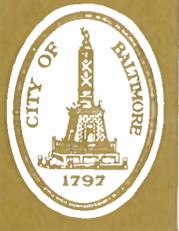


<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 1726-1736 East Pratt Street		

**TO**

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

DATE: November 9, 2012

**REQUEST**

The Department of Planning has received Lisa Junker's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Sherwood Property LLC, to subdivide the existing lot into nine lots, with eight lots used for single-family attached dwellings and the ninth lot for off-street parking and access. We understand that this appeal is scheduled for hearing on November 13, 2012.

**SITE**

1726-1736 East Pratt Street is located on the north side of the street, approximately 83' west of the intersection with Ann Street, and on the northeast corner of the intersection with Regester Street. This property measures approximately 102'2" along Pratt Street by 164'2" along Regester Street and 134'4" along the west side of Ann Street, and is currently unimproved and used as an open-air off-street parking lot. This site is zoned R-8 and is located within the Upper Fells Point National Register Historic District.

**ANALYSIS**

Use: In this zoning district, single-family attached dwellings, not exceeding 12 in a row or group, are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as ice cream manufacturing plant, which is a nonconforming use in this R-8 General Residence District. The factory building has since been razed, and temporary use of the property has been as an open-air off-street parking lot. This application would utilize approximately half of the property, on its eastern side along Ann Street, for new housing construction.

Lot Area: In this zoning district, single-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a). In this case, for each dwelling unit, over 1,600 square feet of lot area is to be provided according to the site plan.

Lot Coverage: The proposed three-story single-family attached dwellings structure would cover approximately 62-67% of the separate lots to be numbered as #1 through #7. A structure may not cover more than 60% of the lot area (§4-1106.a). The proposed new structure would exceed this standard on seven of the eight fee simple lots being created by subdivision of the property.

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 side yard setback of 10' is required for end-of-groups (§4-1107.a). In this case, the proposed row or group of attached townhomes will project to within 1' or less of the interior side lot line at each end.

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). Because this is a mid-block infill redevelopment along Ann Street, the owners of the two street-corner buildings at each end prefer not to have their properties connected to this applicant's structure, and for this unusual reason the applicant is not proposing to create new party walls at the north and south ends of the group of eight single-family townhomes. This has created a unique situation for the applicant, and for this reason the Department would support approval of this variance.

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 for this property's eastern section, to be known as Merchant Square, would provide one garage parking space built into each dwelling unit, thus meeting the requirements of §10-405.1.iii. of the Zoning Code.

#### **RECOMMENDATION**

The Department of Planning recommends that approval of this appeal, if granted, be subject to approval by this Department of the final revised site plan for this property, and to approval by the Planning Commission of the proposed subdivision of the property.

TJS/wya/mf

cc: Lisa Junker, Appellant