

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



BOARD OF MUNICIPAL AND  
ZONING APPEALS

DAVID C. TANNER, Executive Director  
417 E. Fayette Street, Room 1432  
Baltimore, Maryland 21202

August 12, 2010

The Honorable President and  
Members of the City Council  
City Hall

Re: City Council Bill #10-0524 Campaign Signs in Residential Areas -  
Repeal of Maximum Size Restrictions

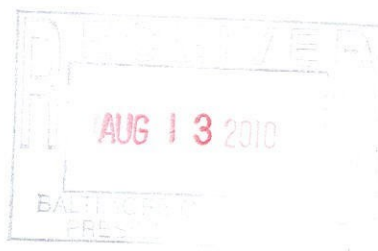
Ladies and Gentlemen:

City Council Bill # 10-0524 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of this legislation is to repeal the maximum size restriction for campaign signs erected in residential areas. This bill would eliminate the sixteen square foot maximum size restriction that currently governs campaign signs in residentially zoned areas.

The BMZA has reviewed this legislation and finds that the passage of this legislation to eliminate the size restrictions on campaign signs could result in an unintended problem with large non-commercial signs in residential districts. The sign regulations under Title 10 of the Zoning Code have been challenged in the past by individuals who wanted to convey a message to the public by placing a large sign in their yards. The sign regulations have been successfully defended because of the size requirement for all signs in residential districts (see attached article & photo).. While the constitution prohibits denial of free speech, the Zoning Code can regulate the size and location of signs.

The BMZA concurs with the Planning Department that this legislation should not be approved.



*Amfar*

C.c. 10-0524  
Page 2

Sincerely,

A handwritten signature in black ink that reads "David C. Tanner". The signature is written in a cursive style with a large, prominent initial "D".

David C. Tanner  
Executive Director

DCT/lag  
C.c. Mayors Office of Council Relations  
Legislative Reference

ity, 615 Chestnut  
a country fair and  
m 10 a.m. to 2 p.m.

re entertainment,  
s. Information: 410-

From staff reports

one with a shotgun,  
a book bag containing  
police recovered the bag  
near the scene.

2-inch blade, 6 horse-  
mower valued at \$300  
the weekend from the  
use in the 5800 block of

an, 20, was walking in  
Latrobe St. about 7:15  
when another man shot  
The victim, who was  
is Hopkins Hospital,  
police.

er: Power tools valued  
were stolen from a  
he 1200 block of Maple  
weekend.

A 1998 Ford Taurus  
t, which was parked in  
Annapolis Road early  
the door unlocked and  
holder, was stolen.

A 1992 Dodge Caravan  
7 was stolen Saturday  
of Wedgeworth Lane.

#### riety

le: A mountain bicy-  
0 was stolen Saturday  
1 pickup truck parked  
S. Augusta Ave.

#### County

#### inct

one entered McDon-  
00 block of Sweet Air  
Friday and used a hand  
room to remove an of-  
ing an undisclosed sum

#### inct

e entered the captain's  
ighter *Panagia* docked  
at the Sparrows Point  
day and removed nearly  
drawer.

—Richard Irwin

screen — helped Hunter visualize  
what it was like," he said.

"We watched the movie, but we  
wanted to see it and maybe learn a  
little more about the ship and the  
history," Shirlene Brown said. "It  
has been interesting. We'll tell her  
more when she gets older."

A \$3.1 million replica of the  
*Amistad* — Spanish for friendship

screen — helped Hunter visualize  
what it was like," he said.

Doug Smythe, 42, toured  
*Amistad* with his son, Derek, a  
15-year-old freshman at Perryville  
High School in Cecil County. Doug  
Smythe said he thinks the replica  
can help ensure that people don't  
forget the past.

"Any history's good," Smythe

transported troupe

"People expect  
Fenn said yesterd  
conception probab  
the movie and from  
ing it was a slave shi  
passage."

*Amistad* was a  
schooner that set sa  
on June 28, 1839, b  
ribbean plantation.

It carried 53 Afri  
three girls and one  
been abducted from  
and sold illegally. T  
to be slaves.

After a revolt led  
prisoners, Sengbe  
soon landed in Ame  
ing tried on murder  
mer President John  
ams was one of the  
captives were freed.

Below deck when  
were held, items on  
a cat-o'-nine-tails,  
shackles; and a r  
from sugar cane. O  
mahogany carving  
sketches of prison  
Kali, the lone boy  
letter to Adams rec  
ance.

## Placard with Hitler prohibited on lawn, circuit judge rules

### Sign's size, not image, is at issue, official says

By SARAH KOENIG  
SUN STAFF

That Hitler sign in the front  
yard can't go back up, a Baltimore  
Circuit Court judge ruled last  
week, not because it pictures a  
murderous fascist, but because it's  
just too big.

Frederick R. and Jean L.  
MacFadden live in the West Balti-  
more neighborhood of Hunting  
Ridge. In March last year, when  
they erected a 4-by-3-foot sign pic-  
turing Adolph Hitler, their neigh-  
bors were displeased.

Complaints led to city citations  
instructing the MacFaddens to  
take it down. They refused. They  
challenged. Last week, they lost  
again: Upholding a District Court  
decision issued in January, Circuit  
Judge John Carroll Byrnes ruled  
that the city's sign code is consti-  
tutional, if a little awkwardly writ-  
ten.

MacFadden, who taught Eng-  
lish at Coppin State College for  
more than 30 years, said last week  
that he hasn't given up. "They have  
violated our religious and political  
freedom of expression," he said.  
"We feel that we must persist."

But Alexandra L. Strubing,  
lawyer for the city Department of  
Housing and Community Develop-  
ment, said the city regulates signs'  
size, not their content. Her depart-  
ment issues such citations fre-  
quently, she added, whether signs  
advertise snowballs for sale or, as  
in one Guilford case, a man looking  
for a wife — "apply within."

The MacFaddens put up the  
sign after neighbors complained to  
the city about the stray dogs they  
took in last year. To protest what

he considered dangerously inva-  
sive action by his neighbors and  
the city, MacFadden posted a pho-  
tograph of a dozen German school-  
boys saluting Hitler and the  
phrases "Tell a lie often enough  
and it becomes the truth" and "Be  
not deceived. God is not mocked:  
for whatever a man soweth, that  
shall he also reap."

## Northeast Baltimore wo- die in second-story hou-

### Her husband escapes harm, says smoke was too thick to reach her

By MICHAEL DRESSER  
SUN STAFF

A 55-year-old woman died yester-  
day morning in a fire at her  
Northeast Baltimore home after  
heavy smoke prevented her hus-  
band from reaching her in an up-  
stairs bedroom.

Barbara Lofton was pro-  
nounced dead at the scene after  
firefighters responded to the blaze  
at 8:40 a.m. in the 900 block of E.  
Belvedere Ave.

Her husband, Eddie Lofton, es-  
caped without injury.

The fire, which apparently be-  
gan in an upstairs bedroom, was  
brought under control within 25  
minutes, said Battalion Chief Rec-

tor L. Torres, a F  
spokesman. Torre  
most of it to the se  
house, was estim  
He said the cause  
not been determin

A next-door n  
Williams, said th  
longtime residen  
lined block. "She  
ant person, both o  
neighbors," he said

Williams said  
smoke, but not m  
ing from a second  
He said he spoke  
after the fire.

"He said he di  
upstairs and sav  
was too much sr  
liams. "He was qu  
shock."

The neighbor  
scene told him th  
had to be restrai  
from rushing back

*"Tell a lie often enough and it becomes the truth."*

*Goethel*



*"Be not deceived; God is not mocked: for whatsoever a man soweth, that shall he also reap."*

*Galatians 6:7*