


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 / 1621 West Baltimore Street		

TO

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

DATE: July 23, 2015

REQUEST

The Department of Planning has received Luther Bryant, Jr.'s Board of Municipal and Zoning Appeals (BMZA) application to continue to use the first floor as commercial space, and use the upper two floors as two dwelling units. The Zoning Administrator has determined that this is a conditional use conversion in a B-3 zoning district, and that a variance of lot area requirements is needed for approval. We understand that this appeal is scheduled for hearing on July 28, 2015.

SITE

1621 West Baltimore Street is located on the southeast corner of the intersection with Mount Street. This property measures approximately 15' by 90' and is currently improved with a three-story semi-detached residential mixed-use building. This site is zoned B-3-2 and is located within the Franklin Square Urban Renewal Plan area and the Union Square Historic District.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§6-406). In this case, the property was last authorized for use as a single-family attached dwelling (a permitted use) and a garage for repair of motor vehicles not over 1½ ton capacity, which is a conditional use in this B-3 Community 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).

Lot Area and Variance: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit (§6-411.c.). In this case, for two dwelling units, 2,200 square feet of lot area is required. The lot only encloses 1,312.5 square feet, and so does not meet this requirement. 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 40%. The variance requested exceeds the discretionary range of the Board and so should not be allowed.

Historic District: The subject property is located within the Union Square 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 any future work.

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TransForm Baltimore: This property would become part of a C-1 District (Proposed Zoning Map Area 6-D) in which dwelling above the ground floor would be a permitted use and multi-family dwellings would be a conditional use (Table 10-301).

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal.

TJS/wya/mf

cc: Luther Bryant, Jr., Appellant