


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 / 1226 North Calvert Street		

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

DATE: June 6, 2013

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Baltimore Baptist Association LLC, to use the premises as four dwelling units and first floor offices. We understand that this appeal is scheduled for hearing on June 11, 2013.

SITE

1226 North Calvert Street is located on the west side of the street, approximately 57'10" south of the intersection with Preston Street. This property measures approximately 18'6" by 85' and is currently improved with a four-story attached residential building measuring approximately 18'6" by 67'. This site is zoned O-R-4 and is located within the Mount Vernon Urban Renewal Plan area and the Mount Vernon Historic District.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§5-201). In this case, the property was last authorized for use as a non-profit home for rehabilitation of non-bedridden alcoholics, by Ordinance no. 212 in 1972. In 1975, a Use & Occupancy permit for 12 rooming units was issued for operation of the halfway house.

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, R-6, and R-8 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 200 square feet of lot area per dwelling unit (§5-206.d). In this case, for four dwelling units, 700 square feet of lot area is required. The lot encloses 1,572.5 square feet, and so does meet this requirement.

Urban Renewal Plan: This property is located in the Mount Vernon Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district. However, the Plan does impose an off-street parking requirement (see below).

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). 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 4 dwelling units

(§10-405.1.iv). For 4 dwelling units, one parking space is required; none are or can be provided that meet the accessibility requirements of the Zoning Code due to the narrow width of the alley behind the property. As this is a row-house structure, the alley does not create a unique circumstance justifying a finding that an unnecessary hardship exists. However, the previous (last authorized) use of the property as 12 rooming units creates a credit of two parking spaces that satisfies this off-street parking requirement.

The Mount Vernon Urban Renewal Plan, in its section B.5.b. (Land Use and Off-Street Parking Provisions, Office-Residential) requires 1 off-street parking space for every 2 dwelling units or every 2 efficiency units in multiple-family dwellings. This requirement is not subject to waiver or variance. The previous use of the property as 12 rooming units, for which two parking spaces were required, allows this application to meet the terms of the Mount Vernon Urban Renewal Plan.

Historic District: The subject property is located within the Mount Vernon 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). Because the property is located in a designated historic district, it may be eligible for historic tax credits for restoration and renovation. It is recommended that the applicant contact CHAP to determine the review process applicable to their project.

TransForm Baltimore: This property would become part of a O-R-2 District (Proposed Zoning Map Area 7-A) in which multi-family dwellings and offices would remain permitted uses (Table 12-301). Multi-family dwellings would be required to provide one off-street parking space per dwelling unit, and offices one space per 800 sq. ft. of gross floor area (Table 16-406A). This would increase the amount of off-street parking that would be required for approval of this application.

RECOMMENDATION

The Department of Planning recommends approval of this application subject to the condition that the applicant obtain a Notice To Proceed from CHAP for any exterior alterations, additions, or demolition related to the proposed use of the property.

TJS/wya/mf

cc: Nate Pretl, Appellant