

<b>FROM</b>	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 / 4000 Edmondson Avenue		

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

DATE: August 6, 2010

### REQUEST

The Department of Planning has received Adediran and Adeseye Alli's Board of Municipal and Zoning Appeals (BMZA) application to continue to use the premises as two dwelling units. We understand that this appeal is scheduled for hearing on August 17, 2010.

### SITE

4000 Edmondson Avenue is located on the northwest corner of the intersection with Loudon Avenue. This property measures approximately 25'6" by 100' and is currently improved with a two-story semi-detached building measuring approximately 18' by 69'. This site is zoned R-6 and is located within the Edmondson Village Master Plan area.

### ANALYSIS

Use: In this zoning district, multiple-family semi-detached dwellings are not listed as a permitted or conditional use, and so are not allowed (§4-901 to §4-904). In this case, the property was last authorized for use as a multiple-family semi-detached dwelling, which is a nonconforming use in this R-6 General Residence District.

Discontinuance of Use: Whenever the active and continuous operation of any Class III nonconforming use, or any part of that use, has been discontinued for 12 consecutive months: (i) the discontinuance constitutes an abandonment of the discontinued nonconforming use, or discontinued part of that use... (§13-407.a.1). This section does not apply to any Class III nonconforming uses in an R-6, R-7, R-8, R-9, or R-10 District (§13-407.c).

Off-Street Parking: As the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). Accessory off-street parking facilities that existed on April 20, 1971, and still serve a structure or use may not be reduced below – or if already below, may not be further reduced below – the minimum requirements of this title for a similar new structure or use (§10-204). The existing garage on the property can continue to provide one off-street parking space to serve this proposed use.

### RECOMMENDATION

The Department of Planning recommends approval of the appeal.

TJS/wya/mf

cc: Adediran and Adeseye Alli, Appellant