2011-498

FROM		
NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE **MEMO**
AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8TH FLOOR	
SUBJECT	BMZA / 33 West North Avenue	

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

DATE: December 16, 2011

REQUEST
The Department of Planning has received Lee Giroux's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Ian Parrish, to use the premises as three dwelling units. We understand that this appeal is scheduled for hearing on December 20, 2011.

SITE
33 West North Avenue is located on the southeast corner of the intersection with Maryland Avenue. This property measures approximately 25' by 115' and contains approximately 0.066 acre, and is currently improved with a three-story end-of-row residential mixed-use building covering the entire lot. This site is zoned B-5-2 and is located within the Charles North Urban Renewal Plan area and the North Central National Register Historic District.

ANALYSIS
Use: In this zoning district, dwellings are listed as a permitted use, and so are allowed (§6-606). In this case, the property was last authorized for use as a business and professional office, a restaurant, a grocery store, and a single-family dwelling, which are permitted uses in this B-5 Central Commercial District.

Conversion of Dwellings: For purposes of this subsection, an empty building is considered to be a single-family dwelling unless it was last lawfully used, in compliance with normal bulk requirements of the district in which it is located, as a dwelling for 2 or more families (§3-305.a.2). Board approval of this conversion is thus required.

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.

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 4 dwelling units (§10-405.1.iv). For three dwelling units, one parking space is required; none are or can be provided. However, the property benefits from a credit of one parking space for the existing dwelling, and thus no new off-street parking spaces are required.

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.

RECOMMENDATION
The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Lee Giroux, Appellant