

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 #18-0218/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 807 NORTH MONROE STREET		

DATE:

TO

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

May 11, 2018

At its regular meeting of May 10, 2018, the Planning Commission considered City Council Bill #18-0218, 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 807 North Monroe Street (Block 0084, Lot 046), as outlined in red on the accompanying plat; and granting variances from certain bulk, gross floor area, gross floor area per unit type, and off-street parking regulations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #18-0218, and adopted the following resolution, eight members being present (eight 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 and shape of the specific structure, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements were carried out; and therefore recommends that City Council Bill #18-0218 be passed by the City Council.

If you have any questions, please contact Mr. Martin French in the Land Use and Urban Design Division at 410-396-1354.

TJS/ewt

Attachment

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. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Ms. Katelyn McCauley, DoT
Ms. Natawna Austin, Council Services
Mr. Derrick Shaw



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Thomas J. Stosur
Director

May 10, 2018

REQUEST: City Council Bill #18-0218 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 807 North Monroe Street

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 807 North Monroe Street (Block 0084, Lot 046), as outlined in red on the accompanying plat; and granting variances from certain bulk, gross floor area, gross floor area per unit type, and off-street parking regulations.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmember Bullock, at the request of Derrick Shaw and Trina Smiley

OWNERS: Derrick Shaw and Trina Smiley

SITE/GENERAL AREA

Site Conditions: 807 North Monroe Street is located on the east side of the street, approximately 142' north of the intersection with Lanvale Street. This property measures approximately 14' by 75' and is currently improved with a two-story attached residential building measuring approximately 14' by 50'. This site is zoned R-8 and is located in the Harlem Park II Urban Renewal Plan area.

General Area: This is a predominantly residential area known as Harlem Park, with scattered non-residential uses such as religious institutions and a few small commercial uses. Most of the housing closest to this property was originally developed in the second half of the 19th Century, while the larger historic area dates from the 1850s to the 1880s.

HISTORY

The Harlem Park Project II Urban Renewal Plan was established by Ordinance no. 419 dated July 6, 1960, and was last amended by Amendment 6 approved by Ordinance no. 10-264 dated March 24, 2010.

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. The proposed action also furthers an objective of the Harlem Park II Urban Renewal Plan, to provide housing resources for families of all income levels through rehabilitation and new construction.

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 part of Harlem Park's traditional and historic architectural fabric while offering a more affordable housing alternative to persons who wish to live in an area convenient to downtown Baltimore.

Zoning Analysis: This property is improved with a townhouse containing less than 1,500 square feet of floor area. This bill would allow re-use of the 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 has 1,050 square feet, so a 30% lot area variance is needed for this requirement.
- The Code also requires that the premises have a floor area of at least 1,500 square feet (BCZC §9-703.b.); this building has 1,170 square feet of gross floor area, and thus needs a 22% variance of this requirement. The lower dwelling unit would contain 650 square feet of floor area and the upper dwelling unit would contain 520 square feet of floor area, thus needing variances of 13% and 31% respectively.
- A rear yard setback of 20' is required (Table 9-401). This property has a 25' deep rear yard. No variance of this requirement is needed.
- The maximum lot coverage allowed is 80% (Table 9-401). This structure covers 67% of the lot, so no variance of that requirement is needed.
- One off-street parking space is required to serve the newly-created dwelling unit (§9-703.f.). The property has a rear yard sufficient for providing off-street parking, with access from a 10' wide alley; however, this alley has no direct connection to a wider alley or public street, hence no rear parking pad. A variance for off-street parking is therefore required.

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 be in harmony with the purpose and intent of this article (§5-406).

Review of this site and its proposed use as two dwelling units has determined that establishment and operation of the conditional use would not be detrimental to or endanger public health, safety, or welfare, nor be precluded by the Harlem Park II Urban Renewal Plan, nor be contrary to the public interest. The authorization would be in harmony with the purpose and intent of the Zoning Code.

In addition, review of this site and its proposed use as two dwelling units has determined that:

- 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 prevent continuing use of a structure that is a contributing element in the Harlem Park community.

Notification: The West Harlem Park Neighborhood Association, Harlem Park Neighborhood Council, Midtown-Edmondson Avenue Improvement Association, and Councilman Bullock were notified of this action.



Thomas J. Stosur
Director