


<b>FROM</b>	NAME & TITLE	THOMAS J. STOSOR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 4708 Curtis Avenue		

**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 Safe House of Hope's Board of Municipal and Zoning Appeals (BMZA) application to consolidate the lots known as 4708 and 4710 Curtis Avenue and use the combined premises for a philanthropic and charitable institution providing day shelter and client services including emergency overnight shelter. The Zoning Administrator has determined that a variance of Zoning Code parking requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on October 15, 2013.

**SITE**

4708 Curtis Avenue is located on the west side of the street, approximately 64' south of the intersection with Cypress Street. This property measures approximately 16' by 87' and is currently improved with a two-story attached residential mixed-use building measuring approximately 16' by 70'. 4710 Curtis Avenue is located on the west side of the street, approximately 80' south of the intersection with Cypress Street. This property measures approximately 20' by 87' and is currently improved with a two-story end-of-row building measuring approximately 20' by 70'. This site is zoned B-2-2 and is located within the Brooklyn – Curtis Bay Business Area Urban Renewal Plan area.

**ANALYSIS**

Use: In this zoning district, philanthropic and charitable institutions are a permitted use, and so are allowed (§6-306). In this case, 4708 Curtis Avenue was last authorized for use as warehousing, which is a nonconforming use, and an antique shop and a single-family dwelling, which are permitted uses in this B-2 Community Business District. 4710 Curtis Avenue was authorized for use as a church by the Board's decision in appeal no. 376-99X.

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

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.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). The amount of off-street parking for a philanthropic and charitable institution is 1 space per 4 employees, plus any additional spaces as required by the Board after considering written recommendation by the Department of Public Works (§10-405.19). The application does not indicate the number of employees who would be operating the day shelter, providing client services, and managing the overnight shelter.

Mr. David Lanner, BMZA  
Executive Director  
Page 2  
Re: 4708 Curtis Avenue

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 unknown. As the lots upon consolidation would be 36' wide and are served by a 15' wide alley at their rear, and the existing structures leave approximately 17' of rear yard depth, exclusive of use of portions of the rear yard for external appliances, the rear yard area could provide 2 parking spaces.

TransForm Baltimore: This property would become part of a C-2 District (Proposed Zoning Map Area 13-A) in which homeless shelters would be prohibited uses, while adult day care centers and places of worship would be permitted uses (Table 10-301). "Place of worship" includes "accessory programs that provide care for children or for elderly or functionally impaired adults" (§1-311 (P)(2)).

#### **RECOMMENDATION**

The Department of Planning has no objection to this appeal if adequate parking facilities are provided for the employees of the philanthropic and charitable institution.

TJS/wya/mf

cc: Safe House of Hope, Appellant