

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 / 2517 Saint Paul Street		

TO

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

DATE:

June 27, 2014

REQUEST

The Department of Planning has received Zoumana Keita'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 and that a variance of Zoning Code lot area requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on July 1, 2014.

SITE

2517 Saint Paul Street is located on the east side of the street, approximately 133'6" north of the intersection with 25th Street. This property measures approximately 16'6" by 77' and is currently improved with a three-story end-of-row building measuring approximately 16'6" by 63'. This site is zoned O-R-2 and is located within the Charles/ 25th Urban Renewal Plan area and the Charles Village/ Abell National Register Historic District.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§5-201§). In this case, the property was last authorized for use as offices, which is also a permitted use in this O-R Office-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).

Insufficient Lot Area: In this zoning district, dwellings require 550 square feet of lot area per dwelling unit (§5-206.c.). In this case, for three dwelling units, 1,650 square feet of lot area is required. The lot only encloses 1,270.5 square feet, and so does not meet this requirement. However, §5-105.c.(2) states that the maximum number of permitted dwelling units on a lot is determined by dividing the total area of the lot by the lot area requirement, with a fraction of the total area that is 50% or more of the required lot area factor counting as an additional permitted dwelling unit. Division in this case yields 77% so the proposed conversion is approvable.

Urban Renewal Plan: This property is located in the Charles/ 25th Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.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 dwellings require one off-street parking space per 2 dwelling units (§10-405.1.iv). For three dwelling units, two parking spaces are required; none are or can be provided. The rear yard is paved for a parking space, which must be accomplished by diagonal parking of a vehicle of limited size, as the area itself is approximately 16' by 14' with neither dimension allowing perpendicular parking (the lot is bordered on its north and east sides by two intersecting alleys).

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). The amount of off-street parking required for business, governmental or professional offices is one parking space per 800 square feet of office area in excess of 2,000 square feet (§10-405.17.(i)). Previous use of the premises as offices provides credit for one space as the floor area of the structure is approximately 3,118 square feet. In this case the reduction proposed is 50%, which is within the variable amount the Board may authorize.

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

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

RECOMMENDATION

The Department of Planning recommends approval of this appeal.

TJS/wya/mf

cc: Zoumana Keita, Appellant