


FROM	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 / 1202 (and 1220) South East Avenue		

TO

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

DATE: June 19, 2012

### REQUEST

The Department of Planning has received Lisa Junker's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Canton East LLC, to consolidate lots and construct a 4-story, 57 dwelling unit multiple-family dwelling and parking garage. We understand that this appeal is scheduled for hearing on June 26, 2012.

### SITE

1202 South East Avenue is located on the west side of the street, approximately 85' south of the intersection with Elliott Street. This property measures approximately 75' by 150'3" and contains approximately 0.259 acre, and is currently improved with a one-story industrial – commercial building covering the entire lot. 1220 South East Avenue is located on the west side of the street, approximately 160' south of the intersection with Elliott Street. This property measures approximately 140' by 150'3" and contains approximately 0.482 acre, and is currently improved with a one-story industrial – commercial building covering the entire lot. 1202 South Elliott Street is zoned R-8, and 1220 South Elliott Street is to be rezoned from M-2-2 to R-8; they are located within the Canton National Register Historic District.

### ANALYSIS

Use: In the M-2 zoning district, dwellings are not listed as a permitted or conditional use, and so are not allowed (§7-306 to §7-309). The property now known as 1220 South East Avenue must be rezoned as a condition for approval of this application. Multiple-family dwellings and accessory off-street parking garages are permitted uses in R-8 zoning districts (§4-1101 to §4-1102).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a.). In this case, for 57 dwelling units, 42,375 square feet of lot area is required. The consolidated lot will only enclose 32,300 square feet, and so does not meet this requirement.

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 would be 24%. The variance requested is within the discretionary range of the Board and so may be allowed.

Required Yard: In this zoning district, a minimum rear yard setback of 25' is required (§4-1107.a.). In this case, the proposed new building will project to within 8' of the rear lot line, which runs along the east side of the end of Robinson Street as it dead-ends at Toone Street.

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).

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). In this zoning district, multiple-family attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For 57 dwelling units, 57 parking spaces are required; 75 are to be provided in the garage integrated with the multiple-family dwelling structure.

Land Use and Urban Design: This applicant is working with the Site Plan Review Committee, which has reviewed this proposed redevelopment of the consolidated lots, and is refining the site plan according to comments made in anticipation of approval.

### **RECOMMENDATION**

The Department of Planning recommends that approval of this appeal, if granted, be conditioned on the applicant constructing the building and all improvements, including landscaping, in accordance with plans approved by the Site Plan Review Committee.

TJS/wya/mf

cc: Lisa Junker, Appellant