2011-504

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 / 1702 Eutaw Place	

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

DATE: December 15, 2011

REQUEST
The Department of Planning has received Shelley Carpenter's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Eutaw Place LLC, to use the premises as eight dwelling units. We understand that this appeal is scheduled for hearing on December 20, 2011.

SITE
1702 Eutaw Place is located on the west side of the street, approximately 50' northwest of the intersection with Wilson Street. This property measures approximately 25' by 130' and is currently improved with a three-story semi-detached residential building measuring approximately 21' by 108'. This site is zoned O-R-2 and is located within the Madison Park South Urban Renewal Plan area and the Bolton Hill Historic District.

ANALYSIS
Use: In this zoning district, dwellings are a permitted use, and so are allowed (§5-201). In this case, the property was last authorized for use as a single-family semi-detached dwelling, which is a permitted use in this O-R Office-Residence District.

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, and R-6 Districts, the Board may authorize, as a conditional use, the conversion of a building for use by more than one family, as long as the number of families permitted conforms with the applicable bulk regulations for the district in which the building is located (§3-305.b.1).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit (§5-206.c.). In this case, for eight dwelling units, 4,125 square feet of lot area is required. The lot only encloses 3,250 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 21.2%. 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 Madison Park South Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Comprehensive Planning: The Department of Planning typically will only support one dwelling unit per floor, and normally does not support units in basements. This structure was originally built as a large single-family semi-detached dwelling without a habitable basement. If there are insufficient windows in the basement that could satisfy emergency accessibility requirements for bedrooms, at least one of the basement units proposed would not be approvable.

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 2 dwelling units (§10-405.1.iv). For eight dwelling units, four parking spaces are required; two are provided at the rear of the property, accessible from Morris Street.

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 50%, which is within the variable amount the Board may authorize.

Historic District: The subject property is located within the Bolton Hill District, a locally and nationally designated Baltimore City historic district. All exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. It is recommended that the applicant contact CHAP to determine the review process applicable to their project.

RECOMMENDATION

The Department of Planning recommends disapproval of the appeal for two dwelling units per floor plus two dwelling units in the basement, because a basement front dwelling unit proposed may not be approvable for safety reasons, and the amount of parking demand that would be created by the eight proposed dwelling units would not be served by the available on-site parking and would add to unsatisfied demand for on-street parking on Eutaw Place. The applicant should reduce the number of dwelling units requested to six (or a lower number more commensurate with available parking on site and anticipated demand from future tenants) and submit revised floor plans that would better satisfy both safety and historic preservation requirements.

TJS/wya/mf

cc: Shelley Carpenter, Appellant