



## THE COMMISSIONERS OF ST. MICHAELS

OFFICE OF CODE ENFORCEMENT, PLANNING AND ZONING

SETTLED 1670-1680

300 MILL STREET

TELEPHONE: 410.745.9535

P.O. BOX 206

INCORPORATED 1804

ST. MICHAELS, MD 21663

FACSIMILE: 410.745.3463

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STAFF REPORT PREPARED BY: Pat Faux Interim, Zoning Inspector  
SKETCH PLAN SUBMITTAL DATE: NOVEMBER 22, 2022  
DATE OF SKETCH PLAN REVIEW: DECEMBER 1, 2022 scheduled

### GENERAL INFORMATION

OWNER/APPLICANT: Helen Herman

REQUEST: Reduction in required parking

LOCATION: 102 E Fremont Street

ZONING CLASSIFICATION: CC

EXISTING LAND USE: Residential

UTILITIES: The parcel is currently served by Municipal water and County Sewer.

FACILITIES AND SERVICES: The St. Michaels Volunteer Fire Department and the St. Michaels Police Department currently provide emergency services and will continue to do so.

The Town provides trash and recycling at a standard level to all properties.

### STAFF COMMENTS

Existing and proposed conditions:

102 East Fremont Street is an existing mixed use structure within the CC Zone with two approved uses a Coffee Shop use on the ground floor and a Personal Residence use on the second floor. These are both lawful conforming uses in the CC Zone. No parking exists on site. A lawful existing parking deficit exists.

The Owner is requesting to license their residence for a Short Term Rental when they are away. This new use is a lawful conforming used in the CC Zone.

§340-146 Minimum Parking Ratios: (parking calculations)

The code requires 10 spaces for the existing use - Coffee Shop parking 1/250 SF plus one per 4 outdoor dining, the ground floor is approximately 1875 sf and therefore will generate the need

for 8 spaces. ( $1875/250 = 7.5$  spaces, round up to 8). The Residential parking requirement is 1.5 per residential unit thus round up to 2 spaces are required. Therefore  $8 + 2 = 10$  spaces are required

The code requires 10 spaces for the proposed use - The Short Term Rental parking requirement is one space for each bedroom thus 2 spaces are required. The requirement for the Coffee Shop remains 8. Therefore  $8 + 2 = 10$  spaces are required for both the Coffee Shop and the Short Term Rental. This is the same parking requirement generated by the existing uses.

**Comments: 10 spaces are calculated for both existing and new uses, no new parking is required.**

Per §340-145 B. (1)(b) credit is given to the most recent lawful uses. Section 340-145. (B)(2), states that “a new use is not required to address a lawful existing parking deficit regardless of whether such spaces exist.”. Therefore no additional spaces are required.

§340-146B Flexibility in administration required.

(1) The Town recognizes that, due to the particularities of any given development, the strict application of the parking standards set forth herein may result in development with parking exceeding a permitted use's needs. The Planning Commission may reduce the required parking if one or more of the following conditions apply, and the applicant can demonstrate to the Planning Commission via plans, studies or other data that such conditions better reflect the actual parking demand:

- (a) Residential development is deed-restricted to residents 55 years of age or older.
- (b) The permitted use has most of its occupants not of driving age.
- (c) The development is in the CC Central Commercial District, WD Waterfront Development District, MM Maritime Museum District, GC Gateway Commercial District, MC Maritime Commercial District, or the HR Historic Redevelopment District.
- (d) On-street parking is in front of the property.
- (e) A public parking lot is located within 300 feet of the lot.

(2) Whenever the Planning Commission allows or requires a deviation from the parking requirements set forth herein, it shall enter on the face of the zoning certificate and/or site plan the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

**Comments: Should the Planning Commission feel that a waiver is still appropriate, staff notes that three of the five criteria apply as the property in question is:**

- within the Central Commercial Zoning District,
- There are on-street parking in front of the property,
- There is a public parking lot within 300. The 114 Fremont street lots has 24 existing spaces

TOWN OF ST. MICHAELS  
SKETCH SITE PLAN REVIEW APPLICATION  
(SEE §110-2B of the Code of the Town of St. Michaels)

OFFICE USE ONLY:

FILE NUMBER: SPR-22-46 FEE: -

FEE PAID: \_\_\_\_\_

APPLICATION REC'D - DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

PROJECT INFORMATION

- (1) PROPERTY OWNER: Three Links LLC BUSINESS OWNER: Brian + Helen Herman  
MAILING ADDRESS: PO Box 683, St. Michaels, MD 21663  
TELEPHONE #: 516.637.2983
- (2) PROJECT NAME: The Blue Crab
- (3) PROJECT ADDRESS: 102 S. Fremont
- (4) TAX MAP: 200 PARCEL #: 1827 LOT#: \_\_\_\_\_
- (5) ZONING: CC
- (6) PLAN PREPARED BY: COMPANY NAME: Helen Herman Architect, LLC  
REPRESENTATIVE: Helen Herman  
ADDRESS: 102 S. Fremont  
PHONE NUMBERS(S): 516.637.2983, \_\_\_\_\_
- (7) SEWER: COMMUNITY Town
- (8) WATER: COMMUNITY Town
- (9) HISTORIC DISTRICT: YES  NO \_\_\_\_\_
- (10) CRITICAL AREA (CIRCLE) YES  **(NO)** ZONE CLASSIFICATION IDA
- (11) SQUARE FOOTAGE AND USE OF ALL EXISTING AND PROPOSED STRUCTURES:  
Use: Coffeehop Existing Square Footage: 1600 Proposed: no change  
Use: Residential Existing Square Footage: 1234 Proposed: STR - no change in SF  
Use: \_\_\_\_\_ Existing Square Footage: \_\_\_\_\_ Proposed: \_\_\_\_\_ or building footprint  
Use: \_\_\_\_\_ Existing Square Footage: \_\_\_\_\_ Proposed: \_\_\_\_\_
- (12) FLOODPLAIN ZONES: YES \_\_\_\_\_ A B C NO
- (13) SUMMARY OF PROPOSED: OFFER OUR APARTMENT AS A SHORT TERM RENTAL - NO CHANGE IN EXTERIOR FOOTPRINT OR FIRST FLOOR USE. NO CHANGE IN LOT COVERAGE PROPOSED. NO EXISTING ON-SITE PARKING. SEEKING PARKING WAIVER FOR SHORT TERM RENTAL: 340-146 "1 SPACE PER BEDROOM" W/ 2 BEDROOMS = 2 SPACES REQ'D.

SUBMITTAL REQUIREMENTS:

Sketch plan.

- (a) Vicinity map at a scale of not less than one inch equals 1,000 feet, and such other maps as be necessary to clearly identify the location of the property;
- (b) Boundary survey of the property;
- (c) State Wetlands Map reflecting nontidal and tidal wetlands;
- (d) General proposed land uses drawn to scale, at a scale of not less than one inch equals 200 feet;
- (e) The location of any easements, rights-of-way or any other encumbrances which pertain to the property subject to the site plan review;
- (f) Dated photographs of the property and structures thereon including elevations of all buildings. The photographs must be taken no more than 14 days prior to the submission of the application;
- (g) Computation of existing and planned square footage of all structures; and
- (h) Existing and proposed parking areas in accordance with the parking standards set forth in Town Code, Chapter 340, Article V.
- (i) When more than one sheet is necessary, each sheet shall bear the name of the project and shall be numbered to show its relationship to the total number of sheets.

APPLICANT'S FAILURE TO ADEQUATELY ADDRESS ALL APPLICATION, AND CHECKLIST ITEMS AND THOSE SPECIFICATIONS SET OUT IN CHAPTER 110 OF THE CODE OF THE TOWN OF ST. MICHAELS, MAY RESULT IN A PROJECT BEING CONSIDERED INCOMPLETE OR INACCURATE. ANY SUCH DEFICIENCIES MAY RESULT IN THE RETURN OF THE APPLICATION WITHOUT PROCEEDING THROUGH THE REVIEW PROCESS.

I HEREBY CERTIFY THAT THIS APPLICATION AND ASSOCIATED PLAN(S) ARE TECHNICALLY CORRECT AND ACCURATE TO THE EXTENT NECESSARY FOR MEETING ST. MICHAELS REQUIREMENTS FOR SKETCH SITE PLAN REVIEW SUBMISSION.

Helen Herman

Applicant(s) signature

11-21-22

Date

HELEN HERMAN

Applicant(s) Name (Please Print)

BUILDING PERMIT APPLICATIONS SHALL NOT BE SUBMITTED UNTIL FINAL SITE PLAN APPROVAL HAS BEEN GRANTED

# The Blue Crab

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102 S. Fremont Street  
St. Michaels, MD 21663  
410-745-4155  
[helen@bluecrablodge.com](mailto:helen@bluecrablodge.com)

November 22, 2022

RE: Short Term Rental Parking Waiver Request

Dear Kim Shellem,

Thank you so much for helping us with our Short Term Rental Application. We do not fit the parking requirement stipulated in 340-146 for 1 parking space per bedroom because our lot is too small to accommodate for any on-site parking. We have two bedrooms and are seeking a waiver for two parking spaces.

We fit the following criteria to apply for a parking waiver:

- Located in the CC district (See Vicinity Map)
- Being within 300' of a Town parking lot (Actual distance is +/-175')
- Having existing street parking in front of our building (Three spaces directly in front of our property, many additional spaces along our South side of Fremont Street)

Thank you so much for all of your help.

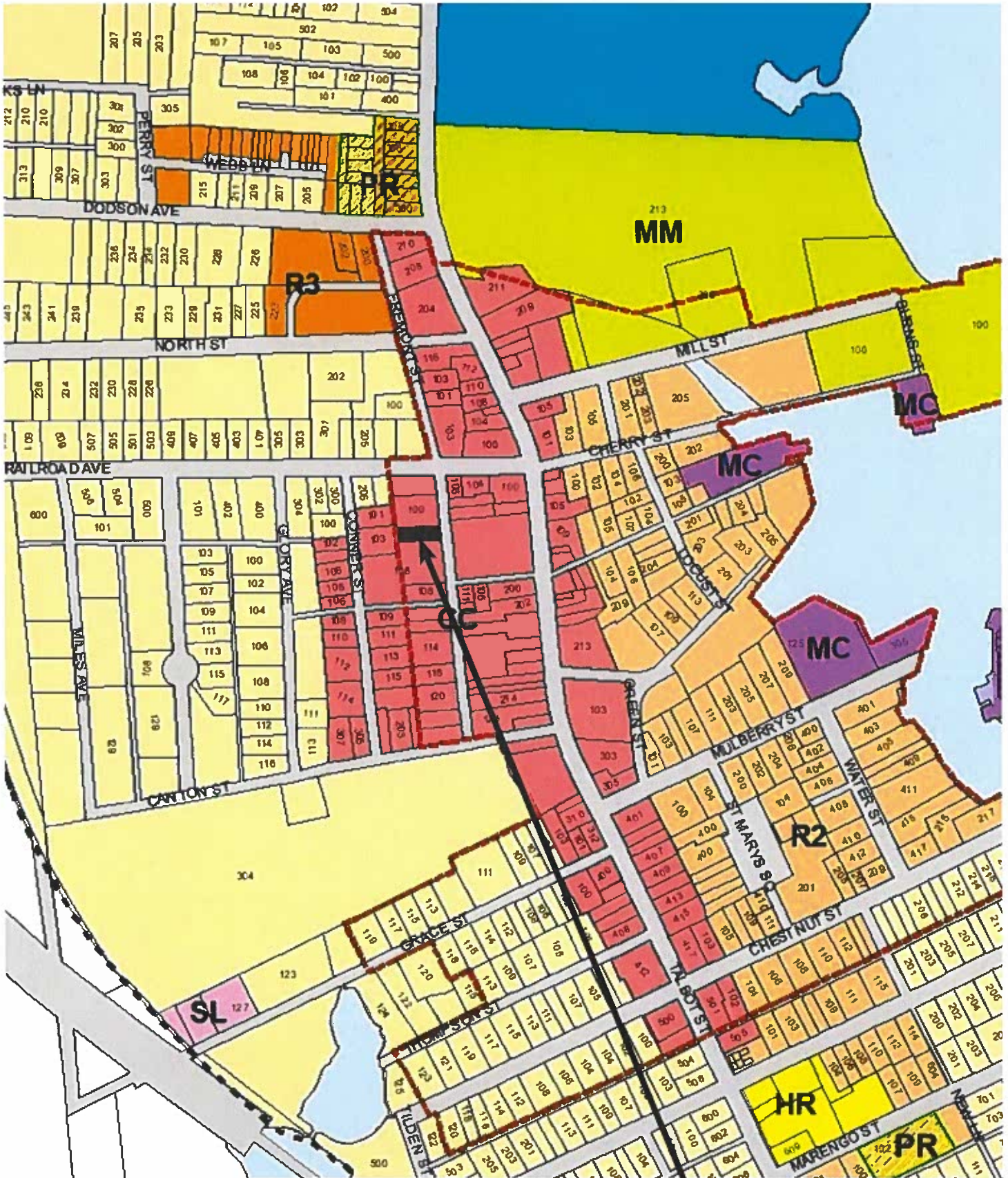
Sincerely,

**Brian and Helen Herman**

516-637-2983 (Helen)  
646-696-7831 (Brian)



# THE BLUE CRAB - PARKING WAIVER APPLICATION



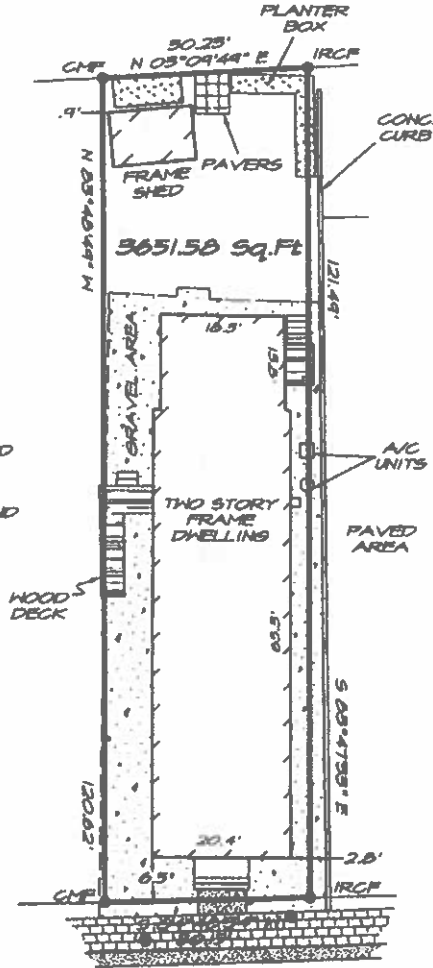
THE BLUE CRAB - PARKING WAIVER APPLICATION

**PLAT SHOWING**  
 THE LANDS OF  
**FREEDOM FRIENDS LODGE, L.L.C.**  
 IN THE TOWN OF ST. MICHAELS  
 TALBOT COUNTY, MARYLAND



**GENERAL NOTES**

1. PROPERTY: 102 FREMONT STREET  
 ADDRESS: ST. MICHAELS, MD. 21663
2. TAX MAP: 200, PARCEL 1827
3. THE LAND SHOWN HEREBON LIES  
 WITHIN FLOOD ZONE "X", AS  
 SHOWN ON F.I.R.M. 240410161D  
 DATED 7-20-16.
4. DEED REFERENCE: 1066 / 148
5. IRCP DENOTES IRON ROD WITH CAP FOUND
6. IRF DENOTES IRON ROD FOUND
7. CMP DENOTES CONCRETE MONUMENT FOUND



**SURVEYOR CERTIFICATION**

THIS PLAT HAS BEEN PREPARED BY ME  
 PERSONALLY OR UNDER MY RESPONSIBLE CHARGE  
 AND COMPLIES WITH THE REQUIREMENTS AS SET  
 FORTH IN REGULATION 09.13.06.12 OF THE  
 MARYLAND MINIMUM STANDARDS OF PRACTICE  
 FOR SURVEYORS. MY MARYLAND PROFESSIONAL  
 LAND SURVEYOR LICENSE IS CURRENT WITH AN  
 EXPIRATION DATE OF FEBRUARY 10, 2017.

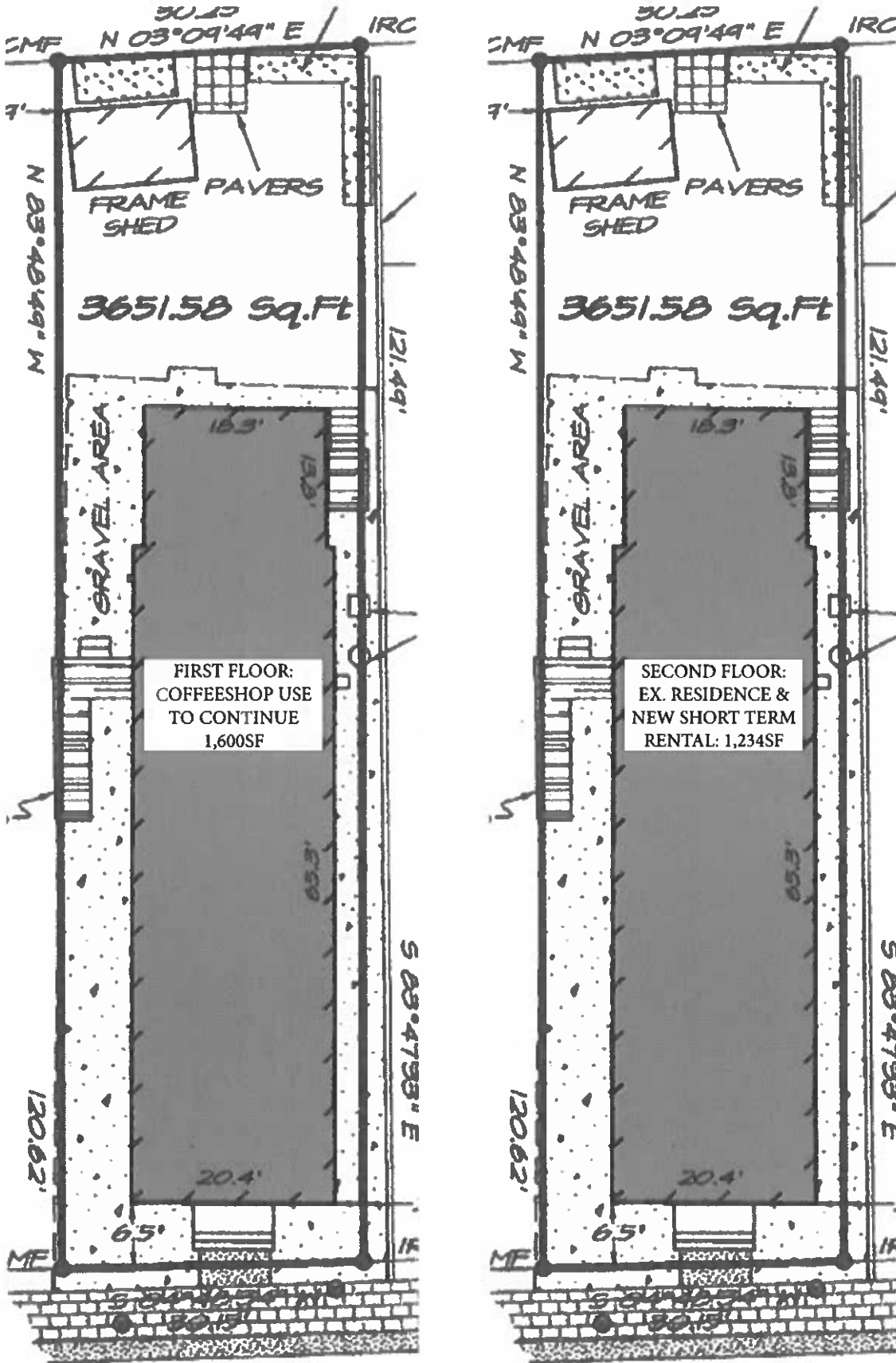
*Christopher D. Waters* 12/21/16  
 CHRISTOPHER D. WATERS DATE  
 PROFESSIONAL LAND SURVEYOR  
 MARYLAND No. 11082

**WATERS**  
 Professional Land Surveying

29510 Skipton-Cordova Road Cordova, MD 21625  
 (410) 818-3383(voice & fax) www.waterssurveying.com  
 Boundary, Site Plan, Elevation Certification, Location Surveys,  
 Subdivisions, Storm Water Management

DATE: 12-21-16  
 SCALE: 1" = 20'  
 DRAWN BY: TAN  
 JOB No. 16313

THE BLUE CRAB - PARKING WAIVER APPLICATION



**NOTE:**  
 NO CHANGE IN EXISTING BUILDING FOOTPRINT OR LOT COVERAGE PROPOSED.  
 NO EXISTING ON-SITE PARKING



THE BLUE CRAB - PARKING WAIVER APPLICATION





THE BLUE CRAB - PARKING WAIVER APPLICATION

