

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 / 2819 Sunset Drive		

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

DATE: April 23, 2010

REQUEST

The Department of Planning has received Ryan McGirr's Board of Municipal and Zoning Appeals (BMZA) application to use the premises for two dwelling units. We understand that this appeal is scheduled for hearing on April 27, 2010.

SITE

2819 Sunset Drive is located on the south side of the street, approximately 245' west of the intersection with Hurley Avenue. This property measures approximately 16' by 97' and is currently improved with a two-story row-house building measuring approximately 16' by 33'. This site is zoned R-7.

ANALYSIS

Conversion of Dwellings: In the R-7 and R-8 Districts, the Board may approve the conversion of a single-family dwelling to a two-family dwelling only if the property meets the minimum lot size requirements (§3-305.b.3.i).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit (§4-1006). In this case, for 2 dwelling units, 2,200 square feet of lot area is required. The lot only encloses 1,552 square feet, and so does not meet this requirement.

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 29.5%. The variance requested exceeds the discretionary range of the Board and so should not be allowed.

Off-Street Parking: In this zoning district, multiple-family attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For 2 dwelling units, 2 parking spaces are required; none are 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 recommends disapproval of the appeal, as the variance requested would exceed the discretionary authority of the Board under the Zoning Code.

TJS/ewt/mf

cc: Ryan McGirr, Appellant

Southwest