


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 / 824 North Calvert Street		

TO

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

DATE:

May 30, 2014

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Calvert-Read Garage LLC, to use the premises as five dwelling units, with off-street parking provided in the adjacent garage known as 816 North Calvert Street. The Zoning Administrator has determined that this is a conditional use conversion in a B-5 District, and that a variance of Zoning Code off-street parking requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on June 3, 2014.

SITE

824 North Calvert Street is located on the southwest corner of the intersection with Read Street. This property measures approximately 22' by 123' and is currently improved with a three-story semi-detached residential mixed-use building measuring approximately 22' by 63' and a two-story detached building measuring approximately 22' by 24'. This site is zoned B-5-1 and is located within the Mount Vernon Urban Renewal Plan area and the Mount Vernon Historic District.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§6-606). In this case, the property was last authorized for use as a single-family dwelling and offices, which are permitted uses in this B-5 Central Commercial 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). There are no bulk regulations in the B-5 Central Commercial District other than floor area ratios which far exceed the bulk of the existing structures combined on this property. The Board is thus able to approve the application.

Urban Renewal Plan: This property is located in the Mount Vernon 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 4 dwelling units (§10-405.1.iv). For five dwelling units, one parking space is required; none are provided on site. The applicant is proposing to provide off-street parking for these proposed dwelling units in the adjacent off-street parking garage which dates from 1931.

Off-Street Parking: Required control of off-site facilities. ... (i) The off-site parking facilities must be on a lot possessed by the record title holder of the lot occupied by the structure or use to be served by the parking facilities. (ii) Possession of the facilities for purposes of this section may be: (A) by deed; or (B) by long-term lease, the term of which must be equal to or greater than the useful economic and physical life of the structure served (§10-304.b). The applicant should provide evidence of possession or control in accordance with these requirements.

Historic District: The subject property is located within the Mount Vernon District, a locally and nationally designated Baltimore City historic district. All exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). It is recommended that the applicant contact CHAP to determine the review process applicable to their project.

TransForm Baltimore: This property would become part of the OR-2 District (Proposed Zoning Map Area 7-C) in which multi-family dwellings would be permitted uses (Table 12-301). The OR (Office Residential) Districts would have off-street parking requirements of 1 space per dwelling unit (Table 16-406A).

RECOMMENDATION

The Department of Planning recommends approval of this appeal, conditional upon at least one off-street parking space being provided.

TJS/wya/mf

cc: Nate Pretl, Appellant