


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 / 118 – 120 South Chapel Street		

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

DATE: November 14, 2011

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of AB Associates and Joe Schultz, to consolidate two lots and construct a new single-family dwelling with a front-loading garage. We understand that this appeal is scheduled for hearing on December 6, 2011.

SITE

118 South Chapel Street is located on the west side of the street, approximately 179'4" south of the intersection with Lombard Street. This property measures approximately 12'3" by 48'3" and is currently unimproved. 120 South Chapel Street adjoins 118 South Chapel Street to the south and is located on the west side of the street, approximately 191'7" south of the intersection with Lombard Street. This property also measures approximately 12'3" by 48'3" and is currently unimproved. 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 dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as automobile garages, which are a nonconforming use in this R-8 General Residence District. The garage buildings were condemned and removed this year.

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 consolidated lot would have a width of 24'6" that would satisfy this requirement.

Lot Area: In this zoning district, single-family attached dwellings require 750 square feet of lot area (§4-1106.a). The consolidated lot would enclose 1,182 square feet, and so would meet this requirement.

Lot Coverage: The proposed 24' by 47' structure would cover approximately 96% of the property. A structure may not cover more than 60% of the lot area (§4-1106.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 rear yard setback of 25' is required (§4-1107.a.). In this case, the proposed dwelling will project to within 1'3" 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).

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). In this zoning district, single-family attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For a dwelling unit, one parking space is required; one would be provided using the existing curb cut on Chapel Street.

RECOMMENDATION

The Department of Planning has no objection to this appeal, as it would extinguish a nonconforming use of the property.

TJS/wya/mf

cc: Nate Pretl, Appellant