


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 / 5114 Windsor Mill Road		

TO

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

DATE: July 19, 2013

REQUEST

The Department of Planning has received John Holmes and Tiara Montgomery's Board of Municipal and Zoning Appeals (BMZA) conditional use application to use the basement of the church for a learning center for 85 children, with 14 staff members. The Zoning Administrator has determined that this is a conditional use in a R-4 District. We understand that this appeal is scheduled for hearing on July 23, 2013.

SITE

5114 Windsor Mill Road is located on the northeast corner of the intersection with Forest Park Avenue. This property measures approximately 333' along Windsor Mill Road by 100' along Forest Park Avenue and contains approximately 1.977 acre, and is currently improved with a group of religious institutional buildings. This site is zoned R-4.

ANALYSIS

Conditional Use: In this zoning district, day nurseries and nursery schools are a conditional use, requiring approval by the Board (§4-703). The applicant is proposing to operate a learning center, an appellation which the Zoning Administrator has determined is most closely represented in the Zoning Code by a day nursery or nursery school.

In previous cases where a day care center seeks to locate in a residential neighborhood, Planning has supported modest initial capacities. However, this property is large and is already provided with off-street parking to serve the religious congregation present. The buildings are large enough to accommodate 85 children, and the open areas around the buildings are large enough to provide outdoor recreational space for those children.

Off-Street Parking: The amount of off-street parking required for a day care center is one parking space per two staff members (§10-405.27.iii). In this case, for 14 staff members, 7 parking spaces are required; over 50 are provided.

Drop-off / Pick-up area: There is a location suitable for the drop-off or pick-up of children on this site.

TransForm Baltimore: This property would remain part of a R-4 District (Proposed Zoning Map Area 5-A) in which day care centers: adult or child, would be conditional uses (Table 8-301).

RECOMMENDATION

The Department of Planning recommends approval of this appeal.

TJS/wya/mf

cc: John Holmes and Tiara Montgomery, Appellants

Outer West