


TJA

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #13-0299 / ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 2642 McELDERRY STREET		

TO

The Honorable President and
 Members of the City Council
 City Hall, Room 400
 100 North Holliday Street

DATE: January 24, 2014

At its regular meeting of January 23, 2014, the Planning Commission considered City Council Bill #13-0299, for the purpose of permitting, subject to certain conditions, the conversion of a 1-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 2642 McElderry Street, as outlined in red on the accompanying plat; and granting variances from certain lot size, rear yard setback, and off-street parking requirements.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended disapproval of City Council Bill #13-0299 and adopted the following resolution; nine members being present (nine in favor).

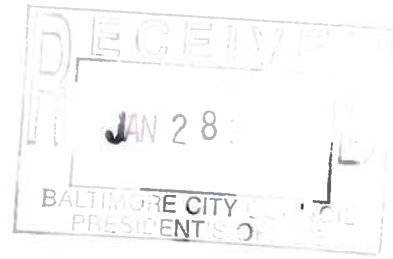
RESOLVED, That the Planning Commission does not concur with the recommendation of its departmental staff, and recommends that City Council Bill #13-0299 be passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Ms. Kaliopé Parthemos, Deputy Chief for Economic and Neighborhood Development
- Mr. Alex Sanchez, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Mr. Nicholas Blendy, DHCD
- Ms. Barbara Zektick, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Karen Randle, Council Services
- Ms. Melissa Krafchik, PABC
- Mr. Paul Rufe, Applicant





Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

January 23, 2014

REQUEST: CCB #13-0299/ Zoning – Conditional Use Conversion of a 1-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District – Variances – 2642 McElderry Street:

FOR the purpose of permitting, subject to certain conditions, the conversion of a 1-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 2642 McElderry Street, as outlined in red on the accompanying plat; and granting variances from certain lot size, rear yard setback, and off-street parking requirements.

RECOMMENDATION: Disapproval

STAFF: Eric Tiso

PETITIONER: Paul Rufe, Rufe Enterprises, Inc.

OWNER: Rufe Enterprises, Inc.

SITE/GENERAL AREA

Site Conditions: 2642 McElderry Street is located on the northwest corner of the intersection with North Lakewood Avenue. The property is zoned R-8 residential, and is currently improved with a two-story end-of-group rowhome that measures approximately 15' by 60'.

General Area: This property is located in the McElderry Park neighborhood, which is largely residential in nature with a majority of the housing stock comprised of rowhomes. There is a commercial corridor running east-west located one block to the north, along East Monument Street. The William Paca Elementary School is located two blocks to the south.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

ANALYSIS

Project: The applicant has purchased this vacant property, and wishes to renovate it and return it to productive use. As a part of that process, he is requesting a conversion of dwellings, which requires approval by an Ordinance through the Mayor and City Council.

Zoning Analysis: In the R-7 and R-8 Districts, the conversion of a 1- or 2-family dwelling to additional dwelling units may be authorized, but only by a conditional-use ordinance (§3-305.b.3). In this R-8 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 only encloses 1,072.5 square feet, and so does not meet this requirement. In this district, one off-street parking space must be provided for each dwelling unit (§10-405.1). No off-street parking is provided.

Variances: A variance to reduce the applicable minimum lot area requirements by no more than 25% of the applicable regulation may be approved (§15-202). In this case, the proposed amount of variance would be 28.5%. The requested lot area variance exceeds the discretionary range provided in Title 15. Likewise, a variance may be granted 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 100 %, which is also greater than the variable amount that may be authorized. Unless the Council can find that such disapproval would render the property otherwise unusable per §15-204 of the Zoning Code, the bill should be disapproved.

Community Notification: The following community organizations have been notified of this action: Amazing McElderry Park Community Development Corporation, Inc., the Historic East Baltimore Community Action Coalition, Inc. (HEBCAC), and the McElderry Park Community Association, Inc.



Thomas J. Stosur
Director