


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 3625 Fairview Avenue		

TO

DATE:

December 9, 2014

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

**REQUEST**

The Department of Planning has received Kashif Khan's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as three dwelling units. The Zoning Administrator has determined that this is a conditional use conversion in a R-2 Zoning District. We understand that this appeal is scheduled for hearing on December 16, 2014.

**SITE**

3625 Fairview Avenue is located on the southeast corner of the intersection with Callaway Avenue. This property measures approximately 60' by 150' and is currently improved with a two-story-plus-attic detached residential building measuring approximately 30' by 46'. This site is zoned R-2 and is located within the Greater Northwest Community Coalition Strategic Neighborhood Action Plan area.

**ANALYSIS**

Use: In this zoning district, multiple-family detached dwellings are listed as a conditional use, and so may be allowed (§4-503). In this case, the property was last authorized for use as a single-family detached dwelling, which is a permitted use in this R-2 General Residence District.

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, and R-6 Districts, the Board may authorize, as a conditional use, the conversion of a building for use by more than one family, as long as the number of families permitted conforms with the applicable bulk regulations for the district in which the building is located (§3-305.b.1). The application states that the property was previously used for two dwelling units but is currently vacant and last used as a single-family dwelling. Based upon the requirements of the Zoning Code and this statement, the Board does not have discretionary authority to approve this application.

TransForm Baltimore: This property would become part of the R-1 District (Proposed Zoning Map Area 5-B) in which multi-family dwellings would be prohibited uses (Table 8-301).

**RECOMMENDATION**

The Department of Planning recommends disapproval of this appeal, because the Zoning Code does not provide the Board discretionary authority to approve the requested conversion of a single-family dwelling to a multiple-family detached dwelling in a R-2 Zoning District.

TJS/wya/mf

cc: Kashif Khan, Appellant