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|------|-----------------------|--|-------------------------------------|---|
| FROM | NAME & TITLE          | THOMAS J. STOSUR, DIRECTOR   | CITY of<br>BALTIMORE<br><b>MEMO</b> |  |
|      | AGENCY NAME & ADDRESS | DEPARTMENT OF PLANNING<br>417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR |                                     |   |
|      | SUBJECT               | BMZA / 222 West Lafayette Avenue   |                                     |   |

TO

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

DATE: February 4, 2014

**REQUEST**

The Department of Planning has received Robert Gisriel's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Doris Kamenetz, to remove an existing garage at the rear of the property and construct a two-story rear addition. The Zoning Administrator has determined that a variance of Zoning Code rear yard setback requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on February 11, 2014.

**SITE**

222 West Lafayette Avenue is located on the northwest corner of the intersection with Bolton Street. This property measures approximately 40' by 100' and is currently improved with a three-story semi-detached residential building measuring approximately 20' by 66' and with an open two-story rear porch connecting it to a rear garage measuring approximately 19' by 18'. This site is zoned R-6 and is located within the Madison Park North Urban Renewal Plan area and the Bolton Hill Historic District.

**ANALYSIS**

Urban Renewal Plan: This property is located in the Madison Park North Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed action in this district.

Required Yard: In this zoning district, a minimum rear yard setback of 25' is required (§4-907.a.). In this case, the proposed rear addition will project to within 12' of the 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). In this case, the proposed addition would be constructed where an existing garage has been in existence since before adoption of the Zoning Code in 1971.

Historic District: The subject property is located within the Bolton 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). The applicant has received approval from CHAP for demolition of the existing garage, and must return to CHAP for a hearing on and approval of the proposed rear addition. It is recommended that the applicant remain in contact with CHAP to complete the review process applicable to their project.

TransForm Baltimore: This property would become part of the R-7 District (Proposed Zoning Map Area 6-B) in which residential properties would continue to be required to have 25' rear yard setbacks (Table 9-401).

Mr. David Ianner, BMZA  
Executive Director  
Page 2  
Re: 222 West Lafayette Avenue

**RECOMMENDATION**

The Department of Planning recommends that approval of this appeal be conditional upon the applicant obtaining a Notice To Proceed from the Commission for Historical and Architectural Preservation for the proposed rear addition to the existing residential structure.

TJS/wya/mf

cc: Robert Gisriel, Appellant