



**BALTIMORE
HOUSING**

STEPHANIE
RAWLINGS-BLAKE
Mayor

PAUL T. GRAZIANO
Executive Director, HABC
Commissioner, HCD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Karen Randle, *Executive Secretary*

From: Paul T. Graziano, *Commissioner* 
FOR PAUL T. GRAZIANO

Date: May 24, 2010

Re: **City Council Bill 09-0395 - Zoning – Nonconforming Use –
Discontinuance or Abandonment**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 09-0395, which was introduced for the purpose of repealing certain exceptions to the general rules applicable to the discontinuance or abandonment of Class III nonconforming uses; extending the periods for reestablishing a Class III nonconforming use in certain Residential Districts; and generally relating to the reestablishment of Class III nonconforming uses.

City Council Bill 09-0395, if approved, would remove the exception Class III non-conforming uses for R-6 through R-10 zoning districts and extend the timeline from 12 month to 18 month to determine if the non-conforming use has been abandoned. A typical non-conforming use classified as a Class III designation is the corner store located on the first floor of a rowhouse in a residential neighborhood. Under the provisions of this intended legislation, once that store has been shuttered for a period of 18 months, the previous commercial use would be gone in perpetuity.

The Department of Housing and Community Development supports the adoption of City Council Bill 09-0395.

PTG:pmd

cc: Ms. Angela Gibson, *Mayor's Office of Government Relations*
Ms. Diane Hutchins, *Mayor's Office of Government Relations*
Ms. Kaliope Parthemos, *Deputy Mayor*

