


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>Thomas J. Stosur</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 2904 Hollins Ferry Road		

TO

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

DATE: October 26, 2009

REQUEST

The Department of Planning has received Stephen Wilhide's Board of Municipal and Zoning Appeals (BMZA) application to house two dwelling units on the premises, by erecting a fire-rated partition wall within the structure to create two side-by-side dwellings. We understand that this appeal is scheduled for hearing on October 27, 2009.

SITE

2904 Hollins Ferry Road is located on the west side of the street, approximately 50' north of the intersection with Lakeland Avenue. This property measures approximately 50' by 150' and is currently improved with a two-story building measuring approximately 33' by 40'. This site is zoned R-4 and is located within the Westport/ Mount Winans/ Lakeland Master Plan area.

ANALYSIS

Use: In this zoning district, multi-family detached dwellings are listed as a conditional use, (§4-503 to §4-703). In this case, the property was last authorized for use as a single-family detached dwelling, which is a permitted use in this R-4 General Residence District, and a grocery store, which is a nonconforming use.

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 the R-4 District, the proposed use requires 10,000 sq ft (§4-706(a)). This premises contains approximately 7,600 sq ft. 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 approximately 24%. The variance requested is within the discretionary range of the Board and so may be allowed.

Parking: The plans submitted with the application show parking in the front yard. This is prohibited by §3-209 of the Zoning Code. Any off-street parking provided must be in the rear yard, which is accessible from the alley behind the premises.

RECOMMENDATION

The Department of Planning recommends approval of the appeal, conditional on provision of off-street parking areas in the rear yard and removal of the concrete in the front yard and removal of any curb cuts now existing, with curb and sidewalk restored to City standards.

TJS/ewt/mf

cc: Stephen Wilhide, Appellant

Southern