


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 3617-3619 Seven Mile Lane		

TO

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

DATE: October 16, 2014

### REQUEST

The Department of Planning has received Lisa Junker's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Sterling 3617 Seven Mile LLC, to use a portion of the premises for an adult day care center. The Zoning Administrator has determined that this is a conditional use in a R-5 Zoning District. We understand that this appeal is scheduled for hearing on October 21, 2014.

### SITE

3617-3619 Seven Mile Lane is located on the south side of the street, approximately 507' southwest of the intersection with Park Heights Avenue. This property measures approximately 130' by 228' and is currently improved with a two-story detached residential building authorized by ordinance for use as a convalescent, nursing, and rest home. This site is zoned R-5 and is located within the Northwest Community Planning Forum Strategic Neighborhood Action Plan area.

### ANALYSIS

Conditional Use: In this zoning district, uses accessory to health and medical institutions for care of aged persons are a conditional use, requiring approval by the Board (§4-803). While the existing convalescent, nursing, and rest home is distinguished from a health institution for care of aged persons, it is also a category of use for which the most stringent requirement for its establishment, a conditional-use ordinance, is needed. The Department of Planning considers the proposed additional use (an adult day care center) to be included in the intended scope of this conditional use, as accessory to it.

Land Use and Urban Design: The proposed additional use would be located in the basement of the existing structure, and the ordinance authorizing the convalescent, nursing, and rest home explicitly prohibits use of the basement for the principal use. Location of the adult day care center in the basement would thus be consistent with existing limitations on use of the basement, and would complement the authorized use of the remainder of the structure. The Department has reviewed the site plan and elevations for the proposed additions that are separately being proposed for the structure and its site, and expects to recommend their approval in connection with a pending bill to increase the authorized number of beds in the existing use.

TransForm Baltimore: This property would remain part of the R-5 District (Proposed Zoning Map Area 1-A) in which a day-care home for adults or children would be a permitted use (Table 9-301).

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**RECOMMENDATION**

The Department of Planning recommends approval of this appeal.

TJS/wya/mf

cc: Lisa Junker, Appellant