


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 / 605-607 Baker Street		

TO

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

DATE:

April 2, 2014

REQUEST

The Department of Planning has received Hal Arnold's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Cornelius Todman, to continue to use the property for an auto repair shop and to use a portion of the premises as a beauty shop. The Zoning Administrator has determined that this is a modification of a conditional use in a B-2 District. We understand that this appeal is scheduled for hearing on April 8, 2014.

SITE

605-607 Baker Street is located on the southeast side of the street, approximately 96'7" southwest of the intersection with Pennsylvania Avenue. This L-shaped property measures approximately 37'1" along Baker Street by 106' including 30' of frontage on Fuller Alley which parallels Pennsylvania Avenue, and is currently improved with a one-story attached commercial building measuring approximately 37' by 100'. This site is zoned B-2-2 and is located within the Sandtown-Winchester Urban Renewal Plan area and the Old West Baltimore National Register Historic District.

ANALYSIS

Conditional Use: In this zoning district, garages, other than accessory, for storage, repair and servicing of motor vehicles not over 1½ tons capacity – but not including body repair, painting, or engine rebuilding, are a conditional use, requiring approval by the Board (§6-308). Beauty shops are a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as a garage for storage, repair and servicing of motor vehicles. The applicant is requesting approval to add a permitted use to the existing conditional use of the property, which requires Board approval.

Urban Renewal Plan: This property is located in the Sandtown-Winchester Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed additional use in this district. The Plan includes this property on its list of Non-conforming Uses (Appendix A of the Plan) based upon original zoning of this property as part of a R-8 District – its 1978 status. This property's designation as part of a Community Business area on the Land Use Plan map of 1978 (Exhibit 1 in the Plan) indicates that the current zoning of the property is consistent with the original intent of the Plan.

TransForm Baltimore: This property would become part of a R-6 District (Proposed Zoning Map Area 6-B) in which Neighborhood Commercial Establishments would be conditional uses (Table 9-301). "Neighborhood commercial establishment" would permit art galleries, arts studios, day care centers, offices, personal services establishments, restaurants, and retail goods establishments (§14-328 (A)). A beauty shop would be an example of a personal services establishment.

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The existing repair garage use would thus become nonconforming if the proposed rezoning of the immediate area including this property occurs. The proposed additional use, a beauty shop, would be considered a Neighborhood Commercial Establishment for purposes of determining its zoning status as a conditional use under the new code.

RECOMMENDATION

The Department of Planning has no objection to this appeal, provided that the applicant furnishes a floor plan for the entire premises showing the portion to be used for the beauty shop and the portion that would remain the conditional use repair garage. The subject of this application, the beauty shop, would be a use consistent with recommendations in the draft new zoning code.

TJS/wya/mf

cc: Hal Arnold, Appellant