


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 / 1618-1628 Bank Street/ 319 South Bethel Street		

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

DATE: February 21, 2014

### REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) amended application, on behalf of Poverni Ventures LLC, to consolidate lots and to use the premises as a multiple-family dwelling containing 10 dwelling units and 10 efficiency units, with 10 off-street parking spaces. The Zoning Administrator has determined that this is a conditional use in a R-8 District, and that a variance of Zoning Code off-street parking requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on February 25, 2014.

### SITE

1618 Bank Street is located on the northeast corner of the intersection with Bethel Street. This property measures approximately 55'6" by 100' and is currently improved with a three-story commercial building covering the entire lot. 1626 and 1628 Bank Street are located on the north side of the street, approximately 55'6" east of the intersection with Bethel Street. These properties each measure approximately 15' by 85' and are currently improved with attached two-story buildings covering each lot. 319 South Bethel Street is located on the east side of the street, approximately 100' north of the intersection with Bank Street. This L-shaped property measures approximately 11'4" along Bethel Street by 86' deep and is currently improved with a two-story attached commercial building covering the entire lot. This site is zoned R-8 and is located within the Fells Point Historic District.

### ANALYSIS

Use: In this zoning district, multiple-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 warehouse and wholesale establishment, which is a nonconforming use in this R-8 General Residence District.

Insufficient lot area: In the R-8 zoning district, multiple-family dwellings require 750 square feet of lot area per dwelling unit and 500 square feet of lot area per efficiency unit (§1106.a). In this case, for 10 dwelling units, 7,125 square feet of lot area is required; for 10 efficiency units, 5,000 square feet of lot area is required. The lot only encloses 9,524 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 21.5%. The variance requested is within the discretionary range of the Board and so may be allowed.

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). Previous use as warehousing required one space per 3 employees (§10-405 (30)). In this zoning district, multiple-family attached dwellings require one off-street parking space per dwelling unit or efficiency unit (§10-405.1.iv). For 10 dwelling units and 10 efficiency units, 20 parking spaces are required; 10 are to be provided on site: 9 inside the renovated consolidated structure, and 1 on 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.

Historic District: The subject property is located within the Fells Point District, a locally and nationally 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). Because the property is located in a designated historic district, it may also be eligible for historic tax credits for restoration and renovation. It is recommended that the applicant contact CHAP to determine the review process applicable to this project.

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 7-D) in which multi-family dwellings would be permitted uses (Table 9-301). The R-8 Districts would have off-street parking requirements of 1 space per dwelling unit (Table 16-406A).

## **RECOMMENDATION**

The Department of Planning recommends approval of this appeal subject to Site Plan Review Committee approval of the proposed entrances and access to the proposed interior parking spaces, and issuance of a Notice To Proceed by the Commission for Historical and Architectural Preservation.

TJS/wya/mf

cc: Nate Pretl, Appellant