

<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 / 5814-5840 Hillen Road		

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

DATE: July 7, 2011

### REQUEST

The Department of Planning has received Ashoqullah Ahmadi's Board of Municipal and Zoning Appeals (BMZA) application to continue to use the portion of the premises known as 5814 Hillen Road as a restaurant, and add a carry-out food shop and prepared food delivery services. We understand that this appeal is scheduled for hearing on July 19, 2011.

### SITE

5814-5840 Hillen Road is located on the southwest corner of the intersection with Sherwood Avenue. This property measures approximately 430' along Hillen Road by 329'10" along Sherwood Avenue and contains approximately 4.751 acres, and is currently improved with a one-story commercial shopping center building. This site is zoned B-2-1.

### ANALYSIS

Conditional Use: In this zoning district, prepared food delivery services are a conditional use, requiring approval by the Board (§6-308). Carry-out food shops are a permitted use (§6-306). In this case, the property was last authorized for use as a grocery store, which is a permitted use in this B-2 Community Business District.

Off-Street Parking: In this zoning district, restaurants require one off-street parking space per 400 square feet of floor area (§10-405.21.i). The application suggests that the grocery store is being or has been converted to a restaurant, which is a permitted use in this B-2 Community Business District. The applicant should be required to provide a dimensioned floor plan for the premises in order to allow a computation of the off-street parking requirement for this business. The shopping center of which it is a part has a substantial amount of parking in front of and beside the building, so the applicant should have no difficulty in demonstrating adequate off-street parking can be provided for the combined uses proposed.

### RECOMMENDATION

The Department of Planning has no objection to this appeal, provided that the applicant demonstrates that there is adequate off-street parking available to meet the requirements of the Zoning Code.

TJS/wya/mf

cc: Ashoqullah Ahmadi, Appellant