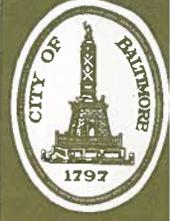


|             |                       |  |   |   |
|-------------|-----------------------|--|---|---|
| <b>FROM</b> | NAME & TITLE          | THOMAS J. STOSUR, DIRECTOR   | CITY of<br>BALTIMORE<br><br><b>MEMO</b> |  |
|             | AGENCY NAME & ADDRESS | DEPARTMENT OF PLANNING<br>417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR |   |   |
|             | SUBJECT               | BMZA / 148 South Highland Avenue   |   |   |

**TO**

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

DATE: August 4, 2015

**REQUEST**

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Anthill Capital Group LLC, to use the premises as two dwelling units. The Zoning Administrator has determined that this is a conditional use conversion of a single-family dwelling in a R-8 zoning district. We understand that this appeal is scheduled for hearing on August 11, 2015.

**SITE**

148 South Highland Avenue is located on the northwest corner of the intersection with Pratt Street. This property measures approximately 17' by 97' and is currently improved with a two-story end-of-row residential building measuring approximately 17' by 62' with an attached rear garage covering the remainder of the lot. This site is zoned R-8 and is located within the Patterson Park – Highlandtown National Register Historic District.

**ANALYSIS**

Use: In this zoning district, multiple-family dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as a single-family attached dwelling, which is also a permitted use in this R-8 General 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). 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 two dwelling units, 1,500 square feet of lot area is required. The lot encloses 1,649 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. Based upon the statement in the application, the Board does not have discretionary authority to approve this application.

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 8-C) in which multi-family dwellings would be permitted uses (Table 9-301). The R-8 Districts would have conversion requirements relating to floor area (§9-703).

**RECOMMENDATION**

The Department of Planning recommends disapproval of this appeal, because the Zoning Code does not provide the Board discretionary authority to approve conversion of a single-family dwelling to additional dwelling units in a R-8 zoning district, where this property is located.

TJS/wya/mf

cc: Nate Pretl, Appellant

East