


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>Shole / for T.S.S.</i>	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 2334 North Charles Street		

TO

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

DATE: April 12, 2012

**REQUEST**

The Department of Planning has received Khan Muhammad's Board of Municipal and Zoning Appeals (BMZA) application to continue to use the premises for a carry-out restaurant, and use the second and third floors as three dwelling units. We understand that this appeal is scheduled for hearing on April 17, 2012.

**SITE**

2334 North Charles Street is located on the southwest corner of the intersection with 24<sup>th</sup> Street. This property measures approximately 25'2" by 69' and is currently improved with a three-story semi-detached residential mixed-use building measuring approximately 25' by 54' with a two-story rear addition next to 24<sup>th</sup> Street measuring approximately 12' by 12'. This site is zoned B-2-3 and is located within the Charles/ 25<sup>th</sup> Urban Renewal Plan area and the Old Goucher College National Register Historic District.

**ANALYSIS**

Use: In this zoning district, carry-out food shops, restaurants, and dwellings are permitted uses, and so are allowed (§6-306). In this case, the property was last authorized for use as a restaurant and a single-family dwelling. The applicant is proposing to increase the number of dwellings on this site.

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, R-6, and R-8 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 (§6-311.d.). In this case, for three dwelling units, 1,375 square feet of lot area is required. The lot encloses 1,735 square feet, and so does meet this requirement.

Urban Renewal Plan: This property is located in the Charles/ 25<sup>th</sup> 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 2 dwelling units (§10-405.1.iv). For 3 dwelling units, 2 parking spaces are required; none are or 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%, which is greater than the variable amount the Board may authorize.

**RECOMMENDATION**

The Department of Planning has no objection to this appeal provided that the applicant makes arrangements to provide at least one off-street parking space that meets the requirements of the Zoning Code.

TJS/wya/mf

cc: Khan Muhammad, Appellant