

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 / 415 East 22 nd Street		

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

DATE: May 14, 2010

REQUEST

The Department of Planning has received Rodney Jones' Board of Municipal and Zoning Appeals (BMZA) application to use the premises for two dwelling units. We understand that this appeal is scheduled for hearing on May 25, 2010.

SITE

415 East 22nd Street is located on the south side of the street, approximately 110' east of the intersection with Barclay Street. This property measures approximately 15' by 140' and is currently improved with a three-story row-house building measuring approximately 15' by 62'. This site is zoned R-9 and is located within the Barclay Urban Renewal Plan area and the Barclay-Greenmount Historic District.

ANALYSIS

Use: In this zoning district, multiple-family attached dwellings are listed as a permitted use, and so are allowed (§4-1201).

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).

Lot Area: In this zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit (§4-1206). In this case, for two dwelling units, 1,100 square feet of lot area is required. The lot encloses 2,100 square feet, and so does meet this requirement.

Comprehensive Planning: This proposal complements the first phase of the Barclay redevelopment project being undertaken by the Housing Authority of Baltimore City ("HABC") and its development partner, Telesis Corp. The project will help to spur the revitalization of the Barclay neighborhood through the renovation and new construction of mixed-income housing.

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). In this zoning district, multiple-family attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For two dwelling units, two parking spaces are required; one can be provided at the rear of the lot, with access from 21½ Street.

Off-Street Parking: 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). As the row-house is over 100 years old, only one new off-street parking space is required for approval of the appeal.

Historic District: The subject property is located within the Barclay-Greenmount Historic District, a locally designated Baltimore City historic district. All exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). It is recommended that the applicant contact CHAP to determine the review process applicable to their project, and to explore possible tax credits for restoration of the premises.

RECOMMENDATION

The Department of Planning recommends approval of the appeal, conditioned on CHAP review and approval of all exterior changes which may be associated with preparing this property for use as two dwelling units.

TJS/wya/mf

cc: Rodney Jones, Appellant