


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 / 2401 East Biddle Street		

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

DATE:

October 4, 2010

REQUEST

The Department of Planning has received Dandre Hill's Board of Municipal and Zoning Appeals (BMZA) application to use the first floor front portion of the premises as a variety store. We understand that this appeal is scheduled for hearing on October 12, 2010.

SITE

2401 East Biddle Street is located on the southeast corner of the intersection with Montford Avenue. This property measures approximately 14'6" by 70' and is currently improved with a two-story end-of-row building covering the entire lot. This site is zoned R-8 and is located within the Baltimore East/ South Clifton Park National Register Historic District.

ANALYSIS

Use: In this zoning district, variety 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 laundrette, 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). A variety store is listed as a permitted use in the B-1 District, and so is eligible for a change in nonconforming use (§6-206).

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Dandre Hill, Appellant