


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 / 2020 Saint Paul Street		

TO

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

DATE: September 27, 2013

REQUEST

The Department of Planning has received Valentyna Fadyukhina'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 conversion of a two-family dwelling in a O-R District, and 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 October 1, 2013.

SITE

2020 Saint Paul Street is located on the west side of the street, approximately 163'6" north of the intersection with 20th Street. This property measures approximately 16'2" by 90' and is currently improved with a three-story attached residential building measuring approximately 16'2" by 64' with an attached one-story garage-type structure. This site is zoned O-R-2 and is located within the Charles North Revitalization Area Urban Renewal Plan area and the Old Goucher College National Register Historic District.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§5-201). In this case, the property was last authorized for use as a multiple-family attached dwelling, which is a permitted use in this O-R Office-Residence District.

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 or 375 square feet per efficiency unit (§5-206.c.). In this case, for two dwelling units, 1,100 square feet of lot area is required, and for two efficiency units, 750 square feet of lot area is required. The lot only encloses 1,455 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 21%. 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 Charles North Revitalization Area Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district. However, the Plan does impose off-street parking requirements which must be met (see below).

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 2 dwelling units and one space per 4 efficiency units (§10-405.1.iv). For two dwelling units, one parking space is required; for two efficiency units, one parking space is required; none are provided presently as the garage structure has been converted to a storage shed. However, if this structure would be razed and a paved parking pad replaced it, the property could provide the necessary amount of off-street parking.

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). The Charles North Revitalization Area Urban Renewal Plan requires 1 off-street space for every 2 dwelling units, and 1 off-street space for every 2 efficiency units in multiple-family dwellings (Plan, Land Use Plan, Land Use Provisions and Standards, B.2.a. (4)), for a total of 2 off-street parking spaces to support this application, and this requirement is not waivable or subject to variance by the Board.

TransForm Baltimore: This property would become part of the C-1 District (Proposed Zoning Map Area 7-A) in which multi-family dwellings would be permitted uses (Table 10-301). The C-1 Districts would be exempted from off-street parking requirements (§16-601.(B)).

RECOMMENDATION

The Department of Planning has no objection to this appeal, if the applicant provides two off-street parking spaces on a paved surface at the rear of the property, or if the applicant provides leased off-street parking meeting Zoning Code standards and the requirements of the Charles North Urban Renewal Plan.

TJS/wya/mf

cc: Valentyna Fadyukhina, Appellant