

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 / 1221 North Parrish Street		

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

DATE: August 6, 2010

REQUEST

The Department of Planning has received Glenda Douglas' Board of Municipal and Zoning Appeals (BMZA) application to enclose the existing rear deck behind the house. We understand that this appeal is scheduled for hearing on August 17, 2010.

SITE

1221 North Parrish Street is located on the east side of the street, approximately 36' south of the intersection with Laurens Street. This property measures approximately 18' by 66'7" and is currently improved with a two-story single-family row building measuring approximately 18' by 34'. This site is zoned R-8 and is located within the Sandtown-Winchester Urban Renewal Plan area.

ANALYSIS

Lot Coverage: The existing structure covers approximately 50% of the property. A structure may not cover more than 60% of the lot area (§4-1106.a). In this case, the proposed addition would result in the structure covering approximately 58% of the property, which would comply with this standard.

Required Yard: In this zoning district, a minimum rear yard setback of 25' is required (§4-1107.a). In this case, the proposed building extension, namely the enclosed deck, will project to within 6' of the rear lot line. The original setback of the rear wall of the row of houses of which this property is a part is approximately 14' from the alley.

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).

Renewal Plans: Ordinance #01-0165 was approved May 14, 2001 for the purpose of, among other things, clarifying the relationship between conditions or requirements imposed by an Urban Renewal Plan or Conservation Plan, such that the condition or requirement that is more restrictive will govern. Additionally, the ordinance prohibits the approval of a conditional use or a variance if that conditional use or variance is precluded by an applicable renewal plan or master plan.

Required Findings: The Board may not approve a conditional use unless, after public notice and hearing and on consideration of the standards prescribed in this title, it finds that: ... (2) the use is not in any way precluded by any other law, including an applicable urban renewal plan; (§14-204). For this reason, the Board must consider the requirements of the Sandtown-Winchester Urban Renewal Plan, which does allow this expansion of use in this district, subject to the Board's approval under the Zoning Code.

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc:

Glenda Douglas, Appellant