


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 / 110 West 39 <sup>th</sup> Street		

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

DATE: April 30, 2014

### REQUEST

The Department of Planning has received Hillorie Morrison's Board of Municipal and Zoning Appeals (BMZA) conditional use application, on behalf of Verizon Wireless, to install fifteen antennas and related equipment on the rooftop of an existing multiple-family dwelling. The Zoning Administrator has determined that this is a conditional use in a R-9 District. We understand that this appeal is scheduled for hearing on May 6, 2014.

### SITE

110 West 39<sup>th</sup> Street is located on the northwest corner of the intersection with University Parkway. This irregularly-shaped property contains approximately 1.278 acre and is currently improved with a 17-story multiple-family residential building. This site is zoned R-9 and is located within the Tuscany-Canterbury National Register Historic District.

### 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 (§4-1203).

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:

- 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.

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TransForm Baltimore: This property would become part of a R-10 District (Proposed Zoning Map Area 2-D) in which wireless telecommunications antennas that comply with stealth design standards would be permitted uses; if not so complying, they would be conditional uses (Table 9-301).

#### **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.

TJS/wya/mf

cc: Hillorie Morrison, Appellant