


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>Shole/for T. SS</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 334 East 25 th Street		

TO

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

DATE: February 13, 2012

REQUEST

The Department of Planning has received Alan Stern's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as six efficiency units. We understand that this appeal is scheduled for hearing on February 21, 2012.

SITE

334 East 25th Street is located on the north side of the street, approximately 143' west of the intersection with Barclay Street. This property measures approximately 22'4" by 150' and is currently improved with a three-story semi-detached residential mixed-use building measuring approximately 18' by 66'. This site is zoned O-R-2.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§5-201). In this case, the property was last authorized for use as a multiple-family dwelling and offices, which are permitted uses in this O-R-2 Office-Residence District. The applicant's original application is for six efficiency units, but the floor plan drawings included with the application show four efficiency units and two dwelling units. Either use would be approvable according to the Zoning Code.

Lot Area: In this zoning district, dwellings require 375 square feet of lot area per efficiency unit, while dwelling units require 550 square feet per unit (§5-206.c.). In this case, for 6 efficiency units, 2,062.5 square feet of lot area is required. For 4 efficiency units and 2 dwelling units, 2,412.5 square feet of lot area is required. The lot encloses 3,349.5 square feet, and so does meet this requirement for either proposed configuration of residential units.

Comprehensive Planning: The Department of Planning typically will only support one dwelling unit per floor, and normally does not support units in basements. The Baltimore City Comprehensive Master Plan: LIVE, EARN, PLAY, LEARN calls for better land use and urban design standards in order to improve the neighborhoods in our City. To further encourage the excessive conversion of residential buildings confounds this process. The applicant should be encouraged to create one dwelling unit per floor in this premises, rather than six efficiency units or 4 efficiency units and 2 dwelling units. Alternatively, to avoid overcrowding of the property, the number of units approved should be conditional upon a limit of 6 persons residing in the premises, at one person per efficiency unit, or of 8 persons residing in the premises, at one person per efficiency unit and two persons per dwelling unit.

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)... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.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, efficiency unit dwellings require one off-street parking space per 4 efficiency units, and dwelling units require one off-street parking space per 2 dwelling units (§10-405.1.iv). For six efficiency units, two parking spaces are required; for 4 efficiency units and 2 dwelling units, two parking spaces are required; two can be provided at the rear of the property, accessible from 25½ Street.

RECOMMENDATION

The Department of Planning has no objection to this appeal, provided that the applicant provides parking for the residential units that may be authorized by the Board, in accordance with Zoning Code requirements, and that occupancy of the premises is limited to 6 persons in 6 efficiency units, or to 4 persons in 4 efficiency units and 4 persons in 2 dwelling units, at 2 persons per dwelling unit. The Department would also have no objection to approval of use of the premises as three dwelling units.

TJS/wya/mf

cc: Alan Stern, Appellant