

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 / 2301 North Charles Street		

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

DATE: May 18, 2010

REQUEST

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

SITE

2301 North Charles Street is located on the northeast corner of the intersection with 23rd Street. This property measures approximately 22' by 133' and is currently improved with a three-story town-house building measuring approximately 22' by 72'. This site is zoned B-2-3 and is located within the Charles/ 25th Urban Renewal Plan area and the Old Goucher College National Register Historic District.

ANALYSIS

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit and 375 square feet per efficiency unit (§6-311.d). In this case, for 5 dwelling units, 2,475 square feet of lot area is required; and for 2 efficiency units, 750 square feet of lot area is required. Total lot area required is thus 3,225 square feet. The lot only encloses 2,926 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 approximately 9%. The variance requested is within the discretionary range of the Board and so may be allowed.

Renewal Plans: Ordinance #01-0165 was approved May 14, 2001 for the purpose of, among other things, clarifying the relationship between conditions or requirements imposed by an Urban Renewal Plan or Conservation Plan, such that the condition or requirement that is more restrictive will govern. Additionally, the ordinance prohibits the approval of a conditional use or a variance if that conditional use or variance is precluded by an applicable renewal plan or master plan.

Required Findings: The Board may not approve a conditional use unless, after public notice and hearing and on consideration of the standards prescribed in this title, it finds that: ... (2) the use is not in any way precluded by any other law, including an applicable urban renewal plan; (§14-204). For this reason, the Board must consider the requirements of the Charles/ 25th Urban Renewal Plan, which does allow this use in this district. The Charles/ 25th Urban Renewal Plan designates this building, known as Foster Hall of Goucher College, as a Notable Structure, historically and architecturally significant enough that its continued existence is essential to the historical character and integrity of the neighborhood.

Off-Street Parking: In this zoning district, multiple-family attached dwellings require one off-street parking space per two dwelling units and one parking space per four efficiency units (§10-405.1.iv). For 5 dwelling units, 3 parking spaces are required; for 2 efficiency units, 1 parking space is required. Five off-street parking spaces are now provided at the rear of the lot.

Historic District: The property is located in a designated historic district, and is a designated Notable Structure, and so is eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Tom Schneider, Appellant