2011-507

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 / 6501 (6501-C) Pulaski Highway	

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

DATE: December 12, 2011

REQUEST

The Department of Planning has received Mohamed Khlifi's Board of Municipal and Zoning Appeals (BMZA) application to use the portion of the property known as 6501-C Pulaski Highway for retail sale of motor vehicles. We understand that this appeal is scheduled for hearing on December 20, 2011.

SITE

6501 Pulaski Highway is located on the southeast corner of the intersection with North Point Road. This property measures approximately 150' by 100' and is currently improved with a one-story detached commercial building measuring approximately 130' by 65' located at the southeastern corner of the lot. This site is zoned M-2-1.

ANALYSIS

Use: In this zoning district, motor vehicles: sales are not listed as a permitted or conditional use, and so are not allowed (§7-306 to §7-308). In this case, the property was last authorized for use as a garage for storage, repair, and servicing of motor vehicles, which is a permitted use in this M-2 Industrial District.

Additional Industrial Uses: An additional industrial use may be authorized in a M-2 Industrial District if it is a use permitted in a M-3 Industrial District (§7-309). Motor vehicle sales is neither an industrial use nor a use permitted in a M-3 District.

Approval of this application would require approval of creation of a new nonconforming use of the property, which the Zoning Code does not authorize.

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the Board is not authorized by the Zoning Code to approve creation of new nonconforming uses of property, which motor vehicle sales would be in this M-2 Industrial District.

TJS/wya/mf

cc: Mohamed Khlifi, Appellant

Southeast