2011-400

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8TH FLOOR	
	SUBJECT	BMZA / 1815 Saint Paul Street	

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

DATE: October 31, 2011

REQUEST
The Department of Planning has received Jacob Wittenberg's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Station North Development Company, to paint an identification sign measuring 9' by 4' on the side wall of the building on this property. We understand that this appeal is scheduled for hearing on November 22, 2011.

SITE
1815 Saint Paul Street is located on the east side of the street, approximately 34'7" south of the intersection with Trenton Street. This property measures approximately 17' by 122' and is currently improved with a three-story attached multiple-family building measuring approximately 17' by 63'. As a result of earlier and unrelated demolition of previously-existing attached residential buildings on the adjoining consolidated lot to the north of this property, there is an exposed side wall approximately 48' wide by 35' tall on which the applicant proposes to paint a sign; however, this wall's north face may actually be on the property of an owner different from the owner of this property known as 1815 Saint Paul Street. This site is zoned O-R-3 and is located within the Charles/ North Urban Renewal Plan area.

ANALYSIS
An affidavit signed by the owner of the adjoining property known as 1817-1819 Saint Paul Street (Block 390, Lot 9/10) authorizing the applicant to request a sign be painted on that part of the party wall that may lie on or in his property has not been filed with this application. The analysis following is based upon the applicant furnishing such an affidavit to the Board.

Use: Any use that is not expressly allowed in a district is prohibited (§3-106). An identification sign is allowed in an Office-Residence (O-R) District if it is attached to a non-residential building (§11-320.a.). In this case, the property was last authorized for use as a multiple-family attached dwelling, which is a permitted use in this O-R Office-Residence District. The applicant must establish that use and occupancy of the building on this property is non-residential in order to proceed with this application for an identification sign.

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. Signs painted on a building are permitted, with their area restricted to the maximum area of all signs permitted on the building, which in the O-R District is 36 square feet. As the building is now end-of-group, the sign may be placed on the side wall as proposed.

RECOMMENDATION

The Department of Planning recommends approval of this appeal, conditioned upon the applicant providing an affidavit signed by the owner of the adjoining property known as 1817-1819 Saint Paul Street (Block 390, Lot 9/10) authorizing the applicant to request a sign be painted on that part of the party wall that may lie on or in his property; and providing a permit for use and occupancy of the premises as a non-residential building is first obtained by the applicant.

TJS/wya/mf

cc: Jacob Wittenberg, Appellant