


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 / 4820 Curtis Avenue		

TO

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

DATE: July 16, 2012

REQUEST

The Department of Planning has received Chenhong Lu's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as three efficiency units and three office units. We understand that this appeal is scheduled for hearing on July 24, 2012.

SITE

4820 Curtis Avenue is located on the northwest corner of the intersection with Cherry Street. This property measures approximately 18' by 87' and is currently improved with a three-story building with a two-car garage rear addition covering the entire lot. This site is zoned B-2-2 and is located within the Brooklyn and Curtis Bay Business Area Urban Renewal Plan area.

ANALYSIS

Use: In this zoning district, offices and dwellings are permitted uses, and so are allowed (§6-306). In this case, the property was last authorized for use as three efficiency units and four offices, which is a combination of permitted uses in this B-2 Community Business District, by the Board's decision in appeal no. 154-09, heard May 12, 2009. That applicant, having received approval, has since sold this property to the current applicant in May 2012. The current applicant has indicated that the property is presently used as an office and one dwelling unit, similar to the property record that indicates one dwelling unit and offices.

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).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 750 square feet of lot area per efficiency unit (§6-311.c.). In this case, for 3 efficiency units, 1,875 square feet of lot area is required. The lot only encloses 1,566 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 16.5%. The variance requested is within the discretionary range of the Board and so may be allowed.

Urban Renewal Plan: This property is located in the Brooklyn and Curtis Bay Business Area Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

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). The amount of off-street parking required for business, governmental or professional offices is one parking space per 800 square feet of office area in excess of 2,000 square feet (§10-405.17). The approximate floor area of the office spaces proposed by the applicant totals 2,320 square feet, requiring slightly less than ½ space. In this zoning district, multiple-family dwellings require one off-street parking space per 4 efficiency units (§10-405.1.iv). For 3 efficiency units, one parking space is required; two are provided in the two-car garage attached to the rear of the principal structure. The on-site parking available thus satisfies the combined requirements of the proposed uses of the property.

RECOMMENDATION

The Department of Planning has no objection to this appeal, since the Board previously approved three efficiency units and four offices in its decision on appeal no. 154-09.

TJS/wya/mf

cc: Chenhong Lu, Appellant