

<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR,		
	SUBJECT	BMZA/ 2201 Brookfield Avenue – appeal no. 2021-219		

DATE:

**TO**

Ms. Kathleen Byrne, Acting Executive Director  
Board of Municipal and Zoning Appeals  
417 East Fayette Street, Room 932

September 10, 2021

**REQUEST**

The Department of Planning has received Adam Carballo’s Board of Municipal and Zoning Appeals (BMZA) application, on behalf of 2201 Brookfield Project LLC, to use the property as a multi-family dwelling containing twelve dwelling units. The Zoning Administrator has determined that variances of bulk and yard regulations for rowhouse and multi-family residential districts, and of off-street parking regulations, are needed for approval. We understand that this appeal may be scheduled for hearing on October 5, 2021.

**SITE**

2201 Brookfield Avenue is located on the northeast corner of the intersection with Reservoir Street. This property measures approximately 25’ along Brookfield Avenue and 82’ along Reservoir Street and contains approximately 0.127 acre, and is currently improved with a three-story V-shaped semi-detached residential building covering approximately 75% of the lot. This site is zoned R-8 and is located within the Reservoir Hill National Register Historic District and Reservoir Hill community.

**ANALYSIS**

Use: In this Rowhouse and Multi-Family Residential zoning district, multi-family dwellings are a permitted use (Table 9-301). In this case, the property was last authorized for use as a multi-family dwelling containing nine dwelling units, once known as the Carlton Apartments.

Insufficient Lot Area: In this zoning district, multi-family dwellings require 750 square feet of lot area per dwelling unit (Table 9-401). In this case, for 12 dwelling units, 8,625 square feet of lot area is required. The lot only encloses 5,532 square feet, and so does not meet this requirement.

Lot Area Variance: The Board may grant a variance to reduce the applicable minimum lot area requirements. In this case, the proposed amount of variance would be 36%.

Additions or expansions: If a structure is increased through the addition of a dwelling unit, floor area, seating capacity, or other unit of measurement, off-street parking spaces must be provided for that increased intensity, as required by this title (§16-203.a).

Off-Street Parking: In this zoning district, multi-family dwellings require one off-street parking space per dwelling unit (Table 16-406). For 12 dwelling units, 12 parking spaces are

required; none are or can be provided. As this would not meet the required amount, the applicant should consider alternately shared parking arrangements as described in §16-501.b of the Zoning Code.

Variance: The Board may grant a variance based upon unnecessary hardship or practical difficulty (§5-308.a.). A variance of the off-street parking regulations would recognize the as-built conditions of this historic property and the historic district in which it is located.

Community Planning and Revitalization: This property is unusually conspicuous in its current vacant condition, as it has two street frontages and was originally constructed as a multi-family dwelling attached to and architecturally part of a row of large three-story rowhouses. As an “anchor property” its return to active use would be of considerable importance to the Reservoir Hill community, while its use as a multi-family dwelling would provide added housing options made convenient to other parts of Baltimore, including its downtown, by nearby public transit. Across the street from this property is the community school renovated and enlarged as part of the 21<sup>st</sup> Century Schools program. Conversion of the blighting influence of a vacant building of this size into active residential use would reinforce the community goal of rejuvenating the area according to the INSPIRE Program linking school and community revitalization.

Because the Baltimore City Code, Article 23, Sanitation (2021 edition) establishes a limit of 96 gallons’ volume of garbage and trash from a multi-family residential property weekly, it will be important for the owner to comply with the Sanitation Code. Should the residents generate more garbage and trash than the amount that the Department of Public Works ordinarily removes on a weekly basis, the owner should be prepared to contract with a private waste hauler to service this multi-family use.

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

## **RECOMMENDATION**

The Department of Planning recommends approval of this application.

CR/mf

cc: Adam Carballo, appellant