

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



**BOARD OF MUNICIPAL AND
ZONING APPEALS**

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

April 6, 2017

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: City Council Bill No. 17-0007 Zoning – Conditional Use Parking, Off-Street
Garage - 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

Ladies and Gentlemen:

City Council Bill No. 17-0007 has been referred by your Honorable Body to the Board of
Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0007 is to permit, subject to certain conditions,
the establishment, maintenance, and operation of a parking, off-street garage on the
property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as
outlined in red on the accompanying plat.

The BMZA has reviewed the legislation and has reviewed the Department of Planning
Staff Report and recommendations and concurs with the Planning Commission response
recommending that Bill No. 17-0007 be amended to read that the parking structure remains
subject to a local Historic Landmark designation, and as such, all exterior modifications
must be approved by CHAP. The Board recommends that City Council Bill No. 17-0007
be amended and passed.

Sincerely,

A handwritten signature in black ink that reads 'David C. Tanner'.

David C. Tanner
Executive Director

DCT/rdh

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office

Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, 10th District
Mr. David Tanner, Executive Director of the BMZA
Mr. Geoffrey Veale, Zoning Administrator
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Department



**BOARD OF MUNICIPAL AND ZONING APPEALS
STAFF REPORT**



ZONING DISTRICT: R-8
ADDRESS: 1000 S. Ellwood Avenue (To be known as 3033 Dillon Street)
BLOCK/LOT: 1885/029
NEIGHBORHOOD: Canton
LOT AREA: 5,464.08 square feet

REQUEST: City Council Bill # 17-0007/ Zoning – Conditional Use Parking, Off-Street Garage – 1000 S. Ellwood Avenue (To be known as 3033 Dillon Street).

PETITIONERS: Councilperson Zeke Cohen, First District

OWNER: F.M. Harvey Construction, LLC

CASE HISTORY: This site was designated a Historic Landmark in accordance with Ordinance #13-171. On 5/26/2009, the BMZA Case # 09-292 was approved with conditions to consolidate 1000 S. Ellwood with Block 1885, Lot 28, in order to subdivide the lot and construct 3 new single-family dwellings with rooftop decks. Lastly, on 7/28/2015, BMZA Case # 15-236 was approved to use the property as a 4 dwelling unit structure with a one-story detached garage.

ANALYSIS

The proposal before the City Council is a request to use the premises as an off-street parking garage. In accordance with § 4-1104 of the Zoning Code of Baltimore City, off-street parking garages for the parking of three or more vehicles are conditional uses that requires a legislative ordinance from the Mayor and City Council. In accordance with § 16-304, the Board must base their recommendations to the Council on the considerations set forth under Title 14 {"Conditional Uses"}:

§ 14-204

- The establishment, location, construction, maintenance, and operation of the parking garage will not be detrimental to or endanger the public health, security, general welfare, or morals;
- The parking garage is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- The authorization of the parking garage is not otherwise in any way contrary to the public interest; and
- The authorization of the parking garage is in harmony with the purpose and intent of this article.

§ 14-205

- The nature of the proposed site, including its size and shape is appropriate for a parking garage;
- The resulting traffic patterns and adequacy of the proposed off-street parking and loading;
- The nature of the surrounding area and the extent to which the proposed garage might impair future development;
- Accessibility of the premises for fire and police protection;
- The preservation of cultural and historic landmarks;



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- The provisions of the City Master Plan;
- All applicable standards and requirements of this article; and
- Any other matters considered to be in the interest of the general welfare.

Planning Commission Recommendations

On March 2, 2017, the Planning Commission recommended approval of this conditional use authorization subject to an amendment that the parking structure remains subject to a local Historic Landmark designation. As a result, all exterior modifications would have to ascertain CHAP approval.