


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>Stosur/T.S.</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 801 WEST BALTIMORE STREET		

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

DATE: April 7, 2009

REQUEST

The Department of Planning has received Stanley Fine's Board of Municipal and Zoning Appeals (BMZA) application to use a portion of the premises for outdoor seating for the proposed restaurant. We believe that this appeal is not yet scheduled for hearing.

SITE

801 West Baltimore Street is located on the southwest corner of the intersection with South Fremont Avenue. This property contains ±1.029 acres and is currently improved with a six-story medical office building. This site is zoned B-2-3 and is located within the Poppleton Urban Renewal Plan area.

ANALYSIS

Conditional Use: In this zoning district, outdoor table service accessory to a restaurant is a conditional use, requiring approval by the Board (§6-308). In this case, the building owner would like to add a café for the tenants of the building, and would like to offer outdoor table seating as an amenity. This seating area will remain entirely within the property boundaries.

RECOMMENDATION

The Department of Planning recommends approval of the appeal, subject to the following conditions:

- The capacity of the outdoor seating area will not be more than fifteen tables and thirty patrons;
- The seating area will remain within the property boundaries, within the area shown on the sketch submitted to Planning;
- There will be no outdoor bar; and
- There will be no outdoor music, or other form of entertainment.

TJS/ewt

cc: Mr. Stanley Fine, Attorney for Appellant