


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 / 6317 Reisterstown Road		

TO

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

DATE:

April 9, 2010

REQUEST

The Department of Planning has received Tariq Javed's Board of Municipal and Zoning Appeals (BMZA) application to continue to use the entire premises for a gasoline service station and to convert an existing storage building into an accessory convenience store. We understand that this appeal is scheduled for hearing on April 13, 2010.

SITE

6317 Reisterstown Road is located on the southeast corner of the intersection with Fords Lane. This property measures approximately 131' by 150' and is currently improved with two one-story commercial buildings. This site is zoned B-2-1 and is located within the Reisterstown Plaza Transit Station Urban Renewal Plan area.

ANALYSIS

Use: Any use that is not expressly allowed in a district is prohibited (§3-106). In this zoning district, convenience stores are not listed as a permitted or conditional use, and so are not allowed (§6-306 to §6-309). In this case, the property was last authorized for use as an automobile service station, which is a conditional use in this B-2 Community Business District. Variety stores, which are undefined in the Zoning Code, are a permitted use (§6-306).

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 proposed conversion of an existing storage building into an accessory store constitutes an expansion of the existing conditional use.

Renewal Plans: Ordinance #01-0165 was approved May 14, 2001 for the purpose of, among other things, clarifying the relationship between conditions or requirements imposed by an Urban Renewal Plan or Conservation Plan, such that the condition or requirement that is more restrictive will govern. Additionally, the ordinance prohibits the approval of a conditional use or a variance if that conditional use or variance is precluded by an applicable renewal plan or master plan. The Reisterstown Plaza Transit Station Urban Renewal Plan requires that all plans for new construction or exterior rehabilitation be reviewed and approved for consistency with the Plan's urban design standards by design staff or the Urban Design and Architectural Review Panel. The Urban Renewal Plan also requires all projects requiring a new use and occupancy permit and/or a building permit to be considered for potential Site Plan Review Committee review.

RECOMMENDATION

The Department of Planning recommends approval of the appeal, conditioned upon the applicant's proposed improvements on the 6317 Reisterstown Road property being compliant with the Reisterstown Plaza Transit Station Urban Renewal Plan, which requires design approval and Site Plan Review Committee approval of the improvements.

TJS/ewt/mf

cc: Tariq Javed, Appellant