


<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 3401 TANEY ROAD		

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

DATE: April 7, 2009

**REQUEST**

The Department of Planning has received Lisa Junker's Board of Municipal and Zoning Appeals (BMZA) application to subdivide lot into two lots, retaining existing single-family detached dwelling and construct a new single-family detached dwelling. We understand this appeal is scheduled for hearing on April 14, 2009.

**SITE**

3401 Taney Road is located on the left side of the street, approximately  $\pm 303'$  northeast of the intersection with Wallis Avenue. This property measures approximately  $\pm 0.271$  acres and is currently improved with a two-story residential building. This site is zoned R-1.

**ANALYSIS**

Insufficient Lot Area: In this zoning district, multiple family dwellings require 7,300 square feet of lot area per dwelling unit (§4-206). In this case, the applicant is proposing to subdivide the property into two lots retaining lot #14 (existing single-family) with 7,005 square feet, which does not meet this requirement. The proposed lot #15 with 5,500 square feet will be the site for the new single-family detached dwelling, and also does not meet this requirement.

Subdivision: The proposed subdivision was heard and approved by the Planning Commission on March 19, 2009 (see attached staff report).

Lot Area Variance: The Board may grant a variance to reduce the applicable minimum lot area requirements by no more than: (1) 25% of the applicable regulation (§15-202). In this case, the proposed amount of variance for lot #14 would be 4% and the proposed amount of variance for lot #15 would be 24.6%. The variances requested are within the discretionary range of the Board and so should be allowed.

Required Yard and Variance: In this zoning district, a minimum rear yard setback of 10' and a minimum side yard setback of 30' are required (§4-207). In this case, the proposed lot #15 will project to within 8' of the rear yard and 22' of the side yard lot line. 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).

**RECOMMENDATION**

The Department of Planning recommends approval of the appeal.

TJS/ewt/jev

cc: Lisa Junker, Appellant