


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 / 3925 Gough Street		

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

DATE: December 5, 2013

REQUEST

The Department of Planning has received Nathaniel Greene's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of RAMM LLC and Luis Mayancela, to use the premises as an automobile parts warehouse with accessory sales and automobile body work. The Zoning Administrator has determined that automobile accessory stores – including repair and installation services, and garages, other than accessory, for storage, repair, and servicing of motor vehicles – including body repair, are prohibited uses in a M-1 zoning district. We understand that this appeal is scheduled for hearing on December 10, 2013.

SITE

3925 Gough Street is located on the southwest corner of the intersection with Grundy Street. This property measures approximately 200' by 145' and is currently improved with a one-story detached commercial building covering the entire lot. This site is zoned M-1-2 and is located within the Patterson Park – Highlandtown National Register Historic District.

ANALYSIS

Use: In this zoning district, automobile accessory stores – including repair and installation services, and garages, other than accessory, for storage, repair, and servicing of motor vehicles – including body repair, are prohibited uses, and so are not allowed (§7-206 to §7-209). In this case, the property was last authorized for use as a warehouse, which is a permitted use in this M-1 Industrial District.

Accessory uses: In an M-1 District, accessory uses and structures include, but are not limited to, the following, subject to compliance with the performance standards set forth in Title 12 {"Performance Standards"} of this article ... (§7-209). Title 12 standards cover a range of items such as noise, vibration, smoke and particulate matter, toxic matter, and odorous matter. If the accessory use as an automobile body repair facility meets these standards, it would be approvable as an accessory use by the Board. If the Board determines that an automobile body repair facility is approvable, its operation should be subject to standard conditions for automobile repair garages.

TransForm Baltimore: This property would become part of the I-1 District (Proposed Zoning Map Area 8-C) in which motor vehicle service and repair, major or minor, would be permitted uses, and retail goods establishments would be conditional uses (Table 11-301). The proposed automobile accessories store would be a type of retail goods establishment.

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to the requirements of Title 12 of the Zoning Code and to these additional conditions:

Mr. David Tanner, BMZA
Executive Director
Page 2
Re: 3925 Gough Street

- 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; and,
- If a dumpster is used to collect waste and trash related to this use, the dumpster will be placed inside the existing building.

TJS/wya/mf

cc: Nathaniel Greene, Appellant