


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 / 4500 York Road		

TO

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

DATE: March 31, 2015

**REQUEST**

The Department of Planning has received Fazal-ur-Rehman's Board of Municipal and Zoning Appeals (BMZA) application to continue to use the property for motor vehicle sales, and to use the property as a garage for storage, repair, and servicing of motor vehicles, with a State inspection station. The Zoning Administrator has determined that this is a conditional use in a B-3 Community Commercial District. We understand that this appeal is scheduled for hearing on April 7, 2015.

**SITE**

4500 York Road is located on the northwest corner of the intersection with Northway. This property measures approximately 100' by 38'7" and is currently improved with a one-story detached commercial building measuring approximately 40' by 38'. This site is zoned B-3-2 and is located within the York Road Community Strategic Neighborhood Action Plan area and the Guilford National Register Historic District.

**ANALYSIS**

Conditional Use: In this zoning district, garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½ ton 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 for motor vehicles sales, which is a permitted use in this B-3 Community Commercial District.

Comprehensive Planning: As this property is located in Guilford, it is subject to covenants enforced by the Guilford Association. The applicant has worked with that association to devise conditions under which the proposed additional uses of the property would be operated.

TransForm Baltimore: This property would become part of the I-MU District (Proposed Zoning Map Area 3-C) in which Motor Vehicle Service and Repair, Major or Minor, would be permitted uses (Table 11-301). The use would have requirements that no vehicles could be stored outdoors for longer than ten days, that all repair operations be fully enclosed, and that wrecked or junked vehicles be screened from the public right-of-way and any adjacent residential properties (§14-326).

**RECOMMENDATION**

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

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- 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 within a masonry enclosure having a solid lockable wooden gate.

TJS/wya/mf

cc: Fazal-ur-Rehman, Appellant