


<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 / 2304-06 East Fairmount Avenue		

**TO**

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

DATE: September 9, 2009

**REQUEST**

The Department of Planning has received Patterson Park CDC's Board of Municipal and Zoning Appeals (BMZA) application to subdivide the lot and use the premises for two single-family dwellings, with off-street parking located in the rear. We understand that this appeal is scheduled for hearing on September 15, 2009.

**SITE**

2304-06 East Fairmount Avenue is located on the northeast corner of the intersection with a 12' wide alley which runs northward behind the properties on the east side of the 100 block of North Patterson Park Avenue. The property measures approximately 27'8" by 90' and is currently improved with two three-story attached buildings collectively measuring approximately 27'8" by 90'. This site is zoned R-8 and is located in the Patterson Park – Highlandtown National Register historic district.

**ANALYSIS**

Lot Coverage: The existing structure at 2304 East Fairmount Avenue covers approximately 100% of the property. A structure may not cover more than 60% of the lot area (§4-1106). In this case, the proposed demolition of the rear portion of the building would result in the structure covering approximately 62% of the property, which would essentially comply with this standard. The existing structure at 2306 East Fairmount Avenue, which currently has a rear yard, is proposed to remain as is, in terms of its building footprint.

Required Access, To Street Or Alley: Each parking space must be designed with safe and efficient means of vehicular access to: (1) a street; or (2) an alley at least 15 feet wide (§10-306.a). As both of the alleys, one beside and one behind this premises, are less than 15' wide, any parking created on site would not meet this requirement. However, because the residential buildings on the properties were erected before April 20, 1971, provision of parking is not required for approval of this application. The applicant is proposing to provide an off-street parking space for each existing structure to the rear, which would voluntarily provide off-street parking where none has been provided before.

Comprehensive Planning: The Planning Department supports efforts to create and preserve housing in competitive, emerging, and stable neighborhoods, as called for by the City's Comprehensive Master Plan. This neighborhood has been identified by Baltimore's housing market typology as predominantly stable. The buildings at 2304 and 2306 East Fairmount Avenue are historic row-housing over a century old, and in some ways would not be buildable

under current Zoning Code provisions. Special conditions or circumstances therefore exist that are peculiar to the land and structures for which this application has been made. The lot subdivision applied for is based upon a reasonable recognition of the location of the existing party wall shared by the two buildings, and would secure the benefits of financing of the restoration and renovation of the buildings. Returning these two vacant buildings to residential use would be a potential enhancement of the newly-developed stability of the neighborhood.

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

#### **RECOMMENDATION**

The Department of Planning has no objection to approval of the appeal.

TJS/ewt/mf

cc: Patterson Park CDC, Appellant