


2010-81

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 / 1152-1156 North Carrollton Avenue		

TO

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

DATE:

April 8, 2010

REQUEST

The Department of Planning has received K.A.J. Enterprises, Inc.'s Board of Municipal and Zoning Appeals (BMZA) application to use the premises for light weight furniture manufacturing. We understand that this appeal is scheduled for hearing on April 13, 2010.

SITE

1152-1156 North Carrollton Avenue is located on the southwest corner of the intersection with Winchester Street. This property measures approximately 46' by 80' and is currently improved with a two-story commercial building covering the entire lot. This site is zoned R-8 and is located within the Sandtown-Winchester Urban Renewal Plan area.

ANALYSIS

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). This property was formerly used as a factory and warehouse by the Eagle Bedding and Mattress Company. The property is improved with a building intended for light manufacturing and warehousing, making the premises a Class II nonconforming use in the R-8 General Residence District. Furniture and fixtures manufacturing is a permitted use in a M-1 Industrial District (§7-206 (41)).

Change of Certain Class II or III Nonconforming Uses: The Board may authorize a change of a Class II or Class III nonconforming use, as limited and stated in §§ 13-305 and 13-405 {"Changes in use"} of this title, if the Board finds that: (1) any emission of noise, vibration, smoke or particulate matter, toxic matter, odorous matter, or glare from the proposed use would be no greater than that from the existing or last use of the property; (2) the proposed use will not generate a greater volume of traffic than the existing or last use of the property; (3) the proposed use will not occupy a greater portion of the lot or structure than the existing or last use of the property; and (4) the effect of the proposed use on the health, safety, or general welfare of the community will be no worse than the existing or last use of the property (§13-712).

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/ewt/mf

cc: K.A.J. Enterprises, Inc., Appellant