


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 / 4801 OLD YORK ROAD		

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

DATE: March 11, 2016

REQUEST

The Department of Planning has received Renee Lewis' Board of Municipal and Zoning Appeals (BMZA) application to use the premises as two dwelling units: one dwelling unit on the first floor and one dwelling unit on the second floor. The Zoning Administrator has determined that this is a prohibited use in this district. We understand that this appeal is scheduled for hearing on April 5, 2016.

SITE

4801 Old York Road is located on the east side of the street, approximately 170' south of the intersection with Radnor Avenue. This property measures approximately 21'1" by 84'7" and is currently improved with a two-story end-of-row attached dwelling measuring approximately 18' by 52'. This property is zoned R-6.

ANALYSIS

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). In this case, since the property is zoned R-6, it is not eligible for a conversion of dwellings. Unless the appellant can demonstrate that the last authorized use of the property was for two dwelling units, and that they have not been abandoned, the appeal should be denied.

Off-Street Parking and Variance: In this zoning district, multiple-family attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For two dwelling units, two parking spaces are required; none are provided. "... 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 is greater than the variable amount the Board may authorize.

TransForm Baltimore: This property is proposed to be zoned R-6, which will allow for residential use at the same density for multi-family buildings.

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal.

TJS/wya

cc: Renee Lewis, appellant