


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 / 2014 McCulloh Street		

TO

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

DATE: August 27, 2013

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of John Thompson, to use the premises as three dwelling units. The Zoning Administrator has determined that a variance of Zoning Code off-street parking requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on September 3, 2013.

SITE

2014 McCulloh Street is located on the west side of the street, approximately 117' northwest of the intersection with Presstman Street. This property measures approximately 16'5" by 120' and is currently improved with a three-story attached residential building measuring approximately 16'5" by 65'. This site is zoned R-9 and is located within the Old West Baltimore National Register Historic District.

ANALYSIS

Use: In this zoning district, multiple-family attached dwellings are a permitted use, and so are allowed (§4-1201). In this case, the property was last authorized for use as a single-family attached dwelling in 2010. The applicant is requesting approval to return this property to its pre-2010 former status as a three-dwelling unit multiple-family dwelling.

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 zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit (§4-1206.a). In this case, for three dwelling units, 1,375 square feet of lot area is required. The lot encloses 1,975 square feet, and so does meet this requirement.

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). 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 attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For three dwelling units, three parking spaces are required; one can be provided accessible from Stoddard Alley, behind the premises; and one space is credited to the current single-family use of the property.

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 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 become part of a R-8 District (Proposed Zoning Map Area 6-B) in which multi-family dwellings would be permitted uses (Table 9-301). One parking space per dwelling unit would be required (Table 16-406A). This property could not provide more than two parking spaces that would meet this requirement.

RECOMMENDATION

The Department of Planning recommends approval of use of this property as two dwelling units conditional upon the applicant providing two off-street parking spaces on the property. Due to the inability of this property to accommodate three parking spaces meeting Zoning Code requirements, the Department recommends disapproval of three dwelling units.

TJS/wya/mf

cc: Nate Pretl, Appellant