


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 / 2313 East Fairmount Avenue		

TO

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

DATE:

April 7, 2014

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Canton Development Partners LLC, to construct a three-story semi-detached garage townhome. The Zoning Administrator has determined that a variance of Zoning Code lot area and lot coverage requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on April 8, 2014.

SITE

2313 East Fairmount Avenue is located on the southeast corner of the intersection with Bradford Street. This property measures approximately 13' by 79' and is currently unimproved. This site is zoned R-8 and is located within the Patterson Park – Highlandtown National Register Historic District.

ANALYSIS

Use: In this zoning district, single-family semi-detached dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for this use.

Insufficient Lot Area: In this zoning district, single-family semi-detached dwellings require 2,000 square feet of lot area (§4-1106.a.). The lot only encloses 1,027 square feet, and so does not meet this requirement.

Preexisting uses, structures, and lots: On a lot that was established before April 20, 1971, a single-family dwelling may be established regardless of the minimum lot area requirements imposed by this article, as long as all other requirements of this article are met (§3-306.d.(2)). This lot has been in existence since April 1929 or earlier, and so is exempt from the lot area requirement. The Department of Planning notes that, but for the fact that this lot is a corner lot, this proposed structure to be constructed as part of a group of attached dwellings would be evaluated according to the lot area requirement for attached dwellings (750 square feet) which would otherwise be met.

Lot Coverage: A semi-detached dwelling structure may not cover more than 40% of the lot area (§4-1106.a.). In this case, the proposed new structure would cover approximately 75% of the 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).

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 7-D) in which semi-detached dwellings would be permitted uses (Table 9-301).

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Lot area requirements would remain as they are under the current Zoning Code, and lot coverage would be permitted up to 80% (Table 9-401). The proposed use would thus need no lot coverage variance.

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Nate Pretl, Appellant