


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 / 3721 Roland Avenue		

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

DATE: September 21, 2015

REQUEST

The Department of Planning has received Michael Gallagher's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Gordon McKenzie and 3721 Roland LLC, to subdivide the lot into two lots and construct a single-family detached dwelling on the new lot. The Zoning Administrator has determined that variances of lot area and setback requirements are needed for approval. We understand that this appeal is scheduled for hearing on September 22, 2015.

SITE

3721 Roland Avenue is located on the east side of the street, approximately 200' north of the intersection with 37th Street. This property measures approximately 51' by 162'6" and is currently improved with a two-story detached residential building measuring approximately 24' by 66'. This site is zoned R-7 and is located within the Hampden National Register Historic District.

ANALYSIS

Use: In this zoning district, single-family dwellings, detached or semi-detached, are a permitted use, and so are allowed (§4-1001). In this case, the property was last authorized for use as a single-family semi-detached dwelling, a classification which may refer to its zero lot line placement rather than its physical characteristics, as it is not actually connected to another structure.

Insufficient Lot Area: In this zoning district, single-family detached dwellings require 5,000 square feet of lot area per dwelling unit (§4-1006.a.), or an original lot of 10,000 square feet. The existing lot only encloses 8,287.5 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 17% if the lot was split into two equal areas. One proposed subdivision plan provided would establish lots having 24' frontage (the existing structure) and 27' frontage (the new structure), which would cause the variances to be apportioned at a maximum of 24.5% for the smaller lot. The variance requested is within the discretionary range of the Board and so may be allowed if justified by the applicant.

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 applicant has informally stated that the existing

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garages at the rear of the property are not available to serve as accessory off-street parking structures for the existing dwelling structure or the proposed dwelling structure, necessitating creation of an access easement across the rear yard of the existing structure and creation of new parking spaces in the rear yards of both lots to be created by the subdivision. No engineered site plan has been provided to confirm that this arrangement would be desirable. The applicant should work with Planning Department staff on this matter prior to presentation of the subdivision plan to the Planning Commission for approval.

Required Yard: In this zoning district, a minimum interior side yard setback of 10' is required (§4-1107.a.). In this case, according to the revised plan submitted to the Board, the proposed lot line will lie within 3' of the existing structure and the new structure would be constructed 8'6" from the southerly interior lot line and 0' from the subdivision line (new 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). Without these side yard setback variances, the applicant would be unable to construct a new dwelling unit structure wider than approximately 7'.

Land Use and Urban Design: The site subdivision plan submitted to the Board in advance of this hearing does not appear to be consistent with the subdivision plan being circulated for comment at the applicant's request. The applicant should be aware that, if the Board does approve variances based upon the version of the subdivision plan submitted to it, a new subdivision plan reflecting the Board's decision would need to be provided to the Planning Department for distribution to and approval by other City of Baltimore agencies.

TransForm Baltimore: This property would become part of the R-6 District (Proposed Zoning Map Area 2-D) in which dwellings, detached or semi-detached, would be permitted uses (Table 9-301).

RECOMMENDATION

The Department of Planning recommends that disapproval of this appeal unless the applicant provides the Board with justification for approval of the variances requested. Should approval be granted, it should be subject to the condition that subdivision of the property receives approval from the Planning Commission.

TJS/wya/mf

cc: Michael Gallagher, Appellant