


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 813 North Calhoun Street		

TO

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

DATE: January 18, 2012

**REQUEST**

The Department of Planning has received Rohan Thompson's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as two dwelling units. We understand that this appeal is scheduled for hearing on January 24, 2012.

**SITE**

813 North Calhoun Street is located on the east side of the street, approximately 164'10" north of the intersection with Lanvale Street. This property measures approximately 14' by 90' and is currently improved with a three-story attached residential building measuring approximately 14' by 50'. This site is zoned R-8 and is located within the Harlem Park II Urban Renewal Plan area.

**ANALYSIS**

Use: In this zoning district, multiple-family dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as two dwelling units but has been vacant for several years.

Conversion of Dwellings: For applications filed prior to November 22, 2011 for properties in a R-7 or R-8 District, the Board may approve the conversion of a single-family dwelling to a two-family dwelling only if the property meets the minimum lot size requirements (§3-305.b.3.i). This application was filed in late October 2011.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a.). In this case, for two dwelling units, 1,500 square feet of lot area is required. The lot only encloses 1,260 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 16%. 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 Harlem Park II Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

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**Comprehensive Planning:** The Department of Planning typically will only support one dwelling unit per floor, and normally does not support units in basements. This application proposes to use the basement as part of the first floor apartment but would create two dwelling units in a three-story structure, which would be consistent with this housing concept.

**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 attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For two dwelling units, two parking spaces are required; none are or can be provided, due to the original layout of development of this neighborhood.

**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 75%, which is within the variable amount the Board may authorize.

#### **RECOMMENDATION**

The Department of Planning recommends approval of the appeal.

TJS/wya/mf

cc: Rohan Thompson, Appellant