


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 / 107 – 109 East Preston Street		

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

DATE: August 27, 2009

REQUEST

The Department of Planning has received Herbert Burgunder's Board of Municipal and Zoning Appeals (BMZA) application to use the property as a multipurpose neighborhood center, to include holistic health, yoga, recreation classes, community classes, nutrition classes, and licensed social work. We understand that this appeal is scheduled for hearing on September 1, 2009.

SITE

107 – 109 East Preston Street is located on the south side of the street, approximately 95' west of the intersection with Calvert Street. This property measures approximately 28' by 140' and is currently improved with a two-story building measuring approximately 28' by 120'. This site is zoned O-R-4 and is located within the Mount Vernon Urban Renewal Plan area and the Mount Vernon Historic District.

ANALYSIS

Conditional Use: In this zoning district, multi-purpose neighborhood centers are a conditional use, requiring approval by the Board (§5-203).

Renewal Plans: Ordinance #01-0165 was approved May 14, 2001 for the purpose of, among other things, clarifying the relationship between conditions or requirement imposed by an Urban Renewal Plan or Conservation Plan, such that the condition or requirement that is more restrictive will govern. Additionally, the ordinance proscribes the approval of a conditional use or a variance if that conditional use or variance is precluded by an applicable renewal plan or master plan.

Required Findings: The Board may not approve a conditional use unless, after public notice and hearing and on consideration of the standards prescribed in this title, it finds that: ... (2) the use is not in any way precluded by any other law, including an applicable urban renewal plan; (§14-204). For this reason, the Board must consider the requirements of the Mount Vernon Urban Renewal Plan, which allows this use in this district as listed in the Zoning Code.

RECOMMENDATION

The Department of Planning has no objection to this appeal provided that the Board determines that the uses proposed are consistent with the definition of a multi-purpose neighborhood center.

TJS/ewt/mf

cc: Herbert Burgunder, Appellant