


TJS

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 / 2700 AUCHENTOROLY TERRACE		

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

DATE: June 3, 2009

### REQUEST

The Department of Planning has received Richard Manigault's Board of Municipal and Zoning Appeals (BMZA) application to use a portion of the property known as 2700 Auchentoroly Terrace as a beauty salon (lower level). We understand that this appeal has not yet been scheduled for hearing.

### SITE

2700 Auchentoroly Terrace is located on the western corner of the intersection with North Fulton Avenue. This property measures approximately 14'11" by 80'3" and is currently improved with a three-story end-of-row attached building. This site is zoned R-9 and is located within the Auchentoroly Local Historic District.

### ANALYSIS

Use: In this zoning district, beauty salons are not listed as a permitted or conditional use, and so are not allowed (§4-1201 to §4-1204). In this case, the property was last authorized for use as a grocery store and two dwelling units. The grocery store is a nonconforming use in this R-9 General Residence District.

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). Beauty salons are listed as a permitted use in the B-1 District, and so are eligible for a change in nonconforming use (§6-206).

Historic District: The subject property is located within the Auchentoroly Local Historic District. All exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). It is recommended that the applicant contact CHAP to determine the review process applicable to their project.

### RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/ewt

cc: Mr. Richard Manigault, Appellant