

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

January 22, 2010

The Honorable President and
Members of the City Council
City Hall

Re: City Council Bill #09-0395- Nonconforming Use
Discontinuance or Abandonment

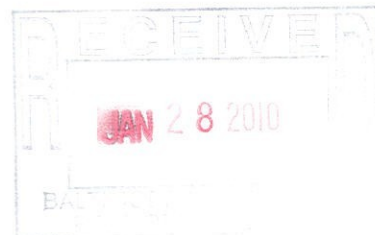
Ladies and Gentlemen:

City Council Bill # 09-0395 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 repeal certain exceptions to the general 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.

This bill proposes to modify how Class III nonconforming uses are treated, by removing an exception for R-6 through R-10 Districts, and by altering the timeline for continuances. This bill would remove the discontinuance/abandonment exception for R-6 through the R-10 Residential Districts. This would mean that once the non-conforming use is gone its gone, in addition, the bill proposes to extend the time period for determining that a nonconforming use has been abandoned from twelve to eighteen months.

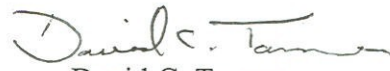
The BMZA has reviewed this legislation and is in support of the passage of City Council Bill# 09-395.



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Sincerely,


David C. Tanner
Executive Director

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C.c. Mayors Office of Council Relations
Legislative Reference