


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 / 2936-2962 Garrison Boulevard		

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 John Hollick's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Nisso Bedolach and Seneca Partnership, LLC, to use the property as/ for 38 dwelling units. We understand that this appeal is scheduled for hearing on January 24, 2012.

### SITE

2936-2962 Garrison Boulevard is located on the west side of the street, approximately 91'5" south of the intersection with Woodhaven Avenue. This property measures approximately 335' along Garrison Boulevard by 157' and contains approximately 1.08 acre, and is currently improved with a vacant three-story garden-style walk-up apartment building built in 1967. This site is zoned R-6 and is located within the Greater Northwest Community Coalition Strategic Neighborhood Action Plan area.

### ANALYSIS

**Use:** In this zoning district, multiple-family detached dwellings are a permitted use, and so are allowed (§4-901). In this case, the property was last authorized for use as a multiple-family dwelling of 100 or more units as a part of a group of properties which also included 2921-2947 Allendale Road, 2912-2932 Garrison Boulevard, and 2908-2910 Garrison Boulevard, and as a professional office for a physician. The building has been vacant since its condemnation in 2007.

**Insufficient Lot Area:** In this zoning district, multiple-family dwellings require 1,500 square feet of lot area per dwelling unit (§4-906.a.). In this case, for 38 dwelling units, 56,250 square feet of lot area is required. The lot only encloses 47,045 square feet, and so does not meet this requirement. As a result, the building, designed and constructed as a 38-unit garden (walk-up) apartment building prior to adoption of the Zoning Code, could be considered a nonconforming structure, Class II (unless the number of dwelling units was to be reduced).

**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 approximately 16%. The variance, if requested, would be within the discretionary range of the Board and so may be allowed.

**Conversion of Dwellings:** In all districts except the R-2, R-4, R-5, R-6, and R-8 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). As this building is actually a nonconforming structure, built as a 38-unit multiple-family dwelling, this appeal does not call for approval of a physical conversion.

**Floor Area Ratio:** The Board may grant a variance to increase a basic floor area ratio factor by no more than 75% of the applicable regulation (§15-204.b). In this case, the proposed floor area ratio is 0.82 which is less than the permitted ratio of 1.0 (§4-908), and thus no variance is needed.

**Comprehensive Planning:** The Greater Northwest Community Coalition Strategic Neighborhood Action Plan ("the Plan"), adopted in 2006, identified the immediate area surrounding this property as a housing sub-market with lower levels of homeownership (home-owner-occupancy) and higher levels of abandonment than the average for the Plan area at large. Baltimore City's 2008 Housing Market Typology identified this property as part of a transitional market area, while properties on the opposite side of Garrison Boulevard were identified as part of a stable residential market area. The Plan notes that the GNCC area has a very diverse housing stock that helps make that area attractive to various religious groups, age groups, and family types. Retaining this property as multiple-family dwellings would help to continue this attractive diversity. However, the Plan also identified this property as one of a group of substandard residential properties (the other three being subjects of companion appeals to this one) that made its immediate area one of six concentrated substandard and dilapidated housing sub-areas in need of targeted interventions, including code enforcement and selective demolition. The Plan's recommendations included identifying a partner to take possession of problem properties, and having GNCC offer services and assistance to landlords in improving problem properties.

The Department of Planning encourages the applicant to work with the community to develop and implement strategies for successful leasing, management, and maintenance of this property on a long-term basis if this appeal is approved by the Board.

#### **RECOMMENDATION**

The Department of Planning recommends that approval of this appeal, if granted, be conditional upon the applicant obtaining Site Plan Review Committee approval for the re-use of this property in conjunction with the adjoining three multiple-family dwelling properties identified under "Analysis/ Use" above. This property, like the other three, requires complete and/or total renovation of what is seen by the community as a dilapidated and blighting housing complex, and thus amenities such as lighting, landscaping, parking, fencing, and other aspects of site planning are in need of SPRC review and approval as part of the development review and approval process.

TJS/wya/mf

cc: John Hollick, Appellant