


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 / 143 East North Avenue		

TO

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

DATE: October 17, 2014

### REQUEST

The Department of Planning has received Angel Dalfin's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Williamsville Properties Holdings LLC, to use the premises as three dwelling units and four efficiency units. The Zoning Administrator has determined that this is a conditional use conversion in a B-2 Zoning District and that variances of Zoning Code lot area and off-street parking requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on October 21, 2014.

### SITE

143 East North Avenue is located on the southwest corner of the intersection with Calvert Street. This property measures approximately 25' by 100' and is currently improved with a four-story semi-detached residential building measuring approximately 25' by 80'. This site is zoned B-2-3 and is located within the Greenmount West Urban Renewal Plan area and the North Central National Register Historic District.

### ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as a multiple-family dwelling and an antique shop, which are permitted uses in this B-2 Community Business District. In this case, the property has been vacant for an extended period of time and so has been designated as a single-family dwelling according to Zoning Code §3-305.a.(2).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit and 375 square feet of lot area per efficiency unit (§6-311.d.). In this case, for three dwelling units, 1,650 square feet of lot area is required, and for four efficiency units, 1,500 of lot area is required; hence, the total lot area required is 3,150 square feet. The lot only encloses 2,500 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 20%. The variance requested is within the discretionary range of the Board and so may be allowed.

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

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.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 and one space per 4 efficiency units (§10-405.1.iv). For three dwelling units plus four efficiency units, three parking spaces are required; one can be provided at the rear of the property (a second potential space must be eliminated due to requirement that a fire escape be placed there).

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. Previous use of the property as a 10-unit apartment house would also create a credit for parking based on that previous authorized use of the property.

TransForm Baltimore: This property would become part of the R-9 District with a R-MU (Residential Mixed Use) overlay district (Proposed Zoning Map Area 7-A) in which multiple-family dwellings would be permitted uses (Table 9-301). The R-9 Districts would have conversion standards that set gross floor area requirements for dwelling units (§9-703).

#### **RECOMMENDATION**

The Department of Planning recommends approval of this appeal.

TJS/wya/mf

cc: Angel Dalfin, Appellant