


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 / 901 Ponca Street		

TO

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

DATE: November 25, 2013

REQUEST

The Department of Planning has received Sotirios Gyftopolous' Board of Municipal and Zoning Appeals (BMZA) conditional use application to use the property for an automobile repair garage. The Zoning Administrator has determined that this is a conditional use in a B-3 District. We understand that this appeal is scheduled for hearing on November 26, 2013.

SITE

901 Ponca Street is located on the southeast corner of the intersection with Hudson Street. This property measures approximately 209'4" along Ponca Street and 265' along Hudson Street and contains approximately 0.779 acre, and is currently improved with a one-story detached commercial building measuring approximately 62' by 35'. This site is zoned B-3-2 and is located within the Southeast Neighborhoods Development (SEND) Strategic Neighborhood Action Plan area.

ANALYSIS

Conditional Use: In this zoning district, garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½ tons capacity – including body repair, painting and engine rebuilding, are a conditional use, requiring approval by the Board (§6-408). In this case, the property was last authorized for use motor vehicles sales, which is a permitted use in this B-3 Community Commercial District.

TransForm Baltimore: This property would become part of the C-3 District (Proposed Zoning Map Area 8-C) in which motor vehicle service and repair, minor, with or without outdoor storage of vehicles, would be a permitted use; but motor vehicle service and repair, major, which would encompass painting and engine rebuilding, would be a prohibited use (Table 10-301).

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to these conditions in addition to any conditions which the Board may establish:

- There will be no parking, staging, or storing of vehicles on public rights-of-way;
- There will be no parking or storage of unlicensed vehicles on the property;
- All work must be performed indoors;
- All materials, parts and equipment related to this use will be stored indoors;
- The area used for temporary storing of vehicles will be adequately screened by an opaque fence or wall; and,
- If a dumpster is used to collect waste and trash related to this use, the dumpster will be placed either inside the existing building or within a masonry enclosure having a solid lockable wooden gate.

TJS/wya/mf

Eastern

cc: Sotirios Gyftopolous, Appellant