2010-278

TJS

FROM		
NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO
AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8TH FLOOR	
SUBJECT	BMZA / 1600 South Hanover Street	DATE: July 27, 2010

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

REQUEST
The Department of Planning has received Mahmoud Al Safty's Board of Municipal and Zoning Appeals (BMZA) application dated 7-17-10 to use the first floor of the premises for an office. This amended his original application dated 6-29-10 to use the first floor of the premises for a convenience store, an application which he has revised. We understand that this appeal is scheduled for hearing on August 3, 2010.

SITE
1600 South Hanover Street is located on the southwest corner of the intersection with Randall Street. This property measures approximately 20' by 61' and is currently improved with a two-story building covering the entire lot. This site is zoned R-8.

ANALYSIS
Use: In this zoning district, offices: business, governmental, and professional, are not listed as a permitted or conditional use, and so are not allowed (§4-1101 to §4-1104). In this case, the property was last authorized for use as an antique shop, which is a nonconforming use in this R-8 General Residence District.

Changes in Nonconforming Use: *In Residence and Office-Residence Districts*. In accordance with subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class II nonconforming use in a Residence or Office-Residence District to be changed as follows: (1) to a use permitted in an M-1 District, if the nonconforming use is located in a structure all or substantially all of which is designed and erected for an industrial use; or (2) to a use permitted in a B-1 District, if the nonconforming use is located in a structure all or substantially all of which is designed and erected for a business or other nonconforming use (§13-305.b). The original use of this property was a building and loan (banking) building, which is a Class II nonconforming use in this zoning district. Offices: business, governmental, and professional, are a permitted use in a B-1 zoning district.

RECOMMENDATION
The Department of Planning has no objection to this appeal.

TJS/wya/mf

Southern

cc: Mahmoud Al Safty, Appellant