


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 / 3317 Schuck Street		

TO

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

DATE:

May 15, 2014

REQUEST

The Department of Planning has received Julie Tice's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of David Tobash, to construct a three-story single-family dwelling with a front-loading garage and a rooftop deck. The Zoning Administrator has determined that variances of Zoning Code lot coverage and yard requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on May 20, 2014.

SITE

3317 Schuck Street is located on the southwest corner of the intersection with Highland Avenue. This property measures approximately 15' by 52' and is currently unimproved. This site is zoned R-8 and is located within the Canton National Register Historic District.

ANALYSIS

Lot area: §3-306.d.2. of the Zoning Code allows a single-family dwelling to be established on a pre-existing lot of record regardless of minimum lot area requirements as long as all other requirements of the Zoning Code are met.

Lot Coverage: A single-family semi-detached dwelling structure may not cover more than 40% of the lot area (§4-1006.a.). The site plan attached to this application shows a proposed 15' by 40' dwelling structure to be placed on the 15' by 52' lot, resulting in 77% lot coverage, 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). The Department of Planning notes that this would allow a structure covering most of its lot, similar to other residential structures in the area nearest this property.

Required Yard: In this zoning district, no front yard setback is required (§4-1107.a.). In this zoning district, a minimum interior side yard setback of 10' is required (§4-1107.a.). In this case, the proposed building will project to within 0' of the interior side lot line. In this zoning district, a minimum rear yard setback of 25' is required (§4-1107.a.), but can be reduced to 18.75' (§3-208). In this case, the proposed building will project to within 12' of the rear lot line, which is itself 0' from the rear of a commercial structure known as 3326-3328 Foster Avenue (Foster Avenue parallels Schuck Street at this location), the subject of recent appeal no. 2014-52.

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). The interior side yard setback requirement, if applied to this property, creates an unimprovable lot. Similarly, the rear yard setback requirement would leave only 27' of buildable lot depth in the property. To make the proposed structure as least incompatible as possible with existing dwellings in this area, the Department considers the proposed 12' variance of the rear yard setback requirement reasonable.

Off-Street Parking: ... if the intensity in use of a structure or premises is increased through the addition of dwelling, efficiency, or rooming units, floor area, seating capacity, or other units of measurement, off-street parking facilities must be provided for that increased intensity, as required by this title (§10-202.a). 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). This property has no rear or side alley available for access to on-site parking, and thus must use Schuck Street for access. Schuck Street in this vicinity is a 15' wide paved cartway on a 20' wide right-of-way, and the applicant would need to obtain approval from the Department of Transportation for a curb cut to provide entry to the proposed front-loading garage. This may be inadvisable as there is an existing garage door opposite this property on Schuck Street, raising possibilities of vehicles backing into each other. It is also noted that there is a light pole on Schuck Street (in its right-of-way) which may need to be relocated by the applicant in order to make a curb cut for the proposed front-loading garage feasible.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case a reduction of 75%, which is the maximum variable amount the Board may authorize, would be a reasonable accommodation that would respond to practical difficulty in providing an off-street parking space for the proposed dwelling.

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 8-C) in which semi-detached dwellings would be permitted uses (Table 9-301). The R-8 Districts would have maximum lot coverage requirements of 35% for semi-detached dwellings and 80% for row dwellings; the proposed structure would functionally be an end-of-row dwelling (Table 9-401). Rear yard setbacks of 20' would be required (Table 9-401).

RECOMMENDATION

The Department of Planning recommends disapproval of the portion of this appeal relating to a front-loading garage, and approval of a variance of the off-street parking space requirement. The Department has no objection to approval of other variances requested by the applicant.

TJS/wya/mf

cc: Julie Tice, Appellant