

<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 / 2930 James Street		

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

DATE: May 18, 2010

### REQUEST

The Department of Planning has received Thomas Showalter's Board of Municipal and Zoning Appeals (BMZA) application to construct a 25' by 47' garage on the front and street corner side yards of the property. We understand that this appeal is scheduled for hearing on May 25, 2010.

### SITE

2930 James Street is located on the northwest corner of the intersection with Inverness Avenue. This property measures approximately 196' by 194' and contains approximately 0.779 acre, and is currently improved with a one-story commercial building measuring approximately 56' by 94'. This site is zoned M-2-1.

### ANALYSIS

**Required Yard:** In this zoning district, a minimum front yard setback of 30' is required, and a minimum street-corner side yard setback of 15' is required (§7-312.a). In this case, the proposed attached garage will project to within approximately 25' of the front lot line, and its front wall will be almost 9' closer to the street than the front wall of the existing building on the site.

**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 attached garage is not listed among the permitted projections and obstructions into required yards.

**Land Use and Urban Design:** The sketch plan for the site does not identify where the driveway leading to the proposed attached garage will be located, although the permit application specifies a 14' wide steel door for it. If vehicle access to the garage door is to be direct from a public street, a detailed site plan must be approved by the Site Plan Review Committee.

### RECOMMENDATION

The Department of Planning recommends approval of the appeal, if granted, be conditional upon the applicant locating the front wall of the garage flush with the front wall of the existing building, and upon final design for the structure receiving approval from the Site Plan Review Committee.

TJS/wya/mf

cc: Thomas Showalter, Appellant

Southwest