


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>Shole for T.S.</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 4306 GARRISON BOULEVARD		

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

DATE: April 7, 2009

REQUEST

The Department of Planning has received Nathaniel Greene's Board of Municipal and Zoning Appeals (BMZA) application to continue to use the premises as four dwelling units: two dwelling units on the first floor, and two dwelling units on the second floor. We understand this appeal is scheduled for hearing on April 14, 2009.

SITE

4306 Garrison Boulevard is located on the southeast corner of the intersection with Ridgewood Avenue. This property measures approximately 46' by 100' and is currently improved with a two-story detached residential building measuring approximately 35' by 85'. This site is zoned R-2 and is located within the Rogers Avenue Transit Station Urban Renewal Plan area.

ANALYSIS

Conditional Use: In this zoning district, multi-family dwellings are a conditional use, requiring approval by the Board (§4-503). In this case, the property was last authorized for use as four dwelling units, but was issued a vacant housing notice in October of 2005. The appellant will need to demonstrate that this building was lawfully constructed originally as a four-dwelling units building. Otherwise, the noncomplying dwelling units will have been discontinued (§13-512).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 7,300 square feet of lot area per dwelling unit (§4-506). In this case, for four dwelling units, 25,550 square feet of lot area is required. The lot only encloses 4,600 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 82%. The variance requested exceeds the discretionary range of the Board.

Off-Street Parking: In this zoning district, multiple-family attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For four dwelling units, four parking spaces are required. ... 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). In this case, the appellant seeks to reactivate previously authorized dwelling units. For this reason, no additional parking is required.

Mr. David Tanner, BMZA
Executive Director
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RECOMMENDATION

The Department of Planning has no objection to this appeal, only if the appellant can demonstrate that this building was originally constructed for four dwelling units. Otherwise, the noncomplying dwelling units would have been abandoned, and the property should be reduced to single-family dwelling status.

TJS/ewt

cc: Mr. Nathaniel Greene, Appellant