


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 / 6306 Arundel Cove Avenue		

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 Jorge Bocanegra's Board of Municipal and Zoning Appeals (BMZA) application to use the premises for truck and automobile repair (motor vehicle repair garage) and include sales of automobiles as an accessory use. The Zoning Administrator has determined that this is a conditional use in a M-3 District. We understand that this appeal is scheduled for hearing on November 26, 2013.

SITE

6306 Arundel Cove Avenue is located on the west side of the street, approximately 116'4" south of the intersection with Hawkins Point Road. This property measures approximately 94' by 487'3" and is currently improved with a one-story detached commercial building measuring approximately 39' by 132'. This site is zoned M-3.

ANALYSIS

Use: In this zoning district, garages for storage, repair, and servicing of motor vehicles are a permitted use, and so are allowed (§7-406). In this case, the property was last authorized for use as a dwelling, which is a nonconforming use in this M-3 Industrial District. Motor vehicle sales are not a permitted or conditional use, although motor vehicle rental establishments and truck sales are permitted uses (§7-406). The Board has discretion under §7-407 (derived from §7-209) to determine if the proposed accessory use would be appropriate in a M-3 Zoning District. Given the remoteness of this site from residential areas or retail business areas, the Department would have no objection to approval of this application if standard conditions relating to accessory commercial use as an automobile retail site would be established.

TransForm Baltimore: This property would become part of the I-2 District (Proposed Zoning Map Area 13-B) in which motor vehicle service and repair and motor vehicle dealerships would be prohibited uses (Table 11-301). The existing use and proposed accessory use would thus become nonconforming uses of this property.

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted by the Board, be subject to these conditions in addition to limitations on the accessory use for automobile sales that the Board would 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;

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- 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

cc: Jorge Bocanegra, Appellant