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|------|-----------------------|--|-------------------------------------|---|
| FROM | NAME & TITLE          | THOMAS J. STOSUR, DIRECTOR   | CITY of<br>BALTIMORE<br><b>MEMO</b> |  |
|      | AGENCY NAME & ADDRESS | DEPARTMENT OF PLANNING<br>417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR |                                     |   |
|      | SUBJECT               | BMZA / 6301 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 20, 2014

### REQUEST

The Department of Planning has received Stephen Colbert's Board of Municipal and Zoning Appeals (BMZA) application to use the first floor of the premises as a church with 30 seats. The Zoning Administrator has determined that a variance of Zoning Code off-street parking requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on October 21, 2014.

### SITE

6301 Belair Road is located on the northeast corner of the intersection with Glenmore Avenue. This property measures approximately 61'10" along Belair Road and 144'11" along Glenmore Avenue and 122' deep along its northeastern lot line, and is currently improved with a two-story semi-detached commercial building measuring approximately 60' by 50'. This site is zoned B-2-2.

### ANALYSIS

Use: In this zoning district, religious institutions are a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as a bank, which is also a permitted use in this B-2 Community Business 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 religious institution is one parking space per four seats of rated capacity (§10-405.25.i). In this case, for 30 seats capacity, 8 off-street parking spaces are required; 5 are provided in the rear of the premises, using an existing curb cut on Glenmore Avenue.

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 37.5%, which is within the variable amount the Board may authorize.

TransForm Baltimore: This property would become part of the C-1 District (Proposed Zoning Map Area 4-B) in which Places of Worship would be permitted uses (Table 10-301). Places of Worship would have off-street parking requirements identical to those now in the Zoning Code (Table 16-406A).

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**RECOMMENDATION**

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Stephen Colbert, Appellant