

TJK

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 / 4500-4506 Park Heights Avenue		

TO

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

DATE: March 20, 2015

REQUEST

The Department of Planning has received Ryan Potter's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of the Roman Catholic Archbishop of Baltimore, to subdivide the existing church campus, retaining an existing church with 400 seats and an 18-rooming unit convent and rectory, and retaining an existing school building to be used as a charter school for 300 students, with no auditorium or other public assembly facility. The Zoning Administrator has determined that variances of yard setback standards and off-street parking standards are required for approval. We understand that this appeal is scheduled for hearing on March 24, 2015.

SITE

4500-4506 Park Heights Avenue is located on the northwest corner of the intersection with Wylie Avenue. This property measures approximately 537'5" along Park Heights Avenue by 257'1" along Wylie Avenue and contains approximately 3.122 acres, and is currently improved with a grouping of religious institutional structures. This site is zoned R-6 and is located within the Park Heights Urban Renewal Plan area.

ANALYSIS

Use: In this zoning district, elementary and secondary schools and religious institutions are permitted uses, and so are allowed (§4-901). In this case, the property was last authorized for uses identical to the proposed uses, the distinction being that the school would no longer be a parochial school according to the applicant's proposal.

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

Required Yard: In this zoning district, a minimum interior side yard setback of 15' is required (§4-907.a.). In this case, the proposed subdivision line will divide a distance of approximately 25' between existing buildings which are to remain, resulting in one or both new interior side yards not meeting the 15' standard.

Yard Variance: The Board may grant a variance to authorize a yard or setback that is less than that otherwise required by the applicable regulation (§15-203).

Off-Street Parking: ... 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). The applicant is not proposing changes in use.

Northwest

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TransForm Baltimore: This property would remain part of the R-6 District (Proposed Zoning Map Area 1-D) in which Educational Facilities and Places of Worship would be permitted uses (Table 9-301).

RECOMMENDATION

The Department of Planning recommends approval of this appeal, subject to the condition that subdivision of the property receives approval from the Planning Commission.

TJS/wya/mf

cc: Ryan Potter, Appellant