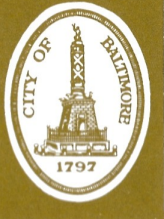


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 3501 Clipper Road		

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

DATE: December 16, 2010

REQUEST

The Department of Planning has received AB Associates' Board of Municipal and Zoning Appeals (BMZA) application, on behalf of 3501 Clipper Road LLC, to use the entire building for offices and to construct a two-story rear addition. We understand that this appeal is scheduled for hearing on December 21, 2010.

SITE

3501 Clipper Road is located on the east side of the street, approximately 220' south of the intersection with Druid Park Drive. This triangular property measures approximately 180' along Clipper Road by 56' deep at its north end and is currently improved with a two-story detached commercial building measuring approximately 50' by 32' with a rear addition measuring approximately 25' by 12'. This site is zoned M-2-1 and is located within the Woodberry National Register Historic District.

ANALYSIS

Conditional Use: In this zoning district, offices: business and professional, other than accessory, are a conditional use, requiring approval by the Board (§7-307).

Required Yard: In this zoning district, a minimum rear yard setback of 30' is required (§7-312.e). In this case, the proposed rear addition to the existing building will project to within 0' of the rear lot line. However, the rear lot line divides this property from the right-of-way of the Northern Central Railroad which at this location visually separates the property from other former industrial buildings to its east, and thus having a rear wall of the extended building at the rear lot line would not have a practical effect upon nearby properties. The existing interior side yard on the northern portion of the property is approximately 22' in width, and thus exceeds the Zoning Code requirement of 10' (§7-312.e). The applicant has not provided any site plans indicating that an encroachment on this interior side yard setback is being proposed.

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: 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 0.57 which is less than the permitted ratio of 2.0.

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

Off-Street Parking: The amount of off-street parking required for business, governmental or professional offices is one parking space per 400 square feet of office area in excess of 1,000 square feet (§10-405.17). For an extended building with a total of 5,700 square feet, the parking requirement would be 12 spaces. The property has sufficient vacant land on either side of the existing building to allow head-out parking for up to 9 vehicles, but lacks depth to allow on-site turn-around areas for parking vehicles. The applicant is strongly encouraged to contact the Department of Transportation concerning warning signs which could be placed along Clipper Road in the vicinity of this property, and to require office tenants to agree to head-out parking only in their assigned parking spaces.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case the reduction proposed is estimated to be 25%, which is within the variable amount the Board may authorize.

RECOMMENDATION

The Department of Planning has no objection to approval of the appeal, subject to any comments or requirements to be made by the Department of Transportation in connection with the proposed use and additional building capacity.

TJS/wya/mf

cc: AB Associates, Appellant