


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 / 1522-1526-1528-1532 Eastern Avenue		

TO

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

DATE: September 27, 2013

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Fells Point I LLC, to construct four attached four-story single-family dwellings on the four lots known as 1522, 1526, 1528, and 1532 Eastern Avenue. The Zoning Administrator has determined that a variance of Zoning Code rear yard setback and floor area ratio (FAR) requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on October 1, 2013.

SITE

1522 Eastern Avenue is located on the northeast corner of the intersection with Dallas Street. This property measures approximately 23' by 60' and is currently improved with a one-story detached commercial building covering the entire lot. 1526, 1528, and 1532 Eastern Avenue are three vacant lots which adjoin this lot to its east. The combined frontage of these four lots on Eastern Avenue is approximately 89'2". This site is zoned B-2-2 and is located within the Fells Point Historic District.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as an automobile accessories store including related repair and installation services, which is a conditional use in this B-2 Community Business District. The applicant is proposing to construct four garage townhomes with rear access to the garages provided by a cross-easement at the rear of each of the four lots.

Historic District: The subject property is located within the Fells Point District, a locally and nationally designated Baltimore City historic district. All exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). It is recommended that the applicant remain in contact with CHAP to complete the review process applicable to their project.

Required Yard: In this zoning district, a minimum rear yard setback of 30' is required (§6-312.e.). In this case, three of the proposed new row-homes will project to within 9' of the rear lot line, and one (1532 Eastern Avenue) will project to within 0' of its rear lot line. In this zoning district, a minimum side yard setback of 10' is required if a side yard (which is not required otherwise) is provided (§6-312.e.). The proposed structure on 1532 Eastern Avenue will project to within 2" of its side lot line in the front portion of the house, and to within approximately 8" of its side lot line in the rear or garage portion of the house.

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).

Floor Area Ratio Variance: The Board may grant a variance to increase a basic floor area ratio factor by no more than 75% of the applicable regulation (§15-204.b). In this case, the proposed floor area ratio is approximately 3.5 which exceeds the permitted ratio of 2.5 by 40%. As the request is within the variable range the Board may apply, the appeal may be approved.

TransForm Baltimore: This property would become part of the C-1 District (Proposed Zoning Map Area 7-D) in which rowhouse dwellings would be a permitted use (Table 10-301). The dwellings would have off-street parking requirements of 1 space per dwelling unit (Table 16-406A), which this proposed redevelopment of these lots would meet.

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to the applicant receiving approval from the Commission for Historical and Architectural Preservation for the elevations, height, and massing of the proposed dwellings.

TJS/wya/mf

cc: Nate Pretl, Appellant