


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 / 1817 Laurens Street		

TO

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

DATE: December 7, 2009

REQUEST

The Department of Planning has received Sean Western's Board of Municipal and Zoning Appeals (BMZA) application to install a 6' high chain link fence in the front of the property. We understand that this appeal is scheduled for hearing on December 8, 2009.

SITE

1817 Laurens Street is located on the southeast corner of the intersection with North Monroe Street. This property measures approximately 224' by 116 - 140' and is currently improved with a one-story abandoned commercial building. This site is zoned M-2-1 and is located within the Sandtown-Winchester Urban Renewal Plan area.

ANALYSIS

Projections and Obstructions into Required Yards: (a) *In general.* Except for the specified projections and obstructions listed in this section, every part of a required yard or of any other required open space must be open and unobstructed from the ground to the sky (§3-209). In this case, the proposed 6' high fence is not listed among the permitted projections and obstructions into required yards (§3-209(a)).

Use: Any use that is not expressly allowed in a district is prohibited (§3-106). In this zoning district, automobile repair is not listed as a permitted or conditional use, and so is not allowed (§7-206 to §7-306 and §7-208 to §7-308). In this case, the property was last authorized for use as a car wash, which is a permitted use in this M-2 Industrial District. While the application has been forwarded to the Board as for the 6' high fence only, the applicant's intent, as expressed in his appeal dated November 6, 2009, is clearly to establish an auto repair business behind the chain link fence he is requesting.

RECOMMENDATION

The Department of Planning recommends disapproval of the appeal, because the Zoning Code does not authorize 6' high fences in front yards adjoining streets.

TJS/ewt/mf

cc: Sean Western, Appellant