


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 / 3305 East Fayette Street (a.k.a. 3300 Esther Place)		

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

DATE: November 28, 2014

REQUEST

The Department of Planning has received Jason Vettori's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of 3305 East Fayette Street LLC, to use the property for garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½ tons capacity – including body repair, painting, and engine rebuilding. The Zoning Administrator has determined that this is a conditional use in a B-3 Zoning District. We understand that this appeal is scheduled for hearing on December 2, 2014.

SITE

3305 East Fayette Street is located on the south side of the street, approximately 58' east of the intersection with Clinton Street. This property measures approximately 153'6" by 170'4" and is currently improved with four groups of one-story commercial buildings, originally constructed as automobile garages for rent to private car owners, collectively covering approximately 50% of the lot. This site is zoned B-3-2.

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 business offices and warehousing, which are permitted uses in this B-3 Community Commercial District.

Comprehensive Planning: While the proposed use has de facto existed for a number of years in parts of this property, the applicant should be aware that continued obstruction of both the sidewalk and the southern curb lane of Fayette Street with work on vehicles being serviced, or by vehicles awaiting service or repair, without minor privilege permits authorizing such temporary obstructions, could result in administrative action.

TransForm Baltimore: This property would become part of a C-4 District (Proposed Zoning Map Area 8-C) in which Motor vehicle service and repair – Major, would be a permitted use (Table 10-301).

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to these conditions in addition to 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;

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- The internal area used for temporary storing of vehicles will be adequately screened by an opaque fence, wall, or gate; 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 at the rear of the structure on Fayette Street within a masonry enclosure having a solid lockable wooden gate.

TJS/wya/mf

cc: Jason Vettori, Appellant