


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 / 1721 Gwynns Falls Parkway		

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 David Perry'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-8 District. We understand that this appeal is scheduled for hearing on June 3, 2014.

SITE

1721 Gwynns Falls Parkway is located on the south side of the street, approximately 135'4" east of the intersection with Reisterstown Road. This property measures approximately 21'10" by 120' and is currently improved with a three-story attached residential building measuring approximately 21'10" by 42' and an accessory garage measuring approximately 21' by 20'. This site is zoned R-8 and is located within the Mondawmin Transit Station Urban Renewal Plan area.

ANALYSIS

Use: In this zoning district, multiple-family attached dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as a convalescent, nursing, and rest home for 15 adults and two live-in care-givers by Ordinance 165 on June 30, 1997. In 2007 the Board disapproved an application to use the premises as two dwelling units and an office (appeal no. 07-189).

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). In this R-8 zoning district, multiple-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a). In this case, for three dwelling units, 1,875 square feet of lot area is required. The lot encloses 2,600 square feet, and so does meet this requirement. In the R-7 and R-8 Districts, the conversion of a 1- or 2-family dwelling to additional dwelling units may be authorized, but only by a conditional-use ordinance. Given the recent history of this property, the Board may not have discretionary authority to approve this application.

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

TransForm Baltimore: This property would become part of the R-7 District (Proposed Zoning Map Area 6-A) in which multi-family dwellings would be permitted uses (Table 9-301). The R-7 Districts would have off-street parking requirements of 1 space per dwelling unit (Table 16-406A).

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RECOMMENDATION

The Department of Planning recommends disapproval of this appeal unless the applicant demonstrates that multiple-family dwelling use of this property has been lawfully established, because without continuing use as a multiple-family attached dwelling the conversion of this structure to a dwelling for more than two families must be approved by ordinance.

TJS/wya/mf

cc: David Perry, Appellant