

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR
	SUBJECT	BMZA / 3041-3051 Frederick Avenue

CITY of
BALTIMORE

MEMO



TO

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

DATE: February 5, 2016

REQUEST

The Department of Planning has received Paul Goeller's Board of Municipal and Zoning Appeals (BMZA) application to add motor vehicle sales to the existing use of the property for an automobile repair garage. The Zoning Administrator has determined that this is a change in a conditional use in a B-3 zoning district. We understand that this appeal is scheduled for hearing on February 9, 2016.

SITE

3041-3051 Frederick Avenue is located on the southeast corner of the intersection with Wellesley Street. This property measures approximately 131' along Frederick Avenue and 235' along Wellesley Street and contains approximately 0.638 acre, and is currently improved with a one-story L-shaped detached commercial building measuring approximately 76' along Frederick Avenue by 60' along Wellesley Street. This site is zoned B-3-2.

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 proposing to add a permitted use, motor vehicle sales, to this conditional use.

TransForm Baltimore: This property would become part of a C-2 District (Proposed Zoning Map Area 5-D) in which motor vehicle service and repair, minor – with outdoor storage of vehicles, would be a conditional use; and motor vehicle dealerships – with outdoor display, would be prohibited (Table 10-301). "Motor vehicle dealership" includes "on-site facilities for the repair and service of vehicles sold or leased by the dealership" (§1-310 (B)).

RECOMMENDATION

The Department of Planning recommends approval of this appeal subject to these conditions:

- 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 awaiting repair or servicing will be adequately screened by an opaque fence or wall; 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: Paul Goeller, Appellant

Southwest