


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 3306 Clifton Avenue		

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

DATE: November 25, 2013

REQUEST

The Department of Planning has received Lee Giroux's Board of Municipal and Zoning Appeals (BMZA) conditional use application to use the portion of the premises known as 3306 Clifton Avenue as six dwelling units. The Zoning Administrator has determined that this is a conditional use in a R-7 District. We understand that this appeal is scheduled for hearing on November 26, 2013.

SITE

3302-3306 Clifton Avenue is located on the north side of the street, approximately 71'2" west of the intersection with Hilton Street. This property measures approximately 162' by 150' and is currently improved with three 3-story detached residential apartment buildings each measuring approximately 36' by 52', known as 3302, 3304, and 3306 Clifton Avenue respectively. This site is zoned R-7.

ANALYSIS

Use: In this zoning district, multiple-family detached dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as multiple-family detached dwellings. Although a vacant building notice was issued for this portion of the property in 2010, the remainder of the property has continued to be used as multiple-family detached dwellings. As the property is undivided it has not lost its multiple-family dwellings status.

Lot Area: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit (§4-1006.a.). In this case, for 6 dwelling units, 6,050 square feet of lot area is required. The lot encloses 24,300 square feet, and so does meet this requirement for this portion of the property alone, or for all three standing multiple-family dwelling structures taken together.

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 application no change in the original number of dwelling units (six) is proposed for a structure that was lawfully erected in the late 1920s without provision of off-street parking. Thus, there is no parking variance required for continuation of the multiple-family dwelling use.

Mr. David Tanner, BMZA
Executive Director
Page 2
Re: 3306 Clifton Avenue

TransForm Baltimore: This property would remain part of the R-7 District (Proposed Zoning Map Area 5-B) in which multi-family dwellings would be permitted uses (Table 9-301). The R-7 Districts would have off-street parking requirements of one space per dwelling unit (Table 16-406A).

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Lee Giroux, Appellant