


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 / 3432-3444 Frederick Avenue etc. (5 lots) *		

TO

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

DATE: September 15, 2015

REQUEST

The Department of Planning has received Mark Haeger's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Hunt Real Estate Services Inc., to consolidate lots known as 3432 Frederick Avenue, 3436-3438 Frederick Avenue, 3444 Frederick Avenue and * 3441 Old Frederick Road and Block 2244A, Lot 27; and raze existing structures on the Frederick Avenue lots, and construct a 9,117 gross floor area detached commercial building with a proposed monumental sign alongside Frederick Avenue and another monumental sign alongside Old Frederick Road. The Zoning Administrator has determined that the last item is a prohibited use in a R-5 zoning district. We understand that this appeal is scheduled for hearing on September 22, 2015.

SITE

3432 Frederick Avenue is located on the north side of the street, approximately 100' west of the intersection with McCurley Street. This property measures approximately 54'2" by 211'7" and is currently unimproved. 3436-3438 Frederick Avenue is located on the north side of the street, approximately 154'2" west of the intersection with McCurley Street. This property measures approximately 49'1" by 215'1" and is currently improved with a combination one- and two-story detached commercial building measuring approximately 48' by 60'. 3444 Frederick Avenue is located on the north side of the street, approximately 203'3" west of the intersection with McCurley Street. This property measures approximately 79' by 216'9" and is currently unimproved. 3441 Old Frederick Road is located on the south side of the street, approximately 200' west of the intersection with McCurley Street. This property measures approximately 37'9" by 92'3" and is currently unimproved. The property known as Block 2244A, Lot 27 is located adjoining the western boundary of 3441 Old Frederick Road, and measures approximately 37'7" by 109'2" and is unimproved. The portion of this site fronting on Frederick Avenue is zoned B-3-2; the portion comprised of 3441 Old Frederick Road and Block 2244A, Lot 27 is zoned R-5. Upon consolidation, the property would have a frontage of approximately 178'3" along Frederick Avenue and a frontage of approximately 75'5" along Old Frederick Road. The consolidated lot would comprise approximately one acre.

ANALYSIS

Use: In the B-3 zoning district, variety stores (the proposed use of this property following consolidation of the lots) are a permitted use, and so are allowed (§6-406). In this case, the property at 3436-3438 Frederick Avenue was last authorized for use as a restaurant, which is a permitted use also in this B-3 Community Commercial District. The applicant is proposing to place the new commercial structure and its associated off-street parking spaces and loading area entirely within the B-3 zone, which is demarcated from the adjoining R-5 zoning district by the rear lot lines between the lots on Frederick Avenue and the lots on Old Frederick Road.

Mr. David Tanner, BMZA
Executive Director
Page 2
Re: 3432-3444 Frederick Avenue etc.

Identification signs – non-residential buildings in R-1 to R-8 Districts: For buildings containing 20 or more dwelling units and non-residential buildings in R-1 through and including R-8 Districts, 1 non-illuminated or indirectly illuminated identification sign is allowed for each street frontage. These signs may not: (1) exceed: (i) 18 square feet, or (ii) if directly illuminated, 12 square feet; or (2) be more than: (i) if free-standing, 6 feet high; or (ii) if attached to a building, 16 feet high (§11-319). The applicant is proposing to erect a monumental (free-standing) sign structure along Old Frederick Road that would be 6'1" high at the top of the monument on which the sign would be placed at a height of less than 6' as measured from the ground. The actual sign would measure approximately (slightly less than) 4' vertically by approximately (slightly less than) 6' horizontally.

TransForm Baltimore: The Frederick Avenue-fronting portion of this property would become part of the C-2 District (Proposed Zoning Map Area 5-D) in which Retail Goods Establishments – with or without alcohol sales, would be permitted uses (Table 10-301). The Old Frederick Road-fronting portion of this property would remain part of the R-5 District. The R-5 Districts would have freestanding sign requirements that would allow a sign of no more than 32 square feet in area (Table 17-804).

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Mark Haeger, Appellant