


<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 3224 Belair Road		

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

DATE: October 14, 2015

### REQUEST

The Department of Planning has received Henry Debrah's Board of Municipal and Zoning Appeals (BMZA) application to use the first floor of the premises as an office and drivers' education classroom. The Zoning Administrator has determined that this is a conditional use in a B-2 zoning district. We understand that this appeal is scheduled for hearing on October 20, 2015.

### SITE

3224 Belair Road is located on the northwest side of the street, approximately 116' southwest of the intersection with Erdman Avenue. This property measures approximately 14' by 100' and is currently improved with a two-story attached residential mixed-use building measuring approximately 14' by 50'. This site is zoned B-2-2 and is located within the Belair-Erdman Business Area Urban Renewal Plan area.

### ANALYSIS

Conditional Use: In this zoning district, schools: commercial, are a conditional use, requiring approval by the Board (§6-308). In this case, the property was last authorized for use as a dwelling, an office, and a sporting goods store, which are permitted uses in this B-2 Community Business District.

Urban Renewal Plan: This property is located in the Belair-Erdman Business Area Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

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). The amount of off-street parking required for a commercial school is one parking space per 4 teachers and employees, plus one space per 24 students (based on the greatest number of students on the premises at any one time) (§10-405.27.ii). In this case, the number of staff members is not stated in the application, but the applicant confirmed with Planning staff that at most 25 students would be on site at a time. One parking space is provided at the rear of the premises, with access via a 10' wide alley.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case the reduction proposed is 75%.

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TransForm Baltimore: This property would become part of a C-1 District (Proposed Zoning Map Area 8-A) in which Educational Facilities: Commercial/ Vocational, would be prohibited uses (Table 10-301).

**RECOMMENDATION**

The Department of Planning recommends approval of this appeal subject to the condition that the applicant provide sufficient off-street parking to support the proposed use.

TJS/wya/mf

cc: Henry Debrah, Appellant