


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 / 2100-2104 West Baltimore Street		

TO

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

DATE:

June 27, 2014

**REQUEST**

The Department of Planning has received Anthony Rhodes' Board of Municipal and Zoning Appeals (BMZA) application, on behalf of the Tabernacle of the Lord Baptist Church, to install a wall-mounted illuminated sign measuring 3' by 6' which may be or include an LED panel. The Zoning Administrator has determined that a variance of Zoning Code sign requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on July 1, 2014.

**SITE**

2100-2104 West Baltimore Street is located on the northwest corner of the intersection with Pulaski Street. This property measures approximately 76' by 100' and is currently improved with a two-story religious institutional building covering the entire lot. This site is zoned R-8.

**ANALYSIS**

Use: In this zoning district, identification signs are permitted for non-residential uses, provided that they do not exceed 18 square feet, or if directly illuminated, 12 square feet (§11-319.b.). The proposed sign would be within the limit for a non-illuminated sign, but would exceed the limit for a directly illuminated sign.

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 a Residence District, such as the R-8 Zoning District containing this property, signs may not have or consist of any flashing, blinking, fluctuating, or otherwise animated light (§11-305). 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 be an internally-illuminated sign with 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 a change in the free-standing sign structure must be conditioned upon certain limitations intended to minimize distraction of passing motorists and protect any residences in the vicinity from excessive glare.

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 6-C) in which places of worship would be permitted uses (Table 9-301). Electronic message signs would be prohibited in Residential Zoning Districts (§17-803).

### **RECOMMENDATION**

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

- That the entire face of the proposed sign is approved for alteration to a light-emitting diode (LED) screen, that this alteration 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 conform 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 increase the area of the existing sign, that it will not increase the degree of illumination, 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 digital 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: Anthony Rhodes, Appellant