


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 / 2125 Orleans Street		

TO

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

DATE: August 7, 2014

REQUEST

The Department of Planning has received Sebastian Baldou's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Atokpan Properties LLC, to use the premises as two 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 August 12, 2014.

SITE

2125 Orleans Street is located on the southwest corner of the intersection with Collington Avenue. This property measures approximately 16' by 75' and is currently improved with a two-story end-of-row building measuring approximately 16' by 72'. This site is zoned R-8 and is located within the East Monument National Register Historic District.

ANALYSIS

Use: In this zoning district, multiple-family attached dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as a two-family dwelling, but is currently vacant, which may require it be considered a single-family dwelling (§3-305.a.(2)).

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 only encloses 1,200 square feet, and so does not 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 that the property has been vacant for over 12 months, 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 7-D) in which multi-family dwellings would be permitted uses (Table 9-301). The R-8 Districts would have off-street parking requirements of one space per dwelling unit (Table 16-406A).

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the Zoning Code does not authorize the Board to approve conversions of single-family dwellings to multiple-family dwellings in R-8 Zoning Districts, where this property is located.

TJS/wya/mf

cc: Sebastian Baldou, Appellant