


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 / 208 Lloyd Street		

TO

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

DATE: February 4, 2014

**REQUEST**

The Department of Planning has received Kfir Catalan's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as four dwelling units. The Zoning Administrator has determined that variances of Zoning Code lot area and off-street parking requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on February 11, 2014.

**SITE**

208 Lloyd Street is located on the west side of the street, approximately 50' north of the intersection with Stiles Street. This L-shaped property measures approximately 14'6" along Lloyd Street and approximately 50' along Allen Alley and contains approximately 0.046 acre, and is currently improved with a combination of two joined two-story buildings covering the entire lot. This site is zoned B-3-2.

**ANALYSIS**

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§6-406). In this case, the property was last authorized for use as a multiple-family dwelling, and the applicant is proposing to double the number of dwelling units in it.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit (§6-411.c.). In this case, for four dwelling units, 3,850 square feet of lot area is required. The lot only encloses approximately 2,004 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 48%. The variance requested exceeds the discretionary range of the Board and so, absent evidence of unnecessary hardship or practical difficulty, should not be allowed.

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 four dwelling units, two parking spaces are required; none are or can be provided. As the two existing dwelling units on the premises were not required to have off-street parking, the two proposed additional dwelling units would be required to have one parking space to serve them.

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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 100%, which exceeds the variable amount the Board may authorize.

TransForm Baltimore: This property would become part of the C-1 District (Proposed Zoning Map Area 7-C) in which multi-family dwellings would be conditional uses (Table 10-301). The C-1 Districts would have a lot area requirement of 550 square feet per dwelling unit (Table 10-401), which would make the proposed use approvable.

#### **RECOMMENDATION**

The Department of Planning recommends disapproval of this appeal, because the amount of lot area variance and the amount of off-street parking variance required for approval would exceed the Board's discretionary authority provided in the Zoning Code, unless the applicant demonstrates that an unnecessary hardship or practical difficulty would result from disapproval.

TJS/wya/mf

cc: Kfir Catalan, Appellant