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| 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 / 2903 Southern Avenue | | |

TO

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

DATE: July 17, 2013

REQUEST

The Department of Planning has received Pauline Wangui's Board of Municipal and Zoning Appeals (BMZA) application to use the property as three dwelling units by adding a dwelling unit in the basement of the premises. The Zoning Administrator has determined that a variance of lot area Zoning Code requirements of is needed for approval of this application. We understand that this appeal is scheduled for hearing on July 23, 2013.

SITE

2903 Southern Avenue is located on the south side of the street, approximately 50' east of the intersection with Elsrade Avenue. This property measures approximately 50' by 155'10" and is currently improved with a two-story-plus-attic detached residential building measuring approximately 30' by 36'. This site is zoned R-4 and is located within the Lauraville National Register Historic District.

ANALYSIS

Use: In this zoning district, multiple-family detached dwellings are a conditional use, requiring approval by the Board (§4-703). The application indicates that this is already the use of the property.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 5,000 square feet of lot area per dwelling unit (§4-706.c). In this case, for three dwelling units, 12,500 square feet of lot area is required. The lot only encloses approximately 7,795 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 38%. The variance requested exceeds the discretionary range of the Board and so should not be allowed.

TransForm Baltimore: This property would become part of the R-3 District (Proposed Zoning Map Area 4-C) in which multiple-family dwellings would be prohibited uses (Table 8-301). The R-3 Districts would have a minimum 5,000 square feet per dwelling unit lot area requirement (Table 8-401).

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the amount of lot area variance that would be required for approval exceeds the Board's discretionary authority provided in the Zoning Code.

TJS/wya/mf

cc: Pauline Wangui, Appellant

Northeast