


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 / 1517 NORTH FULTON AVENUE		

TO

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

DATE: June 19, 2009

REQUEST

The Department of Planning has received Sheila Graham's Board of Municipal and Zoning Appeals (BMZA) application to use the property as a day care center for eight infants aged six weeks to two years on the first floor, and before and after school day care for fifteen children ages five to twelve years old on the second floor. We understand this appeal is scheduled for hearing on June 23, 2009.

SITE

1517 North Fulton Avenue is located on the east side of the street, approximately 101' north of the intersection with Presstman Street. This property measures approximately 11'7" by 75' and is currently improved with a two-story attached dwelling. This site is zoned R-8 and is located within the Sandtown-Winchester Urban Renewal Plan area.

ANALYSIS

Conditional Use: In this zoning district, day care centers are a conditional use, requiring approval by the Board (§4-1103). In this case, the property was last authorized for use as a single-family attached dwelling. In previous cases where a family day care center seeks to locate in a residential neighborhood, especially one that is comprised of attached structures on a narrow roadway, Planning has supported modest initial capacities. Due to the potential impacts of serving 23 children on this site, a lower initial capacity would be appropriate. For this reason, a lower capacity of fifteen children is recommended.

Off-Street Parking: The amount of off-street parking required for a day care center is one parking space per two staff members (§10-405.27.iii). The appellant will need to specify how many staff members will be on-site at any one given time. No off-street parking spaces are available on the property.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b).

Drop-off / Pick-up area: There is not a location suitable for the drop-off or pick-up of children on this site. If 23 parents were to all drive to this site attempting to drop off or pick up their children within the same short timeframe, it could not likely be done in a safe and orderly manner.

Mr. David Tanner, BMZA
Executive Director
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RECOMMENDATION

The Department of Planning recommends approval of the appeal, subject to the following conditions:

- That the required number of off-street parking spaces are provided to serve the staff of this day care center; and
- That the capacity of the day care center is not more than fifteen children at one time.

TJS/ewt

cc: Ms. Sheila Graham, Appellant