


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 / 1133 South Charles Street		

TO

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

DATE: March 14, 2012

REQUEST

The Department of Planning has received Jorge Castillo's Board of Municipal and Zoning Appeals (BMZA) application to use a portion of the property for a tattoo studio. We understand that this appeal is scheduled for hearing on March 20, 2012.

SITE

1133 South Charles Street is located on the east side of the street, approximately 27' north of the intersection with West Street. This property measures approximately 18' by 67' and is currently improved with a three-story attached residential mixed-use building measuring approximately 18' by 50'. This site is zoned B-2-3 and is located within the South Baltimore Business Area Urban Renewal Plan area.

ANALYSIS

Use: In this zoning district, tattoo parlors 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 wearing apparel shop (clothing shop), which is a permitted use in this B-2 Community Business District. There is no record of a nonconforming use of this property at present. A tattoo parlor would be a conditional use in a B-3 District; however, this property is located in a B-2 District.

Urban Renewal Plan: This property is located in the South Baltimore Business Area Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

RECOMMENDATION

The Department of Planning recommends disapproval of this appeal, because the Board is not authorized by the Zoning Code to approve new nonconforming uses, which a tattoo parlor/studio would be in a B-2 zone.

TJS/wya/mf

cc: Jorge Castillo, Appellant