

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

March 28, 2017

The Honorable President and
Members of the City Council
City Hall, Room 400
100 N. Holliday Street
Baltimore, MD 21202

On March 28, 2017, the Board of Municipal and Zoning Appeals considered Council Bill #17-0016, which is a request to convert the existing single-family dwelling to one dwelling unit and one efficiency unit in an R-8 zoning district at the real property address known as 2823 Huntingdon Avenue. In the Board's consideration of the aforementioned Bill, the Board reviewed the attached staff report which outlines the specificities relative to the required regulations and findings that the Board must determine in order to recommend approval of this Bill. As a result, the Board adopted the subsequent resolution, four members being present (four in favor):

RESOLVED, the Board of Municipal and Zoning Appeals finds, in accordance with the required considerations set forth under §§ 16-304 and 14-205 of the Zoning Code of Baltimore City, that the proposed use outlined in City Council Bill #17-0016: will not be detrimental to or endanger the public health, security, general welfare, or morals; is not in any way precluded by any other law, is not in any way contrary to the public interest; and is in harmony with the purpose and intent of this Article.

As a result, the Board of Municipal and Zoning Appeals recommends approval of Council Bill # 17-0016.

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
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administrator
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Mr. Victor Tervalva, Law Department
Legislative Reference**



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



ZONING DISTRICT: R-8
ADDRESS: 2823 Huntington Avenue, Baltimore, Maryland 21211
BLOCK/LOT: 3651/011
NEIGHBORHOOD: Remington
LOT AREA: 30' x 80' = 2,400 square feet

REQUEST: City Council Bill # 17-0016/ Zoning – Conditional Use Conversion of a single-family dwelling to 1 dwelling unit and 1 efficiency unit.

PETITIONERS: Councilmembers Clarke, Dorsey, Cohen, and Stokes, at the request of Daniel Wells

OWNER: Daniel Wells

CASE HISTORY: No legislative or BMZA actions have occurred relative to this site.

ANALYSIS

The proposal before the City Council is a conversion request to change the existing single-family dwelling to 1 dwelling unit and 1 efficiency unit. Under the provisions set forth under § 3-305(b)(2), the conversion of a 1- or 2-family dwelling to additional dwelling or efficiency units may be authorized only by a conditional-use ordinance and only as long as the number of dwelling and efficiency units to be allowed conforms with the applicable principal-permitted-use bulk regulations for the district in which the building is located. Therefore, the following bulk regulations have been analyzed to see if any variances would be required with this conditional use authorization request:

MIN. LOT AREA: Under § 4-1106, the minimum lot area requirement for a multiple-family dwelling is 500 square feet per efficiency unit and 750 square feet per dwelling unit. Since the property will have one of each, the total lot area required is 1,250 square feet. Since the property contains 2,400 square feet of lot area, no variance will be required for this request.

FAR: Under § 4-1108, the maximum floor area ratio for all principal conditional uses in an R-8 zoning district is 2.0. The floor area ratio that exists on the structure is 0.7, so no variance will be required for this request.

PARKING: One off-street parking space is required to serve the efficiency unit. The alley that is located behind the rear portion of the premises is 20 feet wide and meets the zoning code's requirements for accessibility. The rear yard measures approximately 20 feet deep and is 30 feet wide, so the rear yard could provide the requisite off-street parking. In addition, the property has an existing curb cut on Huntingdon Avenue with a 10 foot driveway. Therefore, no variance for parking should be required.

CONDITIONAL USE: In accordance with § 16-304, the BMZA must base their recommendations to the City Council on the required considerations set forth under Title 14 {"Conditional Uses"}.