


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 / 1010 East Preston Street		

TO

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

DATE: February 28, 2012

### REQUEST

The Department of Planning has received Hal Arnold's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Sumit Thukral, to use the premises as two dwelling units. We understand that this appeal is scheduled for hearing on March 6, 2012.

### SITE

1010 East Preston Street is located on the north side of the street, approximately 79'2" east of the intersection with Ensor Street. This property measures approximately 15'10" by 80' and is currently improved with a three-story attached residential building measuring approximately 15'10" by 64'. This site is zoned R-8 and is located within the Oliver Urban Renewal Plan area and the Old East Baltimore National Register Historic District.

### ANALYSIS

Use: In this zoning district, multiple-family dwellings are a permitted use, and so are allowed (§4-1101), provided that there is sufficient lot area for them to be constructed or provided that they are a continuing use. In this case, the property was last authorized for use as a single-family dwelling, which is also a permitted use in this R-8 General Residence District.

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). Because this property is located in a R-8 District, the Board is not authorized to approve conversion of the building for use by more than one family.

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

### RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the Board is not authorized by the Zoning Code to approve the requested conversion of the premises to multiple-family use in a R-8 Zoning District.

TJS/wya/mf

cc: Hal Arnold, Appellant  
Eastern