


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 / 3735 Roland Avenue		

TO

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

DATE:

March 7, 2014

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of American Pension Services Inc., to subdivide the property into two lots, each 24' by 162'6", and erect a single-family detached dwelling on the new lot. The Zoning Administrator has determined that variances of Zoning Code lot area, lot coverage, side yard setback, and off-street parking access requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on March 11, 2014.

SITE

3735 Roland Avenue is located on the east side of the street, approximately 72' south of the intersection with 38th Street. This property measures approximately 48' by 162'6" and is currently improved with a two-story detached multiple-family residential building measuring approximately 20' by 50'. This site is zoned R-7 and is located within the Hampden National Register Historic District.

ANALYSIS

Use: In this zoning district, single-family and multiple-family detached dwellings are a permitted use (§4-1001). In this case, the property was last authorized for use as a multiple-family detached dwelling. The applicant is proposing to add a single-family detached dwelling to the new lot to be created by subdividing the existing lot.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit (§4-1006.a.). In this case, for two dwelling units in a single existing structure, 2,200 square feet of lot area is required. In this zoning district, single-family dwellings require 5,000 square feet of lot area (§4-1006.a.). Each proposed new lot would only enclose 3,900 square feet, and so would not meet this requirement for the proposed new single-family detached structure.

Lot Area Variance: The Board may grant a variance to reduce the applicable minimum lot area requirements by no more than: (1) 25% of the applicable regulation (§15-202). In this case, the proposed amount of variance for the proposed new lot upon which would be erected a single-family detached dwelling would be 22%. The variance requested is within the discretionary range of the Board and so may be allowed.

Lot Coverage: The existing structure covers approximately 13% of the property. A new single-family detached structure may not cover more than 35% of the lot area (§4-1006.a.). In this case, the proposed new two-story garage house would result in its structure covering approximately 31% of the property, which would conform to this standard. The existing structure would cover approximately 26% of its reduced lot.

Required Yard: In this zoning district, a minimum side yard setback of 10' is required, and a minimum rear yard setback of 25' is required (§4-1007.a.). In this case, the proposed subdivision would result in the existing structure projecting to within 3' of the new interior side lot line (the subdivision line), while the proposed new structure would project to within 4' on one side, and to within 0' on the other side, of its interior side lot lines. The new single-family structure would also be erected at the rear of the new lot created by the proposed subdivision, to offset its side walls from those of its two neighboring structures, projecting to within 10' 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).

Required Access, To Street Or Alley: Each parking space must be designed with safe and efficient means of vehicular access to: (1) a street; or (2) an alley at least 15 feet wide (§10-306.a). The existing rear access is by Pleasant Place, a 10' wide public street connecting directly to 37th and 38th Streets. The applicant intends to use the rear yard setback requested to allow sufficient space for maneuvering a vehicle in and out of the garage to be contained within the new residential structure.

TransForm Baltimore: This property would become part of the R-6 District (Proposed Zoning Map Area 2-D) in which detached dwellings and multi-family dwellings would be permitted uses (Table 9-301). The R-6 Districts would have off-street parking requirements of one space per dwelling (Table 16-406A).

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be conditional upon approval of the proposed subdivision by the Planning Commission.

TJS/wya/mf

cc: Nate Pretl, Appellant