

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 / 2809 Hudson Street		

TO

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

DATE:

March 21, 2014

REQUEST

The Department of Planning has received Michelle Ingrodi's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as a philanthropic and charitable adoption center housing cats rescued from bad situations. The Zoning Administrator has determined that this is a conditional use in a R-8 District. We understand that this appeal is scheduled for hearing on March 25, 2014.

SITE

2809 Hudson Street is located on the southeast corner of the intersection with Streeper Street. This property measures approximately 18' by 75' and is currently improved with a two-story semi-detached residential mixed-use building covering the entire lot. This site is zoned R-8 and is located within the Canton National Register Historic District.

ANALYSIS

Conditional Use: In this zoning district, philanthropic and charitable institutions are a conditional use, requiring approval by the Board (§4-1103). In this case, the property was last authorized for use as a carry-out food shop, a gift shop, and a video movie store, which are nonconforming uses in this R-8 General Residence District, and a single-family attached dwelling. The application did not include a floor plan indicating whether the entire structure, or just a portion of it, would be used for the adoption center for rescued cats. If the entire first floor of the premises would be so used, the nonconforming uses would be discontinued and abandoned. The applicant should also provide documentation of the philanthropic and charitable institution's status.

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). Philanthropic and charitable institutions require one parking space per 4 employees, plus the number of spaces the Board requires after considering recommendations by the Department of Public Works (§10-405.(18)). This property has no available area for off-street parking, but does include a single-car garage attached to the rear of the premises. The number of employees of the proposed use is not stated in the application.

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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TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 7-D) in which the proposed use would become a prohibited use (Table 9-301).

RECOMMENDATION

The Department of Planning recommends deferral of a complete hearing of this appeal, to allow the applicant time to provide a floor plan for the proposed use and a description of how it would operate in a way that would distinguish it from an animal hospital or a pet shop, both of which are nonconforming uses in a R-8 District.

TJS/wya/mf

cc: Michelle Ingrodi, Appellant