


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 / 3902-3904 Taylor Avenue		

TO

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

DATE: December 31, 2013

REQUEST

The Department of Planning has received Timothy Sachs' Board of Municipal and Zoning Appeals (BMZA) conditional use application, on behalf of Stone and Star Montessori, to use the premises as a child care center for up to 24 children. The Zoning Administrator has determined that this is a conditional use in a R-3 District, and that a variance of Zoning Code lot area requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on January 14, 2014.

SITE

3902-3904 Taylor Avenue is located on the north side of the street, approximately 60' east of the intersection with Windy Ridge Road. This property measures approximately 120'2" along Taylor Avenue by 135'8" deep and contains approximately 0.317 acre, and is currently improved with a one-story detached building measuring approximately 26' by 42'. This site is zoned R-3 and is located at the eastern City limit.

ANALYSIS

Conditional Use: In this zoning district, day nurseries and nursery schools are a conditional use, requiring approval by the Board (§4-603). In this case, the property was last authorized for use as a business and professional office, which is a nonconforming use in this R-3 Single-Family Residence District.

Lot Area: In this zoning district, day nurseries and nursery schools, as conditional uses, require 5,000 square feet of lot area (§4-606.c.). The lot encloses 13,861 square feet, and so does meet this requirement.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). Accessory off-street parking facilities that existed on April 20, 1971, and still serve a structure or use may not be reduced below – or if already below, may not be further reduced below – the minimum requirements of this title for a similar new structure or use (§10-204). 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 three staff members, two parking spaces are required; three are provided.

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

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TransForm Baltimore: This property would remain part of a R-3 District (Proposed Zoning Map Area 4-B) in which day care centers, adult or child, would be conditional uses (Table 8-301). “Day care center: Child” includes nursery schools and Montessori schools (§1-304 (X)).

RECOMMENDATION

The Department of Planning recommends approval of this appeal.

TJS/wya/mf

cc: Timothy Sachs, Appellant