


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 / 6206-6210 Holabird Avenue		

TO

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

DATE: March 20, 2015

**REQUEST**

The Department of Planning has received Nathaniel Greene's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of C J Holabird LLC, to construct a 1-story 92' by 32' side addition to the existing structure and use the premises as a garage for storage, repair, and servicing of motor vehicles – including body repair and painting. The Zoning Administrator has determined that this is a conditional use in a B-3 Zoning District, and that variances of yard setback and front yard use standards are required for approval. We understand that this appeal is scheduled for hearing on March 24, 2015.

**SITE**

6206-6210 Holabird Avenue is located on the northwest corner of the intersection with Charlotte Avenue. This property measures approximately 180' by 125' and is currently improved with a one-story detached commercial building measuring approximately 32' by 60'. This site is zoned B-3-1 and is located within the Southeast Neighborhoods Development (SEND) Strategic Neighborhood Action Plan area.

**ANALYSIS**

**Conditional Use:** In this zoning district, garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½ tons capacity – including body repair, painting and engine rebuilding, are a conditional use, requiring approval by the Board (§6-408). In this case, the property was last authorized for use as a car wash, which is also a conditional use in this B-3 Community Commercial District. The application notes that the car wash is vacant.

**Change in Conditional Use:** Any change to that use, including any expansion, relocation, or structural alteration, is subject to the procedures and requirements imposed by this article on conditional uses (§3-306.b.2). The application includes a request to double the enclosed area on the property in order to add a 5-bay automotive repair garage connected to the car wash structure, which may be refitted as a painting shed.

**Projections and Obstructions into Required Yards:** (a) *In general.* Except for the specified projections and obstructions listed in this section, every part of a required yard or of any other required open space must be open and unobstructed from the ground to the sky (§3-209). In this case, the proposed ten parking spaces in front of the proposed structure are not listed among the permitted projections and obstructions into required yards. The site plan included with this application notes that there would be a landscaped strip created between the parking spaces and the existing sidewalk along Holabird Avenue.

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TransForm Baltimore: This property would become part of the C-3 District (Proposed Zoning Map Area 12-B) in which motor vehicle service and repair, minor – with or without outdoor storage of vehicles, would be permitted uses (Table 10-301).

### **RECOMMENDATION**

The Department of Planning recommends approval of this appeal subject to these conditions in addition to any conditions which the Board may establish:

- 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;
- The area used for temporary storing of vehicles will be adequately screened by an opaque fence or wall; and,
- If a dumpster is used to collect waste and trash related to this use, the dumpster will be placed either inside the existing building or its proposed addition, or within a masonry enclosure having a solid lockable wooden gate.

TJS/wya/mf

cc: Nathaniel Greene, Appellant