


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 110 West 25 <sup>th</sup> Street		

TO

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

DATE: June 3, 2013

**REQUEST**

The Department of Planning has received Catrina Friday's Board of Municipal and Zoning Appeals (BMZA) application to use the first floor of the premises as a café including hookah. The Zoning Administrator has determined that this is a prohibited use in a B-2 District. We understand that this appeal is scheduled for hearing on June 11, 2013.

**SITE**

110 West 25<sup>th</sup> Street is located on the north side of the street, approximately 45' east of the intersection with Mace Street. This property measures approximately 30' by 90' and is currently improved with a three-story attached mixed-use building measuring approximately 30' by 63'. This site is zoned B-2-3 and is located within the Charles/ 25<sup>th</sup> Urban Renewal Plan area.

**ANALYSIS**

Use: Any use that is not expressly allowed in a district is prohibited (§3-106). In this zoning district, hookah bars or hookah lounges 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 variety store, which is a permitted use in this B-2 Community Business District. The property is currently the subject of an application for use as a tobacco shop/ cigar shop.

The Board recently considered appeal no. 2013-99 which concerned creation of a hookah lounge. The Department of Planning urges the Board to use its analysis of the extent to which a hookah lounge would be accessory to the principal use of the property in that appeal to guide its decision in this appeal.

Urban Renewal Plan: This property is located in the Charles/ 25<sup>th</sup> Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

TransForm Baltimore: This property would become part of a C-1 District (Proposed Zoning Map Area 7-A) in which retail goods establishments – with no alcohol sales, and personal services establishments, would be permitted uses (Table 10-301).

**RECOMMENDATION**

The Department of Planning has no objection to this appeal as long as the hookah lounge use is secondary or accessory to the principal use of the property as a restaurant or café or tobacco shop.

TJS/wya/mf

cc: Catrina Friday, Appellant

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