

FROM

NAME &  
TITLE  
  
AGENCY  
NAME &  
ADDRESS  
  
SUBJECT

THOMAS J. STOSUR, DIRECTOR

DEPARTMENT OF PLANNING  
417 EAST FAYETTE STREET, 8<sup>TH</sup> FLOOR

BMZA / North side, 10' alley behind 2213-2215 East Pratt St.

CITY of  
BALTIMORE  
**MEMO**

TO

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

DATE:

January 6, 2015

**REQUEST**

The Department of Planning has received Todd Vaughan's Board of Municipal and Zoning Appeals (BMZA) application to construct a single-family dwelling. The Zoning Administrator has determined that a variance of Zoning Code yard setback requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on January 13, 2015.

**SITE**

This property is located on the north side of the 10' wide alley which parallels the southern side of Pratt Street, approximately 40' west of the alley's intersection with Madeira Street. This property measures approximately 35' by 62' and is currently unimproved. This site is zoned R-8 and is located within the Butchers Hill Historic District.

**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 is currently used as an open-air off-street parking area. The applicant is proposing to construct an L-shaped 3-story structure that would span the width of the lot.

Required Yard: In this zoning district, a minimum rear yard setback of 25' is required (§4-1107.a.). In this case, the proposed dwelling structure will project to within 25' of the rear lot line.

Required Access, To Street Or Alley: Each parking space must be designed with safe and efficient means of vehicular access to: (1) a street; or (2) an alley at least 15 feet wide (§10-306.a). The single parking space which the applicant proposes to provide, while meeting Zoning Code requirements for its size, would be accessible only from the 10' wide alley due to the existing development pattern of Butchers Hill. There is thus a practical difficulty in meeting this requirement unless the Board considers this space accessible from the 15' wide alley which dead-ends at the 10' wide alley opposite the southwest corner of this property; however, this 15' wide alley has no direct connection to a public street.

Historic District: The subject property is located within the Butchers Hill District, a locally and nationally designated Baltimore City historic district. All exterior changes, including new construction, additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). It is recommended that the applicant contact CHAP to determine the review process applicable to their project.

Mr. David Lanner, BMZA

Executive Director

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TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 7-D) in which dwellings (detached, semi-detached, or rowhouse) would be permitted uses (Table 9-301). The R-8 Districts would have bulk and yard requirements based upon the type of structure proposed (Table 9-401).

#### **RECOMMENDATION**

The Department of Planning recommends approval of this appeal subject to approval by the Commission for Historical and Architectural Preservation of the design and massing of the proposed single-family dwelling structure.

TJS/wya/mf

cc: Todd Vaughan, Appellant