


FROM	NAME & TITLE	THOMAS JUSTOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 224-228 North Gay Street		

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

DATE: October 2, 2015

REQUEST

The Department of Planning has received Stuart Carter's Board of Municipal and Zoning Appeals (BMZA) application to use the portion of the premises known as 228 North Gay Street as a barbershop and full-service personal grooming salon. The Zoning Administrator has determined that this is a prohibited use in a M-2 zoning district. We understand that this appeal is scheduled for hearing on October 6, 2015.

SITE

224-228 North Gay Street is located on the northwest corner of the intersection with Front Street. This property measures approximately 52'6" by 74' and is currently improved with a three-story semi-detached commercial building covering the entire lot. This site is zoned M-2-3 and is located within the Gay Street National Register Historic District.

ANALYSIS

Use: In this zoning district, barbershops, beauty salons, and similar establishments are not listed as a permitted or conditional use, and so are not allowed (§7-306 to §7-309). In this case, the property was last authorized for use as a community center, which is a conditional use in this M-2 Industrial District. Approval of this application would require creation of a new nonconforming use, which is not authorized by the Zoning Code.

TransForm Baltimore: This property would become part of a C-5 District (Proposed Zoning Map Area 7-C) in which Personal Services Establishments and Retail Goods Establishments – No Alcohol Sales, would be permitted uses (Table 10-301).

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the proposed use is prohibited in this zoning district, and approval would require creation of a new nonconforming use, which the Board is not authorized to approve according to the Zoning Code.

TJS/wya/mf

cc: Stuart Carter, Appellant