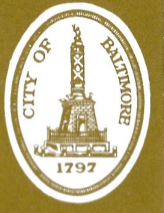


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 1513 South Hanover Street		

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

DATE: August 13, 2010

REQUEST

The Department of Planning has received Julie Tice's Board of Municipal and Zoning Appeals (BMZA) application to construct a two-story rear addition atop the existing garage which will be attached to the principal structure by a bridge, and use the entire premises as two dwelling units. We understand that this appeal is scheduled for hearing on August 17, 2010.

SITE

1513 South Hanover Street is located on the east side of the street, approximately 77' south of the intersection with Fort Avenue. This property measures approximately 16' by 123' and is currently improved with a three-story attached building measuring approximately 16' by 91' and an accessory garage measuring approximately 16' by 23'. This site is zoned R-8.

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).

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 encloses 1,968 square feet, and so does meet this requirement.

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; one is provided by the existing garage. 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). Accessory off-street parking facilities that existed on April 20, 1971, and still serve a structure or use may not be reduced below – or if already below, may not be further reduced below – the minimum requirements of this title for a similar new structure or use (§10-204). This application proposes retaining the existing accessory garage and constructing an additional dwelling unit above it.

Lot Coverage: The existing principal structure covers approximately 74% of the property. A multiple-family dwelling structure may not have a Floor Area Ratio (FAR) exceeding twice the lot area in this residential zoning district (§4-1106.a). In this case, the proposed addition would result in the structure having a FAR of approximately 1.66, which would comply with this standard.

Required Yard: In this zoning district, a minimum rear yard setback of 25' is required (§4-1107.a). In this case, the proposed building addition above the existing garage will project to within 0' of the rear lot line.

Yard Variance: The Board may grant a variance to authorize a yard or setback that is less than that otherwise required by the applicable regulation (§15-203).

Comprehensive Planning: The South Baltimore peninsula is densely developed with narrow streets and alleys, and many properties were built decades ago when off-street parking was not required. Presently, according to the Parking Authority of Baltimore City, the peninsula has an estimated 1,250 on-street parking spaces and the City has issued almost 1,900 parking permits for display in car windows. Adding to that 893 visitor parking passes currently outstanding, the total of permits and passes (2,780) is more than double the number of available on-street parking spaces. Residential Parking Permit Area 30, which contains this property, has restricted parking during daytime and no parking without a permit or pass after 6:00 p.m., demonstrating the lack of adequate parking resources in this neighborhood. The density of this block and lack of adequate parking in the immediate area make granting a variance from the Zoning Code's parking requirements a matter for careful consideration.

RECOMMENDATION

The Department of Planning has no objection to this appeal provided that the applicant can demonstrate to the Board that the existing garage was constructed after April 20, 1971, and thus is available for use by the future occupant of the proposed additional dwelling unit. If the applicant can not so demonstrate, the Department considers a parking variance inadvisable in an area where there are already more than two permitted vehicles for every available on-street parking space. The Department also would have no objection to an additional dwelling unit at this location if the applicant is able to identify off-street parking resources which could accommodate the potential residents of the dwelling to be constructed.

TJS/wya/mf

cc: Julie Tice, Appellant