


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 120 Oldham Street etc. *		

TO

Mr. David Tanner, Executive Director
Board of Municipal and Zoning Appeals
417 East Fayette Street, 14th Floor

DATE: January 19, 2016

REQUEST

The Department of Planning has received Caroline Hecker's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of H & H Rock Companies, 120 South Oldham Street LLC, and Oldham Associates, to consolidate the three properties known as 120 South Oldham Street, * 160 South Oldham Street, and 4600 Gough Street, subdivide the consolidated lot into 181 lots, and construct 173 single-family attached dwellings. The Zoning Administrator has determined that variances of lot coverage, yard setbacks, and fence height and neighborhood identification sign standards are needed for approval. We understand that this appeal is scheduled for hearing on January 26, 2016.

SITE

120 Oldham Street is located on the southwest corner of the intersection with Lombard Street. This property measures approximately 265'9" along Oldham Street by 267'7" along the Lombard Street bridge right-of-way and contains approximately 2.174 acres, and is currently unimproved. 160 Oldham Street is located on the west side of the street, approximately 265'9" south of the intersection with Lombard Street. This property measures approximately 250' by an average depth of 462' and contains approximately 2.657 acres, and is currently improved with a railroad radio communications tower, used also by commercial telecommunications firms, near the railroad right-of-way running behind the property. 4600 Gough Street is located on the north side of the street, approximately 80' west of the intersection with Oldham Street. This property measures approximately 490' along Gough Street and 137' along Oldham Street and contains approximately 4.910 acres, and is currently improved with a two-story industrial building to be razed. This 9.74 acre site is zoned R-8. On the opposite side of Lombard Street to the north of this site is the Bayview Classification Yard, a major rail freight break-bulk and consolidation facility serving the Port of Baltimore.

ANALYSIS

Use: In this zoning district, single-family attached dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property to be consolidated was last authorized for use as railroad freight terminals and other industrial uses, which became nonconforming uses when the properties were rezoned to be part of the R-8 General Residence District.

Lot Coverage: The property is essentially vacant at this time. A single-family attached dwelling structure may not cover more than 60% of its lot area (§4-1106.a.). In this case, 23 out of 173 of the proposed new structures would have coverage of approximately 80% of their lots to be subdivided out of this property, which would exceed this standard.

Lot Coverage Variance: The Board may grant a variance to authorize a lot coverage that is more than that otherwise allowed by the applicable regulation (§15-202.b).

Required Yard: In this zoning district, a minimum interior side yard setback of 10' is required for ends of groups (§4-1107.a.). In this case, 15 out of 173 of the proposed new structures would project to within as little as 1' of the interior side lot line of their lots to be subdivided out of this property (most would project to within between 8' and 2').

Yard Variance: The Board may grant a variance to authorize a yard or setback that is less than that otherwise required by the applicable regulation (§15-203).

Projections and Obstructions into Required Yards: (a) *In general.* Except for the specified projections and obstructions listed in this section, every part of a required yard or of any other required open space must be open and unobstructed from the ground to the sky (§3-209). In this case, the proposed 8' tall security fence along the western border of the consolidated site is not listed among the permitted projections and obstructions into required yards.

Height Variance: The Board may grant a variance to authorize a height that is more or less than that otherwise allowed by the applicable regulation (§15-204.a). In this case, the proposed fence height is 8' which exceeds the permitted height of 6' by 33%. Granting this variance would enhance safety and security for both the future residents of this site and the railroad freight operations which are very active along the western edge of the site.

Land Use and Urban Design: Subdivision of this site requires approval from the Planning Commission. The applicant has been working with Planning staff for over a year to prepare an approvable site plan and development plan in support of the requested subdivision. The arrangement, massing, and design of the proposed single-family garage townhouses have been reviewed by the Urban Design and Architectural Review Panel as part of this process.

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 8-C) in which rowhouse dwellings would be permitted uses (Table 9-301). Free-standing signs such as monument signs in R-8 Districts would be limited to 32 square feet of sign area and a height of 6' (Table 17-804).

RECOMMENDATION

The Department of Planning recommends approval of this appeal subject to the condition that the proposed redevelopment of the consolidated property is completed in accordance with the subdivision plan and development plan approved by the Planning Commission.

TJS/wya/mf

cc: Caroline Hecker, Appellant