


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 / 4500 Westchester Road		

TO

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

DATE: June 3, 2013

REQUEST

The Department of Planning has received Caroline Hecker's amended Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Sage Management LLC, to increase the number of dwelling units on the property from 21 to 31 by constructing a 10-unit three-story addition to the existing apartment structure. We understand that this appeal is scheduled for hearing on June 11, 2013.

SITE

4500 Westchester Road is located on the north side of the street, between Clifton Road and Lawina Road. This property measures approximately 540'4" by 127'5" and is currently improved with a three-story detached multiple-family building measuring approximately 240' by 30'. This site is zoned R-5 and is located within the Greater Northwest Community Coalition Strategic Neighborhood Action Plan area.

ANALYSIS

Conditional Use: In this zoning district, multiple-family detached dwellings are a conditional use, requiring approval by the Board (§4-803). The applicant is proposing a modification of an existing conditional use, by increasing the number of dwelling units.

Insufficient Lot Area: In this zoning district, multiple-family detached dwellings require 2,500 square feet of lot area per dwelling unit (§4-806.c). In this case, for 31 dwelling units, 76,250 square feet of lot area is required. The lot only encloses 63,222 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 17%. 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). 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 attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For 31 dwelling units, 31 parking spaces are required; 16 are provided currently in the on-site lot at the eastern end of the property, and an additional 11 would be provided on a new off-street parking lot adjacent to the proposed building addition.

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 13%, which is within the variable amount the Board may authorize.

TransForm Baltimore: This property would remain part of a R-5 District (Proposed Zoning Map Area 5-A) in which multi-family housing would be a permitted use (Table 9-301). There would be a requirement of 1 off-street parking space per dwelling unit for multi-family housing (Table 16-406A).

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Caroline Hecker, Appellant