


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 / 1008 West Cross Street		

TO

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

DATE:

August 22, 2014

REQUEST

The Department of Planning has received Terry Blair's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of ACS Properties LLC, to use the premises as two dwelling units. The Zoning Administrator has determined that this is a conditional use conversion and variances of Zoning Code floor lot area and off-street parking requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on September 9, 2014.

SITE

1008 West Cross Street is located on the northeast side of the street, approximately 80' northwest of the intersection with Wyeth and Hamburg Streets. This property measures approximately 14' by 65' and is currently improved with a three-story attached residential building measuring approximately 14' by 47'. This site is zoned R-9 and is located within the Washington Village Urban Renewal Plan area and the Pigtown 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, which is also a permitted use in this R-9 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).

Urban Renewal Plan: This property is located in the Washington Village Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit (§4-1206.a.). In this case, for two dwelling units, 1,100 square feet of lot area is required. The lot only encloses 910 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 17%. The variance requested is within the discretionary range of the Board and so may be allowed.

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 two dwelling units, two parking spaces are required; one could be provided, but its access would be via a 10' wide rear alley, which does not meet Zoning Code requirements.

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 75%, which is within the variable amount the Board may authorize.

TransForm Baltimore: This property would become part of the R-8 District (Proposed Zoning Map Area 6-D) in which multi-family dwellings would be permitted uses (Table 9-301). The R-9 Districts would have conversion standards requiring 1,500 square feet of floor area for the existing dwelling, and a minimum of 750 square feet of floor area for each 1-bedroom unit or 1,000 square feet of floor area for each 2-bedroom unit (§9-703). The existing structure would require a variance of the 1-bedroom standard in order for the proposed use, as described in the application, to be approved.

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Terry Blair, Appellant