


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 / 30 East 25 th Street		

TO

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

DATE: January 3, 2013

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of 30 E. 25th Street LLC and Poverni Ventures, to use the premises as three offices and two dwelling units and two efficiency units. We understand that this appeal is scheduled for hearing on January 8, 2013.

SITE

30 East 25th Street is located on the north side of the street, approximately 65' west of the intersection with Saint Paul Street. This property measures approximately 16'8" by 95' and is currently improved with a three-story attached residential mixed-use building measuring approximately 16'8" by 58'. This site is zoned B-2-3 and is located within the Charles/ 25th Urban Renewal Plan area and the Old Goucher College National Register Historic District.

ANALYSIS

Use: In this zoning district, dwellings and offices are permitted uses, and so are allowed (§6-306). In this case, the property was last authorized for use as a multiple-family attached dwelling and offices.

Urban Renewal Plan: This property is located in the Charles/ 25th Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit and 375 square feet of lot area per efficiency unit (§6-311.d). In this case, for two dwelling units, 1,100 square feet of lot area is required; and for two efficiency units, 750 square feet of lot area is required. The lot only encloses 1,583 square feet, and so does not meet this requirement.

Lot Area Variance: The Board may grant a variance to reduce the applicable minimum lot area requirements by no more than: (1) 25% of the applicable regulation (§15-202). In this case, the proposed amount of variance would be 14.4%. The variance requested is within the discretionary range of the Board and so may be allowed, provided that the applicant demonstrates that unnecessary hardship or practical difficulty exists that justifies approval (§15-218). As this property was originally constructed as a six-bedroom row-house and is part of a larger neighborhood similarly improved, there appear to be no unusual characteristics of this property sufficient to meet the standard of §15-218 of the Zoning Code.

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 2 dwelling units and one off-street parking space per 4 efficiency units (§10-405.1.iv). For 2 dwelling units, one parking space is required; for 2 efficiency units, another space is required; one is provided at the rear of the property.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case the reduction proposed is 50%, which is within the variable amount the Board may authorize. However, as this property is part of a larger neighborhood similarly improved, there appear to be no unusual characteristics of this property sufficient to meet the standard of §15-218 of the Zoning Code.

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 only if the applicant demonstrates that an unnecessary hardship or practical difficulty exists that requires the number and type of dwelling units requested in the application.

TJS/wya/mf

cc: Nate Pretl, Appellant