


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 / 515 Mosher Street		

TO

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

DATE: February 7, 2014

REQUEST

The Department of Planning has received Majid Hosseini's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Pasargad Properties LLC, to use the premises as three dwelling units. The Zoning Administrator has determined that a variance of Zoning Code lot area requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on February 11, 2014.

SITE

515 Mosher Street is located on the south side of the street, approximately 49'7" southwest of the intersection with Etting Street. This property measures approximately 15'6" by 120' and is currently improved with a three-story attached residential building measuring approximately 15'6" by 54'. This site is zoned R-8 and is located within Old West Baltimore National Register Historic District.

ANALYSIS

Use: In this zoning district, multiple-family attached dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as a multiple-family attached dwelling.

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). In this R-8 zoning district, multiple-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a). In this case, for three dwelling units, 1,875 square feet of lot area is required. The lot only encloses 1,860 square feet, and so does not meet this requirement by less than 1%. This would only become a consideration if multiple-family attached dwelling use of the property has been discontinued or abandoned.

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 6-B) in which multi-family dwellings would be permitted uses (Table 9-301). The R-8 Districts would have conversion requirements of 750 square feet of gross floor area per 1-bedroom dwelling unit (§9-703). The gross floor area of this structure, 830 square feet per floor, would permit this property to meet this requirement.

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.

Mr. David Ianner, BMZA
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RECOMMENDATION

The Department of Planning has no objection to this application if multiple-family use of this property as three dwelling units has not been discontinued or abandoned.

TJS/wya/mf

cc: Majid Hosseini, Appellant