


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 3809 Clarks Lane		

TO

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

DATE: September 25, 2013

### REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) conditional use application, on behalf of Embassy Apartments LLC, to continue to use the premises as 32 dwelling units, with accessory and non-accessory offices in the basement. We understand that this appeal is scheduled for hearing on October 1, 2013.

### SITE

3809 Clarks Lane is located on the southeast corner of the intersection with Gist Avenue. This property measures approximately 170' by 280' and is currently improved with a four-story detached multiple-family building measuring approximately 57' by 184'. This site is zoned R-5 and is located within the Northwest Community Planning Forum Strategic Neighborhood Action Plan area.

### ANALYSIS

Conditional Use: The applicant is seeking approval to use two basement spaces, previously converted into office spaces but not currently used, as offices once more. The Board previously approved use of this property as 32 dwelling units by its decision in appeal no. 2012-528, heard on January 22, 2013. The applicant is requesting approval of a minor modification of the approved conditional use. There would be no expansion of the existing structure.

Off-street parking: The floor area of the offices would be less than 1,200 square feet, the amount that would require provision of additional off-street parking spaces.

TransForm Baltimore: This property is part of an area of garden apartments that would be rezoned to R-9 (Proposed Zoning Map Area 1-A), for which multiple-family dwellings would require 550 square feet of lot area per dwelling unit. For 32 dwelling units, this would require 17,600 square feet of lot area; the lot area of 47,600 square feet would satisfy this standard. Further, the current R-5 zone's FAR of 0.7 would be replaced with a FAR of 3.0, and the current FAR of 0.88 would fall within this standard also. New non-accessory offices would be a prohibited use. Existing non-accessory offices would become nonconforming uses.

### RECOMMENDATION

The Department of Planning recommends approval of this appeal.

TJS/wya/mf

cc: Nate Pretl, Appellant