


<b>FROM</b>	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 / 4109 Montana Avenue		

TO

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

DATE: October 29, 2015

**REQUEST**

The Department of Planning has received Kaman Iandiataiyero's Board of Municipal and Zoning Appeals (BMZA) application to use the side yard of the property to park a boat and trailer. The Zoning Administrator has determined that this is a conditional use in a R-4 zoning district. We understand that this appeal is scheduled for hearing on November 3, 2015.

**SITE**

4109 Montana Avenue is located on the southwest side of the street, approximately 200' southeast of the intersection with Hilltop Avenue. This property measures approximately 62'6" by 126' and is currently improved with a three-story detached residential building measuring approximately 27' by 54'. This site is zoned R-4.

**ANALYSIS**

Conditional Use: In this zoning district, boats and boat trailers: parking or storage, are a conditional use, requiring approval by the Board (§4-703). In this case, the property was last authorized for use as a single-family detached dwelling, which is a permitted use in this R-4 General Residence District.

Boats, trailers, etc.: parking or storage:

- (a) Required findings and conditions. For parking or storage of boats, boat trailers, travel trailers, recreational vehicles, or similar camping equipment, the Board must find, and require as conditions of approval, that:
- (1) at no time will this equipment be used for living or housekeeping purposes;
  - (2) the equipment will not have fixed connections to electricity, water, gas, or sanitary sewer facilities;
  - (3) except only as specified in subsection (b) of this section, if the equipment is parked or stored outside of a garage, it will be parked or stored to the rear of the front building line of the lot and located at least 3 feet from the side or rear lot lines;
  - (4) the equipment will be kept in good repair and carry a current year's license and registration; and
  - (5) the parking or storage is not of an unoccupied mobile home, being a movable or portable dwelling, constructed to be towed on its own chassis and connected to utilities and designed without a permanent foundation for year-round living, which is specifically prohibited.
- (b) Exception for loading and unloading. Notwithstanding subsection (a)(3) of this section, the equipment may be parked anywhere on the premises, for a period of not more than 48 hours, for loading or unloading purposes (§14-306).

The property appears to have sufficient distance between its side lot line and the existing dwelling structure to allow compliance with requirement 14-306.a.3 above.

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TransForm Baltimore: This property would become part of a R-3 District (Proposed Zoning Map Area 4-D) in which detached dwellings would be permitted uses (Table 8-301). Outdoor storage of boats and boat trailers could be authorized as a conditional use (§15-510).

**RECOMMENDATION**

The Department of Planning recommends approval of this appeal subject to the condition that the approved use complies with the requirements of §14-306 of the Zoning Code.

TJS/wya/mf

cc: Kaman Iandiataiyero, Appellant