


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 / 3501 Taney Road		

TO

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

DATE: September 28, 2009

REQUEST

The Department of Planning has received Rena Rotenberg's Board of Municipal and Zoning Appeals (BMZA) application to subdivide the existing lot into two parcels, with the existing dwelling to remain. We understand that this appeal is scheduled for hearing on September 29, 2009.

SITE

3501 Taney Road is located on the southeast corner of the intersection with Wallis Avenue. This property measures approximately 100' by 175' and is currently improved with a two-story building measuring approximately 45' by 40'. This site is zoned R-1 and is located within the Northwest Community Planning Forum Strategic Area Master Plan area.

ANALYSIS

Continued Conformity Required: ... (d) *Division or subdivision of lot.* No lot may be divided or subdivided in a way that would violate any provision of this article applicable to the original lot or to the resulting lots. (§3-203). The two lots proposed to be created would each contain over 7,300 square feet, the minimum requirement for lot area in R-1 Districts (§4-206a)).

Required Yard: In this zoning district, a minimum rear yard setback of 30' is required (§4-207). In this case, the existing house will project to within 15' of the proposed rear lot line.

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).

Comprehensive Planning: The Northwest Community Planning Forum Plan recommends that residential development projects be compatible with the integrity and stability of the neighborhood. For the unknown design of the house to be built later on the proposed second lot/ parcel, the Plan calls for builders to create high quality structures appropriate to the character of the neighborhood. Infill development, such as would occur on the proposed second lot, must consider the scale, style, building materials and other factors of the existing housing stock. Specimen trees and other special natural features need to be preserved. Open space should be preserved where possible, as a visual, environmental, and recreational asset. These will be considerations in planning decisions about the use of the proposed second lot/ parcel, and should also guide the Board's consideration of this application.

RECOMMENDATION

The Department of Planning recommends that if the appeal is approved, it be conditioned on approval by the Site Plan Review Committee of the final development plans for this property.

TJS/ewt/mf

cc: Rena Rotenberg, Appellant