


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 / 737 Carroll Street		

TO

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

DATE:

January 6, 2015

REQUEST

The Department of Planning has received Brent Fuller's Board of Municipal and Zoning Appeals (BMZA) application to add a microbrewery as an accessory use to an existing tavern. The Zoning Administrator has determined that this is a prohibited use in a R-9 Zoning District. We understand that this appeal is scheduled for hearing on January 13, 2015.

SITE

737 Carroll Street is located on the southeast corner of the intersection with Barre Street. This property measures approximately 30' by 60' and is currently improved with a two-story end-of-row building covering nearly the entire lot created by a consolidation in 2005. This site is zoned R-9 and is located within the Washington Village Urban Renewal Plan area and the Pigtown National Register Historic District.

ANALYSIS

Use: In this zoning district, microbreweries are not listed as a permitted or conditional use, and so are not allowed (§4-1201 to §4-1204). In this case, the property was last authorized for use as a tavern, which is a nonconforming use in this R-9 General Residence District.

Change in Nonconforming Use/ Expansion of Nonconforming Use: The applicant is not proposing to change the existing nonconforming use (a tavern) nor expand the nonconforming use. The proposed microbrewery would be within the existing structure, and would produce a maximum of 10 barrels of beer or ale daily for sale on premises and consumption by patrons of the tavern, which would be re-branded as a brew-pub.

Urban Renewal Plan: This property is located in the Washington Village Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict this use as a continuing nonconforming use.

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

TransForm Baltimore: This property would become part of a R-8 District (Proposed Zoning Map Area 6-D) in which Neighborhood Commercial Establishments would be conditional uses (Table 9-301). "Neighborhood commercial establishment" means "a commercial use that is within a residential neighborhood, but in a structure that is non-residential in its construction and original use" (§1-310 (I)).

Mr. David Lanner, BMZA
Executive Director
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RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Brent Fuller, Appellant