


TJA

| | | | | |
|------|-----------------------|--|-------------------------------------|---|
| 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 / 828 Hollins Street | | |

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

DATE: August 21, 2015

REQUEST

The Department of Planning has received Un Hwa Hogg's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as four dwelling units. The Zoning Administrator has determined that this is a conditional use conversion in a R-9 zoning district, and that variances of lot area and off-street parking requirements are needed for approval. We understand that this appeal is scheduled for hearing on August 25, 2015.

SITE

828 Hollins Street is located on the north side of the street, approximately 267' west of the intersection with Fremont Avenue. This property measures approximately 19' by 98'7" and is currently improved with a three-story-plus-attic attached multiple-family residential building measuring approximately 19' by 38'. This site is zoned R-9 and is located within the Poppleton Urban Renewal Plan area and the Hollins Roundhouse National Register Historic District.

ANALYSIS

Use: In this zoning district, multiple-family attached dwellings are a permitted use, and so are allowed (§4-1201). In this case, the property was last authorized for use as a multiple-family attached dwelling, but use as four dwelling units was not authorized. A Certificate of Occupancy issued on January 20, 1988 for two dwelling units on the first and second floors stated that the third and fourth floors were to remain vacant.

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, and R-6 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 550 square feet of lot area per dwelling unit (§4-1206.a.). In this case, for four dwelling units, 1,925 square feet of lot area is required. The lot only encloses 1,873 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 3%. The variance requested is within the discretionary range of the Board and so may 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). 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 attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For four dwelling units, four parking spaces are required; two can be provided in the rear of the property using Booth Street for access.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case the reduction proposed is 50%, which is within the variable amount the Board may authorize.

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.

TransForm Baltimore: This property would become part of the R-8 District (Proposed Zoning Map Area 6-D) in which multi-family dwellings would be permitted uses (Table 9-301). The R-8 Districts would continue to have off-street parking requirements of 1 space per dwelling (Table 16-406A).

RECOMMENDATION

The Department of Planning has no objection to this appeal provided that sufficient off-street parking is maintained to serve the approved use.

TJS/wya/mf

cc: Un Hwa Hogg, Appellant