


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 / 3202 Vickers Road		

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

DATE: June 4, 2012

REQUEST

The Department of Planning has received Michael and Della Bobian's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as two dwelling units. We understand that this appeal is scheduled for hearing on June 12, 2012.

SITE

3202 Vickers Road is located on the north side of the street, approximately 250' east of the intersection with Hilton Street. This property measures approximately 50' by 131'9" and is currently improved with a two-story-plus-attic detached residential building measuring approximately 30' by 42'. This site is zoned R-4 and is located within the Greater Northwest Community Coalition Strategic Neighborhood Action Plan area.

ANALYSIS

Use: In this zoning district, multiple-family detached dwellings are a conditional use requiring approval by the Board (§4-703). In this case, the property was last authorized for use as a multiple-family detached dwelling.

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). The applicant must therefore demonstrate that the multiple-family use of the premises has not been discontinued or abandoned, in order for this application to be approvable.

Insufficient Lot Area: In this zoning district, multiple-family detached dwellings require 5,000 square feet of lot area per dwelling unit (§4-706.c.). In this case, for two dwelling units, 10,000 square feet of lot area is required. The lot only encloses 6,587.5 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 34%. The variance requested exceeds the discretionary range of the Board and so may only be allowed as a continuation of an existing nonconforming use (Class III).

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,

Mr. David Lanner, BMZA
Executive Director
Page 2
Re: 3202 Vickers Road

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 detached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For two dwelling units, two parking spaces are required; none are provided.

RECOMMENDATION

The Department of Planning has no objection to this appeal provided that the applicant demonstrates that multiple-family use of the premises has not been discontinued or abandoned.

TJS/wya/mf

cc: Michael and Della Bobian, Appellants