

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 / 1831 North Gay Street		

TO

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

DATE: October 24, 2013

REQUEST

The Department of Planning has received Anthony Fliggins' Board of Municipal and Zoning Appeals (BMZA) application to use the premises as a 60-seat church. 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 October 29, 2013.

SITE

1831 North Gay Street is located on the southeast corner of the intersection with Montford Avenue. This triangular property measures approximately 77'3" along Gay Street by 56'4" along Montford Avenue by 53'3" and is currently improved with a three-story semi-detached residential building covering the entire lot. This site is zoned B-3-2 and is located within the Broadway East Urban Renewal Plan area and the Baltimore East/ South Clifton Park National Register Historic District.

ANALYSIS

Use: In this zoning district, religious institutions are a permitted use, and so are allowed (§6-406). In this case, the property was last authorized for use as a single-family attached dwelling, which is also a permitted use in this B-3 Community Commercial District.

Urban Renewal Plan: This property is located in the Broadway East 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). The amount of off-street parking required for a religious institution is one parking space per four seats of rated capacity (§10-405.25.i). In this case, for 60 seats capacity, 15 off-street parking spaces are required; none are or can be provided on site.

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 100%, which is greater than the variable amount the Board may authorize. The applicant should provide information concerning off-site off-street parking available to support the proposed use of this property.

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TransForm Baltimore: This property would become part of the R-8 District (Proposed Zoning Map Area 7-B) in which Places of Worship would be permitted uses (Table 9-301). The Places of Worship would have a parking requirement of 1 off-street space per 4 persons of rated capacity (Table 16-406A).

RECOMMENDATION

The Department of Planning has no objection to this appeal if off-street parking sufficient to serve the proposed use is provided.

TJS/wya/mf

cc: Anthony Fliggins, Appellant