


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 / 3622 Cairnes Lane		

TO

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

DATE:

August 11, 2014

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Cairnes LLC, to subdivide the property and construct 29 three-story single-family attached dwellings with rear-loading garages (garage townhomes). The Zoning Administrator has determined that variances of Zoning Code lot area, floor area ratio, and rear yard setback requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on August 12, 2014.

SITE

3622 Cairnes Lane is located on the west side of the street, approximately 85' south of the intersection with 37th Street. This property measures approximately 150'6" by 306'2" and is currently improved with a one-story detached commercial building measuring approximately 136' by 178'. This site is zoned B-2-2 and is located within the Hampden National Register Historic District.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as a lumber yard and a warehouse, which are nonconforming uses in this B-2 Community Business District. The proposed re-use of this property would extinguish these nonconforming uses.

Business Districts – Lot area – Computations: (1) The maximum number of permitted dwelling units on a lot is determined by dividing the total area of the lot by the lot area requirement that applies to the subdistrict in which the lot is located. (2) A fraction of the total area that is 50% or more of the required lot area factor counts as an additional permitted dwelling unit (§6-105). In this case, the lot encloses over 45,000 square feet, and so allows up to 41 dwelling units.

Required Yard: In this zoning district, a minimum rear yard setback of 30' is required (§6-312.e.). In this case, 16 of the proposed attached dwellings will project to within 0' of their rear lot lines.

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). The proposed development would provide at least one off-street parking space for each dwelling unit. Access to the parking would be provided by either a new vehicular way on the south side of the property, or use of an existing 15' wide alley bordering the north side of the property.

Land Use and Urban Design: The proposed subdivision of the property requires approval by the Site Plan Review Committee and the Planning Commission. Approval of this application should be conditional upon these other required approvals.

TransForm Baltimore: This property would become part of the C-2 District (Proposed Zoning Map Area 2-D) in which rowhouse dwellings would be conditional uses (Table 10-301). The C-2 Districts would have off-street parking requirements of 1 space per dwelling unit (Table 16-406A).

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to final approval of the proposed subdivision and structures by the Site Plan Review Committee and by the Planning Commission.

TJS/wya/mf

cc: Nate Pretl, Appellant