


FROM	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 / 1430-1444 Lawrence Street		

TO

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

DATE: February 6, 2012

### REQUEST

The Department of Planning has received AB Associates' Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Vincent Rallo, to subdivide the property and construct 14 single-family attached dwellings with garages. We understand that this appeal is scheduled for hearing on February 7, 2012.

### SITE

1430-1444 Lawrence Street is located on the southwest corner of the intersection with Harvey Street. This property measures approximately 98' by 150' and is currently unimproved. This site is zoned R-8.

### ANALYSIS

Use: In this zoning district, single-family attached dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as a parking lot which originated as such prior to 1971.

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 (§3-303.a). The proposed townhomes would be approximately 20' wide, except for two end-of-group homes 22' wide.

Lot Area: In this zoning district, single-family attached dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a.). In this case, for 14 dwelling units, 10,125 square feet of lot area is required. The lot encloses 14,700 square feet, and so does meet this requirement. The applicant is proposing to subdivide the existing 14,700 square foot lot into 15 lots, with 14 of those being residential in-fee lots. Each of those 14 lots would have a lot area of at least 750 square feet, with nine of them having more than 750 square feet of area. The proposed subdivision would thus create building lots that meet or exceed the Zoning Code requirements cited above.

Lot Coverage: A structure may not cover more than 60% of the lot area (§4-1106.a.). In this case, the proposed construction would result in the attached dwellings covering approximately 66% of the unsubdivided property, which would exceed this standard. Each individual residential lot proposed would be covered approximately 76.5% (in the southerly group) or 82.7% (in the northerly group nearer to Harvey Street). The 15<sup>th</sup> lot (the mews) would not be covered. These proposed lots have not yet been approved by the Planning Commission.

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 25' is required (§4-1107.a.). In this case, 7 of the proposed townhouses on Harvey Street will project to within 0' of their rear lot lines, and the 7 others will project to within 6' of their rear lot lines. (The 6' setback would be used as a use-in-common easement for vehicular access to garages in these 7 townhomes that have rears on the alley between Harvey Street and Fort Avenue.)

**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).

**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, single-family attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For 14 dwelling units, 14 parking spaces are required; at least 14 would be provided.

**Land Use and Urban Design:** The proposed subdivision of the property would create 14 residential lots and a 15<sup>th</sup> lot separating the two rows of dwellings. This 15<sup>th</sup> lot would be approximately 20' wide and subject to a utility easement as well as a use-in-common easement that would allow it to function as a mews. The northern group of attached houses has been designed in a "two fronts" style to allow the appearance of the rears of these houses to be more compatible with existing row-homes on the opposite side of Harvey Street. This alternative design and layout has allowed a greater amount of green space and pervious surface than would have been the case if a more traditional pattern of alley access to all of the townhomes' garages had been planned.

## **RECOMMENDATION**

The Department of Planning recommends approval of the appeal, subject to the condition that the site plan, if approved for variances by the Board, is completely consistent with the site plan and subdivision plan that will be presented to the Planning Commission for its consideration and approval of the subdivision plan for the property. Planning staff consider the proposed development plan to be creative and appropriate for a challenging development parcel, and anticipate that the new townhomes will be an asset to the neighborhood.

TJS/wya/mf

cc: AB Associates, Appellant