


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 / 3551-65 KESWICK ROAD		

TO

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

DATE: May 28, 2009

REQUEST

The Department of Planning has received Pathik Rami's Board of Municipal and Zoning Appeals (BMZA) application to use a portion of the premises known as 3551-55 Keswick Road as a Title Service in conjunction with the existing auto repair and used car sales. We understand this appeal is scheduled for hearing on June 23, 2009.

SITE

3551-65 Keswick Road is located on the southeast corner of the intersection with East 36th Street. This property measures approximately 108'7" by 65' and is currently improved with a one-story commercial building. This site is zoned B-1-2.

ANALYSIS

Use: In this zoning district, neither auto repair nor auto sales are listed as a permitted or conditional use, and so are not allowed (§6-206 to §6-209). However, offices are a permitted use in this District (§6-206.27). In this case, the property was last authorized for use as an auto repair garage, which is a nonconforming use in this B-1-1 Neighborhood Business District.

Change in Nonconforming Use: A Class III nonconforming use in a B-1 or M-1 District may only be changed to a use that is permitted in the district in which the nonconforming use is located (§13-405.c). As automobile sales is not a permitted use in this district, it should not be approved.

RECOMMENDATION

The Department of Planning recommends disapproval of the appeal.

TJS/ewt

cc: Pathik Rami, Appellant