

Mr. William H. Potts, Jr.

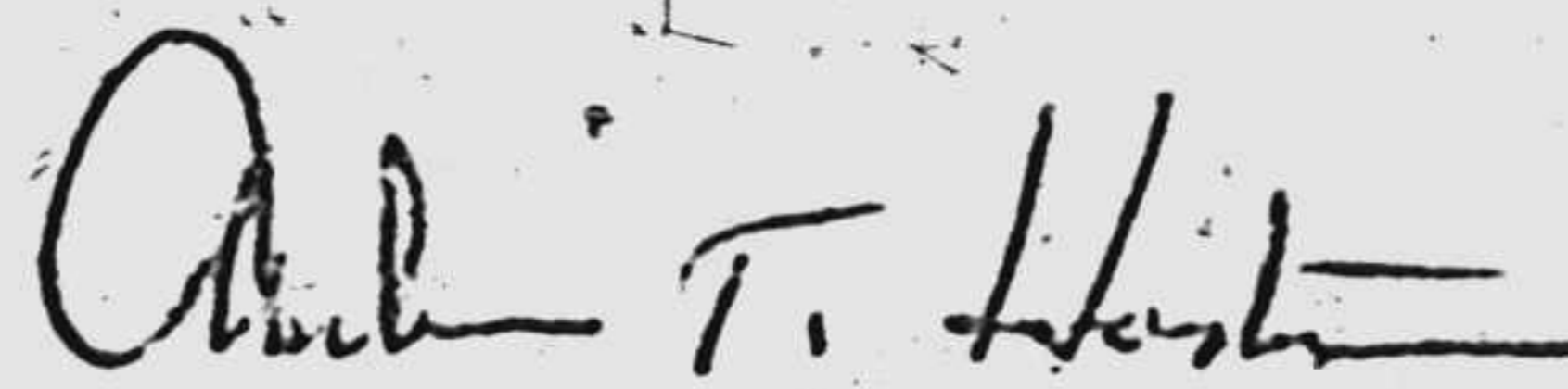
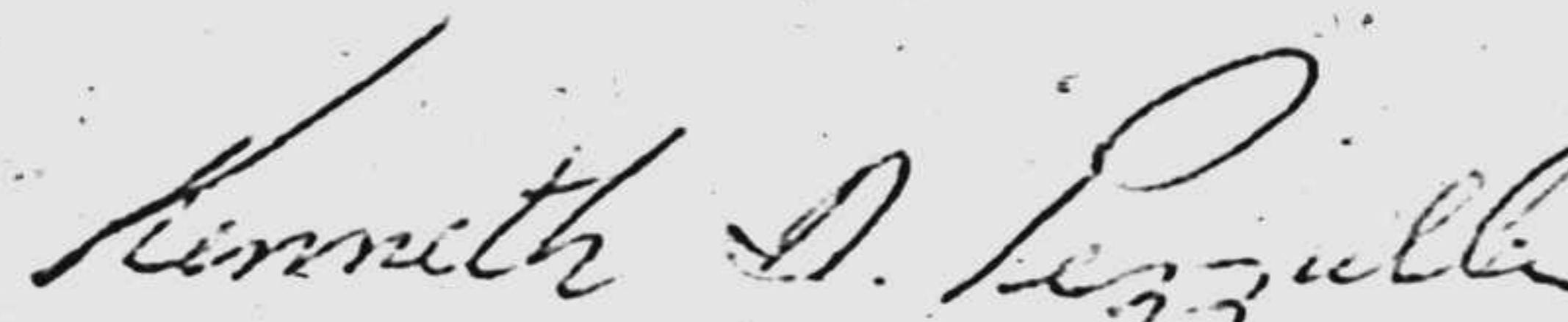
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August 31, 1966

In view of the decision in the Grebow case, supra, we are of the opinion that the sign involved in this matter is not a billboard or posterboard, and, therefore, does not come under the jurisdiction of the Board of Municipal and Zoning Appeals.

For future reference, your attention is directed to Section 37(b) of said Article 40, as amended by Ordinance No. 938 of 1961, which provides that no advertising matter shall be painted on walls, fences or other structures where such structures are situated within 100 feet, measured in a straight line, between the nearest part of such structure devoted to such advertising and the nearest right of way line, of any expressway. An expressway, for the purpose of this section, has been declared to be a limited access highway designed for high speed through traffic and approved as such by the Mayor and City Council of Baltimore by ordinance.

Very truly yours,

AMBROSE T. HARTMAN
Deputy City SolicitorKENNETH D. PEZZULLA
Assistant City Solicitor

ATH:KDP:el

CC: Mr. Gilbert V. Rubin,
Executive Secretary
Board of Municipal and Zoning Appeals
204 Municipal Building
Baltimore, Maryland 21202

CC: Mr. Robert G. Deitrich,
Building Inspection Engineer
Bureau of Building Inspection
Room 10 Municipal Building
Baltimore, Maryland 21202