


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 / 417-419 South Eden Street and 415 South Eden Street		

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

DATE: November 29, 2011

REQUEST

The Department of Planning has received Evangelos Gourgoulisanis' Board of Municipal and Zoning Appeals (BMZA) application to consolidate lots and use the entire premises for two dwelling units with two off-street parking spaces. We understand that this appeal is scheduled for hearing on December 6, 2011.

SITE

417-419 and 415 South Eden Street are located on the east side of the street, approximately 133'6" north of the intersection with Eastern Avenue. 417-419 South Eden Street measures approximately 15'6" along Eden Street by 78' deep and contains approximately 0.060 acre, and is currently improved with a one-story commercial garage building covering the entire lot. 415 South Eden Street adjoins this property to its north and measures approximately 13' by 51' and is currently unimproved. This site is zoned R-8 and is located within the South Central Avenue National Register Historic District.

ANALYSIS

Use: In this zoning district, multiple-family dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as a garage for storage, repair and servicing of motor vehicles, which is a nonconforming use in this R-8 General Residence District.

Lot Area: In this zoning district, multiple-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a.). In this case, for two dwelling units, 1,500 square feet of lot area is required. The lot encloses 3,627 square feet, and so does meet this requirement.

Minimum Dwelling Width: (1) Except as otherwise specified in this section, a person may not erect any new residential structure that is less than 16 feet wide. (2) This subsection does not prevent or restrict an otherwise lawful expansion of a lawful preexisting residential structure that already is less than 16 feet wide (§3-303.a). The plans included with this application show a building 15'6" wide, which is the existing non-residential garage structure, being converted into a residential structure, with a 22'8" by 37' one-story addition forming the second dwelling unit proposed. This application requires approval of a 6" variance of the minimum dwelling width requirement.

Off-Street Parking: 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, two parking spaces are required; one would be provided through retention of the existing garage opening on 417-419 South Eden Street.

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 50%, which is within the variable amount the Board may authorize.

Land Use and Urban Design: The consolidated lot would have a frontage of 28'6" on Eden Street, of which 15'6" would remain the front of a garage. The existing side wall of the garage building would have two windows punched in it to provide light and air to the proposed two new bedrooms of the front dwelling unit; for the rear portion of the combined structure, the wall facing Eden Street would have two windows facing the street, and a third window facing north towards the side lot line. To make this proposed housing viable as well as more marketable, the existing paved areas around the structure should be replaced with landscaped pervious areas. As there must also be a private walkway leading from Eden Street to the front doors of the two proposed dwelling units, unless underground utilities prevent it the remaining pervious areas should be planted with two appropriate trees beside the walk and a third in the area at the north end of what is now 417-419 East Eden Street. Planning staff are prepared to work with the applicant to devise an approvable landscape plan for this site.

RECOMMENDATION

The Department of Planning recommends approval of the appeal, as the proposed redevelopment of the property would extinguish a nonconforming use of the premises, subject to the applicant providing the Department of Planning an approvable landscape plan for residential use of this consolidated property and reducing the existing impervious surface area according to that plan.

TJS/wya/mf

cc: Evangelos Gourgoulianis, Appellant