


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 / 1309 Pontiac Avenue		

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

DATE: March 15, 2010

REQUEST

The Department of Planning has received David Wells' Board of Municipal and Zoning Appeals (BMZA) application to increase the number of dwelling units on the premises from one to two. We understand that this appeal is scheduled for hearing on March 16, 2010.

SITE

1309 Pontiac Avenue is located on the south side of the street, approximately 80' east of the intersection with Alton Avenue. This property measures approximately 18' by 80' and is currently improved with a two-story row building measuring approximately 18' by 35'. This site is zoned R-6.

ANALYSIS

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 5,000 square feet of lot area (§4-906). In this case, for two dwelling units, 5,000 square feet of lot area is required. The lot only encloses approximately 1,440 square feet, and so does not meet this requirement.

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 would be over 70%. The variance requested exceeds the discretionary range of the Board and so should not be allowed.

RECOMMENDATION

The Department of Planning recommends disapproval of the appeal, as the amount of variance in lot area required for the proposed use exceeds the Board's approval authority provided in the Zoning Code.

TJS/ewt/mf

cc: David Wells, Appellant