

CITY OF BALTIMORE

SHEILA DIXON, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

November 9, 2009

The Honorable President and
Members of the City Council
City Hall

Re: City Council Bill #09-0384 Zoning – Dwelling Units –
Defining Family

Ladies and Gentlemen:

City Council Bill # 09-0384 has been referred by your Honorable Body to
the Board of Municipal and Zoning Appeals for study and report.

The purpose of this legislation is to redefine an alternative element of what
constitutes a “family” under the Zoning Code of Baltimore City; requiring for that
purpose that persons unrelated by blood, marriage or adoption and living together in a
dwelling unit must be occupying the unit subject to a single lease, rental, or other
occupancy arrangement applicable to the entire dwelling unit and generally relating to the
permitted and prohibited occupancy of dwelling units.

City Council Bill #09-0384 would add new language to the definition of family in
the Zoning Code. This legislation would require that in order to fall under the definition
of Family in the Zoning Code, the residents would be subject to a single lease, rental or
other occupancy arrangement applicable to the entire dwelling area. This new language
could be interpreted as involving landlord-tenant relationships, which are not best
regulated under the Zoning Code.

The Board of Municipal and Zoning Appeals has reviewed this legislation and the
The Planning Commission report. The BMZA concurs that City Council Bill #09-0384
should be disapproved.

Sincerely,

David C. Tanner

