

TJA

FROM

NAME &
TITLE

AGENCY
NAME &
ADDRESS

SUBJECT

THOMAS J. STOSUR, DIRECTOR

DEPARTMENT OF PLANNING
417 EAST FAYETTE STREET, 8TH FLOOR

BMZA / 826 Stoll Street

CITY of
BALTIMORE

MEMO



TO

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

DATE:

May 15, 2014

REQUEST

The Department of Planning has received Sean Sherwood's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of XXtreme Investments LLC, to use the premises as two dwelling units. The Zoning Administrator has determined that this would be a conditional use conversion in a R-6 District. We understand that this appeal is scheduled for hearing on May 20, 2014.

SITE

826 Stoll Street is located on the north side of the street, approximately 54' west of the intersection with 9th Street. This property measures approximately 18' by 92'6" and is currently improved with a two-story attached residential building measuring approximately 18' by 33'. This site is zoned R-6 and is located within the Brooklyn and Curtis Bay Strategic Neighborhood Action Plan area.

ANALYSIS

Use: In this zoning district, multiple-family attached dwellings are not listed as a permitted or conditional use, and so are not allowed (§4-901 to §4-904). In this case, the property was last authorized for use as a single-family attached dwelling, which is a permitted use in this R-6 General Residence District.

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). The Board is thus not provided authority in the Zoning Code to approve this application.

TransForm Baltimore: This property would remain part of the R-6 District (Proposed Zoning Map Area 13-A) in which multi-family dwellings would be permitted uses (Table 9-301). The R-6 Districts would not be among the zoning districts in which conversion of a single-family dwelling to a multi-family dwelling would be authorized (§9-701), as is the situation under the current Zoning Code.

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the Board is not authorized to approve conversion of a 1-family dwelling to a 2-family dwelling in a R-6 Zoning District, where this property is located.

TJS/wya/mf

cc: Sean Sherwood, Appellant

Southern