
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
EBONY M. THOMPSON,
CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

July 16, 2025

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 25-0073 – Zoning – Conditional Use Conversion to a Banquet Hall
in the IMU-1 Zoning District – Variances – 1100 Wicomico Street

Dear President and City Council Members:

The Law Department reviewed City Council Bill 25-0073 for form and legal sufficiency. The bill would permit, subject to certain conditions, the establishment, maintenance, and operation of a banquet hall on the eighth floor of the property known as 1100 Wicomico Street (Block 0811, Lot 060), and grant a variance from off-street parking requirements. The ordinance would take effect 30 days after the date of its enactment.

Conditional Use Standards

Banquet halls are permitted as a conditional use if approved by ordinance in the I-MU1 Zoning District. Baltimore City Code, Art. 32, Table 11-301. To approve a conditional use, the City Council must find:

1. the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
2. the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization would not be contrary to the public interest; and
4. the authorization would be in harmony with the purpose and intent of this Code.

Baltimore City Code, Art. 32, § 5-406(b). In making these findings, the City Council must be guided by fourteen “considerations” involving such things as the “nature of the surrounding area and the extent to which the proposed use might impair its present and future development,” “the character of the neighborhood,” and “the resulting traffic patterns and adequacy of proposed off-street parking.” Baltimore City Code, Art. 32, § 5-406(a).

Variance Standards

Council Bill 25-0073 contains a request for a variance from off-street parking requirements. Required off-street parking for a banquet hall is “1 per 10 persons of fire-rated capacity.” Baltimore City Code, Art. 32, Table 16-406.

To grant a variance, the City Council must find that, “because of the conditions peculiar to the property, including particular physical surroundings, shape, or topographical conditions of the specific structure or land involved” or “because of exceptional circumstances related to the specific structure or land involved,” a practical difficulty, as distinguished from a mere inconvenience, would result from a strict application of the law’s requirements. Baltimore City Code, Art. 32, § 5-308(a). The City Council must also make six other findings:

1. the practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property;
2. the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;
3. the variance will not:
 - i. be injurious to the use and enjoyment of other property in the immediate vicinity; or
 - ii. substantially diminish and impair property values in the neighborhood;
4. the variance is in harmony with the purpose and intent of this Code;
5. the variance is not precluded by and will not adversely affect:
 - i. any Urban Renewal Plan;
 - ii. the City’s Comprehensive Master Plan; or
 - iii. any Historical and Architectural Preservation District; and
6. the variance will not otherwise:
 - i. be detrimental to or endanger the public health, safety, or welfare; or
 - ii. be in any way contrary to the public interest.

Baltimore City Code, Art. 32, § 5-308(b). It is important to note that all of these criteria must be found, in addition to a finding of practical difficulty. Baltimore City Code, Art. 32, § 5-308(a). The City Council must evaluate a request for a variance based on evidence presented at a public hearing. Baltimore City Code, Art. 32, § 5-305(a).

Planning Commission Recommendations

The site on which approval for the banquet hall is sought is an eight story industrial building with an attached four story parking deck. The banquet hall is planned for the eighth floor which is approximately 50,000 square feet. The banquet hall will be used intermittently for corporate and other events. Current building uses include light industrial, office, art studios, and light food processing. The site is located in the Pigtown neighborhood statistical area and the Carroll-Camden Urban Renewal Plan area. The property lies between residential neighborhoods and heavier industrial areas. Use of a portion of the property as a banquet hall is not inconsistent with “the Southwest Partnership Vision Plan (2015) or the City’s Comprehensive Plan (2024).”

With respect to the requested parking variance, Planning staff notes that the attached parking deck may provide adequate parking so that the variance will not be needed. The Fire Department will confirm this. Planning staff also noted that approval of the banquet hall would provide some economic development to the area. A PUD currently exists for this industrial building. The PUD was needed in the past to permit several uses that were not allowed under the then existing zoning code. The zoning code has since been changed and the uses are all allowed under the current zoning designation of the building. A companion bill, CB 25-0074, seeks repeal of the PUD since it is no longer needed. Planning staff recommended approval of the PUD repeal.

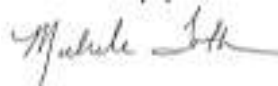
The Planning Commission accepted the Planning Staff recommendation and recommended approval of this bill.

Hearing Requirements

Certain procedural requirements apply to this bill beyond those discussed above because an ordinance that authorizes a conditional use or a variance is considered a “legislative authorization.” Baltimore City Code, Art. 32, § 5-501(2)(i) and (ii). Specifically, notice requirements apply to the bill, and the bill must be referred to certain City agencies which are obligated to review the bill in a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506, 5-602. Finally, certain limitations on the City Council’s ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507.

The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standards have been met for a conditional use and for a variance, if needed. Assuming the required findings are made at the hearing, and all procedural requirements are satisfied, the Law Department can approve the bill for form and legal sufficiency.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Michele Toth", written in a cursive style.

Michele M. Toth
Assistant Solicitor

cc: Ebony Thompson
Ethan Hasiuk
Ty’lor Schnella
Shamoyia Gardiner
Hilary Ruley
Jeff Hochstetler
Ashlea Brown
Desiree Luckey
Ahleah Knapp