


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 / 3514 Harford Road		

TO

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

DATE: September 25, 2013

REQUEST

The Department of Planning has received Dinesh Kanani's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as a restaurant and carry-out food shop. The Zoning Administrator has determined that a restaurant is a conditional use in a B-1 District, and that a carry-out food shop is a nonconforming use in a B-1 District. We understand that this appeal is scheduled for hearing on October 1, 2013.

SITE

3514 Harford Road is located on the southwest corner of the intersection with Kentucky Avenue. This property measures approximately 125'7" by 96'2" and is currently improved with a one-story detached commercial building measuring approximately 68' by 40'. This site is zoned B-1-1 and is located within the Mayfield National Register Historic District.

ANALYSIS

Conditional Use: In this zoning district, restaurants are a conditional use, requiring approval by the Board (§6-208). In this zoning district, carry-out food shops are not listed as a permitted or conditional use, and so are not allowed (§6-206 to §6-209). In this case, the property was last authorized for use as a grocery store, which is a permitted use in this B-1 Neighborhood Business District.

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). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). In this zoning district, restaurants require one off-street parking space per 200 square feet of floor area (§10-405.21.i). While the application does not include a floor plan for the proposed restaurant, the gross square footage of the existing structure on the property would require up to 14 off-street parking spaces. The property currently has this number of spaces on the paved area that wraps around the front and north side of the structure.

TransForm Baltimore: This property would become part of a C-1 District (Proposed Zoning Map Area 3-D) in which restaurants would be permitted uses and carry-out shops would be conditional uses (Table 10-301).

RECOMMENDATION

The Department of Planning has no objection to this appeal if the carry-out portion of the business is accessory to the proposed restaurant.

TJS/wya/mf

cc: Dinesh Kanani, Appellant

Northeast