


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 / 6604 Graceland Avenue		

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

DATE: October 4, 2010

REQUEST

The Department of Planning has received Fred Lauer's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Dwight Harmon, to enclose the premises, now a vacant lot, with a 6' high chain link fence. We understand that this appeal is scheduled for hearing on October 12, 2010.

SITE

6604 Graceland Avenue is located on the north side of the street, approximately 218' east of the intersection with Dundalk Avenue. This property measures approximately 75' by 125' and is currently unimproved. This site is zoned R-3 and is located within the Southeast Neighborhoods Development (SEND) Strategic Action Plan area.

ANALYSIS

Conditional Use: In this zoning district, open off-street parking areas are a conditional use, requiring approval by the Mayor and City Council (§4-604). The Application for Review made by the applicant dated 8/19/10 states that the existing use of the property is "lot – parking" and the proposed use is "enclose for parking".

The applicant has not furnished a site plan with this application to indicate if there would be a gate on the south side of the property, and if it would be of a size sufficient to admit motor vehicles.

Projections and Obstructions into Required Yards: (a) *In general.* Except for the specified projections and obstructions listed in this section, every part of a required yard or of any other required open space must be open and unobstructed from the ground to the sky (§3-209). In this case, the proposed 6' tall fence is not listed among the permitted projections and obstructions into required yards.

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 6' which exceeds the permitted height of 3.5' for a front yard fence by approximately 71%.

Comprehensive Planning: A 6' high chain link fence facing an important street in an established residential neighborhood would be inconsistent with the open front yards of the majority of the single-family detached houses on this block.

RECOMMENDATION

The Department of Planning recommends disapproval of the appeal, because a 6' tall chain link fence in the front and along the portions of the side lot lines nearest Graceland Avenue would be inconsistent with the residential character of the neighborhood in which this property is located, and because the open parking area to be enclosed has not been authorized by the Mayor and City Council.

TJS/wya/mf

cc: Fred Lauer, Appellant