


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 / 1651 Ceddox Street		

TO

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

DATE: March 25, 2013

### REQUEST

The Department of Planning has received Elia Cossis' Board of Municipal and Zoning Appeals (BMZA) application to use the premises as two dwelling units and two efficiency units. We understand that this appeal is scheduled for hearing on April 2, 2013.

### SITE

1651 Ceddox Street is located on the southwest corner of the intersection with Curtis Avenue. This property measures approximately 18' by 100' and is currently improved with a two-story end-of-row residential building covering the entire lot. This site is zoned B-2-2 and is located within the Brooklyn – Curtis Bay Strategic Neighborhood Action Plan area.

### ANALYSIS

Use: In this zoning district, dwellings are listed as a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as a single-family attached dwelling.

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, and R-6 Districts, the Board may authorize, as a conditional use, the conversion of a building for use by more than one family, as long as the number of families permitted conforms with the applicable bulk regulations for the district in which the building is located (§3-305.b.1).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit and 750 square feet per efficiency unit (§6-311.c.). In this case, for two dwelling units, 2,200 square feet of lot area is required; for two efficiency units, 1,500 square feet of lot area is required. The lot only encloses 1,800 square feet, and so does not meet the total requirement of 3,700 square feet.

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 51%. The variance requested exceeds the discretionary range of the Board and so 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 dwellings require one off-street parking space per two dwelling units and one off-street parking space per four efficiency units (§10-405.1.iv).

For two dwelling units and two efficiency units, two parking spaces are required; none can be provided.

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%.

TransForm Baltimore: This property is proposed to be zoned C-1 (Proposed Zoning Map Area 13-A) in which multi-family dwellings would be a conditional use (Table 10-301). The lot area required for each dwelling unit would be reduced to 550 square feet (Table 10-401) which would reduce the total lot area required for this application to 1,925 square feet. As the lot contains approximately 1,800 square feet, this would need a 7% lot area variance for approval.

Comprehensive Planning: The proposed use would increase housing resources available for residents of Baltimore City and thus would be consistent with both the Comprehensive Master Plan and the Mayor's goal of adding 10,000 more residents to Baltimore. There is also neighborhood support for this application. However, the amount of lot area variance needed for approval is in excess of the Board's discretionary authority provided in the Zoning Code, and the addition of three residential units to a property unable to provide off-street parking would require all of the potential residents to use on-street parking in the area.

#### **RECOMMENDATION**

The Department of Planning recommends disapproval of the appeal, as the amounts of lot area variance and off-street parking variance that would be required for approval of this application would exceed the discretionary authority granted to the Board in the Zoning Code.

TJS/wya/mf

cc: Elia Cossis, Appellant