


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>Shale / for T.J.S.</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 100 South Bouldin Street		

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

DATE: June 15, 2010

REQUEST

The Department of Planning has received Alfred Massa's Board of Municipal and Zoning Appeals (BMZA) application to use the premises for two dwelling units. We understand that this appeal is scheduled for hearing on June 22, 2010.

SITE

100 South Bouldin Street is located on the southwest corner of the intersection with Lombard Street. This property measures approximately 14'6" by 69'6" and is currently improved with a two-story end-of-row building covering the entire lot. This site is zoned R-8 and is located within the Patterson Park – Highlandtown National Register Historic District.

ANALYSIS

Conversion of Dwellings: In the R-7 and R-8 Districts, the Board may approve the conversion of a single-family dwelling to a two-family dwelling only if the property meets the minimum lot size requirements (§3-305.b.3.i). This property has been used as a tavern (a nonconforming use) and one dwelling unit directly over the tavern.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a). In this case, for two dwelling units, 1,500 square feet of lot area is required. The lot only encloses 1,008 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 32.8%. The variance requested exceeds the discretionary range of the Board and so should not 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). As 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).

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

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

RECOMMENDATION

The Department of Planning recommends disapproval of the appeal as presented. If the applicant would amend the appeal to request one dwelling unit and one efficiency unit, thereby reducing the lot area variance required to a level which would be within the discretionary authority of the Board to approve, the Department would have no objection to the appeal.

TJS/wya/mf

cc: Alfred Massa, Appellant