


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 / 1042 West Barre Street		

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

DATE: September 30, 2015

REQUEST

The Department of Planning has received Muhammad Khan's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Ar-Rahman Holdings LLC, to use the premises as three efficiency units. The Zoning Administrator has determined that this is a conditional use conversion of a single-family dwelling in a R-9 zoning district. We understand that this appeal is scheduled for hearing on October 6, 2015.

SITE

1042 West Barre Street is located on the east side of the street, approximately 160' north of the intersection with Ramsay Street. This property measures approximately 13'3" by 80' and is currently improved with a three-story attached residential building measuring approximately 13'3" by 45'. This site is zoned R-9 and is located within the Washington Village Urban Renewal Plan area and the Barre Circle 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).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 370 square feet of lot area per efficiency unit (§4-1206.a.). In this case, for three efficiency units, 1,110 square feet of lot area is required. The lot only encloses 1,060 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 4.5%. 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

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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 or efficiency unit (§10-405.1.iv). For 3 efficiency units, 3 parking spaces are required; one is or can be provided.

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 a R-8 District (Proposed Zoning Map Area 6-D) in which multi-family dwellings would be permitted uses (Table 9-301). Residential conversions would be required to provide at least 500 square feet of gross floor area per efficiency unit, and would require an existing dwelling to have at least 1,500 square feet or more of gross floor area (§9-703).

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Muhammad Khan, Appellant