

Upper Fells Point Land-Use Development Guidelines

Adopted on Sept. 18, 2007

Developed by the UFPIA Land-Use Committee, in consultation with land-use guidelines in place for nearby neighborhoods including Butchers Hill, Canton and Highlandtown, and the document "Guidelines for Rowhouse Additions," Baltimore Board of Municipal and Zoning Appeals.

The land-use policy approved by the Upper Fells Point Improvement Association is for the purpose of handling the numerous zoning requests along with the rise in new and rehab construction work in this rapidly developing community.

An official policy allows us to generate letters of support or opposition based on association consensus on the requirements specified below. This policy is generally consistent with Zoning Department guidelines, which aim to reduce density, traffic and overbuilding on the land. These guidelines are especially important in our historic and closely built neighborhood, where space is at a premium.

It is also important to bear in mind that with the exception of Broadway and Eastern, all zoning in Upper Fells Point is now R-8 residential. This means the neighborhood has been defined by new zoning law as residential in character and that zoning is in place to maintain that character.

General guidelines

1) All proposed construction must first be compared with its surrounding buildings for compatibility with height, scale and character of architecture. New construction and remodeling should be compatible with Upper Fells Point's original architectural styles.

2) The Upper Fells Point Improvement Association ("the association") requires the following information from a developer prior to considering a letter of support:

a) Submit scale drawings of proposed plans and site elevations and an impact statement examining parking, density, access to light, ventilation and views of downtown and the water to the Upper Fells Point Improvement Association at least 45 days in advance of a zoning appeal. Submit scale drawings of proposed plans and elevations. Submit a statement as to what market segment the project will be focusing on.

b) Submit pictures of the homes and/or businesses immediately in the area of the proposed development, taken from the front, side and at an angle.

c) Submit contact information for all neighbors touching the property owner's lot boundaries, on both sides, to the rear and cattycorner, dates plans were shared with those with abutting boundaries, and responses of neighbors. If the association discov-

ers a zoning issue does not include documentation of contact with neighbors, the association will not support the change on principle.

d) Submit contact information for neighbors in the immediate area who support the proposed development, including both those with abutting boundaries and others nearby.

3) Property owners within the association's boundaries of Eastern, Washington, Lombard and Broadway are asked not to bypass the association by visiting neighboring community associations, such as those in Washington Hill, Butchers Hill and Fells Point, which claim no oversight for Upper Fells Point in the boundaries stated in their bylaws.

4) The association encourages property owners to improve homes within the vernacular of the traditional Baltimore rowhouse. Per Baltimore code on rowhouse additions, vinyl siding is not permitted on the portions of additions visible from the street. Other exterior features discouraged on areas facing to the street include balconies, captain's windows and oversized doors with modern sidelight panels, front-access garages and masonry whose colors, bond and mortar are greatly at odds with the existing vernacular, and changes that remove such charming features as obliquely set doors facing intersections.

5) Exterior building materials should be historically compatible on walls visible from named streets. Preservation of existing brick front is highly desirable when practical. In the event that it is not practical, or if additional coverage is needed, new brick or stucco is preferred. Siding or siding-like material is discouraged.

6) The number, size and spacing of windows should be in keeping with surrounding structures.

7) Existing precedent does not apply. Existing construction not in accordance with these land-use guidelines will not be considered as precedent for proposed construction.

Density

8) Infill of undeveloped lots must conform to 35-foot height restrictions to receive the association's approval. Single-family rowhomes in keeping with nearby two- or three-story rowhomes are encouraged, and condominiums and rental units are discouraged given existing traffic and parking saturation.

9) No applications to convert existing rowhouses,

either single- or multifamily, to condominiums will be supported.

10) No appeals for conversion of single-family residential dwellings into multi-dwelling units will be supported.

11) No appeals for additional units in current multi-dwelling buildings, for example, expansion from two units to four units, will be supported.

12) No build-outs to the dwelling property line will be supported.

13) No new dwelling units should be added without provisions for off-street parking spaces. Two off-street parking spaces per dwelling unit is the minimum requirement.

Height and additions

14) No height variances above 35 feet for additions or new construction will be supported. In addition, building height should be no greater than that of surrounding buildings.

15) Rear additions and additions on top of existing additions should be no greater in height or dimension than additions on surrounding buildings.

16) Front additions to setback houses should not be permitted.

17) Third-floor additions or decks on houses on narrow streets with right-of-way 30 feet and under – examples include Durham, Portugal and Chapel streets – must be set back from the front façade a minimum of 10 feet. When the house is an end of group, the addition must be architecturally integrated to the exposed side wall, as required in “Guidelines for Rowhouse Additions,” Baltimore Board of Municipal and Zoning Appeals.

Curb cuts and garages

Street space is considered to belong to the public and to be used in common for residential parking, rather than to be claimable by developers seeking new curb cuts and garages.

18) New curb cuts and the reopening of obsolete curb cuts will be opposed on all streets with on-street public parking.

19) The association will support the fill-in of obsolete curb cuts by the Department of Public Works.

20) On alley streets without on-street parking, such as Chapel and Durham, new curb cuts to either first-floor garages, freestanding garages or open lot space providing parking will be strongly encouraged to alleviate neighborhood parking issues. Developers are encouraged to soundproof first-floor garages and seal them to avert carbon monoxide leakage into adjacent residential properties.

21) Residents and developers working on Chapel

and Durham are encouraged to incorporate garages or adjacent parking as they rehabilitate structures to avert the potential of dumping new vehicles on nearby streets in Upper Fells Point.

22) Front-opening garage units are not desirable on streets other than Chapel and Durham since they take away existing or potential street parking for the public.

23) It is preferred that new off-street parking be accessed via the rear of the building via an appropriate right of way conforming to city code.

Rooftop decks

24) Per city code, no rooftop deck may be raised more than 2 feet above the plain that is midway between the lowest and the highest points of the roof surface supporting the rooftop deck.

25) Per code, rooftop decks must also comply with the following minimum setbacks: Flat roof, 8 feet from face of building wall; gabled roof, 6 feet behind ridge line.

26) In addition, rooftop decks must not be visible from the street across from the front of the building.

27) No doghouses, popups or other roof-protruding structures to access roof decks will be supported. Developers and architects are encouraged to come up with more creative and pleasing alternatives than small, enclosed access structures. Creation of large rooms on a third or fourth floor under the guise of an access structure will be opposed.

Building demolition

28) Building demolition should be by last resort only. Reasons for demolition should be submitted to the association for review and approval.

29) Saving and preserving buildings using historic tax credits are encouraged.

Business uses

30) Non-conforming business uses should be neighborhood-based and should not add to the neighborhood parking problem. The association will not approve any request for new non-conforming or conditional uses in grandfathered commercial properties unless such a request is presented to all neighbors touching boundaries of the property and then presented formally to the association and voted on.

31) Businesses should not add to Upper Fells Point’s parking problem after 4 p.m. when parking is at a premium.

32) It is preferred that businesses shall base their subsistence on neighborhood walk-in customers. For example: general variety stores, coffee shops, dry cleaners, bookstores, retail, art galleries and studios, as well as small offices for professionals.