


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 / 4017-4019 Eastern Avenue		

TO

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

DATE: August 14, 2015

REQUEST

The Department of Planning has received James Glanville's Board of Municipal and Zoning Appeals (BMZA) application to use the second floor of the premises as a cigar bar while continuing to use the first floor of the premises as a tavern (with live entertainment and dancing). The Zoning Administrator has determined that this is a prohibited use in a B-2 zoning district. We understand that this appeal is scheduled for hearing on August 25, 2015.

SITE

4017-4019 Eastern Avenue is located on the south side of the street, approximately 64' west of the intersection with Haven Street. This property measures approximately 24' by 140' and is currently improved with a two-story attached commercial building measuring approximately 24' by 115'. This site is zoned B-2-3 and is located within the Highlandtown Business Area Urban Renewal Plan area.

ANALYSIS

Use: In this zoning district, "cigar bars" are not listed as a permitted or conditional use, and so are not allowed (§6-306 to §6-309). In this case, the property was last authorized for use as a tavern, which is a permitted use in this B-2 Community Business District. Tobacco shops are also permitted uses in this zoning district.

Urban Renewal Plan: This property is located in the Highlandtown Business Area Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district if it is characterized as either a tobacco shop or as an accessory use to a tavern.

TransForm Baltimore: This property would become part of a TOD-2 (Transit-Oriented District) District (Proposed Zoning Map Area 8-C) in which retail goods establishments with alcohol sales, and taverns, would be permitted uses (Table 12-402).

RECOMMENDATION

The Department of Planning has no objection to approval of this appeal if it is amended to provide for either a tavern with accessory tobacco sales and a "cigar bar", or for a tavern and a tobacco shop.

TJS/wya/mf

cc: James Glanville, Appellant