Land Use and Urban Design: Ordinance no. 629, adopted December 19, 1990, with respect to the Village of Cross Keys Planned Unit Development, states in part: "That, subsequent to enactment of this Ordinance, all changes in the approved Amended Development Plan for the Village of Cross Keys shall be reviewed and approved by the Planning Commission to insure that those changes are consistent with this Ordinance." There is no reference to any telecommunications installations in either the original 1971 ordinance which established the Village of Cross Keys as Baltimore's second Planned Unit Development, or in the amending ordinance. Therefore, the Board has jurisdiction to consider this application for panel antennas and related equipment, and should do so.

TransForm Baltimore: This property would become part of the R-10 District (Proposed Zoning Map Area 2-A) in which wireless telecommunications antennas and facilities would be conditional uses (Table 9-301); wireless telecommunications antennas that comply with stealth design standards would be permitted uses, but if not so complying, would be conditional uses (Table 9-301). Requirements for telecommunications antennas and facilities would be essentially the same as requirements now in effect under the Zoning Code.

## **RECOMMENDATION**

The Department of Planning recommends approval of this appeal subject to these conditions in addition to any conditions which the Board may establish:

- The antennas and related equipment must be painted to match the building, to ensure they are visually unobtrusive; and
- The panel antennas and related equipment will remain mounted as illustrated in the plans and elevations submitted to Planning; and
- The applicant will adequately mitigate any adverse effect as specified in the report of the Historical and Architectural Preservation Division of the Department of Planning in accordance with that report's recommendations; and
- The final design and location plan for the antennas and related equipment is subject to final design approval by the Department of Planning.

TJS/wya/mf

cc: Timothy Dwyer, Appellant