


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 / 3725-3727 Gough Street		

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

DATE: November 1, 2010

REQUEST

The Department of Planning has received Frank Graczyk's Board of Municipal and Zoning Appeals (BMZA) application to use the premises for an office, packaging and mail-order retail sales of honey. We understand that this appeal is scheduled for hearing on November 9, 2010.

SITE

3725-3727 Gough Street is located on the south side of the street, approximately 90' west of the intersection with Eaton Street. This property measures approximately 30' by 145' and is currently improved with a one- and two-story industrial building measuring approximately 30' by 135'. The building is serviced by trucks using its loading bay at the rear, on Chestle Place, a 20' wide back street. Properties on the opposite side of Chestle Place are industrial and commercial and within the Highlandtown Business Urban Renewal Area. This site is zoned R-8 and is located within the Patterson Park – Highlandtown National Register Historic District.

ANALYSIS

Use: In this zoning district, offices, packaging, and retail sales are not listed as permitted or conditional uses, and so are not allowed (§4-1101 to §4-1104). In this case, the property was last authorized for use as a machine 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). Mail order distribution centers, accessory offices, warehousing and storage, and wholesale establishments are all uses permitted in an M-1 District (§7-206). The use proposed would combine elements of all four of these uses.

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Frank Graczyk, Appellant