


<b>FROM</b>	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 / 1900 Aliceanna Street		

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

DATE: September 9, 2010

### REQUEST

The Department of Planning has received Donna Sekora's Board of Municipal and Zoning Appeals (BMZA) application to continue to use the first floor of the premises as a tavern with live entertainment, and to use the second floor of the premises as two dwelling units. We understand that this appeal is scheduled for hearing on September 14, 2010.

### SITE

1900 Aliceanna Street is located on the northeast corner of the intersection with Wolfe Street. This property measures approximately 25'6" by 60' and is currently improved with a two-story corner building covering the entire lot. This site is zoned R-8 and is located within the Fells Point Historic District.

### ANALYSIS

Use: In this zoning district, taverns are not listed as a permitted or conditional use, and so are not allowed (§4-1101 to §4-1104). In this case, the property was last authorized for use as a tavern with live entertainment, which is a nonconforming use in this R-8 General Residence District.

Lot Area: In this zoning district, multiple-family dwellings require 750 square feet of lot area per dwelling unit (§4-1106.a). In this case, for two dwelling units, 1,500 square feet of lot area is required. The lot encloses 1,530 square feet, and so does meet this requirement.

Lot Coverage: The existing structure covers approximately 100% of the property. In a R-8 General Residence District, the maximum floor: area ratio (FAR) is 2.0 (§4-1108.a). As the existing structure is two stories tall, it complies with this requirement.

Historic District: The subject property is located within the Fells Point District, a locally 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 contact CHAP to determine the review process applicable to their project.

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). As 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).

Off-Street Parking: In this zoning district, multiple-family attached dwellings require one off-street parking space per dwelling unit (§10-405.1.iv). For two dwelling units, two parking spaces are required; none are or can be provided.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case the reduction proposed is 100%, which is greater than the variable amount the Board may authorize. If the applicant could demonstrate that a dwelling unit has existed continuously on the premises since before April 1971, the Board could grant a parking variance that could accommodate the proposed additional dwelling unit.

### **RECOMMENDATION**

The Department of Planning recommends that approval of the appeal, if granted, be conditional upon the applicant obtaining a Notice To Proceed from the Commission for Historical and Architectural Preservation for any exterior modifications or additions to the building which may be required in order to meet habitability requirements for a second dwelling unit on the premises.

TJS/wya/mf

cc: Donna Sekora, Appellant