


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 / 1800 (and 1818) South Hanover Street		

TO

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

DATE:

September 5, 2014

**REQUEST**

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of 1800 South Hanover Street LLC, to consolidate lots known as 1800 and 1818 South Hanover Street, subdivide the combined property to create 42 residential lots, and construct 42 three-story single-family attached dwellings with rear-loading garages. The Zoning Administrator has determined that variances of Zoning Code yard setback requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on September 9, 2014.

**SITE**

1800 South Hanover Street is located on the southwest corner of the intersection with Barney Street and extends along the south side of Barney Street to Clarkson Street. This property measures approximately 188' along Barney Street by 181'2" along Clarkson Street and contains approximately 1.09 acre, and is currently improved with a one-story detached commercial building covering most of the property. 1818 South Hanover Street is located on the west side of the street, approximately 62'9" south of the intersection with Barney Street, and is bordered on its other three sides by 1800 South Hanover Street. This property measures approximately 163'8" by 36'9" and is currently improved with a one-story detached commercial building covering the entire lot. This site is zoned B-2-3 and is located within the Riverside 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 paint and floor covering store, which is a permitted use in this B-2 Community Business District. The applicant is proposing to construct 42 garage townhomes, each measuring approximately 16' wide by 40' deep, on the new lots to be created by subdivision of the consolidated property. Each new lot would meet or exceed Zoning Code requirements for lot area (more than 550 square feet per dwelling) and off-street parking (minimum of one parking space per dwelling), and would have less than 5.0 floor area ratio, the maximum FAR in a B-2-3 Zoning District.

Required Yard: In this zoning district, a minimum rear yard setback of 30' is required (§6-312.e.). In this case, the proposed dwelling structures will project to within an unknown number of feet of the rear lot line. The applicant has not presented an approvable concept site plan that would resolve this matter.

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 applicant has not presented an approvable concept site plan showing location of the proposed structures on the site, and thus the amount of variance proposed could not be determined.

Land Use and Urban Design: The proposed residential subdivision requires Site Plan Review Committee and Planning Commission approval. The applicant has presented an unapprovable concept site plan to the Department of Planning and has met with Departmental staff to discuss changes that would be required to make the concept plan approvable. The plan that was presented included a row of dwellings along Clarkson Street that would use that street as access to their rear-loading parking garages built into the attached dwelling structure. This concept would violate the City of Baltimore's curb cut policy, as the applicant has been advised.

TransForm Baltimore: This property would become part of a I-1 District (Proposed Zoning Map Area 11-A) in which dwellings of any description would be prohibited uses (Table 11-301). The proposed redevelopment of this site would be compatible with the existing and recommended R-8 Residential Zoning District which borders the site on its northern and eastern sides.

#### **RECOMMENDATION**

The Department of Planning recommends disapproval of this appeal, because the amount and extent of variances required for the proposed use cannot be determined at this time according to a concept site plan that is unapprovable in its present form. The applicant has not presented justification meeting the standards of §15-218 and 15-219 as there should be no unnecessary hardship or practical difficulty involved in designing and planning redevelopment of this site in a manner that would be approvable.

TJS/wya/mf

cc: Nate Pretl, Appellant