

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 / 2401 Eastern Avenue		

TO

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

DATE: November 20, 2012

REQUEST

The Department of Planning has received Teddy Pope's Board of Municipal and Zoning Appeals (BMZA) application to erect a free-standing double-faced illuminated identification sign measuring approximately 8' by 4'4". We understand that this appeal is scheduled for hearing on November 27, 2012.

SITE

2401 Eastern Avenue is located on the southeast corner of the intersection with Montford Avenue, and extends along the south side of Eastern Avenue to Port Street. This property measures approximately 160'9" by 140' and contains approximately 0.517 acre, and is currently improved with a pair of religious institutional buildings. This site is zoned R-8 and is located within the Canton National Register Historic District.

ANALYSISIdentification signs – 20-or-more-unit dwellings and non-residential buildings in R-1 to R-8

Districts: (a) Signs allowed. For buildings containing 20 or more dwelling units and non-residential buildings in R-1 through and including R-8 Districts, 1 non-illuminated or indirectly illuminated identification sign is allowed for each street frontage. (b) Limitations. These signs may not: (1) exceed: (i) 18 square feet, or (ii) if directly illuminated, 12 square feet; or (2) be more than: (i) if free-standing, 6 feet high; or (ii) if attached to a building, 16 feet high (§11-319).

Drawings provided with the application show a free-standing sign with a top edge approximately 7' above ground level, which would require a variance of 1' (16%) of the height limit; internal illumination by means of "cool white lamps" (i.e. fluorescent strip lighting mounted horizontally), which is a sign type (internally illuminated) not permitted by §11-319 of the Zoning Code; and a sign face approximately 32 square feet in area, which would require a variance of 14 square feet (78%) of the maximum 18 square feet permitted for non-illuminated signs. Variances of sign requirements and limitations are not authorized in the Zoning Code's Title 15, Subtitle 2 {Authorized Variances; Required Findings}, and the proposed sign and the property for which it is proposed do not meet the threshold for a finding of unnecessary hardship or practical difficulty (§15-218 and 219).

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the Zoning Code does not authorize the Board to approve variances of sign height, sign face area, or of the requirement that signs in Residential Districts R-1 through R-8 be non-illuminated or indirectly illuminated only.

TJS/wya/mf

cc: Teddy Pope, Appellant

Southeast