


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 / 2051 Pennsylvania Avenue		

TO

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

DATE: August 29, 2012

REQUEST

The Department of Planning has received Ahmed Ali Noman's Board of Municipal and Zoning Appeals (BMZA) application to use a portion of the first floor of the premises as a grocery store, and continue to use the remainder of the first floor and the second floor as a beauty shop. We understand that this appeal is scheduled for hearing on September 4, 2012.

SITE

2051 Pennsylvania Avenue is located on the southeast corner of the intersection with Bloom Street. This property measures approximately 14'8" by 70'6" and is currently improved with a three-story end-of-row building and attached one-story rear addition collectively covering the entire lot. This site is zoned R-8 and is located within the Old West Baltimore National Register Historic District.

ANALYSIS

Use: In this zoning district, grocery stores 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 a beauty shop, which is a nonconforming use in this R-8 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). Food stores and grocery stores are listed as a permitted use in the B-1 District, and so a grocery store is eligible for a change in nonconforming use (§6-206).

Comprehensive Planning: This property is located in an area that under the proposed TransForm Baltimore zoning code would be redesignated for commercial land use, which would make the proposed use consistent with that new designation.

RECOMMENDATION

The Department of Planning has no objection to this appeal, provided that no increase in floor area of nonconforming use of the property occurs as a result of operation of the proposed use.

TJS/wya/mf

cc: Ahmed Ali Noman, Appellant