


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 / 1400 West Cold Spring Lane		

TO

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

DATE: September 18, 2014

REQUEST

The Department of Planning has received Michael Domeier's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of W. J. Stricker Signs, Inc., to install a 39.7 square feet area sign that would include a 15 square feet area variable message sign known as an electronic message center. The Zoning Administrator has determined that a variance of Zoning Code sign regulations is needed for approval of this application. We understand that this appeal is scheduled for hearing on September 23, 2014.

SITE

1400 West Cold Spring Lane is located on the north side of the street immediately west of the intersection with Falls Road. This property measures approximately 1,500' along Cold Spring Lane and is part of the 51.8 acre "Poly-Western High School Complex" and is currently improved with a two-story educational building complex. This site is zoned R-6.

ANALYSIS

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.) and a free-standing sign (§11-101.d.). In a Residential District, such as the R-6 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 replace a standard 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.

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 entire face of the proposed electronic message center sign is approved for installation as a light-emitting diode (LED) screen, that this 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 §11-305 of the Zoning Code by having a minimum dwell (uninterrupted display of message or image) time of ten seconds; that its area will not be increased; 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: Michael Domeier, Appellant