


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 / 3816 Belle Avenue		

TO

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

DATE:

September 8, 2014

REQUEST

The Department of Planning has received Courtney Charles' Board of Municipal and Zoning Appeals (BMZA) application to use the premises as four dwelling units. The Zoning Administrator has determined that a variance of Zoning Code lot area requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on September 9, 2014.

SITE

3816 Belle Avenue is located on the north side of the street, approximately 198'4" west of the intersection with Ayrdale Avenue. This property measures approximately 46'8" by 161'3" and is currently improved with a three-story detached residential building measuring approximately 21' by 40'. This site is zoned R-5 and is located within the Greater Northwest Community Coalition Strategic Neighborhood Action Plan area.

ANALYSIS

Conditional Use: In this zoning district, multiple-family detached dwellings are a conditional use, requiring approval by the Board (§4-803). This property was last authorized for use as a multiple-family detached dwelling. The applicant obtained it from a bank in April 2014, the bank having acquired it from a previous owner in November 2013. The applicant is seeking a Use and Occupancy permit in his own name, and states in his application that the number of dwelling units is and would remain four.

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). In this R-5 zoning district, multiple-family dwellings require 2,500 square feet of lot area per dwelling unit (§4-806.c). In this case, for four dwelling units, 8,750 square feet of lot area is required. The lot only encloses 7,525 square feet, and so does not meet this requirement. However, the Board is not authorized to approve a conversion of this building if it has been allowed to become vacant for a period of over 12 consecutive months prior to the application.

TransForm Baltimore: This property would remain part of the R-5 District (Proposed Zoning Map Area 1-D) in which multi-family dwellings would be permitted uses (Table 9-301). The R-5 Districts would have bulk standards equivalent to those now in effect, and off-street parking requirements of 1 space per dwelling unit (Tables 9-401 and 16-406A).

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RECOMMENDATION

The Department of Planning has no objection to this appeal provided that use of the premises as four dwelling units has not previously been discontinued or abandoned.

TJS/wya/mf

cc: Courtney Charles, Appellant