


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 1509 East Fort Avenue		

TO

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

DATE: February 5, 2016

### REQUEST

The Department of Planning has received Dorian Keydash's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Duke LLC, to subdivide the lot and use the property as two single-family attached dwellings. The Zoning Administrator has determined that a variance of lot area standard is needed for approval. We understand that this appeal is scheduled for hearing on February 9, 2016.

### SITE

1509 Fort Avenue is located on the south side of the street, approximately 69'2" west of the intersection with Latrobe Park Terrace. This property measures approximately 27'8" by 58' and is currently improved with a two-story attached residential building measuring approximately 27'8" by 49'. This site is zoned B-2-2 and is located within the Locust Point National Register Historic District.

### ANALYSIS

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

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).

Insufficient Lot Area: In this zoning district, dwellings require 1,100 square feet of lot area (§6-311.c.). The lot only encloses 1,604 square feet, and so does not meet this requirement when divided into equal lots of 802 square feet each.

Business Districts – Lot area – Computations: (1) The maximum number of permitted dwelling units on a lot is determined by dividing the total area of the lot by the lot area requirement that applies to the subdistrict in which the lot is located. (2) A fraction of the total area that is 50% or more of the required lot area factor counts as an additional permitted dwelling unit (§6-105). Dividing 1,604 by 2,200 yields 0.73 or 73%, allowing the additional proposed dwelling unit to be approved.

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.

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**Land Use and Urban Design:** The proposed subdivision would reverse a lot consolidation completed in 2007. The applicant should continue working with Planning staff to complete the process of obtaining Planning Commission approval of the proposed subdivision.

**TransForm Baltimore:** This property would become part of the R-8 District with R-MU (RowHouse Mixed-Use Overlay) (Proposed Zoning Map Area 11-B) in which rowhouse dwellings would be permitted uses (Table 9-301).

### **RECOMMENDATION**

The Department of Planning has no objection to this application; and recommends that approval of this appeal, if granted, be subject to the condition that the proposed subdivision receives approval from the Planning Commission.

TJS/wya/mf

cc: Dorian Keydash, Appellant