

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 3925-3927 East Lombard Street		

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

DATE: May 7, 2010

REQUEST

The Department of Planning has received James Baker's Board of Municipal and Zoning Appeals (BMZA) application to use the rear portion of the premises for accessory outdoor table service for an existing tavern. We understand that this appeal is scheduled for hearing on May 11, 2010.

SITE

3925-3927 East Lombard Street is located on the southwest corner of the intersection with Grundy Street. This property measures approximately 30' by 150' and is currently improved with a two-story building covering nearly all the lot, with an open paved area approximately 30' along Grundy Street by 10' deep lying where the rear addition to the tavern joins the original row-house buildings containing the original smaller tavern. This site is zoned B-3-2.

ANALYSIS

Use: In this zoning district, taverns – including live entertainment and dancing, are listed as a permitted use, and so are allowed (§6-406).

Definition: "Outdoor table service", as an accessory to a restaurant, means an outdoor service area at which patrons are seated at tables for service of food and drinks (§1-168.1). In this appeal, the applicant is proposing to use primarily an open area on the premises and not the adjacent sidewalks for the accessory outdoor table service. However, the adjacent sidewalk along Grundy Street is 10' wide at that point, which would allow some additional outdoor seating alongside the rear portion of the premises, nearest to Mount Pleasant Avenue.

RECOMMENDATION

The Department of Planning recommends approval of the appeal, subject to these conditions:

- A minimum of six feet of the sidewalk must remain clear and unobstructed for pedestrian use along Grundy Street, and no tables will be placed on the Lombard Street sidewalk;
- The capacity of the outdoor seating area will not be more than 9 tables and 24 patrons;
- The tables will be limited to those that can seat 4 patrons, and tables placed on the sidewalk along Grundy Street will be limited to those that can seat 2 patrons and are to be kept against the wall of the building;
- There will be no outdoor bar;
- There will be no outdoor music, a jukebox, or other form of entertainment; and
- All patrons must be seated, and served by wait staff.

TJS/wya/mf

cc: James Baker, Appellant