


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 / 3018 O'Donnell Street		

TO

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

DATE: May 31, 2013

REQUEST

The Department of Planning has received Joseph Woolman's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Panagiotis Kovios, to use the premises as three dwelling units. The Zoning Administrator has determined that a variance of lot area requirements of the Zoning Code would be required for approval of this application. We understand that this appeal is scheduled for hearing on June 11, 2013.

SITE

3018 O'Donnell Street is located on the northwest corner of the intersection with Decker Avenue. This property measures approximately 18' by 75' and is currently improved with a two-story end-of-row residential building covering the entire lot. This site is zoned R-8 and is located within the Canton National Register Historic District.

ANALYSIS

Use: In this zoning district, multiple-family dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as a multiple-family dwelling (2 units) and a rooming house (2 rooms), which is a nonconforming use in this R-8 General Residence District by virtue of insufficient lot area for that many units.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a) and 375 square feet of lot area per rooming unit (§4-1106.c). In this case, for two dwelling units, 1,500 square feet of lot area is required; and for two rooming units, 750 square feet of lot area is required. For three dwelling units, 1,875 square feet of lot area is required. The lot only encloses 1,350 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 28%. The variance requested exceeds the discretionary range of the Board and so ordinarily should not be allowed. However, the proposed use would reduce the degree of nonconformity with lot area requirements from 40% to 28%.

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 case, the required amount of off-street parking is being reduced by one space. However, as the structure covers the entire lot, there has been no off-street parking provided on site.

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TransForm Baltimore: This property would remain part of a R-8 District (Proposed Zoning Map 8-C) in which multi-family dwellings would remain a permitted use.

RECOMMENDATION

The Department of Planning recommends approval of this appeal.

TJS/wya/mf

cc: Joseph Woolman, Appellant