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| 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 / 837 Park Avenue | | |

TO

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

DATE: February 2, 2015

REQUEST

The Department of Planning has received James Cocks' Board of Municipal and Zoning Appeals (BMZA) application to use the premises as two dwelling units. The Zoning Administrator has determined that this is a conditional use conversion of a single-family dwelling. We understand that this appeal is scheduled for hearing on February 10, 2015.

SITE

837 Park Avenue is located on the east side of the street, approximately 98' south of the intersection with Read Street. This property measures approximately 15' by 75' and is currently improved with a two-story attached residential building measuring approximately 15' by 35'. This site is zoned O-R-3 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 single-family attached dwelling, which is a permitted use in this O-R Office-Residence District.

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 two dwelling units, 400 square feet of lot area is required. The lot encloses 1,125 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.

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 attached dwellings require one off-street parking space per 2 dwelling units (§10-405.1.iv). For two dwelling units, one parking space is required; none are or have been previously provided, as there is no rear alley access available for that purpose.

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 75%, which is within the variable amount the Board may authorize.

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.

TransForm Baltimore: This property would become part of the O-R-2 District (Proposed Zoning Map Area 7-C) in which multi-family dwellings would be permitted uses (Table 12-301). The O-R Districts would have off-street parking requirements of 1 space per dwelling unit (Table 16-406A).

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to the condition that any exterior additions, alterations, or demolition related to the Board's approval of an additional dwelling unit are consistent with the Notice To Proceed issued by the Commission for Historical and Architectural Preservation.

TJS/wya/mf

cc: James Cocks, Appellant