


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 / 4905 Frankford Avenue		

TO

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

DATE: April 16, 2015

REQUEST

The Department of Planning has received Sasheen Maple's Board of Municipal and Zoning Appeals (BMZA) application to use the portion of the premises known as Suite E as a classroom for drivers' education. The Zoning Administrator has determined that this is a prohibited use in a B-1 Neighborhood Business Zoning District. We understand that this appeal is scheduled for hearing on April 21, 2015.

SITE

4905 Frankford Avenue is located on the southwest side of the street, approximately 124' southeast of the intersection with Sipple Avenue. This property measures approximately 99'9" by 250' and contains approximately 0.665 acre, and is currently improved with a one-story L-shaped detached commercial building measuring approximately 90' in width. This site is zoned B-1-1.

ANALYSIS

Use: In this zoning district, schools: commercial, are not listed as a permitted or conditional use, and so are not allowed (§6-206 to §6-209). In this case, the property was last authorized for use as a grocery store, which is a permitted use in this B-1 Neighborhood Business District. The proposed use would be a new nonconforming use, and the Zoning Code does not authorize creation of new nonconforming uses of property.

TransForm Baltimore: This property would become part of a C-2 District (Proposed Zoning Map Area 4-D) in which Educational Facilities: Commercial/Vocational, would be conditional uses (Table 10-301). "Educational facility: Commercial/vocational" includes a school conducted as a commercial enterprise, such as a driving school (§1-305 (V)(1)).

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the proposed use is prohibited in the B-1 Zoning District in which this property is located, and the Zoning Code does not authorize the Board to approve creation of new nonconforming uses, which the proposed use would be.

TJS/wya/mf

cc: Sasheen Maple, Appellant