


FROM	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 / 2215 Annapolis Road		

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

DATE: March 24, 2010

### REQUEST

The Department of Planning has received Kevin Taylor's Board of Municipal and Zoning Appeals (BMZA) application to use the first floor for an office or beauty salon. We understand that this appeal is scheduled for hearing on March 30, 2010.

### SITE

2215 Annapolis Road is located on the east side of the street, approximately 55' north of the intersection with Wenburn Street. This property measures approximately 24' by 87' and is currently improved with a two-story building measuring approximately 14' by 62'. This site is zoned R-7 and is located within the Westport/Mount Winans/Lakeland Master Plan area.

### ANALYSIS

Change in Nonconforming Use: In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class III nonconforming use in a Residence or Office-Residence District to be changed to a use permitted in a B-1 District (§13-405.b). Offices: business, governmental, and professional – but not including sales and bulk storage of merchandise on the premises, and beauty shops, are listed as permitted uses in the B-1 District, and so either use is eligible for a change in nonconforming use (§6-206).

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). As 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).

Off-Street Parking: The amount of off-street parking required for business, governmental or professional offices is one parking space per 400 square feet of office area in excess of 1,000 square feet (§10-405.17). The building footprint is approximately 868 square feet, and thus no off-street parking would be required for the proposed office use.

Comprehensive Planning: The Westport area is being considered for rezoning in certain sections, including a possible rezoning of the portion of Annapolis Road where the premises is located, from the R-7 District to the B-1 District. The nonconforming uses mentioned in the application would be consistent with this possible rezoning.

### RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/ewt/mf

cc: Kevin Taylor, Appellant