


| | | | | |
|------|-----------------------|--|-------------------------------------|---|
| 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 / 2800 East Eager Street | | |

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

DATE: June 1, 2010

REQUEST

The Department of Planning has received Marcus Brunson's Board of Municipal and Zoning Appeals (BMZA) application to use a portion of the property for a car wash. We understand that this appeal is scheduled for hearing on June 8, 2010.

SITE

2800 East Eager Street is located on the north side of the street, between Kenwood Avenue and Linwood Avenue. This property measures approximately 330' by 77' and is currently improved with a small one-story commercial building measuring approximately 40' by 29'. This site is zoned M-1-2. Properties on the opposite side of Eager Street are row-house residential and are accordingly zoned R-8.

ANALYSIS

Use: In this zoning district, car washes are not listed as a permitted or conditional use, and so are not allowed (§7-206 to §7-209). A car wash is a conditional use in a B-3 zoning district (§6-408).

This property was formerly used for a gasoline service station, which is a conditional use in a B-2 or B-3 zoning district (§6-308 and §6-408) and a non-conforming use in a M-1 zoning district.

Changes in Nonconforming Use: *In Business and Industrial Districts.* In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class III nonconforming use in a Business or Industrial District to be changed to another nonconforming use that is similar in nature and character to the existing nonconforming use (§13-305.c).

Land Use and Urban Design: A new car wash requires Site Plan Review Committee approval. The applicant should prepare engineered drawings and plans showing facility locations, entrance and exit locations, new curb cuts (if any), and stacking spaces for vehicles awaiting washing and parking spaces for vehicles being "wiped down" after washing.

RECOMMENDATION

The Department of Planning has no objection to the appeal, conditioned upon the applicant receiving Site Plan Review Committee approval for all plans for this use.

TJS/wya/mf

cc: Marcus Brunson, Appellant