


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 / 2024 North Calvert Street		

TO

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

DATE: October 10, 2013

**REQUEST**

The Department of Planning has received Ibrahim Sheikh's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Carrera Development LLC, to use the premises for two dwelling units and two efficiency 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 October 15, 2013.

**SITE**

2024 North Calvert Street is located on the west side of the street, approximately 88'6" south of the intersection with 21<sup>st</sup> Street. This property measures approximately 16' by 85' and is currently improved with a three-story attached residential building measuring approximately 16' by 46'. This site is zoned O-R-2 and is located within the Barclay 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. However, its period of vacancy has resulted in its status reverting to single-family dwelling under the Zoning Code.

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 and 375 square feet of lot area per efficiency unit (§5-206.c). In this case, for two dwelling units, 1,100 square feet of lot area is required; for two efficiency units, 750 square feet of lot area is required. The lot only encloses 1,360 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 26.4%. The variance requested exceeds the discretionary range of the Board and so should not be allowed.

Urban Renewal Plan: This property is located in the Barclay Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

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 off-street parking space per 4 efficiency units (§10-405.1.iv). For two dwelling units and 4 efficiency units, 2 parking spaces are required; one is provided. A variance is not required as the property is credited with one parking space for its previous use.

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 7-A) in which multi-family dwellings would be permitted uses (Table 9-301). The R-8 Districts would have off-street parking requirements of 1 space per dwelling unit (Table 16-406A). Conversion of a single-family dwelling to a multi-family dwelling would require each one-bedroom unit to have 750 square feet of gross floor area, and an efficiency unit to have 500 square feet of gross floor area (§9-703.C). While the proposed efficiency units would meet these floor area standards, the proposed one-bedroom units would not.

## **RECOMMENDATION**

The Department of Planning recommends disapproval of this appeal, as the premises is a row dwelling (attached residential structure) with no unique circumstance present to justify the requested variance, and because the amount of lot area variance required for approval would exceed the discretionary authority provided to the Board in the Zoning Code.

TJS/wya/mf

cc: Ibrahim Sheikh, Appellant