


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 / 509-521 South Exeter Street		

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

DATE: July 7, 2010

REQUEST

The Department of Planning has received Lisa Junker's Board of Municipal and Zoning Appeals (BMZA) application to use a portion of the premises known as the courtyard for outdoor preparation of food in conjunction with an existing restaurant with accessory outdoor table service. We understand that this appeal is scheduled for hearing on July 20, 2010.

SITE

509-521 South Exeter Street is located on the northeast corner of the intersection with Fleet Street. This property measures approximately 192' by 168' and is currently improved with a renovated historic four-story building covering nearly the entire lot. This site is zoned B-2-4 and is located within the South Central Avenue National Register Historic District.

ANALYSIS

Conditional Use: In this zoning district, restaurants – including accessory outdoor table service, are a conditional use, requiring approval by the Board (§6-308). This restaurant has previously been approved by the Board as a provider of accessory outdoor table service.

Definition: "Outdoor table service", as an accessory to a restaurant, means an outdoor service area at which patrons are seated at tables for service of food and drinks (§1-168.1).

Uses to be Enclosed: Except as specified in paragraph (2) of this subsection, business, servicing, processing, and storage uses must be located within enclosed structures (§6-305.c). This limitation is intended to apply to open outdoor areas which would be visible from either the public right-of-way near an outdoor area, or from an adjacent building which might overlook a yard. In this case, the outdoor cooking facilities would consist of moveable grilles placed against the rear wall of the building, in a privately owned courtyard created by the space between two commercial buildings, where it is not readily visible from Fleet Street. (The Bagby Furniture Building, four stories tall, lies between this courtyard and Exeter Street.) Any smoke which would arise from the grilling of food would not enter either building, as their windows are sealed for internal ventilation purposes.

RECOMMENDATION

The Department of Planning has no objection to the appeal.

TJS/wya/mf

cc: Lisa Junker, Appellant