


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 / 2809 Hudson Street		

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

DATE: May 29, 2015

REQUEST

The Department of Planning has received Luis Carrera's Board of Municipal and Zoning Appeals (BMZA) application to use the first floor of the premises as a barber shop. The Zoning Administrator has determined that this is a prohibited use in a R-8 Zoning District. We understand that this appeal is scheduled for hearing on June 2, 2015.

SITE

2809 Hudson Street is located on the southeast corner of the intersection with Streeper Street. This property measures approximately 18' by 75' and is currently improved with a two-story semi-detached residential mixed-use building covering the entire lot. This site is zoned R-8 and is located within the Canton National Register Historic District.

ANALYSIS

Use: In this zoning district, barber shops are not listed as a permitted or conditional use, and so are not allowed (§4-1101 to §4-1104). In this case, the property was last authorized for use as a carry-out food shop and a video movie store, which are nonconforming uses in this R-8 General Residence District, and a single-family attached dwelling (which will remain).

Change in Nonconforming Use: In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class III nonconforming use in a Residence or Office-Residence District to be changed to a use permitted in a B-1 District (§13-405.b). A barber shop is listed as a permitted use in the B-1 District, and so is eligible for a change in nonconforming use (§6-206).

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 8-C) in which Neighborhood Commercial Establishments would be conditional uses (Table 9-301). "Neighborhood commercial establishment" means "a commercial use that is within a residential neighborhood, but in a structure that is non-residential in its construction and original use" (§1-310 (I)).

RECOMMENDATION

The Department of Planning recommends approval of this appeal provided that nonconforming use of the property has not been discontinued or abandoned.

TJS/wya/mf

cc: Luis Carrera, Appellant