

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 / 5102 Belair Road		

TO

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

DATE: May 22, 2012

REQUEST

The Department of Planning has received Sergey Kleyman's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as two dwelling units. We understand that this appeal is scheduled for hearing on May 29, 2012.

SITE

5102 Belair Road is located on the west side of the street, approximately 19' northeast of the intersection with Chesmont Avenue. This property measures approximately 19' by 105'1" and is currently improved with a two-story attached residential building measuring approximately 19' by 46'. This site is zoned B-2-2.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as a single-family attached dwelling. The applicant is proposing to use the premises as a multiple-family attached dwelling.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit (§6-311.c.). In this case, for two dwelling units, 2,200 square feet of lot area is required. The lot only encloses 1,997 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 9%. The variance requested is within the discretionary range of the Board and so may be allowed.

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).

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). In this zoning district, multiple-family dwellings require one off-street parking space per two dwelling units (§10-405.1.iv). For two dwelling units, one parking space is required; one can be provided, but does not meet the Zoning Code requirement for access from or to a public right-of-way at least 15 feet wide (§10-306.a.).

Mr. David Ianner, BMZA
Executive Director
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RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Sergey Kleyman, Appellant