

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 / 1622-1634 East Lombard Street/ 9-21 S. Bethel Street		

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

DATE: September 15, 2015

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Herena USA LLC, to consolidate lots, subdivide the consolidated lot, and construct 3 two-story attached dwellings (one single-family and one two-family) and 20 four-story attached single-family dwellings, all with front-loading garages included. The Zoning Administrator has determined that variances of lot area, lot coverage, setback, and building height requirements are needed for approval. We understand that this appeal is scheduled for hearing on September 22, 2015.

SITE

1622 East Lombard Street is located on the northeast corner of the intersection with Bethel Street. This property measures approximately 19'2" by 57'8" and is currently unimproved. 1624-1634 East Lombard Street is located on the north side of the street, approximately 15'2" east of the intersection with Bethel Street, along which it has approximately 74'4" of frontage, and extends eastward to the intersection with Iron Alley, on which it has approximately 139'9" of frontage. This property was previously improved with a one-story commercial building covering the entire lot, which has just been demolished. 9-21 S. Bethel Street is located on the east side of the street, approximately 61'8" north of the intersection with Lombard Street, and extends to the southeast corner of the intersection of Bethel Street and Congress Court, and to the southwest corner of the intersection of Congress Court and Iron Alley. This property measures approximately 91'1" by 95' and was previously improved with a one-story commercial building covering the entire lot, which has just been demolished. This site is zoned R-8 and is located within the Washington Hill Historic District.

ANALYSIS

Use: In this zoning district, single-family and multiple-family attached dwellings are permitted uses, and so are allowed (§4-1101). In this case, the property was last authorized for use as an automobile accessory installation and sales shop and an amusement arcade, which are nonconforming uses in this R-8 General Residence District. Extended vacancy prior to demolition of previously-existing structures had effectively terminated nonconforming use of the premises.

Lot Area: In this zoning district, single-family attached and multiple-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a.). In this case, for 23 dwelling units, 16,875 square feet of lot area is required. The consolidated lot will enclose approximately 21,932 square feet, and so meet this requirement.

Mr. David Tanner, BMZA

Executive Director

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Lot Coverage: The previously existing structures previously covered approximately 95% of the property to be consolidated. A single-family attached dwelling structure may not cover more than 60% of the lot area (§4-1106.a.). In this case, the proposed new construction would result in structures covering approximately 72% of the property according to the applicant's preliminary plan, which would exceed this standard.

Lot Coverage Variance: The Board may grant a variance to authorize a lot coverage that is more than that otherwise allowed by the applicable regulation (§15-202.b).

Required Yard: In this zoning district, a minimum rear yard setback of 18.75' is required (§4-1107.a.). In this case, the proposed attached dwelling structures will project to within 13' of the new 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).

Height Variance: The Board may grant a variance to authorize a height that is more or less than that otherwise allowed by the applicable regulation (§15-204.a). In this case, the proposed height is approximately 45' for the four-story dwellings, which exceeds the permitted height of 35' by 29%.

Historic District: The subject property is located within the Washington Hill District, a locally and nationally designated Baltimore City historic district. All exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). It is recommended that the applicant remain in contact with CHAP to complete the review process applicable to their project.

Land Use and Urban Design: Subdivision of the consolidated lot requires approval by the Planning Commission. It is recommended that the applicant provide engineered site plans for the proposed subdivision and proposed development upon completion of this appeal, and remain in contact with the Planning Department to complete the subdivision approval process.

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 7-D) in which rowhouse dwellings and multi-family dwellings would be permitted uses (Table 9-301).

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to the conditions that subdivision of the property be approved by the Planning Commission, and that the design and construction of the proposed dwellings comply with requirements of the Notice To Proceed issued by the Commission for Historical and Architectural Preservation.

TJS/wya/mf

cc: Nate Pretl, Appellant