


TJA

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 / 3901 Buena Vista Avenue		

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

DATE: August 21, 2015

REQUEST

The Department of Planning has received Caroline Hecker's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Mitchell Gold and Edgehill Mews LLC, to subdivide the lot and construct 18 single-family attached dwellings. We understand that this appeal is scheduled for hearing on August 25, 2015.

SITE

3901 Buena Vista Avenue is located on the east side of the street, at its intersection with Cox Street, and extends eastward to Conduit Avenue along the north side of the Cox Street unimproved right-of-way. This property contains approximately 3.786 acres and is currently improved with a one-story commercial building near Buena Vista Avenue which will remain after subdivision of the balance of the property for residential development. This site is zoned M-1-1, and is located within the Hampden National Register Historic District (to which it is non-contributing).

ANALYSIS

Use: In the M-1 zoning district, dwellings are not listed as a permitted or conditional use, and so are not allowed (§7-103). In this case, the property was last authorized for use as a contractor and construction shop and yard and for warehousing, which are permitted uses in this M-1 Industrial District. However, as of August 17, 2015, the City Council had approved third reader of City Council Bill 14-0463, which will rezone the 1.495 acre eastern portion of this property to the R-7 General Residence District, in which multiple-family attached dwellings are a permitted use. This Department and the Planning Commission recommended approval of the bill, and this analysis will proceed on the basis of R-7 zoning applying to the portion of the property proposed for multiple-family development. This bill is now scheduled for final passage by the City Council on September 21, 2015.

Lot Area: In the R-7 zoning district, single-family attached dwellings require 1,100 square feet of lot area per dwelling unit (§4-1006.a.). In this case, for each of the proposed 18 dwelling units, a lot of over 1,500 square feet will be provided, which will meet this requirement.

Lot Coverage: The portion of this property rezoned R-7 has no existing structure on it. A single-family attached structure may not cover more than 50% of the lot area (§4-1006.a.). In this case, the proposed new attached dwelling structures would be covering no more than 45% of each lot to be subdivided out of the property, which will comply with this standard.

Required Yard: In this zoning district, a minimum front yard setback of 20' is required; a minimum interior side yard setback of 10' is required for ends of groups; and a minimum rear

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yard setback of 25' is required (§4-1007.a.). In this case, the proposed structure on Lot 18 will project to within 18' of its front lot line; the proposed structure on Lot 9 will project to within 5' of its interior side lot line; and the proposed structures on Lots 14 and 15 will project to within 19' and 24', respectively, of their rear lot lines.

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).

Off-Street Parking: ... if the intensity in use of a structure or premises is increased through the addition of dwelling, efficiency, or rooming units, floor area, seating capacity, or other units of measurement, off-street parking facilities must be provided for that increased intensity, as required by this title (§10-202.a). The site plan approved by the Site Plan Review Committee provides at least one parking space for each dwelling unit.

Land Use and Urban Design: Subdivision of this property requires approval by the Planning Commission.

TransForm Baltimore: This property would become part of the I-1 District (Proposed Zoning Map Area 2-D) in which dwellings would be prohibited uses (Table 11-301). This 2012 recommendation has been superseded by the more recent Planning Commission recommendation concerning this property's eastern portion that is the subject of this appeal.

RECOMMENDATION

The Department of Planning recommends approval of this appeal conditioned upon Mayor and City Council approval of City Council bill no. 15-0463, and upon Planning Commission approval of the proposed subdivision of the property.

TJS/wya/mf

cc: Caroline Hecker, Appellant