


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 / 5414 Park Heights Avenue		

TO

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

DATE: January 22, 2015

REQUEST

The Department of Planning has received Andrei Tarasov's Board of Municipal and Zoning Appeals (BMZA) application to add two service bays to a four-bay existing garage for repair of motor vehicles. The Zoning Administrator has determined that this is a modification of a conditional use in a B-3 Zoning District. We understand that this appeal is scheduled for hearing on January 27, 2015.

SITE

5414 Park Heights Avenue is located on the west side of the street, approximately 120' north of the intersection with Avondale Avenue. This property measures approximately 143'7" along Park Heights Avenue by 100' and is currently improved with a one-story detached commercial building measuring approximately 41' by 97' and a detached commercial canopy measuring approximately 23' by 35' (a remnant of previous use as a gasoline service station). This site is zoned B-3-2 and is located within the Park Heights Urban Renewal Plan area.

ANALYSIS

Conditional Use: In this zoning district, garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½ tons capacity –including body repair, painting, and engine rebuilding, are a conditional use, requiring approval by the Board (§6-408). The applicant is seeking approval to expand that existing use of this property.

Change in Conditional Use: Any change to that use, including any expansion, relocation, or structural alteration, is subject to the procedures and requirements imposed by this article on conditional uses (§3-306.b.2).

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

Land Use and Urban Design: The applicant is proposing to construct the addition in the side and front yard areas of the existing repair garage. As such, the addition would not require any variances of setback requirements. However, this property is located in the Park Heights Urban Renewal Plan area, and the Park Heights Design Standards (Appendix C of the Plan) state that new construction in commercial land use areas (such as where this property is located) must be two stories at a minimum. The applicant may apply to the Commissioner of Housing for a waiver of this design standard if the Board approves this application. The Plan also states that applicants for exterior construction or alteration permits must receive approval from the Department of Planning, on behalf of the Department of Housing, and modifications to site plans to provide landscaping, fencing, and other amenities may be needed.

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The sketch site plan included with this application did not include any landscaping or fencing, which may be required as this property is directly across Park Heights Avenue from a group of residential buildings, and across an alley from another group of residential buildings. There is also a canopy structure on this property, associated with its former use as a gasoline service station, which should be removed. The applicant is encouraged to contact the Department of Planning concerning these items.

TransForm Baltimore: This property would become part of the C-2 District (Proposed Zoning Map Area 1-B) in which motor vehicle service and repair, minor – with outdoor storage of vehicles, would be a conditional use (Table 10-301). This category of land use would require a minimum of 10,000 square feet of lot area, and outdoor vehicle storage would be subject to a requirement that the same vehicles could not be stored outdoors on the site for more than 10 days (§14-326).

RECOMMENDATION

The Department of Planning recommends that of this appeal, if granted, be subject to these conditions in addition to conditions which the Board may establish:

- The additional structure will comply with all requirements and standards of the Park Heights Urban Renewal Plan;
- There will be no parking, staging, or storing of vehicles on public rights-of-way;
- There will be no parking or storage of unlicensed vehicles on the property;
- All work must be performed indoors;
- All materials, parts and equipment related to this use will be stored indoors;
- The area used for temporary storing of vehicles will be adequately buffered or screened from public view, in accordance with designs approved by the Department of Planning;
- The canopy which formerly sheltered gasoline pumps will be removed; and,
- If a dumpster is used to collect waste and trash related to this use, the dumpster will be placed either inside the existing building or within a masonry enclosure having a solid lockable wooden gate.

TJS/wya/mf

cc: Andrei Tarasov, Appellant