


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 / 2500 West Cold Spring Lane		

TO

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

DATE: December 9, 2014

REQUEST

The Department of Planning has received Kashif Khan's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as two dwelling units. The Zoning Administrator has determined that this is a prohibited use in a R-6 Zoning District. We understand that this appeal is scheduled for hearing on December 16, 2014.

SITE

2500 West Cold Spring Lane is located on the northwest corner of the intersection with Oakford Avenue. This triangular property measures approximately 85'4" along Cold Spring Lane and 109'5" along Oakford Avenue by 81' and is currently improved with a two-story end-of-row residential building measuring approximately 20' by 32'. This site is zoned R-6 and is located within the Park Heights Urban Renewal Plan area.

ANALYSIS

Use: Any use that is not expressly allowed in a district is prohibited (§3-106). In this zoning district, multiple-family attached or 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 single-family attached dwelling, which is a permitted use in this R-6 General Residence District.

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, and R-6 Districts, the Board may authorize, as a conditional use, the conversion of a building for use by more than one family, as long as the number of families permitted conforms with the applicable bulk regulations for the district in which the building is located (§3-305.b.1). Based upon this requirement of the Zoning Code, the Board does not have discretionary authority to approve this application.

Urban Renewal Plan: This property is located in the Park Heights Urban Renewal Area, where the Urban Renewal Plan would not prohibit or further restrict the proposed use in this district, were it allowed by the underlying zoning.

TransForm Baltimore: This property would remain part of the R-6 District (Proposed Zoning Map Area 2-C) in which multi-family dwellings would be permitted uses (Table 9-301). Conversions of single-family to multi-family dwellings would be prohibited (§9-701).

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the Zoning Code does not provide the Board discretionary authority to approve the requested conversion of a single-family dwelling to a multiple-family attached dwelling in a R-6 Zoning District.

TJS/wya/mf

cc: Kashif Khan, Appellant

Northwest