


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 / 2711 Jefferson Street	

DATE:

TO

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

June 30, 2010

REQUEST

The Department of Planning has received Michael Miller's Board of Municipal and Zoning Appeals (BMZA) application to use the premises for two dwelling units. We understand that this appeal is scheduled for hearing on July 6, 2010.

SITE

2711 Jefferson Street is located on the southeast corner of the intersection with Belnord Avenue. This property measures approximately 15' by 70' and is currently improved with a two-story end-of-row building measuring approximately 15' by 55'. This site is zoned R-8.

ANALYSIS

Conversion of Dwellings: In the R-7 and R-8 Districts, the Board may approve the conversion of a single-family dwelling to a two-family dwelling only if the property meets the minimum lot size requirements (§3-305.b.3.i).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106). In this case, for two dwelling units, 1,500 square feet of lot area is required. The lot only encloses 1,050 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 30%. The variance requested exceeds the discretionary range of the Board and so should not be allowed. If the application would be amended to specify one dwelling unit and one efficiency unit, the amount of variance required would be 16%.

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). As 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 dwelling unit (§10-405.1.iv). For two dwelling units, two parking spaces are required; none are or can be provided.

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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). In this case the reduction proposed is 100%, which is greater than the variable amount the Board may authorize.

RECOMMENDATION

The Department of Planning recommends disapproval of the appeal, because the amount of lot area variance required exceeds the discretionary authority provided to the Board in the Zoning Code.

TJS/wya/mf

cc: Michael Miller, Appellant