2010-440

TJS

FROM		
NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE **MEMO**
AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8TH FLOOR	
SUBJECT	BMZA / 3724 2nd Street	DATE: November 15, 2010

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

REQUEST
The Department of Planning has received Ivy Norfolk's Board of Municipal and Zoning Appeals (BMZA) application to use the accessory structure on the property as a second single-family dwelling unit. We understand that this appeal is scheduled for hearing on November 23, 2010.

SITE
3724 2nd Street is located on the northwest corner of the intersection with Washburn Avenue. This property measures approximately 17'6" by 100' and is currently improved with a two-story-plus-attic semi-detached residential building measuring approximately 17'6" by 47' and a second building, originally an accessory garage, measuring approximately 17'6" by 21' along Washburn Avenue, located at the west or rear of the property. This site is zoned R-6 and is located within the Brooklyn-Curtis Bay Strategic Neighborhood Action Plan area.

ANALYSIS
Use: In this zoning district, single-family detached dwellings and single-family semi-detached dwellings are listed as permitted uses, and so are allowed (§4-906.a). In this case, the property was last authorized for use as one single-family semi-detached dwelling, which is a permitted use in this R-6 General Residence District.

Insufficient Lot Area: In this zoning district, single-family detached dwellings require 5,000 square feet of lot area per dwelling unit (§4-906.a). In this case, for the proposed additional single-family detached dwelling unit to be created by conversion of an accessory structure, 5,000 square feet of lot area is required. The lot only encloses 1,750 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 65%. The variance requested exceeds the discretionary range of the Board and so should not be allowed.

RECOMMENDATION
The Department of Planning recommends disapproval of the appeal, as the amount of lot area variance which would be required for approval of this appeal exceeds the Board's discretionary authority provided in the Zoning Code.

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cc: Ivy Norfolk, Appellant