

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 / 505 Park Avenue		

TO

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

DATE: January 2, 2012

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of 505 Park Avenue LLC, to consolidate existing condominium units and use the property as 11 dwelling units and an office, with 7 accessory off-street parking spaces, and to subdivide the property and use the rear building, called the "carriage house" in the application, as a single-family dwelling. We understand that this appeal is scheduled for hearing on January 8, 2013.

SITE

505 Park Avenue is located on the northeast corner of the intersection with Hamilton Street. This property measures approximately 50' by 150' and is currently improved with a four-story office condominium building measuring approximately 50' by 50' with a four-story rear addition measuring approximately 12' by 25'; and a four-story separate rear building measuring approximately 50' by 18'. This site is zoned B-4-2 and is located within the Market Center Urban Renewal Plan area and the Market Center National Register Historic District.

ANALYSIS

Use: In this zoning district, dwellings and offices are permitted uses, and so are allowed (§6-506). In this case, the property was last authorized for use as offices. As a vacant building, its status under the Zoning Code has become a single-family dwelling (§3-305.a.2).

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). There are no applicable bulk regulations in a B-4 District (§6-511).

Urban Renewal Plan: This property is located in the Market Center Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). In this zoning district, multiple-family dwellings require one off-street parking space per 4 dwelling units (§10-405.1.iv). For 11 dwelling units, 3 parking spaces are required; 7 are provided.

TransForm Baltimore: Under provisions of the proposed new zoning code for Baltimore, structures over 50 years old would be exempted from a requirement to provide off-street parking if they have not historically done so (§16-601.(G)). As both structures on the property are over 50 years old, no off-street parking would be required for approval of creation of a separate single-family dwelling in the rear structure, which has not historically provided parking. The property would be part of an area designated as an O-R-2 Office-Residential District by Proposed Zoning Map Area 7-C, in which multi-family dwellings would be permitted and offices would be permitted (Table 12-301). Depending on how the subdivided rear portion of the property would be designated (as 120 West Hamilton Street or as 500 Ploy Street, both former addresses of the structure shown on the plat map) and the subdivision lot line would be drawn, a rear yard variance of the 10' required rear yard proposed in Table 12-302 of the proposed new zoning code might be required.

Land Use and Urban Design: The proposed subdivision of the consolidated property will require approval from the Planning Commission as a minor subdivision.

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

RECOMMENDATION

The Department of Planning recommends approval of this appeal, conditioned upon approval of the proposed subdivision of the consolidated property by the Planning Commission.

TJS/wya/mf

cc: Nate Pretl, Appellant