


FROM	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 / 6114-6116 Park Heights Avenue		

TO

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

DATE: November 25, 2013

**REQUEST**

The Department of Planning has received Lisa Junker's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Kollel Synagogue, to consolidate lots and construct a two-story, 120-seat synagogue. The Zoning Administrator has determined that a variance of Zoning Code floor area ratio and setback requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on November 26, 2013.

**SITE**

6114-6116 Park Heights Avenue is located on the west side of the street, approximately 100' southeast of the intersection with Pinkney Road. This property measured approximately 100' by 200' prior to a subdivision (lot split) in 2008 and is currently unimproved. The proposed lot consolidation would reverse this lot split from five years ago. This site is zoned R-5 and is located within the Northwest Community Forum Strategic Neighborhood Action Plan area.

**ANALYSIS**

Use: In this zoning district, religious institutions are a permitted use, and so are allowed (§4-801).

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 0.925 which exceeds the permitted ratio of 0.7 by 32%. As the request is within the variable range the Board may apply, the appeal may be approved.

Required Yard: In this zoning district, a minimum side yard setback of 15' is required (§4-807.a.). In this case, the proposed synagogue will project to within 4' of the side lot line on one side of the consolidated lot. This was deliberately planned in order to allow a driveway connecting off-street parking to be provided at the rear of the new structure to be constructed from Park Heights Avenue, in response to suggestions from the Site Plan Review Committee.

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). As the lot layout is consistent with plans presented to the Site Plan Review Committee on October 21, 2013, the Department of Planning is supportive of this variance request.

TransForm Baltimore: This property would remain part of the R-5 District (Proposed Zoning Map Area 1-A) in which Places of Worship would be permitted uses (Table 9-301). The R-5 Districts would have off-street parking requirements identical to those now in the Zoning Code, allow maximum lot coverage of 40% for non-residential uses, and have a side yard setback requirement of 15', identical to the current requirement (Table 9-401).

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**RECOMMENDATION**

The Department of Planning recommends approval of this appeal, conditional upon the applicant receiving final site plan approval from the Department of Planning.

TJS/wya/mf

cc: Lisa Junker, Appellant