


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 / 1500-1506 South Charles Street		

TO

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

DATE: February 5, 2014

### REQUEST

The Department of Planning has received Ian Sokoloski's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of 1500 S. Charles Street LLC, to demolish an existing structure, subdivide the lot, retain three single-family dwelling structures, including one with a new garage front, and construct three new attached single-family dwellings with garages. The Zoning Administrator has determined that variances of Zoning Code lot area, lot coverage, and yard setback requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on February 11, 2014.

### SITE

1500-1506 South Charles Street is located on the southwest corner of the intersection with Fort Avenue. This property measures approximately 70' by 86' and includes a 36'-long "finger" reaching behind row-houses on Fort Avenue to a 15' frontage on Olive Street, a back street, and is currently improved with a combined two and three-story building covering the entire lot. The existing combination includes a former religious institutional building at the corner of Charles Street and Fort Avenue, a three-story attached formerly residential structure formerly known as 5 West Fort Avenue, and two joined two-story attached formerly residential structures formerly known as 1506 South Charles Street. This site is zoned R-8 and is located within the Riverside National Register Historic District.

### ANALYSIS

Use: In this zoning district, single-family attached dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as a church, which is a permitted use in this R-8 General Residence District. The applicant proposes to replace the original church structure with three single-family attached dwellings while returning the other three conjoined structures to their original use as single-family attached dwellings.

Lot Area: In this zoning district, single-family attached dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a.). In this case, for six dwelling units, 4,125 square feet of lot area is required. The lot encloses 6,560 square feet, and so does meet this requirement.

Lot Coverage: The existing combination of structures covers approximately 100% of the property. A single-family attached dwelling structure may not cover more than 60% of the lot area (§4-1106.a.). In this case, the proposed combination of existing and replacement new structures would result in coverage of approximately 70% of the property, which would exceed this standard, yet represent a reduction in lot coverage from the present situation.

Lot Coverage Variance: The Board may grant a variance to authorize a lot coverage that is more than that otherwise allowed by the applicable regulation (§15-202.b). The Department supports the proposed reduction in lot coverage, and any variance which may be needed for it.

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). The applicant intends to construct three new townhomes on South Charles Street with rear-loading garages on their first level, while modifying one of the three separated structures to create a front-loading garage on Olive Street. Of the two other dwellings to be (re-)created, one would have a parking pad in its rear yard; the other, 1506 South Charles, would have no off-street parking provided. However, it is a structure which pre-dates adoption of the Zoning Code's off-street parking requirements.

Historic District: The property is located in a designated historic district, and so the three attached structures designated to be re-established as single-family attached dwellings and rehabilitated 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.

Land Use and Urban Design: This property has received initial Site Plan Review Committee consideration and is to be reconsidered after variances sought by the applicant have been decided by the Board. Subdivision of the property will require approval by the Planning Commission.

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 11-A) in which row-house dwellings would be permitted uses (Table 9-301). The R-8 Districts would have minimum lot area requirements of 750 square feet per row-house dwelling and require one parking space per dwelling (Tables 9-401 and 16-406A).

## **RECOMMENDATION**

The Department of Planning recommends that approval of this appeal, if granted, be conditional upon the applicant obtaining final approval from the Site Plan Review Committee for the proposed layout of the property, and upon approval by the Planning Commission of the proposed subdivision of the property.

TJS/wya/mf

cc: Ian Sokoloski, Appellant