


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 / 5935-5947 Belair Road		

TO

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

DATE: February 21, 2014

REQUEST

The Department of Planning has received Zachary Sergotick's Board of Municipal and Zoning Appeals (BMZA) conditional use application to continue to use a portion of the premises for automobile repairs and sales, and use the basement of the premises for automobile detailing. The Zoning Administrator has determined that this is a modification of a conditional use in a B-3 District. We understand that this appeal is scheduled for hearing on February 25, 2014.

SITE

5935-5947 Belair Road is located on the east side of the street, approximately 313'5" southwest of the intersection with Powell Avenue. This property measures approximately 175' by 149'6" and is currently improved with a U-shaped one- and two-story semi-detached commercial building covering most of the lot. This site is zoned B-3-1.

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). Motor vehicle sales are a permitted use (§6-406). In this case, the property was last authorized for use as a motor vehicle repair garage and for motor vehicle sales. The applicant is proposing a modification of an established conditional use of the property that is compatible with the existing use and if conducted indoors will not have an increased impact on the community.

TransForm Baltimore: This property would become part of the C-4 District (Proposed Zoning Map Area 4-B) in which motor vehicle service and repair, major, would be a permitted use, including with outdoor storage of vehicles (Table 10-301). The C-4 Districts would have outdoor storage limits of 10 days for vehicles and requirements for indoor operations and screening (§14-326).

RECOMMENDATION

The Department of Planning recommends approval of this appeal, subject to these conditions in addition to any conditions which the Board may establish:

- 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 screened by an opaque fence or wall; and,

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- 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: Zachary Sergotick, Appellant