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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 / 3020 Elliott Street   |                                     |   |

TO

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

DATE: April 29, 2015

### REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Donovan Development Group LLC, to subdivide the property into two lots and construct two single-family attached dwellings with parking to the rear. The Zoning Administrator has determined that variances of lot area and lot coverage requirements are needed for approval. We understand that this appeal is scheduled for hearing on May 5, 2015.

### SITE

3020 Elliott Street is located on the northeast corner of the intersection with Decker Avenue. This property measures approximately 40' by 75' and is currently improved with a combination one- and two-story commercial building covering the entire lot. This site is zoned R-8 and is located within the Canton National Register Historic District.

### 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 tavern, which is a nonconforming use in this R-8 General Residence District.

Lot Area: In this zoning district, single-family attached dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a.). Each proposed new lot encloses 1,500 square feet, and so does meet this requirement.

Lot Coverage: The existing structure covers approximately 100% of the property. A single-family attached dwelling structure may not cover more than 60% of the lot area (§4-1106.a.). In this case, the proposed new construction would result in structures covering approximately 63% of each new lot, which would exceed this standard.

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). The proposed amount of lot coverage would be substantially less than the current amount.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). The applicant will be able to provide a parking space to serve each proposed dwelling.

Land Use and Urban Design: Subdivision of this property requires approval by the Planning Commission. The applicant is encouraged to contact Planning staff concerning this process.

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TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 8-C) in which rowhouse dwellings would be permitted uses (Table 9-301). The R-8 Districts would have off-street parking requirements of 1 space per dwelling unit (Table 16-406A).

**RECOMMENDATION**

The Department of Planning recommends approval of this appeal, as it would extinguish nonconforming use of the property, subject to the condition that the proposed subdivision of the property is approved by the Planning Commission.

TJS/wya/mf

cc: Nate Pretl, Appellant