


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 / 1066 West Fayette Street		

TO

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

DATE: March 24, 2016

**REQUEST**

The Department of Planning has received Dianne Brathwaite's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as three dwelling units. The Zoning Administrator has determined that this is a conditional use conversion in a R-9 zoning district. We understand that this appeal is scheduled for hearing on April 5, 2016.

**SITE**

1066 West Fayette Street is located on the north side of the street, approximately 47'8" east of the intersection with Carlton Street. This property measures approximately 17' by 81' and is currently improved with a three-story attached residential building measuring approximately 17' by 42'. This site is zoned R-9 and is located within the Poppleton Urban Renewal Plan area.

**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).

Lot Area: In this zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit (§4-1206.a.). In this case, for three dwelling units, 1,375 square feet of lot area is required. The lot encloses 1,377 square feet, and so does meet this requirement.

Urban Renewal Plan: This property is located in the Poppleton Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

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 dwelling unit (§10-405.1.iv). For three dwelling units, three parking spaces are required; none are or can be provided due to the historic development pattern of this area, which includes a pedestrian alley behind the property that is unusable by vehicles.

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

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(§15-208.b). In this case the reduction proposed is 100%, which is greater than the variable amount the Board ordinarily may authorize. Due to the intense development pattern of this portion of Baltimore, there is a practical difficulty in meeting the off-street parking requirements of the Zoning Code on site. However, the applicant should endeavor to locate at least one nearby off-street parking space that could meet Zoning Code requirements, as this area presently has some vacant lots which could be made available for that purpose.

TransForm Baltimore: This property would become part of the R-8 District (Proposed Zoning Map Area 6-D) in which multi-family dwellings would be permitted uses (Table 9-301).

### **RECOMMENDATION**

Provided that the applicant provides off-street parking resources meeting Zoning Code requirements for the number of dwelling units approved, the Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Dianne Brathwaite, appellant