


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 / 6437 Harford Road		

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

DATE: May 15, 2015

REQUEST

The Department of Planning has received Nathaniel Greene's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Hanadi Asfour, to construct a one-story 26' by 20' side addition to an existing automobile service station building, and use the property as an automobile repair garage with accessory automobile sales. The Zoning Administrator has determined that this is a conditional use in a B-2 Zoning District. We understand that this appeal is scheduled for hearing on May 19, 2015.

SITE

6437 Harford Road is located on the southeast corner of the intersection with Pinewood Avenue. This property measures approximately 100' by 75' and is currently improved with a one-story detached commercial building measuring approximately 28' by 12' and a canopy over what were gasoline pump islands. This site is zoned B-2-2.

ANALYSIS

Conditional Use: In this zoning district, gasoline service stations and garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½ tons capacity – but not including body repair, painting, or engine rebuilding, are conditional uses, requiring approval by the Board (§6-308). In this case, the applicant is proposing to change from one conditional use (service station) to another conditional use (repair garage), while adding accessory automobile sales.

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 applicant has provided a site plan showing that the side addition to the existing building would be toward the rear of the property, and not impede vehicular circulation on the property. The plan does not indicate where vehicles for sale would be displayed. As motor vehicles sales is not a permitted use in this zoning district, the accessory nature of automobile sales by the applicant should be confirmed by limiting its location and number of cars displayed.

Land Use and Urban Design: The site plan shows retention of three 32' wide vehicular entrances/ exits for the property, two on Harford Road and one on Pinewood Avenue. Given the nature of the proposed new use (including its accessory use) at least one of these should be closed. Landscaping and buffering should also be added to this property. The applicant should meet with Planning staff to refine the site plan to include these changes and respond to the recommended conditions for approval below.

TransForm Baltimore: This property would become part of a C-2 District (Proposed Zoning Map Area 4-A) in which Motor Vehicle Service and Repair, Minor – with Outdoor Storage of Vehicles, would be a conditional use, and Motor Vehicle Dealerships would be prohibited (Table 10-301).

RECOMMENDATION

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

- The applicant will develop and implement a site plan approved by the Department of Planning that provides for closure of unneeded curb cuts and for landscaping of the property edges along Harford Road and Pinewood Avenue;
- 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: Nathaniel Greene, Appellant