


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 / 3704 Eastern Avenue		

TO

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

DATE: January 2, 2013

REQUEST

The Department of Planning has received Zocimo Bautista's Board of Municipal and Zoning Appeals (BMZA) application to use the first floor of the premises as a commercial school providing training and education about health products. We understand that this appeal is scheduled for hearing on January 8, 2013.

SITE

3704 Eastern Avenue is located on the north side of the street, approximately 32' east of the intersection with Dean Street. This property measures approximately 13' by 77' and is currently improved with a two-story attached commercial building measuring approximately 13' by 60'. This site is zoned B-2-3 and is located within the Highlandtown Business Area Urban Renewal Plan area and the Patterson Park – Highlandtown National Register Historic District.

ANALYSIS

Conditional Use: In this zoning district, schools: commercial, are a conditional use, requiring approval by the Board (§6-308). In this case, the property was last authorized for use as a novelty shop, which is a permitted use in this B-2 Community Business District (§6-306).

Urban Renewal Plan: This property is located in the Highlandtown Business Area Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). The amount of off-street parking required for a commercial school is one parking space per 4 teachers and employees, plus one space per 24 students (based on the greatest number of students on the premises at any one time (§10-405.27.ii). In this case, the number of staff members and students has not been specified by the applicant, and thus the amount of off-street parking required for this proposed use is undetermined.

TransForm Baltimore: In the proposed new zoning code for Baltimore, this property would be part of a "C-1 Neighborhood Business" District shown on Proposed Zoning Map 8-C, in which "Educational Facilities: Commercial – Vocational" would not be allowed (§10-201 and Table 10-301).

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RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be conditional upon the applicant providing the amount of off-street parking spaces needed to meet Zoning Code requirements for a commercial school.

TJS/wya/mf

cc: Zocimo Bautista, Appellant