

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR
	SUBJECT	BMZA / 428 East 21 <sup>st</sup> Street

CITY of  
BALTIMORE  
**MEMO**



TO

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

DATE: November 12, 2015

**REQUEST**

The Department of Planning has received Ryan Potter's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of North Barclay Green Limited Partnership, to use the premises as two dwelling units. The Zoning Administrator has determined that this is a conditional use conversion in a R-9 zoning district. We understand that this appeal is scheduled for hearing on November 17, 2015.

**SITE**

428 East 21<sup>st</sup> Street is located on the north side of the street, approximately 236' east of the intersection with Barclay Street. This property measures approximately 14' by 75' and is currently improved with a two-story attached residential building measuring approximately 14' by 50'. This site is zoned R-9 and is located within the Barclay Urban Renewal Plan area.

**ANALYSIS**

Use: In this zoning district, multiple-family attached dwellings are a permitted use, and so are allowed (§4-1201). In this case, the property was last authorized for use as a single-family attached dwelling.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit (§4-1206.a.). In this case, for two dwelling units, 1,100 square feet of lot area is required. The lot only encloses 1,050 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 5%. 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 Barclay Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Comprehensive Planning: These properties are included in the third phase of the Barclay redevelopment project being undertaken by the Housing Authority of Baltimore City ("HABC") and its development partner, Telesis Corporation (with which the applicant is affiliated). The project will spur the revitalization of the Barclay neighborhood through the renovation and new construction of over 300 units of mixed-income housing and accessory services and service businesses. This application is for renovation to create new dwelling units.

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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 dwelling unit (§10-405.1.iv). For two dwelling units, one new parking space is required; none can be provided on site unless access is created using a new alley meeting Zoning Code width and street connection requirements.

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 no more than 75%, which is within the variable amount the Board may authorize.

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). Properties in the R-9 Districts would be subject to residential conversion standards (§9-703).

#### **RECOMMENDATION**

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Ryan Potter, Appellant