


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 / 5827 Belair Road		

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

DATE: November 1, 2010

REQUEST

The Department of Planning has received Mohammad Athar Ajaz's Board of Municipal and Zoning Appeals (BMZA) application to use the premises for automobile repairs. We understand that this appeal is scheduled for hearing on November 9, 2010.

SITE

5827 Belair Road is located on the northeast corner of the intersection with Mary Avenue. This property measures approximately 175' by 145' and is currently improved with a one-story five-bay automobile repair building measuring approximately 113' along Mary Avenue by 27' along Belair Road. This site is zoned B-3-1.

ANALYSIS

Conditional Use: In this zoning district, garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1-1/2 tons capacity – including body repair, painting and engine rebuilding, are a conditional use, requiring approval by the Board (§6-408). This property was last used for motor vehicle sales, which is a permitted use in this Community Commercial District, and the existing repair and service garage structure was accessory to that use.

Comprehensive Planning: There is currently no separation between the asphalt-paved parking lot which surrounds the repair garage building and either the residential area adjoining this property to the northeast or the alley behind this property which separates it from the stable residential neighborhood lying east of Belair Road. The applicant should be required to erect an opaque fence or wall at least 4' high along the northeastern (interior) side and the rear lot lines of this property, to shield vehicles awaiting repair from view from the residential area adjacent to this site.

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to the applicant meeting the following conditions:

- There will be no parking, staging, or storing of vehicles on public rights-of-way;
- There will be no parking or storage of unlicensed vehicles on the property;
- All work must be performed indoors;
- All materials, parts and equipment related to this use will be stored indoors; and,
- An opaque fence or wall at least 4' in height will be erected along this site's interior side and rear lot lines.

TJS/wya/mf

cc: Mohammad Athar Ajaz, Appellant