


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 / 1130 Light Street		

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

DATE: August 21, 2015

### REQUEST

The Department of Planning has received Jorge Castillo's Board of Municipal and Zoning Appeals (BMZA) application to use the first floor of the premises as a retail art gallery, retail clothing and accessories store, and tattoo studio. The Zoning Administrator has determined that a portion of this application is for a use prohibited in a B-2 zoning district. We understand that this appeal is scheduled for hearing on August 25, 2015.

### SITE

1130 Light Street is located on the northwest corner of the intersection with West Street. This property measures approximately 20' by 115' and is currently improved with a three-story semi-detached residential mixed-use building covering the entire lot. This site is zoned B-2-2 and is located within the South Baltimore Business Area Urban Renewal Plan area and the Federal Hill South National Register Historic District.

### 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). Art galleries and clothing shops are permitted uses, and so are allowed (§6-306). In this case, the property was last authorized for use as a multiple-family attached dwelling and an electrical and household appliance store, which are permitted uses in this B-2 Community Business 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.

TransForm Baltimore: This property would become part of a C-1 District (Proposed Zoning Map Area 11-A) in which Body Art Establishments would be conditional uses (Table 10-301). "Body art establishment" includes tattooing services (§1-303 (J)).

### RECOMMENDATION

The Department of Planning recommends disapproval of the portion of this appeal relating to a tattoo studio, because it would be a new nonconforming use in this B-2 zoning district. The Department would have no objection to limited tattooing on premises as an accessory use, conditioned upon the absence of any signage or other exterior display or indication advertising availability of tattooing services on the premises.

TJS/wya/mf

cc: Jorge Castillo, Appellant