


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 / 116 West Hamburg Street		

TO

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

DATE:

October 16, 2014

REQUEST

The Department of Planning has received John Garner's Board of Municipal and Zoning Appeals (BMZA) application to construct a three-story single-family attached dwelling with rooftop deck. The Zoning Administrator has determined that variances of Zoning Code lot area, lot coverage, floor area ratio, and rear yard setback requirements are needed for approval of this application. We understand that this appeal is scheduled for hearing on October 21, 2014.

SITE

116 West Hamburg Street is located on the northeast corner of the intersection with Bevan Street. This property measures approximately 16' by 59' and is currently unimproved. This site is zoned R-7 and is located within the Sharp-Leadenhall Urban Renewal Plan area and the Sharp-Leadenhall Historic District.

ANALYSIS

Minimum Dwelling Width: (1) Except as otherwise specified in this section, a person may not erect any new residential structure that is less than 16 feet wide. (2) This subsection does not prevent or restrict an otherwise lawful expansion of a lawful preexisting residential structure that already is less than 16 feet wide (§3-303.a). The application indicates that the proposed dwelling would be 16 feet wide and 40 feet long on the Bevan Street side, leaving a rear yard of approximately 20' frontage on Bevan Street.

Urban Renewal Plan: This property is located in the Sharp-Leadenhall Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district. However, the Plan does include, in its Appendix B, Residential Design Guidelines, standards for new residential development, and the applicant has not provided detailed building plans for review for consistency with these standards. The applicant is encouraged to contact the Department of Planning promptly to initiate this design review.

Historic District: The subject property is located within the Sharp-Leadenhall District, a locally designated Baltimore City historic district. All exterior construction details, and any later exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). (Use of vinyl siding or vinyl windows may be prohibited, for example.) It is recommended that the applicant contact CHAP to determine the review process applicable to their project. This process can be combined with the review relating to the Urban Renewal Plan standards.

Lot Coverage: The proposed structure would cover approximately 68% of the property. A structure may not cover more than 50% of the lot area (§4-1006.a.).

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).

Required Yard: In this zoning district, a minimum front yard setback of 20' is required; a minimum street corner side yard setback of 15' is required; and a minimum rear yard setback of 25' is required (§4-1007.a.). In this case, the proposed building will project to within 0' of the front and street corner side lot lines, and 19' of the rear 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). Variances of the front and street corner side yard setback requirements would be consistent with the historic architectural fabric of the neighborhood where this property is located.

Height Variance: The Board may grant a variance to authorize a height that is more or less than that otherwise allowed by the applicable regulation (§15-204.a). In this case, the proposed height is 39'8" inclusive of rooftop deck railings, which exceeds the permitted height of 35' by 13%.

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 application filed on August 25, 2014 proposed a concrete parking pad in the rear yard of this property, with access via Bevan Street (which is shown as 11'3" wide with a 4'5" wide sidewalk next to this property). The curb cut request in connection with this proposed parking area was disapproved by the Site Plan Review Committee on October 1, 2014. The application thus should propose no off-street parking on site.

RECOMMENDATION

The Department of Planning recommends deferral of a complete hearing of this appeal, to allow the applicant time to discuss various aspects of the proposed structure and its associated architectural details with staff of the Department of Planning and the Commission for Historical and Architectural Preservation.

TJS/wya/mf

cc: John Garner, Appellant