

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 #18-0258/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 417 E. LAFAYETTE AVENUE		

TJS

TO

DATE:

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

July 13, 2018

At its regular meeting of July 12, 2018, the Planning Commission considered City Council Bill #18-0258, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 E. Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting variances from certain off-street parking requirements.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #18-0258, and adopted the following resolution, 9 members being present (9 in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-406(a) and §5-406(b) of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- would not be detrimental to or endanger the public health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest; and
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in §5-406(b) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0258 passed by the City Council.

If you have any questions, please contact Mrs. Christina Hartsfield in the Land Use and Urban Design Division at 410-396-1651.

TJS/ch

Attachment



*Catherine E. Pugh
Mayor*

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



*Thomas J. Stosur
Director*

July 12, 2018

REQUEST: City Council Bill # 18-0258 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 417 East Lafayette Avenue

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

RECOMMENDATION: Approval

STAFF: Christina Hartsfield

PETITIONERS: Councilmember Stokes and President Young, at the request of Derese Getnet, c/o AB Associates

OWNER: Derese Getnet

SITE/GENERAL AREA

Site Conditions: 417 East Lafayette Avenue is located on the south side of the street, approximately 16' west of the intersection with Brentwood Avenue. This property measures approximately 16' by 95' and is currently improved with a three-story attached residential building measuring approximately 16' by 45'. This site is zoned R-8.

General Area: This residential property is located in the Greenmount West neighborhood in the North Planning District. It is surrounded by other rowhouse structures of similar scale. The City Arts II apartment building is located on the adjacent block to the east and the Barclay Street Park is located directly across the rear alley.

HISTORY

There are no previous Planning Commission actions for this property.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

ANALYSIS

Project: This legislation would allow the petitioner to use the existing structure as two dwelling units. Adaptive re-use as a two-family attached dwelling would allow preservation of a piece of Greenmount West's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs.

Zoning Analysis: This property is a well-preserved rowhouse containing approximately 2,160 gross square feet of floor area. This bill would encourage re-use of a structure consistent with its current zoning.

- The Zoning Code requires, for conversion of a single-family property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §9-703.d., citing Table 9-401). A lot area of 1,500 square feet is thus required for the proposed use. This lot is 1,520 square feet and thus meets the lot area requirement for conversion.
- A rear yard setback of 20' is required (Table 9-401). This property has a rear yard of 50' and thus meets this requirement.
- The maximum lot coverage allowed is 80% (Table 9-401). This structure covers less than 50% of the lot.
- One additional off-street parking space is required to serve the newly-created dwelling unit (§9-703.f.), totaling two required spaces for the use. The property provides only one off-street parking space. A variance for off-street parking is therefore required, and has been included in this bill.

Conditional Use – Required findings: In accordance with §5-406 of Article 32 (the Zoning Code of Baltimore City), the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 5 {"Applications and Authorizations"}, subtitle 4 {"Conditional Uses"} of the Zoning Code:

1. the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
2. the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization would not be contrary to the public interest; and
4. the authorization would in harmony with the purpose and intent of this article (§5-406).

In addition, the Zoning Code requires review of these considerations:

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- there will be no negative impact to traffic patterns in the immediate area;
- the proposed use will not impair the present and future development of this lot or the surrounding area;

- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to emergency vehicles;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- the proposed use would not interfere with preservation of cultural and historic landmarks and structures;
- the proposed use would not alter the character of the neighborhood;
- the proposed use is consistent with provisions of the City's Comprehensive Master Plan; and
- the use of the property as two dwelling units meets all other applicable standards and requirements of this Code (§5-406).

The proposed use as a 2-family dwelling would be consistent with residential use in the area and would not interrupt continuing use of a structure that is a contributing element in the Greenmount West community.

Notification: The following community organizations have been notified of this action: the Greenmount West Community Association.



Thomas J. Stosur
Director