

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 / 1208 Saint Paul Street		

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

DATE: January 4, 2013

REQUEST

The Department of Planning has received Julie Tice's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Mach LLC, to use the premises as eight dwelling units. We understand that this appeal is scheduled for hearing on January 8, 2013.

SITE

1208 Saint Paul Street is located on the west side of the street, approximately 82' north of the intersection with Biddle Street. This property measures approximately 20' by 102' and is currently improved with a four-story attached residential mixed-use building measuring approximately 20' by 92'. This site is zoned O-R-4 and is located within the Mount Vernon Urban Renewal Plan area and the Mount Vernon Historic District.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§5-201). In this case, the property was last authorized for use as a two-family dwelling and offices, which are permitted uses in this O-R-4 Office-Residence District.

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).

Lot Area: In this zoning district, multiple-family dwellings require 200 square feet of lot area per dwelling unit (§5-206.d). In this case, for eight dwelling units, 1,500 square feet of lot area is required. The lot encloses 2,040 square feet, and so does meet this requirement.

Urban Renewal Plan: This property is located in the Mount Vernon Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district. However, the Plan does impose an off-street parking requirement (see below).

Off-Street Parking: ... if the intensity in use of a structure or premises is increased through the addition of dwelling, efficiency, or rooming units, floor area, seating capacity, or other units of measurement, off-street parking facilities must be provided for that increased intensity, as required by this title (§10-202.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 8 dwelling units, two parking spaces are required; only one can be provided that meets the accessibility requirements of the Zoning Code due to the narrow

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width of the rear yard behind the property. As this is a row-house structure, the lot layout does not create a unique circumstance justifying a finding that an unnecessary hardship exists.

The Mount Vernon Urban Renewal Plan, in its section B.5.b. (Land Use and Off-Street Parking Provisions, Office-Residential) requires 1 off-street parking space for every 2 dwelling units or every 2 efficiency units in multiple-family dwellings. This requirement is not subject to waiver or variance. The applicant must provide at least 4 off-street parking spaces meeting Zoning Code requirements in support of the proposed eight dwelling units.

Historic District: The subject property is located within the Mount Vernon District, a locally designated Baltimore City historic district. All exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). It is recommended that the applicant contact CHAP to determine the review process applicable to their project.

RECOMMENDATION

The Department of Planning recommends approval of this appeal only if the applicant provides at least 4 off-street parking spaces meeting Zoning Code requirements, as this is a requirement imposed by the Mount Vernon Urban Renewal Plan that is not subject to waiver or variance, and subject to the condition that the applicant obtain a Notice To Proceed from CHAP for any exterior alterations, additions, or demolition related to the proposed use of the property.

TJS/wya/mf

cc: Julie Tice, Appellant