


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 / 5800 Chemical Road		

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

DATE: June 4, 2012

REQUEST

The Department of Planning has received Jeffrey Scherr's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of BFI Transfer Systems of Maryland LLC, to use the premises for temporary open-air storage of tires and to continue to use the premises as a recyclable materials recovery facility. We understand that this appeal is scheduled for hearing on June 12, 2012.

SITE

5800 Chemical Road is located on the northwest side of the street, approximately 550' northeast of the bridge underpass at Interstate Highway 695 (the Baltimore Beltway). This waterfront property measures approximately 886' along Chemical Road and contains approximately 15.638 acres of fast land and 9.923 acres of submerged land, and is currently improved with a group of interconnected one-story industrial buildings and a separate commercial building. This site is zoned M-3 and is located within the Chesapeake Bay Critical Area and the Maritime Industrial Zone Overlay District (MIZOD).

ANALYSIS

Conditional Use: In this zoning district, recyclable materials recovery facilities, with outdoor storage of materials – but only if the facility is effectively screened by a durable fence or landscaping, are a conditional use, requiring approval by the Board (§7-307). The applicant is proposing modifications to the existing conditional use, which require approval by the Board. The principal modifications consist of razing portions of the existing buildings, construction of replacement buildings, and creation of a 80' by 200' (16,000 sq ft) open-air storage area for tires at the northern end of the property. This storage area would be outside the Critical Area 100' buffer and above the flood plain mapped in this vicinity. The applicant proposes that at some point in the future (now estimated by the applicant at 3 years from now) the outdoor storage area for tires would be moved to another portion of the property, as yet unspecified.

Application copies to Planning and Critical Area Commission: All applications for a conditional use or variance must be made in writing to the Board, and the Board must furnish copies of all applications to the Planning Department and the Chesapeake Bay Critical Area Commission (§8-322.d).

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be conditional upon the applicant obtaining approval for the proposed modifications of conditional use from the Chesapeake Bay Critical Area Commission, and upon the applicant obtaining approval from both this Department and the Critical Area Commission for a new location of outdoor storage of tires within three years.

TJS/wya/mf

cc: Jeffrey Scherr, Appellant

Southern