


<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 / 1475 Patapsco Street		

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

DATE: September 9, 2010

### REQUEST

The Department of Planning has received Nathaniel Greene's Board of Municipal and Zoning Appeals (BMZA) application to subdivide the lot and construct 10 three-story single-family attached dwellings. We understand that this appeal is scheduled for hearing on September 14, 2010.

### SITE

1475 Patapsco Street is located on the northeast corner of the intersection with Fort Avenue, and extends northward to the intersection with Birkhead Street. This property measures approximately 122' by 90' and contains approximately 0.257 acre, and is currently improved with a one- and two-story commercial building covering the entire lot. This site is zoned B-2-3.

### ANALYSIS

Use: In this zoning district, dwellings are listed as a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as a drug store, which is a permitted use in this B-2 Community Business District.

Minimum Dwelling Width: (1) Except as otherwise specified in this section, a person may not erect any new residential structure that is less than 16 feet wide. (2) This subsection does not prevent or restrict an otherwise lawful expansion of a lawful preexisting residential structure that already is less than 16 feet wide (§3-303.a). The applicant is proposing to construct garage townhomes each having a width of 17'10", in two groups of five dwellings each.

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 ten dwelling units, ten parking spaces are required; ten are provided by incorporation in the ground floor design of the proposed townhomes.

Required Yard: In this zoning district, a minimum rear yard setback of 30' is required (§6-311.d). In this case, the proposed townhomes will project to within 11' of the proposed rear lot line, which would be at a proposed 16' wide alley.

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).

Land Use and Urban Design: This proposed development was reviewed by the Site Plan Review Committee on August 25, 2010 and a series of comments and recommendations were made at that time to the developer's architect and engineer. Revised plans will be submitted to the SPRC prior to the applicant proceeding with a formal request for approval of subdivision by the Planning Commission.

**RECOMMENDATION**

The Department of Planning recommends approval of the appeal, conditioned on the applicant obtaining Site Plan Review Committee approval for the proposed development, and conditioned on the applicant obtaining Planning Commission approval for subdivision of the property.

TJS/wya/mf

cc: Nathaniel Greene, Appellant