


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 / 500-502 South Broadway		

TO

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

DATE: October 17, 2014

REQUEST

The Department of Planning has received Ian Sokoloski's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of 504 South Broadway LLC, to construct a two-story building with 100% lot coverage and use the premises as a restaurant. The Zoning Administrator has determined that a variance of Zoning Code floor area ratio, rear yard setback, and off-street parking requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on October 21, 2014.

SITE

500-502 South Broadway is located on the southwest corner of the intersection with Eastern Avenue. This property measures approximately 30' by 95' and is currently unimproved. This site is zoned B-2-2 and is located within the Fells Point Historic District.

ANALYSIS

Use: In this zoning district, restaurants are a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as a photographers' studio and an automotive accessories store, which are also permitted uses in this B-2 Community Business District.

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 2.0 which is within the permitted ratio of 2.5 (§6-313.c.).

Required Yard: In this zoning district, a minimum rear yard setback of 28.5' is required (§6-312.e., as acted upon by §3-208). In this case, the proposed building will project to within 0' 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: ... if the intensity in use of a structure or premises is increased through the addition of dwelling, efficiency, or rooming units, floor area, seating capacity, or other units of measurement, off-street parking facilities must be provided for that increased intensity, as required by this title (§10-202.a). In this zoning district, restaurants require one off-street parking space per 400 square feet of floor area (§10-405.21.i). If the proposed structure used all of the lot area, a maximum of 14 spaces would be required; the size of this lot and the historic development pattern of Fells Point would render meeting this requirement on-site an unnecessary hardship. For traffic safety reasons, any request for a new curb cut in connection with this proposed re-use of the property would be disapproved.

Historic District: The subject property is located within the Fells Point District, a locally and nationally designated Baltimore City historic district. All new construction, and all future exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). It is recommended that the applicant meet and confer with the Fells Point Historic District Design Review Committee, and then remain in contact with CHAP to complete the review process applicable to their project, which would include a full Commission review.

TransForm Baltimore: This property would become part of the C-1 District (Proposed Zoning Map Area 7-D) in which restaurants would be permitted uses (Table 10-301). The C-1 Districts would have off-street parking requirements of 1 space per 100 square feet of indoor public seating area (Table 16-406A).

RECOMMENDATION

The Department of Planning recommends approval of this appeal subject to the condition that the applicant obtain approval from the Commission for Historical and Architectural Preservation for the design and massing of the proposed structure.

TJS/wya/mf

cc: Ian Sokoloski, Appellant