


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 933 Fell Street		

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

DATE: September 3, 2015

### REQUEST

The Department of Planning has received Nariman El Said's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Dead End Land Holdings LLC, to construct a 730 square foot second floor addition to the existing structure, to be used for a kitchen and storage. The Zoning Administrator has determined that a variance of floor area ratio limits is needed for approval. We understand that this appeal is scheduled for hearing on September 8, 2015.

### SITE

933 Fell Street is located on the east side of the street, approximately 100' northwest of the intersection with Wolfe Street, and extends through to Wolfe Street approximately 119'2" north of its intersection with Fell Street. This property measures approximately 31'6" along Fell Street and 37'9" along Wolfe Street and contains approximately 0.056 acre, and is currently improved with a three-story attached residential mixed-use building with a combination one-story and two-story rear addition covering the entire lot. This site is zoned B-2-2 and is located within the Fells Point Waterfront Urban Renewal Plan area and the Fells Point Historic District.

### ANALYSIS

Use: In this zoning district, dwellings and taverns are a permitted uses, and so are allowed (§6-306). In this case, the property was last authorized for use as a multiple-family attached dwelling and tavern. The applicant intends to use the proposed second-floor addition as a commercial kitchen and storage space to serve the tavern below it.

Urban Renewal Plan: This property is located in the Fells Point Waterfront Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Floor Area Ratio Variance: 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 approximately 2.7 which exceeds the permitted ratio of 2.5 by approximately 8%. As the request is within the variable range the Board may apply, the appeal may be approved.

Historic District: The subject property is located within the Fells Point District, a locally and nationally designated Baltimore City historic district. All 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 remain in contact with CHAP to complete the review process applicable to their project.

Mr. David Tanner, BMZA  
Executive Director  
Page 2  
Re: 933 Fell Street

TransForm Baltimore: This property would become part of a C-1 District (Proposed Zoning Map Area 7-D) in which taverns would be conditional uses (Table 10-301).

**RECOMMENDATION**

The Department of Planning recommends approval of this appeal subject to the condition that the proposed addition to the existing structure is built according to the requirements of a Notice To Proceed issued by the Commission for Historical and Architectural Preservation.

TJS/wya/mf

cc: Nariman El Said, Appellant