


F R O M	Name & Title	Walter Horton Real Estate Officer <i>Walter Horton</i>	CITY OF BALTIMORE MEMO	
	Agency Name & Address	Department of Real Estate Room 304 – City Hall 100 N. Holliday Street		
	Subject	City Council Bill 09-0412 Zoning – Cell Towers		

To: Honorable President and Members
Of the City Council
c/o Karen Randle
Mayor's Legislative Liaison to the City Council
400 City Hall

Date: February 2, 2010

As requested we have reviewed the subject bill, which if approved, would require within 10 working days of receiving a conditional use application for antenna towers, microwave relay towers and similar installations for communications transmission or receiving that the Zoning Administrator refer the application and all accompanying documents to the Historical and Architectural Preservation Division of the Department of Planning for review.

Within 10 working days after the referral, the Historical and Architectural Preservation Division must report to the Board of Municipal and Zoning Appeals (BMZA) whether the proposed location of the installation is on a Baltimore City Landmark List property or within a Baltimore City Historical and Architectural Preservation district; on a property or within a district listed on the Maryland Inventory of Historic properties or on the National Register of Historic Places. If the proposed location meets one or more of these criteria, the Historical and Architectural Preservation Division must report to the BMZA within 45 days after the referral whether the installation shall have an adverse effect on the property or district and if it has an adverse impact how that effect can be adequately mitigated.

Upon receipt of the report and recommendations of the Historical and Architectural Preservation Division, BMZA must find either that the proposed location does not meet any of the aforementioned criteria or that it does not have an adverse impact a the historic district or property or that as a condition of approval that the applicant will adequately mitigate any adverse effect as specified in the report and recommended by the Historical and Architectural Preservation Division.

Given, that the Historical and Architectural Preservation Division presently has the power to review these matters as part of the permitting process, see Baltimore City Code, 1976/83, art. 1 Section 40 (q)(2),(3) as amended, the proposed legislation would ensure compliance to the permitting process and would be beneficial in the streamlining various agencies in the process.

The Department of Real Estate supports the passage of City Council Bill 09-0412.

Cc: Angela Gibson

