


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 / 1918 Fleet Street		

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

DATE: May 14, 2010

REQUEST

The Department of Planning has received Luann Carra's Board of Municipal and Zoning Appeals (BMZA) application to continue to use the premises' first floor as a wellness center and gift shop, and the second and third floors as a dwelling. We understand that this appeal is scheduled for hearing on May 25, 2010.

SITE

1918 Fleet Street is located on the north side of the street, approximately 20' east of the intersection with Chapel Street. This property measures approximately 20' by 60' and is currently improved with a three-story building measuring approximately 20' by 53'. This site is zoned B-1-2 and is located within the Fells Point Historic District.

ANALYSIS

Use: In this zoning district, gift and card shops are listed as a permitted use, and so are allowed, but physical culture and health services are not listed as a permitted or a conditional use (§6-206 to §6-209). In this case, the property was last authorized for use as an artisans' and craft work site, which is a permitted use in a B-3 Community Commercial District but is a nonconforming use in this B-1 Neighborhood Business District.

Land Use: The premises is part of an area that was zoned B-3-3 by the mapping of the Zoning Code adopted in 1971. This designation continued until enactment of Amendment 20 to the former Fells Point Urban Renewal Plan by Ordinance 04-881, at which time the area and the subject premises were rezoned to B-1-3 (see Exhibit 4, "Zoning", of the Fells Point Urban Renewal Plan). Although the Fells Point Urban Renewal Plan was repealed by the Mayor and City Council in 2008 during enactment of the Fells Point Waterfront Urban Renewal Plan, the underlying zoning of this property remained B-1, meaning the previously permitted use of the premises has become a nonconforming use.

RECOMMENDATION

The Department of Planning recommends approval of the appeal, for the purpose of confirming continuance of the nonconforming use of the property as authorized by the Zoning Code, §13-718.

TJS/wya/mf

cc: Luann Carra, Appellant