


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 / 7210 Harford Road		

TO

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

DATE:

July 19, 2013

REQUEST

The Department of Planning has received Evan Friedman's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of F & H Mortgage Group, to use the property as three dwelling units and an office. The Zoning Administrator has determined that variance of off-street parking Zoning Code requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on July 23, 2013.

SITE

7210 Harford Road is located on the west side of the street, approximately 50'6" south of the intersection with Alvarado Square. This property measures approximately 50'6" by 128'4" and is currently improved with a two-story-plus attic residential building measuring approximately 26' by 45' with its original basement-level frontage converted into an office. This site is zoned B-2-2.

ANALYSIS

Use: In this zoning district, dwellings and an office are permitted uses, and so are allowed (§6-306). In this case, the property was last authorized for use as a multiple-family attached dwelling with two dwelling units, and a basement-level office (referred to by the applicant as the "first floor" in plans attached to the application) for motor vehicle sales. The applicant is proposing to convert the larger portion of the basement into an additional dwelling unit.

Lot Area: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit (§6-311.c). In this case, for 3 dwelling units, 2,750 square feet of lot area is required. The lot encloses 6,481 square feet, and so does meet this requirement.

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 2 dwelling units (§10-405.1.iv). For 3 dwelling units, 2 parking spaces are required. The entire front yard area and the entire rear yard area are currently used as off-street parking and/or display areas for motor vehicles for sale; however, the rear yard area is inaccessible according to Zoning Code standards because it is used to park vehicles also. There is a curb cut for the driveway on Harford Road at the southern corner of the property. Approval of this application should be conditional upon the applicant designating three off-street parking spaces on this property for exclusive use by the residents of the three dwelling units proposed, including maintenance of unimpeded access to those spaces from Harford Road.

TransForm Baltimore: This property would become part of a C-1 Neighborhood Business District (Proposed Zoning Map Area 4-B) in which dwellings would continue to be permitted. A requirement of one parking space per dwelling unit would be imposed (Table 16-406A). This property thus would not comply with these combined requirements unless there were three parking spaces designated for the residents of this property. As motor vehicle dealerships would be prohibited (Table 10-301) the existing commercial use of the property would become nonconforming.

Comprehensive Planning: This property is part of a used-car dealership and the rear portion of this property has been covered with vehicles which are not being routinely moved by their owners on a daily basis. The applicant should be granted approval for the proposed use on condition that access via the driveway to the three parking spaces for the residents of the three dwelling units remains unimpeded at all times.

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to these conditions in addition to any conditions which the Board may establish:

- The applicant provides and continues to provide at least three off-street parking spaces for exclusive use of the residents of the dwelling units on the property.
- The rear of the property is not used for automobile repairs or painting.

TJS/wya/mf

cc: Evan Friedman, Appellant