


TJA

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 / 769 WASHINGTON BOULEVARD		

TO

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

DATE: May 15, 2009

REQUEST

The Department of Planning has received Marc Cohen's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Sunshine Village, LLC, to add a second story to the existing rear carriage house, construct a three-story rear addition to the front building and use the premises for a total of four dwelling units: three dwelling units in the front building, and one dwelling unit in the rear carriage house. We believe that this appeal is not yet scheduled for hearing.

SITE

769 Washington Boulevard is located on the south side of the street, approximately 48' east of the intersection with Otterbein Street. This property measures approximately 15' by 110' and is currently improved with a three-story attached dwelling. This site is zoned B-2-3 and is located within the Washington Village Urban Renewal Plan area.

ANALYSIS

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).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit (§6-311.d). In this case, for four dwelling units, 1,925 square feet of lot area is required. The lot only encloses 1,650 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 $\pm 14\%$. The variance requested lies within the discretionary range of the Board.

Off-Street Parking: In this zoning district, multiple-family attached dwellings require one off-street parking space per two dwelling units (§10-405.1.iv). For four dwelling units, two parking spaces are required; none are shown to be provided.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case the reduction proposed is 100%, which is greater than the variable amount the Board may authorize.

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Number of Principal Structures on a Residential Lot: No more than one principal detached structure may be located on: (i) any residential lot ... (§3-301.a). Notwithstanding subsection (a) of this section, the Zoning Administrator must approve construction of more than one principal detached structure or other free-standing structure on a residential lot ... if, in a specific case: (1) the development otherwise would conform to the requirements of this article; and (2) the Planning Commission approves the design of the development (§3-301.b). In this case, improving the rear structure for use as a dwelling unit would make it a principal structure, and so Planning Commission approval is required.

RECOMMENDATION

The Department of Planning recommends disapproval of the appeal.

TJS/ewt

cc: Mr. Marc Cohen, Appellant