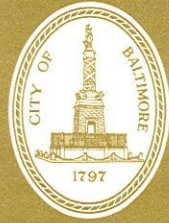


CITY OF BALTIMORE

SHEILA DIXON, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

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

April 25, 2008

The Honorable President and
Members of the City Council
City Hall

Re: City Council Bill #08-0031 –Rezoning-
5901 Falls Road

Ladies and Gentlemen:

City Council Bill No. 08-0031 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 change the zoning for the property known as 5901 Falls Road from the R-5 Zoning District to the O-R-1 Zoning District.

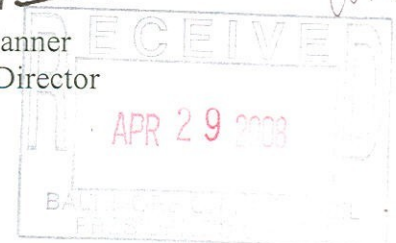
This site is located on the northeast corner of Falls Road and Bellemore Avenue. The property is approximately 15,250 square feet in size and is improved by a two story frame dwelling with a detached garage

The applicant intends to use the property for a medical practice. Physician's offices are not permitted in the R-5 Zoning District. This proposed zoning change does not meet the requirements of Article 66B for a zoning change. There has been no substantial change in the character of the neighborhood in which the property is located or that there was a mistake in the original zoning classification. There is no evidence of such a change or a mistake. In addition the proposed zoning change would benefit only one individual and could be determined to constitute Spot Zoning

The BMZA after reviewing this legislation and the report from the Planning Department recommends that City council Bill #08-0031 be disapproved

Sincerely,

David C. Tanner
Executive Director



C.c. 08-0031
Page 2

DCT/lag
C.c. Mayors Office of Council Relations
Legislative Reference