


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 / 2525-2527 Fleet Street		

TO

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

DATE:

December 9, 2014

REQUEST

The Department of Planning has received Gina Campbell's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Charleene's Houses LLC, to subdivide the lot into two parcels and develop each new lot as a single-family attached dwelling with a third floor rear addition on each. The Zoning Administrator has determined that variances of Zoning Code lot area, lot coverage and off-street parking requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on December 16, 2014.

SITE

2525-2527 Fleet Street is located on the southeast corner of the intersection with Rose Street. This property measures approximately 24' by 72' and is currently improved with a three-story semi-detached residential mixed-use building measuring approximately 24' by 56'. This site is zoned R-8 and is located within the Canton National Register Historic District.

ANALYSIS

Use: In this zoning district, single-family attached dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as a funeral parlor, which is a nonconforming use in this R-8 General Residence District, and a single-family attached dwelling.

Land Use and Urban Design: Subdivision of this property requires Planning Commission approval. The proposed subdivision would return this property to its original configuration as two 12' wide lots with a single-family attached dwelling on each, reversing a consolidation done in 1950. The proposed additions to each proposed separate structure would not add to lot coverage already in existence.

Lot Area: In this zoning district, single-family attached dwellings require 750 square feet of lot area (§4-1106.a.). The lot encloses 1,728 square feet, and so does meet this requirement.

Lot Coverage: The existing structure covers approximately 78% of the property. A structure may not cover more than 60% of the lot area (§4-1106.a.). In this case, the proposed third-floor addition would result in the structure continuing to cover approximately 78% of the property, which would exceed this standard.

Lot Coverage Variance: The Board may grant a variance to authorize a lot coverage that is more than that otherwise allowed by the applicable regulation (§15-202.b). A variance would recognize existing conditions on this property.

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). ... 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). Neither existing use of this property (a funeral parlor or undertaking establishment, and a single-family dwelling) was required to provide parking according to the Zoning Code, thus there is no need for a parking variance.

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 7-D) in which dwellings: rowhouse, would be permitted uses (Table 9-301). The R-8 Districts would have off-street parking requirements of 1 space per dwelling (Table 16-406A).

RECOMMENDATION

The Department of Planning recommends approval of this appeal subject to the condition that the subdivision proposed receives approval from the Planning Commission.

TJS/wya/mf

cc: Gina Campbell, Appellant