


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 1181-1185 James Street		

TO

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

DATE: December 11, 2014

REQUEST

The Department of Planning has received Traci Scudder's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Friendship Apostolic Church of God, Inc., to consolidate 1181-1183 and 1185 James Street and use the entire premises as a multi-purpose neighborhood center. The Zoning Administrator has determined that this is a conditional use in a R-8 Zoning District and variances of Zoning Code lot area and off-street parking requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on December 16, 2014.

SITE

1185 James Street is located on the northeast corner of the intersection with Ostend Street. This property measures approximately 15'2" by 47' and is currently improved with a two-story semi-detached building covering the entire lot. 1181-1183 James Street is located on the southeast side of the street, approximately 15'2" northeast of the intersection with Ostend Street. This property measures approximately 24' by 47' and is currently improved with a two-story attached residential mixed-use building measuring approximately 24' by 40'. This site is zoned R-8 and is located within the Washington Village Urban Renewal Plan area and the Pigtown National Register Historic District.

ANALYSIS

Conditional Use: In this zoning district, multi-purpose neighborhood centers are a conditional use, requiring approval by the Board (§4-1103). In this case, the property was last authorized for use as a plumbing, heating, and electrical equipment showroom, which is a nonconforming use in this R-8 General Residence District, and a single-family attached dwelling. The proposed use would extinguish nonconforming use of this property.

Urban Renewal Plan: This property is located in the Washington Village Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Insufficient Lot Area: In this zoning district, multi-purpose neighborhood centers and other conditional uses require 5,000 square feet of lot area (§4-1106.c.). The lot only encloses 1,841 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 63%. The variance requested exceeds the discretionary range of the Board and so should not be allowed.

TransForm Baltimore: This property would remain part of a R-8 District (Proposed Zoning Map Area 6-D) in which community centers would be conditional uses (Table 9-301). “Community center” means “a facility in which people who live in the same neighborhood or community are able to meet and carry on cultural, social, or recreational activities” and includes indoor recreational facilities (§1-304 (G)).

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the amount of lot area variance that would be required for approval would exceed the discretionary authority provided to the Board in the Zoning Code.

TJS/wya/mf

cc: Traci Scudder, Appellant