


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 17 East 21 <sup>st</sup> Street		

TO

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

DATE: October 16, 2014

### REQUEST

The Department of Planning has received Lisa Junker's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Home Acquisition LLC, to use the premises as three dwelling units and an office. The Zoning Administrator has determined that this conversion requires a variance of Zoning Code lot area requirements for approval of this application. We understand that this appeal is scheduled for hearing on October 21, 2014.

### SITE

17 East 21<sup>st</sup> Street is located on the southeast corner of the intersection with Lovegrove Street. This property measures approximately 17'9" by 80' and is currently improved with a three-story semi-detached residential mixed-use building covering the entire lot. This site is zoned O-R-2 and is located within the Charles North Urban Renewal Plan area and the Old Goucher College National Register Historic District.

### ANALYSIS

Use: In this zoning district, dwellings and offices are permitted uses, and so are allowed (§5-201). In this case, the property was last authorized for use as a multiple-family attached dwelling and as a beauty shop, which is a nonconforming use in this O-R Office-Residence District. Conversion of the beauty shop space to office space would extinguish the nonconforming use of this property.

Urban Renewal Plan: This property is located in the Charles North 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 (§5-206.c.). In this case, for three dwelling units, 1,650 square feet of lot area is required. The lot only encloses 1,420 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 14%. 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 dwellings require one off-street parking space per 2 dwelling units (§10-405.1.iv). For 3 dwelling units, two parking spaces are required; none are 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 less than 75%, 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 the R-8 District (Proposed Zoning Map Area 7-A) in which multi-family dwellings would be permitted uses (Table 9-301). The R-8 Districts would have conversion standards, including gross floor area per dwelling unit requirements, if the property was being converted from single-family to multi-family use (§9-703).

## **RECOMMENDATION**

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Lisa Junker, Appellant