


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 / 4528-30 Harford Road		

TO

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

DATE: October 8, 2009

REQUEST

The Department of Planning has received Luis Cabrera's Board of Municipal and Zoning Appeals (BMZA) application to add outdoor seating to the existing bar/ restaurant. We understand that this appeal has yet to be scheduled.

SITE

4528-30 Harford Road is located on the west side of the street, approximately 197' northeast of the intersection with Markley Avenue. This property measures approximately 46' by 155' and is currently improved with a two-story building measuring approximately 36' by 75'. This site is zoned B-3-2 and is located within the Lauraville Business District Urban Renewal Plan area.

ANALYSIS

Use: In this zoning district, restaurants – but not including accessory outdoor table service, are listed as a permitted use, and so are allowed by the Zoning Code (§6-306 to §6-406). In this case, the property was last authorized for use as a restaurant including live entertainment and dancing.

Comprehensive Planning: The newly-reconstructed sidewalk in front of the premises has a concrete section which is approximately five feet wide, which is insufficient to allow safe passing by pedestrians if outdoor tables are placed there. A driveway on the southern side of the building could potentially accommodate outdoor table service, but only if it did not conflict with other use of that driveway.

RECOMMENDATION

The Department of Planning recommends disapproval of the appeal. Only if the applicant can demonstrate that there is adequate width of the front sidewalk, approval of accessory outdoor table service should be subject to these conditions:

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

TJS/ewt/mf

cc: Luis Cabrera, Appellant

Northeast