

January 26, 2017

Applicant(s): Terry Coffman, Olga Coffman, and Barbara Manfred
110 Water Street Series 274, LLC T/a Supano's Steak House
110 Water Street, 21202

Class: "B" Beer, Wine & Liquor License

Request to expand premise to include 2nd and 3rd floors for business.

(a) **Applicant(s) Information:** (1) Terry Coffman was born in Wheeling, WV in September of 1949. He lives in Pikesville, MD; (2) Olga Coffman was born in Russia in March of 1960. She lives in Pikesville, MD; and (3) Barbara Manfred was born in Baltimore, MD in January of 1949. She lives in Baltimore, MD.

(b) **Ownership Breakdown:** (1) Terry Coffman (49%); and (2) Olga Coffman (50%); and (3) Barbara Manfred (1%).

(c) **Purchase Price of Business:** N/A

(d) **Qualified Voters:** N/A

(e) **Zoning:** The licensee(s) have filed an application for a use permit to use entire premise as a restaurant.

(f) **Corporate Standing:** 110 Water Street Series 274, LLC is a MD LLC and as of 1/12/2017 is in good standing.

(g) **Posting Report:** The location was posted on 10/18/2016 and checked on 10/31/2016. This meets the 10-day rule. There are 13 licensed liquor establishments in the 4x4 area: "D" BW-1; "B" BWL-5; "C" BWL-1; "BD7" BWL-3; "Hotel/Motel" BWL-3.

(h) **Timeline:** Last inspection of establishment was performed on 10/19/2016. At that time, the establishment was open and operating.

(i) **Letters of Support/Opposition:** At this time the Board has no letter(s) of support or opposition.

In considering this request, under the provisions of Alcohol Beverage Article 4-210(A) the Board must consider the following factors: 1. The public need and desire for the license; 2. The number and location of existing license holders; 3. The potential effect on existing license holders of the license for which application is made; 4. The potential commonality or uniqueness of the services and products to be offered by the business of the applicant; 5. The impact of the license for which application is made on the health, safety, and welfare of the community, including issues relating to crime, traffic conditions, parking, or convenience; and 6. Any other factor that the local licensing Board considers necessary.

Board's Decision

Date Filed _____
Posting Date: _____
Approved Yes No
Withdrawn Yes No
WP information _____
Policy/Binder# _____

Application for Alcoholic Beverages License

Board of Liquor License Commissioners for Baltimore City

OFFICE USE ONLY
Status of Zoning Verification
Approved: Yes No
Date Sent to Zoning: _____
Initials: _____
Zoning Info: _____

NEW/TRANSFER/EXPANSION/AMENDMENT(S) APPLICATION FEE - \$500.00
After June 1, 2016 \$600.00 includes Hearing Fee

Revised

INDICATE TYPE OF LICENSE APPLICATION: TRANSFER NEW EXPANSION OF PREMISES AMENDMENT(S)

EXPLANATION OF REQUEST: EXPAND TO 2ND & 3RD FLOOR CLASS TYPE: B

LICENSE AT THE LOCATION: 110 WATER ST BALT. IF TRANSFER, PREVIOUS LOCATION: _____

CORPORATE/LLC/LLP/PARTNERSHIP NAME: 110 WATER STREET SERIES 274 LLC TRADE NAME: SUPANOS STEAKHOUSE

BUSINESS PHONE NUMBER: 410-986-4445 BUSINESS CONTACT/MANAGER: TERRY COFFMAN

ATTORNEY FOR THE APPLICANT: _____ ADDRESS: _____ PHONE: _____

Part of Premises Used (Note: Floors and Areas for Storage): Lower Level MAIN Level

Will Live Entertainment be provided? Yes No What Kind (Ex. DJ, Band, Etc)? SINATA, BeGed's FRANKIE VALTY FOUR

Will Outdoor Table Service Be Provided? Yes No PATIO & DECKS JAZZ SEASONS.

Off Premise Catering of Food and Alcohol? Yes No BLLC Catering Application Filed? Yes No

Delivery of alcohol? Yes No BLLC Delivery Application Filed? Yes No

Please note that as per Art. 28 § 10-202(a)(iv)(1) that an application for the issuance or transfer is not complete unless the applicant has obtained zoning approval from the City of Baltimore. Please attach Use and Occupancy Permit or letter from BMZA approving use

1. Applicant A TERRY COFFMAN [REDACTED]

(Full name) 357 SOUTH RD PIKEVILLE MD 21208 (Telephone no.) _____ E-mail (Required) INFO 2YRS

(Residence) Street _____ City _____ State _____ Zip Code _____ (period of residency in Baltimore City) _____

9/49

(Month/Year of Birth) _____ (Sex: Male or Female) MALE (Place of Birth) WHEELING WV

Check: Yes No Have you been a resident and taxpayer of the City of Baltimore for 2 years preceding this application?
 Yes No Are you a registered voter in the City of Baltimore?

2. Applicant B OLGA COFFMAN [REDACTED]

(Full name) 357 SOUTH RD PIKEVILLE MD 21208 (Telephone no.) _____ E-mail (Required) 2YRS

(Residence) Street _____ City _____ State _____ Zip Code _____ (period of residency in Baltimore City) _____

3/60

(Month/Year of Birth) _____ (Sex: Male or Female) FEMALE (Place of Birth) RUSSIA

Check: Yes No Have you been a resident and taxpayer of the City of Baltimore for 2 years preceding this application?
 Yes No Are you a registered voter in the City of Baltimore?

3. Applicant C BARBARA MUMFRIED [REDACTED] 10 YRS.

(Full name) 1516 LANCASTER ST. BALT MD 21202 (Telephone no.) _____ E-mail (Required) 10 years

(Residence) Street _____ City _____ State _____ Zip Code _____ (period of residency in Baltimore City) _____

(Month/Year of Birth) 1/49 (Sex: Male or Female) FEMALE (Place of Birth) BALTIMORE

Check: Yes No Have you been a resident and taxpayer of the City of Baltimore for 2 years preceding this application?
 Yes No Are you a registered voter in the City of Baltimore?

1. Has the applicant(s) been adjudged guilty of a felony in the State of Maryland or any other? Yes No - If yes, indicate applicant and explain.
Applicant A B C

[Redacted area]

2. Has the applicant(s) been adjudged guilty of violating the laws governing the sale of any alcoholic beverage or for gambling in any State, including Maryland? Yes No - If yes, mark applicant and provide explanation in adjacent space provided.
Applicant A B C

[Redacted area]

3. State whether the applicant(s) has ever been adjudged guilty of any offense against the laws of the State of Maryland or the United States.
 Yes No - If yes, mark applicant and explain.
Applicant A B C

[Redacted area]

4. Has the applicant(s) ever had a license for the sale of alcoholic beverages in the State of Maryland? Yes No If yes, mark applicant and explain.
Applicant A B C

ADDED BARBARA MONFRIED 2016
YES TERRY COFFMAN YES OLGA COFFMAN

5. Has the applicant(s) ever had a liquor license suspended or revoked? Yes No If yes, mark applicant and explain.
Applicant A B C

[Redacted area]

6. Does the applicant(s) have a pecuniary interest in any other alcoholic beverage business or business for which an alcoholic beverage license has been applied for, granted, and issued? Yes No If yes, mark applicant and explain.
Applicant A B C

[Redacted area]

7. Do the spouses or children of any of the applicant(s) have a financial interest in any other alcoholic beverages license or business in Baltimore City or any other jurisdiction in the State of Maryland? Yes No If yes, mark applicant and explain.
Applicant A B C

HUSBAND TERRY COFFMAN
WIFE OLGA COFFMAN

8. Are you financially interested in any other alcoholic beverages license applied, granted or issued? Yes No If yes, please explain.
Applicant A B C

[Redacted area]

9. Is the licensed premise currently open and operating? Yes No If yes, please explain.

[Redacted area]

10. Do any of the applicant(s) - personally or through an entity - have any indebtedness or other financial obligations to any manufacturer, brewer, distiller, or wholesaler at the time of making this application? Yes No If yes, please explain. If yes, please provide information as to the applicant(s) indebted - personally or through an entity - the amount of the indebtedness, and the name of the manufacturer, brewer, distiller, or wholesaler?
Applicant A B C

[Redacted area]

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2016 AUG -2 PM 1:46

11. Please list the following information for the Manager of the establishment to be licensed:

Name	Address	Phone	Email

Applicants Applying as Business Entities - (Give name(s) and addresses - in Corporation list all officers (attach list if necessary) or in Limited Liability Company/Partnerships list all authorized persons.) Please note that all licensees MUST have a pecuniary interest in the license applied for as per Article 2B Section 10-103(b) (10)

- 1) NAME: TERRY COFFMAN ADDRESS: 357 SOUTH RD Pikesville MD TITLE: Owner %OF STOCK HELD RESIDENCE: 49
- 2) NAME: OLGA COFFMAN ADDRESS: 357 SOUTH RD Pikesville MD TITLE: GEN MGR %OF STOCK HELD RESIDENCE: 50
- 3) NAME: BARBARA MONFRIED ADDRESS: 1516 LANCASTER ST BALT MD 21202 TITLE: MGR %OF STOCK HELD RESIDENCE: 1
- 4) NAME: _____ ADDRESS: _____ TITLE: _____ %OF STOCK HELD RESIDENCE: _____

***** Attached is a list of the names and addresses of all outstanding stockholders who on the day of this application own more than 5% of the outstanding stock of the corporation and the articles of incorporation, partnership agreement or articles of organization. *****

**Extract from Law: If any affidavit or oath required under the provisions of this Act shall contain any false statements, the offender shall be deemed guilty of perjury. And upon indictment and conviction thereof, shall be subject to penalties provided by Law for that crime.*

CERTIFICATE OF APPLICANTS: At least one applicant whose signature appears below certifies that he/she has been a resident and taxpayer of Baltimore City, Maryland for at least two years preceding the filing of this application. Each of said applicants hereby certifies further that if the license applied for is granted, he/she will conform to all State and County laws and regulations relating to the sale of alcoholic beverages, as well as to the rules and regulations of the Board of License Commissioners for Baltimore City, and hereby grants permission to the State Comptroller, his duly authorized deputies, inspectors and clerks, The Board of License Commissioners for Baltimore City, its duly authorized agents and employees, and any peace officer of Baltimore City or the State of Maryland to inspect and search at any and all hours, without warrant, the premises and any and all parts thereof upon and in which said business is to be conducted.

Terry Lee Coffman
Signature of Applicant A

[Signature]
Signature of Applicant B

[Signature]
Signature of Applicant C

State of Maryland: City of Baltimore ss

THIS CERTIFIES, THAT ON THE 1st OF August 2016

before the subscriber a notary public of the State of Maryland, personally appeared

Terry Lee Coffman; Olga V Coffman; BARBARA DIANE Monfried

The applicant (s) names in the foregoing application, and made oath in due form of law that the statement therein are true to the best of (his, her, their) knowledge and belief.

[Signature]

(Witness my hand and seal)

Notary Public

my commission expires 8/1/2018

Name and Address of the owners of the premise/landlord:

UNITED PROPERTIES LLC SUITE 202 OWING MILLS MD 21117
4 PARK CENTER CT Phone Number: [Redacted]

STATEMENT OF OWNER OF PREMISES REQUIRED IN CONNECTION WITH ALCOHOLIC BEVERAGES LAW OF MARYLAND

(I, WE) UNITED PROPERTIES LLC HEREBY CERTIFY, That (I am, we are) the owner(s) of the property located at 110 WATER ST BALTIMORE MD Baltimore, City with a Zip Code of 21202 which is named in the present application made to Board of Liquor License Commissioners of Baltimore City under the Alcoholic Beverage Laws of Maryland and assent to the granting of the license applied for, and hereby authorize the State Comptroller, his duly authorized deputies, inspectors and clerks, the Board of Liquor License Commissioners of Baltimore City, its duly authorized agents

RECEIVED

and employees, and any peace officer of the City of Baltimore and State of Maryland, to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours.

Jeffrey M. Litman
JEFFREY LITMAN

(Witness (my, our) hand(s) and seal(s) this 17th
2016

day of October in the year of

WITNESS: Samuel Rice

STATE OF MARYLAND

THIS CERTIFIES, THAT ON 17th day of October 2016

Before the subscriber a notary public of the State of Maryland, personally appeared Jeffrey M. Litman

and acknowledge the execution of the foregoing statement to be Samuel D. Rice act.

(Witness my hand and seal)

Notary Public

Samuel D. Rice
Samuel D. Rice

My Commission Expires
5/6/2017

The following certificates must be signed by at least 3 persons.

We, the undersigned citizens, real estate owners and registered voters in the City of Baltimore in which the business covered by the present application is to be conducted, certify that the qualifying applicant(s) is/are personally known to us and has been a resident or a taxpayer of Baltimore City and a resident of the State of Maryland for 2 years preceding this application.

Names	Address	Signature	DOB (Month/Year)	Length of time Acquainted with the Applicant(s)

Board of Liquor License Commissioners for the City of Baltimore,
231 East Baltimore Street, 6th Floor, Baltimore, Maryland 21202
Phone: 410-396-4377 Fax: 410-396-4382

Stamp Application Here:

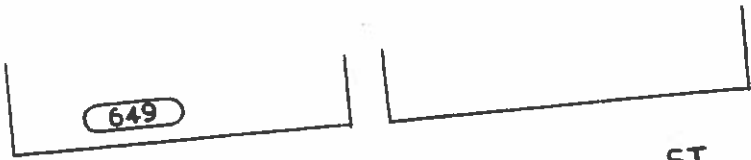
Please note that this is a public document and upon request will be provided to the general members of the public.

Please present/draw a Floor Plan/Rendering of the Licensed Premises here. If you have a professionally drafted rendering, please attach it to the application.

REVISIONS

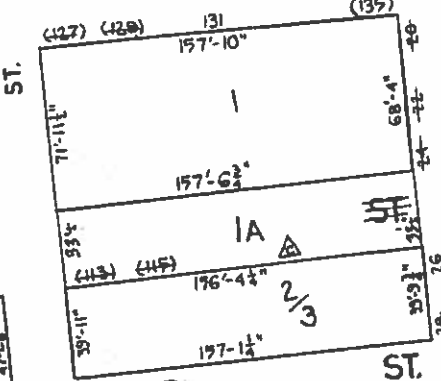
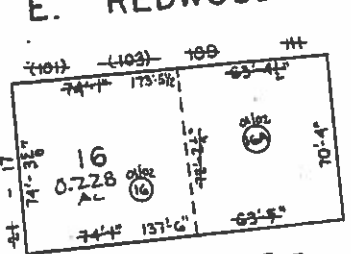
LOT 1, 2/3, 12, 13, 15, 16; HQ NO. C. PER FIELD C. SH. 76-234
 LOTS 17, 18 & 19 HQ NO. CH PER. O.O. C. SH. 75-168
 LOTS 14, 15, 25 COND'S PER. APPL. C. SH. 81-512
 LOT 20/25, Lot No. Cor. PER. P.L.S. C. SH. 82-844.
 LOT 8/9 HQ NO. PER. O.D. (P.L.S.) C. SH. 83-268
 LOTS 16 & 16A COND'S PER. O.O. & APP. C. SH. 82-012
 PART MERCER ST. CL-340 REC. ORD. CH. 54. 02-252

648

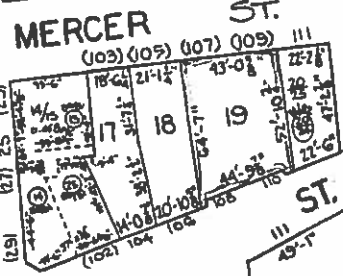


E. REDWOOD ST.

ST.



ST.



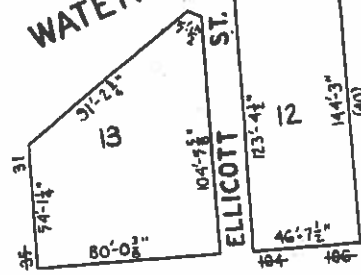
MERCER ST.

WATER

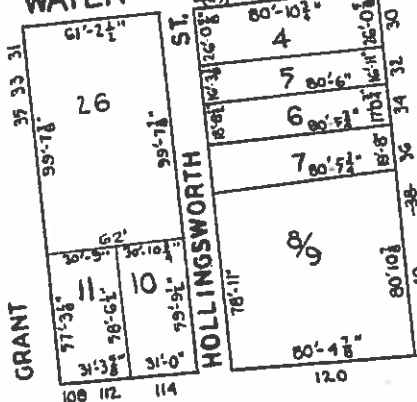
660

LIGHT ST.

WATER



ELLICOTT ST.



GRANT ST.

HOLLINGSWORTH ST.

S. CALVERT

E. LOMBARD ST.

ST.

671

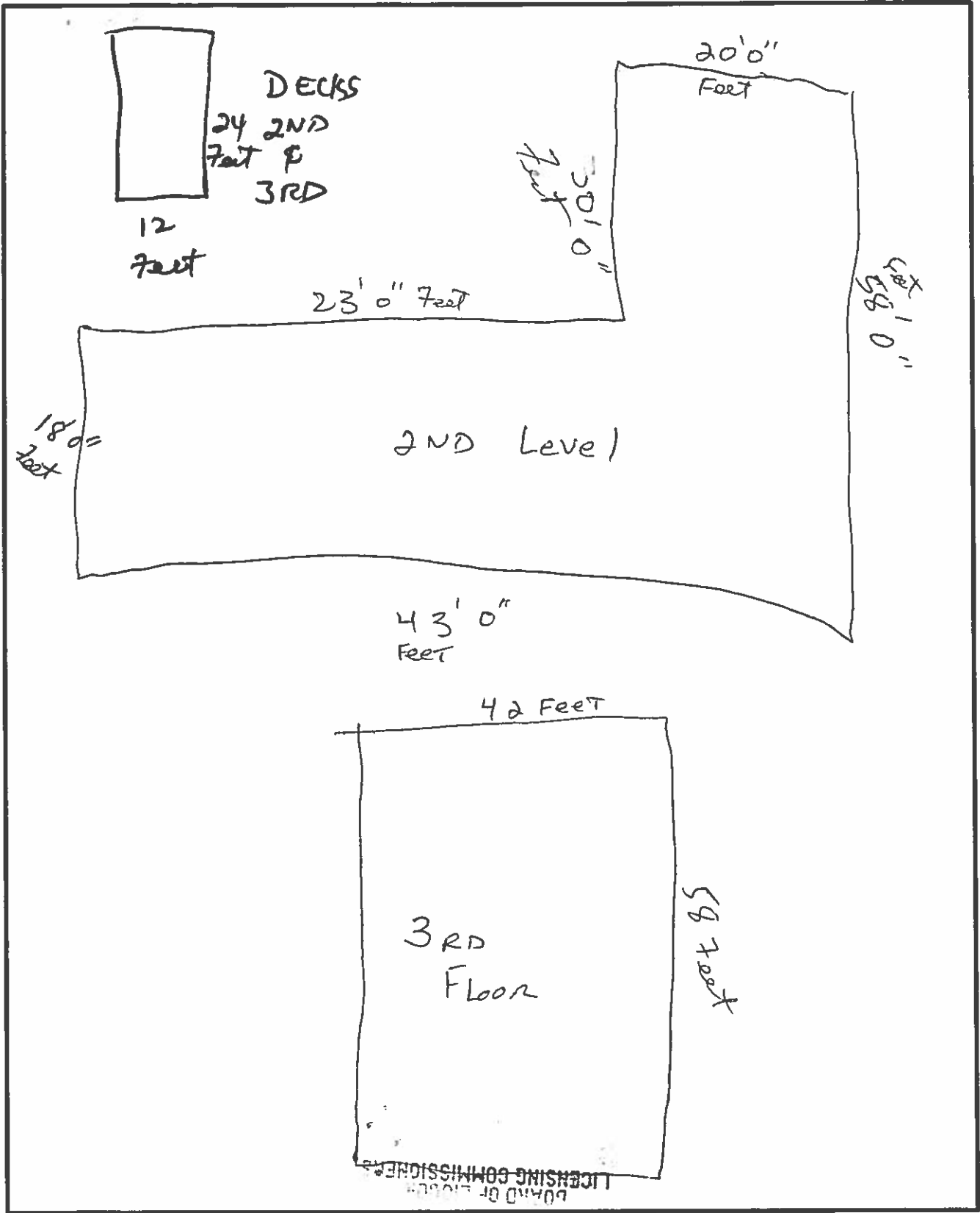
672

TRACED BY B.W. Savage
 LETTERED BY B.W.S.
 CHECKED BY

△ - MERCER ST. CL-350 PER ORD. #369 App 11/30/89

NOTICE
 THIS IS A REAL PROPERTY PLAT AS PROVIDED FOR UNDER ARTICLE 76(d) OF THE CITY CHARTER IT IS COMPILED FROM TITLE AND OTHER SOURCES AND IS NOT AN AUTHENTIC SURVEY.

CITY OF BALTIMORE
 DEPARTMENT OF PUBLIC WORKS
 PROPERTY LOCATION DIVISION
 WARD 4 SECTION 11
 BLOCK 661
 SCALE 1 INCH = 20 FT DATE JAN. 1968



2016 AUG - 2 PM 1:46
NOT SCALE BUT EXACT MEASUREMENTS
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Liquor Board System

Version 1.0

Annual-Renewal ▾ | License-Transfer ▾ | One-Day ▾ | Add New License ▾ | Query ▾ | Help ▾

License Detail

[Close the License](#)
[Print License](#)
[Print Renewal Letter](#)
[<< Go Back](#)

License Info

License Num: LB 262

Cert Num: 1066

Fee: \$2,520.00 Status: Renewed

License Date: 5/1/2016

License Year: 2016

CR Number: 13584566

Payment Date: 04-28-16

2015 - 2016 TPP Paid N2016 Trader's License Y [Update Info](#)
[Click to Start License Renewal](#)

Add Adult Entertainment License

[Add New Adult Entertainment License](#)

Location

Corp Name: 110 WATER STREET SERIES 274, LLC

Trade Name: SUPANO'S STEAK HOUSE

Zone Code: 26

Phone: 410-986-4445

Block Num: 110

City: BALTIMORE

Street: WATER STREET

State: MD

Zip: 21202

CR Number: 13584566

Portion of Business Used:

USE PORTION OF PREMISES 1ST FLOOR AND LOWER LEVEL FOR A RESTAURANT WITH LIVE ENTERTAINMENT & OUTDOOR TABLE SERVICE AND ACCESSORY CATERING OF FOOD

Restriction:

MUST SERVE 51% FOOD AND NO OFF PREMISES SALE OF ALCOHOLIC BEVERAGES

[Edit the License Location Info](#)
[Alternate Mailing Address](#)

License Owners

First Name	Last Name	Street	City	State	Zip	Action	Change Owner
TERRY LEE	COFFMAN	4064 BEACH ROAD	BALTIMORE	MD	21222	Edit	Remove Owner
OLGA V.	COFFMAN	4064 BEACH ROAD	BALTIMORE	MD	21222	Edit	Remove Owner
BARBARA	MANFRIED	1516 LANCASTER STREET	Baltimore	MD	21231	Edit	Remove Owner

Comments

Date	Comment	Action
04/15/2016	LICENSEE DROPPED OFF 2016 TRADER'S LICENSE, BACKGROUND CHECK, WORKER'S COMPENSATION AND LETTER OF GOOD STANDING.....K/R	Delete
04/01/2016	food form was attached to 2016 renewal application.... k/r	Delete
04/01/2016	*****RELEASED STATE TAX HOLD..../sb*****	Delete
01/19/2016	State of MD Tax Hold, letter sent... /sb	Delete
05/06/2015	Alcohol Awareness expires 3/30/2019 (Terry L. Coffman)	Delete
10/13/2009	10/07/09 \$100 TRANSFER CONF(10/1/09)PAID IN FULL #70161	Delete
04/07/2009	2/12/09 Public hearing re: Application for a new Class "B" BWL restaurant license requiring \$500,000 in capital investment and seating capacity for a minimum of 75 persons; application includes request for live entertainment and outdoor table service - APPROVED	Delete

[Print History (Print Card)]

License num: LB 262 Address: 110 WATER STREET
Trade Name: SUPANO'S STEAK HOUSE

Comment:

[Add Comment]

Hold Info

Powered by:



Maryland Department of Assessments and Taxation Business Services (w3)

[Search Help](#)

Entity Name: 110 WATER STREET SERIES 274 LLC

Department ID: W12880456

General Information Amendments Personal Property Certificate of Status

Principal Office (Current): 4064 BEACH ROAD
BALTIMORE, MD 21222

Resident Agent (Current): TERRY COFFMAN
4064 BEACH ROAD
BALTIMORE, MD 21222

Status: ACTIVE

Good Standing: Yes
What does it mean when a business is not in good standing or forfeited?

Business Code: Other

Date of Formation or Registration: 12/24/2008

State of Formation: MD

Stock/Nonstock: N/A

Close/Not Close: Unknown

PROPOSED LOCATION: 110 Water St

MAP SUMMARY (RECAPITULATION)

TOTAL ESTABLISHMENTS IN MAP AREA 13

"A" BEER & WINE _____

"B" BEER & WINE _____

"C" BEER & WINE _____

"D" BEER & WINE 1

"A" BEER, WINE & LIQUOR _____

"A-2" BEER, WINE & LIQUOR _____

"B" BEER, WINE & LIQUOR 5

"C" BEER, WINE & LIQUOR 1

"D" BEER, WINE & LIQUOR _____

"BD7" BEER, WINE & LIQUOR 3

ARENA _____

HOTEL/MOTEL 3

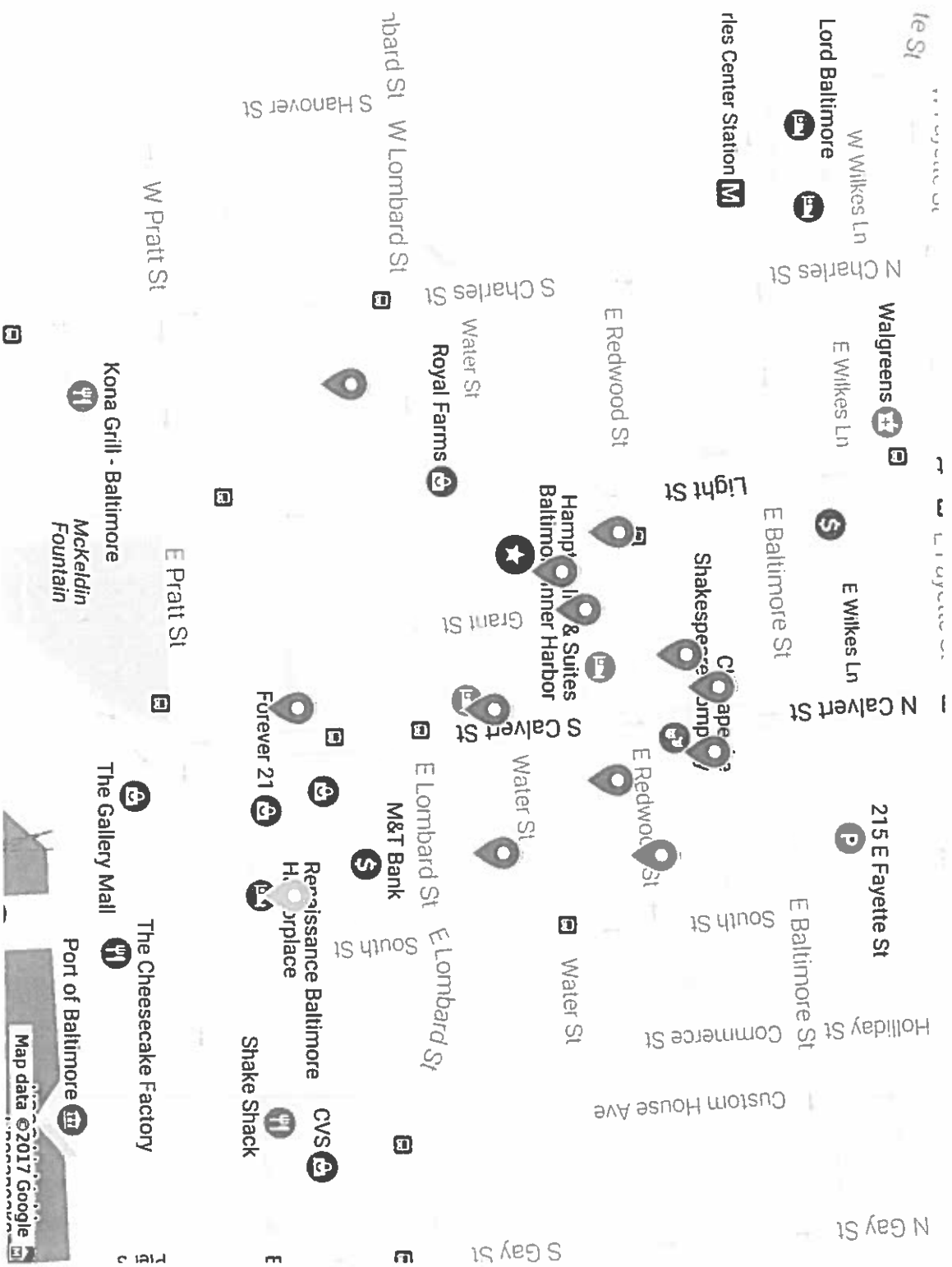
RACING _____

PREPARED BY: [Signature] DATE: 12/26/16

110 Water Street Supano's

LICENSED ESTABLISHMENTS

- ★ Supano's LB
- 🍷 Oxygen Ultra Lounge LB
- 🍷 Springhill Suites LBD-7
- Chesapeake Shakespeare Company
- Baltimore Inner Harbor Hotel LBHM
- Werners WD
- Uncle Lee's LB
- Peter's Pour House BD-7
- Brookshire Suites LBHM
- Residence Inn Baltimore Downtown/ Inner Harbor LBHM
- The Water Street Tavern BD-7
- The Center Club LC
- BRIO Tuscan Grille LB
- Renaissance Harborplace Hotel LBHM



Board of Liquor License Commissioners

For Baltimore City
 231 E. Baltimore Street, 6th Floor
 Baltimore, Maryland, 21202-3258

INSPECTORS REPORT - TRANSFERS/NEW APPLICATIONS

<i>Licensee Information (Trade Name):</i>	Supano's Steakhouse
<i>Corporation Name:</i>	110 Water St Series 274 LLC
<i>Location Address:</i>	11-0 Water St
<i>License Type:</i>	Class "B" Beer, Wine and Liquor
<i>Is the establishment open and operating in a safe and sanitary manner? (If not open, not in comments - CLOSED or NOT OPERATING)</i>	Yes
<i>Is the location within 300 feet of Church and/or School?</i>	No
<i>Date Posted?</i>	10/18/2016
<i>Date Removed?</i>	10/31/2016
<i>Are there any other licensed establishments within a two block radius?</i>	Yes

Other licensed locations - Describe/Note:

See Attached Map

Comments and Follow-up Items(s) (please note any issues or concerns about the location):

Expansion of license to the 2nd & 3rd floors.

Insert Photo of Sign and location:





Inspector Name		Date and Time	
<i>i:\0#w\baltimore\john.howard</i>		10/19/2016	12:49:20 PM
Name of Licensee (if present)			
<i>Olga Coffman</i>			

Board of Liquor License Commissioners

For Baltimore City
 231 E. Baltimore Street, 6th Floor
 Baltimore, Maryland, 21202-3258

POSTING SIGNS REPORT

<i>Applicant(s) Name:</i>	Terry Coffman & Olga Coffman
<i>Address of Premises:</i>	110 Water St
<i>Inspector:</i>	i:\0#.w\ baltimore\john.howard
<i>Date Posted:</i>	10/18/2016
<i>Time Posted:</i>	2:50 PM
<i>Date Rechecked:</i>	10/31/2016
<i>Time Rechecked:</i>	10:48 AM
<i>Manager or Owner when sign posted:</i>	Olga Coffman

Summary on location of sign posted:

Sign posted fon outside front window on Water St.

Summary on location of sign rechecked:

Sign remained place for the required period time.

Insert Photo of Sign and location:



BLLC Compliance Inspection

[Redacted]

Address: 110 WATER STREET 21202

Trade Name: SUPANO'S STEAK HOUSE

Corporation Name: 110 WATER STREET SERIES 274, LLC

Type of License: Class "B" Beer, Wine and Liquor

Date/Time of Inspection: 10/19/2016 12:31:19 PM

Manager/Licensee: Olga Cofman

[Redacted]

Clean and Free of Debris: Satisfactory

[Redacted]

Traders License: Yes

Alcohol Awareness Certification Date Issued: 3/30/2016

[Redacted]

Exits Marked, Unobstructed: Yes

Fire Capacity: []

Outdoor Seating Capacity: []

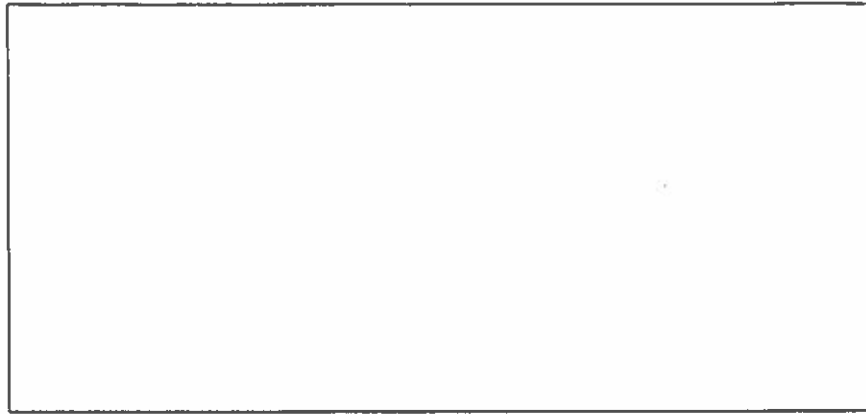
[Redacted]

License is Valid: N/A

[Redacted]

Violation Issued: No

Violations Noted:



Instructions Given to Licensee:

[Empty text box for instructions]

Inspector's Comments:

Inspected 10/18/2016

Photo Taken:



Owner Email:

[Empty text box for owner email]

Submitted by Inspector

i:0#w|baltimore\john.howard

Department Of Housing And Community Development
Division Of Construction And Building Inspection

Applicant Copy

No: USE2016-03557

Property Address: _____ Block/Lot: 0661/019
108-110 WATER ST _____

1001-000000-2600-159400-400540	Filing Fee	50.00
1001-000000-1500-102800-400230	Tax	3.00
1001-000000-2600-158009-400480	Use&Occupancy	45.00
	Total:	98.00

Applicant:
TERRY COFFMAN _____
108-110 WATER ST. BALTIMORE MD 21202 _____

Owner/Lessee:
Owner UNITED PROPERTIES, LLC
357 SOUTH RD
Lessee 110 WATER STREET SERIES 274 LLC DBA/ SUPANOS STEAK
108-110 WATER STREET

Contractor:

Use & Occupancy Draft

THIS IS NOT A PERMIT. THIS DOCUMENT IS PROOF OF APPLICATION FOR A PERMIT. YOU MUST OBTAIN THE ACTUAL PERMIT OR CERTIFICATE OF OCCUPANCY BEFORE THE BELOW STATED WORK OR USE CAN BEGIN. FOR MORE INFORMATION CONTACT THE ONE STOP SHOP PERMIT CENTER AT 443-984-1809.

Expiration:	WORK COST:	District: 102	MINOR PRIVILEGE:
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USE ENTIRE PREMISES AS A RESTAURANT AND TERVEN

DUPLICATE
PD:8/4/2016 CR:005 LOC: WOLM WS: 012
ID:08 TR: 0023 RCT #: 00271645
8/3/2016 9:11AM
PERMIT #:USE2016X03557B

CO AMOUNT PAID:	\$98.00
Building Permits	\$50.00
Building Permits	\$3.00
Building Permits	\$45.00
CK	\$98.00
CHANGE	\$0.00

January 26, 2016

Applicant(s): Joshua Foti and Lilia Poldmae
18 Cross, LLC T/a Crossbar
18 E. Cross Street, 21230

Class: "BD7" Beer, Wine & Liquor License

Application to transfer ownership and location of a Class "BD7" Beer, Wine and Liquor license presently located at 1015-19 S. Charles Street to 18 E. Cross Street.

(a) Applicant(s) Information: (1) Joshua Foti was born in Baltimore, MD in July of 1977. He lives in Baltimore, MD; and (2) Lilia Poldmae was born in New York in January of 1972. She lives in Cockeysville, MD.

(b) Ownership Breakdown: (1) Joshua Foti (99%); and (2) Lilia Poldmae (1%).

(c) Purchase Price of Business: The purchase price of the license was \$225,000. The property will be leased at \$10,000 per month for 5 years.

(d) Qualified Voters: Paul Dolaway, Michael Quindlen, and Ben Johnson are qualified Baltimore City voters.

(e) Zoning: The property is located in a B-2-3 business district and has been consolidated with the properties previously known as 12, 14, 16, and 18 E Cross Street. The use of the premise as a restaurant is a permitted use in the B-2 District. A use permit was applied for on 9/13/2016 for use of property as a restaurant.

(f) Corporate Standing: 18 Cross, LLC is a MD LLC and as of 1/12/2016 is in good standing.

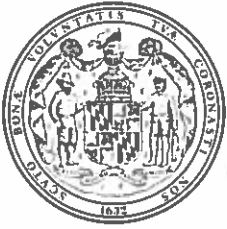
(g) Posting Report: The location was posted on 1/4/2017. There are 31 licensed liquor establishments in the 4x4 area: "B" BW-1; "D" BW-8; "A" BWL-2; "B" BWL-8; "D" BWL-4; and "BD7"- 8.

(h) Timeline: Application for transfer was filed with the Board on 12/3/2014. On 6/26/2014 the Board granted 180 day hardship extension for this license until 12/23/2014. An application for transfer was filed within the hardship extension period, thus tolling the expiration of the license. Hearing scheduled 2/25/2016 was postponed to reach agreement with community association as per then Executive Secretary Michelle Bailey Hedgepeth. There has been no action or hearings on this case since that time. Zoning Board verification was received on 11/4/16 enabling the case to go forward. During the time period between-12/3/2014 to present day- the license has been renewed and paid. As such, application for transfer is still pending, and license is valid until heard before the Board.

(i) Letters of Support/Opposition: The Board has received various letters of opposition.

In considering this request, under the provisions of Alcohol Beverage Article 4-210(A) the Board must consider the following factors: 1. The public need and desire for the license; 2. The number and location of existing license holders; 3. The potential effect on existing license holders of the license for which application is made; 4. The potential commonality or uniqueness of the services and products to be offered by the business of the applicant; 5. The impact of the license for which application is made on the health, safety, and welfare of the community, including issues relating to crime, traffic conditions, parking, or convenience; and 6. Any other factor that the local licensing Board considers necessary.

Board's Decision



STATE OF MARYLAND
BOARD OF LIQUOR LICENCE COMMISSIONERS
FOR BALTIMORE CITY
 231 E. BALTIMORE STREET, 6TH FLOOR
 BALTIMORE, MARYLAND 21202-3258
 (410) 396-4377
 FAX (410) 396-4382

Zoning District B23 no required for tavern
 Date: 12/19/14 RB
 ZONING DIVISION

Department of Housing and
 Community Development

Alcoholic Beverage License Application

Application for a Class BD-7 License at the location TRANSFER TO: 18 E. CROSS ST.
 Corporate/LLC name: 18 CROSS LLC Trade name CROSSBAR
 Attorney for Applicant (s) JOE WOOLMAN Address: 111 S. CALVERT ST Phone: 410-385-5328

To the Board of Liquor License Commissioners for Baltimore City:
 Application is made by the undersigned for the above license under the provisions of Article 2B of the Annotated Code of Maryland as amended, and the following information is submitted as required by the Article:

1. Applicant(s)
 (A) Name: BRETT JUSTIN
 Address: 419 CHESTNUT AVE, TOWSON MD Zipcode: 21204
 Home phone number [REDACTED] Date of birth 8-59 Sex M
 Place of birth CHAMBERSBURG, PA How long at current address? 20 MONTHS
 Have you been a resident or taxpayer of Baltimore City for 2 years preceding the filing of this application? YES
 City resident: Yes X No or Address of property on which tax is paid in your individual name:
103 MONTGOMERY ST BALTIMORE, MD 21230

Have you ever been convicted of a felony? Yes No X Been found guilty of violation of alcoholic beverage laws? Yes No X
 Been found guilty of violating gambling laws? Yes No X Been found guilty of any offense against the laws of the United States? Yes No X If yes, provide details:

What financial interest do you have in the business to be conducted under this license? PARTNER

Are you financially interested in any other alcoholic beverage business for which a license has been applied, granted or issued? Yes No X Do you have any indebtedness or other financial obligations to any manufacturer, brewer, distiller, or wholesaler at the time of making this application? Yes No X Have you previously held a license for the sale of alcoholic beverages? Yes No X If yes, state when and where:

Is there anyone else who has a financial interest in this license or the business to be conducted under it? Yes X No

If granted a license, will you incur any indebtedness or financial obligation to any manufacturer, brewer, distiller or wholesaler other than for the purchase of alcoholic beverages? Yes No X

If granted a license, will you conform to all laws and regulations relating to the business in which you propose to engage? Yes or No Do you consent to the Board of Liquor License Commissioners being furnished with a copy of your arrest record, if any? Yes X No

(B) Name: Joshua N. Foti
 Address: 1509 RACE ST. BALTIMORE, MD Zipcode: 21230
 Home phone number [REDACTED] Date of birth 7-1977 Sex M
 Place of birth Baltimore, MD How long at current address? 3 YRS
 Have you been a resident or taxpayer of Baltimore City for 2 years preceding the filing of this application? YES
 City resident: Yes X No or Address of property on which tax is paid in your individual name:
1509 RACE ST. BALTIMORE MD 21230

Have you ever been convicted of a felony? Yes No X Been found guilty of violation of alcoholic beverage laws? Yes No X
 Been found guilty of violating gambling laws? Yes No X Been found guilty of any offense against the laws of the United States? Yes No X If yes, provide details:

What financial interest do you have in the business to be conducted under this license? GM PARTNER

Are you financially interested in any other alcoholic beverage business for which a license has been applied, granted or issued? Yes No X Do you have any indebtedness or other financial obligations to any manufacturer, brewer, distiller, or wholesaler at the time of making this application? Yes No X Have you previously held a license for the sale of alcoholic beverages? Yes No X If yes, state when and where:

Is there anyone else who has a financial interest in this license or the business to be conducted under it? Yes X No

If granted a license, will you incur any indebtedness or financial obligation to any manufacturer, brewer, distiller or wholesaler other than for the purchase of alcoholic beverages? Yes No X

If granted a license, will you conform to all laws and regulations relating to the business in which you propose to engage? Yes or No Do you consent to the Board of Liquor License Commissioners being furnished with a copy of your arrest record, if any? Yes X No

Office use only:
TRANSFER OF OWNERSHIP & location 1015-195 Charles St.

(C) Name: _____
 Address: _____ Zipcode: _____
 Home phone number _____ Date of birth _____ Sex _____
 Place of birth _____ How long at current address? _____
 Have you been a resident or taxpayer of Baltimore City for 2 years preceding the filing of this application? _____
 City resident: Yes ___ No ___ or Address of property on which tax is paid in your individual name: _____
 Have you ever been convicted of a felony? Yes ___ No ___ Been found guilty of violation of alcoholic beverage laws? Yes ___ No ___
 Been found guilty of violating gambling laws? Yes ___ No ___ Been found guilty of any offense against the laws of the United States? Yes ___ No ___ If yes, provide details: _____
 What financial interest do you have in the business to be conducted under this license? _____
 Are you financially interested in any other alcoholic beverage business for which a license has been applied, granted or issued? Yes ___ No ___ Do you have any indebtedness or other financial obligations to any manufacturer, brewer, distiller, or wholesaler at the time of making this application? Yes ___ No ___ Have you previously held a license for the sale of alcoholic beverages? Yes ___ No ___ If yes, state when and where: _____
 Is there anyone else who has a financial interest in this license or the business to be conducted under it? Yes ___ No ___
 If granted a license, will you incur any indebtedness or financial obligation to any manufacturer, brewer, distiller or wholesaler other than for the purchase of alcoholic beverages? Yes ___ No ___
 If granted a license, will you conform to all laws and regulations relating to the business in which you propose to engage? Yes or No Do you consent to the Board of Liquor License Commissioners being furnished with a copy of your arrest record, if any? Yes ___ No ___

2. Address of the place to be licensed 18 E. CROSS ST Zipcode 21230
 Phone number N/A Part of the building in which the business will be conducted FIRST AND SECOND FLOOR
 Will you provide live entertainment? N/A What kind? N/A
 Outdoor table service? NO Off premises catering of food and alcohol? NO
 Will you offer delivery of food and/or alcohol? NO
 The name, address and telephone number of the owner of the real property in which the business is to be operated FEDERAL HILL PARTNERS II, LLC 222 COURBUSE CT #300 TOWSON MD
 What merchandise will be handled in connection with sale of alcoholic beverages? N/A

I submit herewith a statement duly executed and acknowledged by the owner of the premises in which the business is to be conducted, assenting to the granting of the license applied for, authorizing the Comptroller, the duly authorized deputies, inspectors and clerks, the Board of Liquor License Commissioners of Baltimore City, its duly authorized agents and employees and any peace officer of Baltimore City, to inspect and search without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours. I also submit herewith, and as a part hereof, a certificate signed by at least three citizens whom I know to be owners of real estate and registered voters of the city in which the business is to be conducted, containing the voting residence of each and the real estate situated in the city where the business is to be conducted of which each is the owner, and setting forth the length of time each has been acquainted with the applicant, and certifying that they have examined this application, that they have good reason to believe that all of the statements contained herein are true, that they are of the opinion that the applicant is a suitable person to obtain the license applied for, and that they are familiar with the premises upon which the proposed business is to be conducted and believe them suitable for the conduct of the business of a retail dealer in alcoholic beverages.

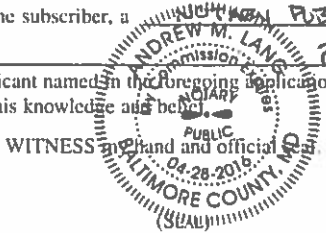
Extract from Law - If any signed statement, report, affidavit or oath, required under any of the provisions of this Article shall contain any false statement, the offender shall be deemed guilty of perjury, and upon conviction thereof, shall be subject to the penalties provided by law for that crime.

(A) _____
 (B) _____

 Applicant

AFFIDAVIT

STATE OF MARYLAND, City of Baltimore,
 THIS CERTIFIES, That on the FIRST day of DECEMBER, 20 14,
 before the subscriber, a PUBLIC of the State of Maryland, personally appeared
BRETT AUSTIN & JOSHUA M FOTE
 the applicant named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of his knowledge and belief.



WITNESS my hand and official seal

(Statement of owner of premises required by the Alcoholic Beverages Law of Maryland)

(Consolidated)
12-14-16-18
E. Cross St.

I HEREBY CERTIFY, That I am the owner(s) of property known as 18 E. Cross St.
We are FEDERAL HILL PARTNERS, II LLC

named in the application made by 18 Cross LLC
to the Board of Liquor License Commissioners of Baltimore City, under the Alcoholic Beverages Law of Maryland, for a
BD7

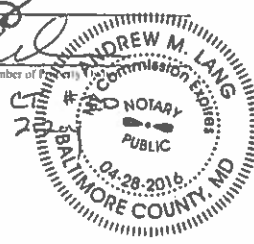
License expiring April 30, 2015; that I assent to the granting of the license applied for, and that I hereby authorize the State Comptroller, his duly authorized deputies, inspectors and clerks, the Board of Liquor License Commissioners of Baltimore City, its duly authorized agents and employees and any peace officer of Baltimore City to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours.

WITNESS my hand(s) and seal(s) this FIRST day of DECEMBER, 2014.

WITNESS:

Paul W. DeLong
Address 1646 Worthington Heights Park
Cockeysville, Md 21030

Michael Clark
Name, Address, and Phone Number of Property Owner
222 COURTHOUSE
TOWSON, MD 21286



READ CAREFULLY

(The following certificate must be signed by at least THREE CITIZENS.)

We, the undersigned reputable citizens, certify:

- (1) That we are the owners of real estate situated in the City of Baltimore.
- (2) That we are registered voters in the City of Baltimore.
- (3) That we have been acquainted with the applicant for a period of more than two years.
- (4) That we have examined the application and have good reason to believe that all of the statements contained therein are true.
- (5) That we are of the opinion that the applicant is a suitable person to obtain the license for which application is made.
- (6) That the applicant herein has been a taxpayer or resident of the City of Baltimore for more than two years, and a resident of the State of Maryland for two years and a registered voter of the State.

Name	Address	Length of time acquainted with applicant
<u>Paul W. DeLong</u> Paul W. DeLong	Voting Residence <u>1429 HARPER ST 21230</u> Property Owned <u>1429 HARPER ST 21230</u>	<u>10 yrs</u>
<u>Michael B. Quidley</u> Richard B. Quidley	Voting Residence <u>4018 Roland Ave 21211</u> Property Owned <u>4018 Roland Ave 21211</u>	<u>8 yrs</u>
<u>Ben Johnson</u> Ben Johnson	Voting Residence <u>1032 E. Fort Ave 21230</u> Property Owned <u>1032 E. Fort Ave 21230</u>	<u>13 yrs (A)</u> <u>6 yrs (B)</u>
	Voting Residence _____	
	Property Owned _____	
	Voting Residence _____	
	Property Owned _____	

(The names and addresses of the signers must be printed or typewritten above their signatures)

FOR CLUBS, CORPORATIONS, PARTNERSHIPS AND ASSOCIATIONS

Name of Corporation, Partnership, Club or Association 18 CROSS LLC

Trade Name CROSSBAR

Address 18 E. CROSS ST. BALTIMORE, MD 21230

Names of all officers or partners:

BRETT AUSTIN

JOSHUA Foti

Names and addresses of all Stockholders

Percentage of Stock Ownership

BRETT AUSTIN

99%

JOSHUA Foti

1%

President or Vice-President

NOTE:—If application is made on behalf of a corporation or a Limited Liability Company at least one of the individuals applying must be a resident or taxpayer of the City of Baltimore for two years next preceding the filing of this application, will continue to be a resident or taxpayer of the City of Baltimore, and has been a resident of the state of Maryland for two years and a registered voter of the State.

Give name, voting residence and property upon which tax if any is paid of at least one of the individuals so applying.

NAME JOSHUA M. Foti

VOTING ADDRESS 1509 RACE ST. BALTIMORE, MD 21230

PROPERTY ON WHICH TAX IS PAID 1509 RACE ST. BALTIMORE, MD 21230

IF THIS APPLICATION IS FOR A TRANSFER FROM ANOTHER LICENSEE(S), please have that licensee(s) sign below to indicate his or their consent to the transfer and have their signatures witnessed.

WITNESS:

[Signature]

[Signature]

LAW OFFICES

FOGLEMAN & RANSOM

STEPHAN W. FOGLEMAN, JR.

GENE M. RANSOM, III

OF COUNSEL

JANE M. SCHROEDER

1720 THAMES STREET
BALTIMORE, MD 21231
(410) 258-8500
FAX: (410) 220-0726
MARYLANDLEGAL@GMAIL.COM
LEGALMARYLAND.COM

December 13, 2016

Thomas R. Akras, Esquire, Deputy Executive Secretary
Board of Liquor License Commissioners
231 E. Baltimore Street, 6th Floor
Baltimore, MD 21202

RE: 18 E. Cross Street Amendment to Application

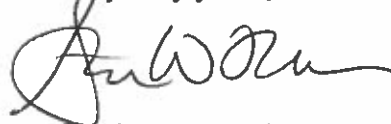
Dear Mr. Akras:

I am writing to inform you that Lilia Poldmae has no financial interest in any other liquor-licensed establishments, including the Neo Pizzeria (LP Management LLC), Green Turtle (Hunt Valley GT LLC) and Myth & Moonshine (M&M Shine, LLC) business interests held by her husband, Leho Poldmae. I have attached SDAT print outs on each entity.

I would like to note that I have initialed changes to the amendment. Initially, the plan was for Mr. Foti to remove himself from the license at 36 E. Cross Street after hopeful approval of the 18 E. Cross Street location. We were informed that we needed to remove Mr. Foti from that license before the 18 E. Cross Street application was considered ready to docket for a hearing. During the interim, the applicants decided that Ms. Lilia Poldmae would come onto the license as manager. The current amendment requests that Mr. Foti and Ms. Poldmae proceed on the application and Mr. Brett Austin be removed. The ownership section was also corrected and initialed to note that Mr. Foti will have a 99% interest in the LLC, not Mr. Austin.

Thank you for your time and diligence in this matter. Please do not hesitate to contact me immediately should you have any other questions regarding this application.

Very truly yours,



Stephan W. Fogleman

BOARD OF LIQUOR
LICENSING COMMISSIONERS

2016 DEC 13 AM 11:02

SWF/kv

RECEIVED

Douglas K. Paige/Thomas R. Akras
November 22, 2016
Page Two

Since the application substitutes a new co-licensee, I have verified that Mr. Johnson and Mr. Dolaway have been familiar with applicant Poldmae for more than two years. Mr. Quindlen is on an international vacation at the present time, so I have not been able to contact him to verify his having been acquainted with the applicant for the requisite period of time. Therefore, I have added Ms. Maret Poldmae as witness, who has been confirmed by SDAT and the Board of Elections to also be a person who owns City real estate and who is a resident and a registered voter.

Please schedule this hearing as soon as possible. The original application was filed on December 3, 2014, and for business reasons, it is imperative that the application proceed to a timely hearing. As soon as my office receives notice of the hearing date, I will immediately reach out to the applicable community associations.

Thank you for your time and diligence in this matter and I hope you both have a happy Thanksgiving. Please do not hesitate to contact me immediately should you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Stephan W. Fogleman', written in a cursive style.

Stephan W. Fogleman

SWF/kv
attachments

OFFICE USE ONLY

Date Filed _____
 Posting Date: _____
 Approved Yes No _____
 Withdrawn Yes No _____
 WC Information _____
 Policy/Binder# _____

Application for Alcoholic Beverages License
Board of Liquor License Commissioners for Baltimore City

NEW/TRANSFER/EXPANSION/AMENDMENT(S) APPLICATION FEE - \$500.00
After June 1, 2016 \$600.00 includes Hearing Fee

OFFICE USE ONLY

Status of Zoning Verification
 Approved: Yes No
 Date Sent to Zoning: _____
 Initials: _____
 Zoning Info: _____

INDICATE TYPE OF LICENSE APPLICATION: TRANSFER NEW EXPANSION OF PREMISES AMENDMENT(S)

EXPLANATION OF REQUEST: Amendment of Transfer Application of December 3, 2014 (Add L. Poldmae as Applicant, Remove ~~John~~ ^{B. Austin} CLASS TYPE: BD7 *duwa 12/12/16*)

LICENSE AT THE LOCATION: 18 E. CROSS STREET 21230 IF TRANSFER, PREVIOUS LOCATION: 1015 S. CHARLES STREET 21230

CORPORATE/LLC/LLP/PARTNERSHIP NAME: 18 CROSS LLC TRADE NAME: CROSSBAR

BUSINESS PHONE NUMBER: 443-253-8620 BUSINESS CONTACT/MANAGER: LILIAN POLDMAE

ATTORNEY FOR THE APPLICANT: STEPHAN W. FOGLEMAN, ESQUIRE ADDRESS: 1720 THAMES STREET, BALTIMORE, MD 21231 PHONE: 410-258-8500

Part of Premises Used (Note: Floors and Areas for Storage): FIRST AND SECOND FLOOR FOR BUSINESS

Will Live Entertainment be provided? Yes No What Kind (Ex. DJ, Band, Etc.)? _____

Will Outdoor Table Service Be Provided? Yes No

Off Premise Catering of Food and Alcohol? Yes No BLLC Catering Application Filed? Yes No

Delivery of alcohol? Yes No BLLC Delivery Application Filed? Yes No

Please note that as per Art. 2B § 10-202(a)(iv)(1) that an application for the issuance or transfer is not complete unless the applicant has obtained zoning approval from the City of Baltimore. Please attach Use and Occupancy Permit or letter from BMZA approving use.

1. Applicant A

(Full name) _____ (Telephone no.) _____ E-mail (Required) _____

(Residence) Street _____ City _____ State _____ Zip Code _____ (period of residency in Baltimore City) _____

(Month/Year of Birth) _____ (Sex: Male or Female) _____ (Place of Birth) _____

Check: Yes No Have you been a resident and taxpayer of the City of Baltimore for 2 years preceding this application?
 Yes No Are you a registered voter in the City of Baltimore?

2. Applicant B

LILIA KAI POLDMAE _____ (Telephone no.) _____ E-mail (Required) _____

1705 GARDNER ROAD COCKEYSVILLE MD 21030 _____ N/A _____

(Residence) Street _____ City _____ State _____ Zip Code _____ (period of residency in Baltimore City) _____

01/72 _____ F _____ New York, New York _____

(Month/Year of Birth) _____ (Sex: Male or Female) _____ (Place of Birth) _____

Check: Yes No Have you been a resident and taxpayer of the City of Baltimore for 2 years preceding this application?
 Yes No Are you a registered voter in the City of Baltimore?

3. Applicant C

(Full name) _____ (Telephone no.) _____ E-mail (Required) _____

(Residence) Street _____ City _____ State _____ Zip Code _____ (period of residency in Baltimore City) _____

(Month/Year of Birth) _____ (Sex: Male or Female) _____ (Place of Birth) _____

Check: Yes No Have you been a resident and taxpayer of the City of Baltimore for 2 years preceding this application?
 Yes No Are you a registered voter in the City of Baltimore?

1. Has the applicant(s) been adjudged guilty of a felony in the State of Maryland or any other? Yes No - If yes, indicate applicant and explain.

Applicant A B C

[Redacted]

2. Has the applicant(s) been adjudged guilty of violating the laws governing the sale of any alcoholic beverage or for gambling in any State, including Maryland? Yes No - If yes, mark applicant and provide explanation in adjacent space provided.

Applicant A B C

[Redacted]

3. State whether the applicant(s) has ever been adjudged guilty of any offense against the laws of the State of Maryland or the United States. Yes No - If yes, mark applicant and explain.

Applicant A B C

[Redacted]

4. Has the applicant(s) ever had a license for the sale of alcoholic beverages in the State of Maryland? Yes No If yes, mark applicant and explain.

Applicant A B C

[Redacted]

5. Has the applicant(s) ever had a liquor license suspended or revoked? Yes No If yes, mark applicant and explain.

Applicant A B C

[Redacted]

6. Does the applicant(s) have a pecuniary interest in any other alcoholic beverage business or business for which an alcoholic beverage license has been applied for, granted, and issued? Yes No If yes, mark applicant and explain.

Applicant A B C

[Redacted]

7. Do the spouses or children of any of the applicant(s) have a financial interest in any other alcoholic beverages license or business in Baltimore City or any other jurisdiction in the State of Maryland? Yes No If yes, mark applicant and explain.

Applicant A B C

Spouse
Leho Poldmae

Licensee: Hunt Valley Green Turtle, 118 Shavano Rd 21030
Co-Licensee: Neo Pizza, 220 Harker Pk 21403 / Myth & Moonshine, 2300 Bowls St. 21224

8. Are you financially interested in any other alcoholic beverages license applied, granted or issued? Yes No If yes, please explain.

Applicant A B C

[Redacted]

9. Is the licensed premise currently open and operating? Yes No If yes, please explain.

[Redacted]

10. Do any of the applicant(s) - personally or through an entity - have any indebtedness or other financial obligations to any manufacturer, brewer, distiller, or wholesaler at the time of making this application? Yes No If yes, please explain. If yes, please provide information as to the applicant(s) indebted - personally or through an entity - the amount of the indebtedness, and the name of the manufacturer, brewer, distiller, or wholesaler?

Applicant A B C

[Redacted]

11. Please list the following information for the Manager of the establishment to be licensed:

Name	Address	Phone	Email
LILIA POLOMAE	1705 GARDNER ROAD 21030	[REDACTED]	[REDACTED]

DCW
12/12/16

Applicants Applying as Business Entities - (Give name(s) and addresses - in Corporation list all officers (attach list if necessary) or in Limited Liability Company/Partnerships list all authorized persons.) *Please note that all licensees MUST have a pecuniary interest in the license applied for as per Article 28 Section 10-103(b) (10)*

- Joshua Pofi 1509 Race St. 21230
- 1) NAME: BRETT AUSTIN ADDRESS: 103 E. MONTGOMERY ST. BALTIMORE MD 21230 TITLE: MEMBER %OF STOCK HELD 99% RESIDENCE: MD
- 2) NAME: LILIA POLOMAE ADDRESS: 1705 GARDNER ROAD, COCKEYSVILLE MD 21030 TITLE: MEMBER %OF STOCK HELD 1% RESIDENCE: MD
- 3) NAME: _____ ADDRESS: _____ TITLE: _____ %OF STOCK HELD _____ RESIDENCE: _____
- 4) NAME: _____ ADDRESS: _____ TITLE: _____ %OF STOCK HELD _____ RESIDENCE: _____

JMF
12/12/16

*****Attached is a list of the names and addresses of all outstanding stockholders who on the day of this application own more than 5% of the outstanding stock of the corporation and the articles of incorporation, partnership agreement or articles of organization.*****

**Extract from Law: If any affidavit or oath required under the provisions of this Act shall contain any false statements, the offender shall be deemed guilty of perjury. And upon indictment and conviction thereof, shall be subject to penalties provided by Law for that crime.*

CERTIFICATE OF APPLICANTS: At least one applicant whose signature appears below certifies that he/she has been a resident and taxpayer of Baltimore City, Maryland for at least two years preceding the filing of this application. Each of said applicants hereby certifies further that if the license applied for is granted, he/she will conform to all State and County laws and regulations relating to the sale of alcoholic beverages, as well as to the rules and regulations of the Board of License Commissioners for Baltimore City, and hereby grants permission to the State Comptroller, his duly authorized deputies, inspectors and clerks, The Board of License Commissioners for Baltimore City, its duly authorized agents and employees, and any peace officer of Baltimore City or the State of Maryland to inspect and search at any and all hours, without warrant, the premises and any and all parts thereof upon and in which said business is to be conducted.

Signature of Applicant A

L Poloma

Signature of Applicant B

Signature of Applicant C

State of Maryland: City of Baltimore SS
THIS CERTIFIES, THAT ON THE 22 OF November 2016
before the subscriber a notary public of the State of Maryland, personally appeared
Lilia Poloma

The applicant(s) names in the foregoing application, and made oath in due form of law that the statement therein are true to the best of (his, her, their) knowledge and belief.

Stephan W. Fogleman, Jr.

Notary Public

STEPHAN W. FOGLEMAN, JR.
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires 12/16/19

(Witness my hand and seal)

Name and Address of the owners of the premise/landlord: _____ Phone Number: _____

STATEMENT OF OWNER OF PREMISES REQUIRED IN CONNECTION WITH ALCOHOLIC BEVERAGES LAW OF MARYLAND

(I, WE) _____ HEREBY CERTIFY, That (I am, we are) the owner(s) of the property located at _____, Baltimore, City with a Zip Code of _____ which is named in the present application made to Board of Liquor License Commissioners of Baltimore City under the Alcoholic Beverage Laws of Maryland and assent to the granting of the license applied for, and hereby authorize the State Comptroller, his duly

authorized deputies, inspectors and clerks, the Board of Liquor License Commissioners of Baltimore City, its duly authorized agents and employees, and any peace officer of the City of Baltimore and State of Maryland, to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours.

(Witness (my, our) hand(s) and seal(s) this _____ day of _____ in the year of _____)

WITNESS: _____

STATE OF MARYLAND

THIS CERTIFIES, THAT ON _____ day of _____,

Before the subscriber a notary public of the State of Maryland, personally appeared _____

and acknowledge the execution of the foregoing statement to be _____ act.

(Witness my hand and seal)

Notary Public

The following certificates must be signed by at least 3 persons.

We, the undersigned citizens, real estate owners and registered voters in the City of Baltimore in which the business covered by the present application is to be conducted, certify that the qualifying applicant(s) is/are personally known to us and has been a resident or a taxpayer of Baltimore City and a resident of the State of Maryland for 2 years preceding this application.

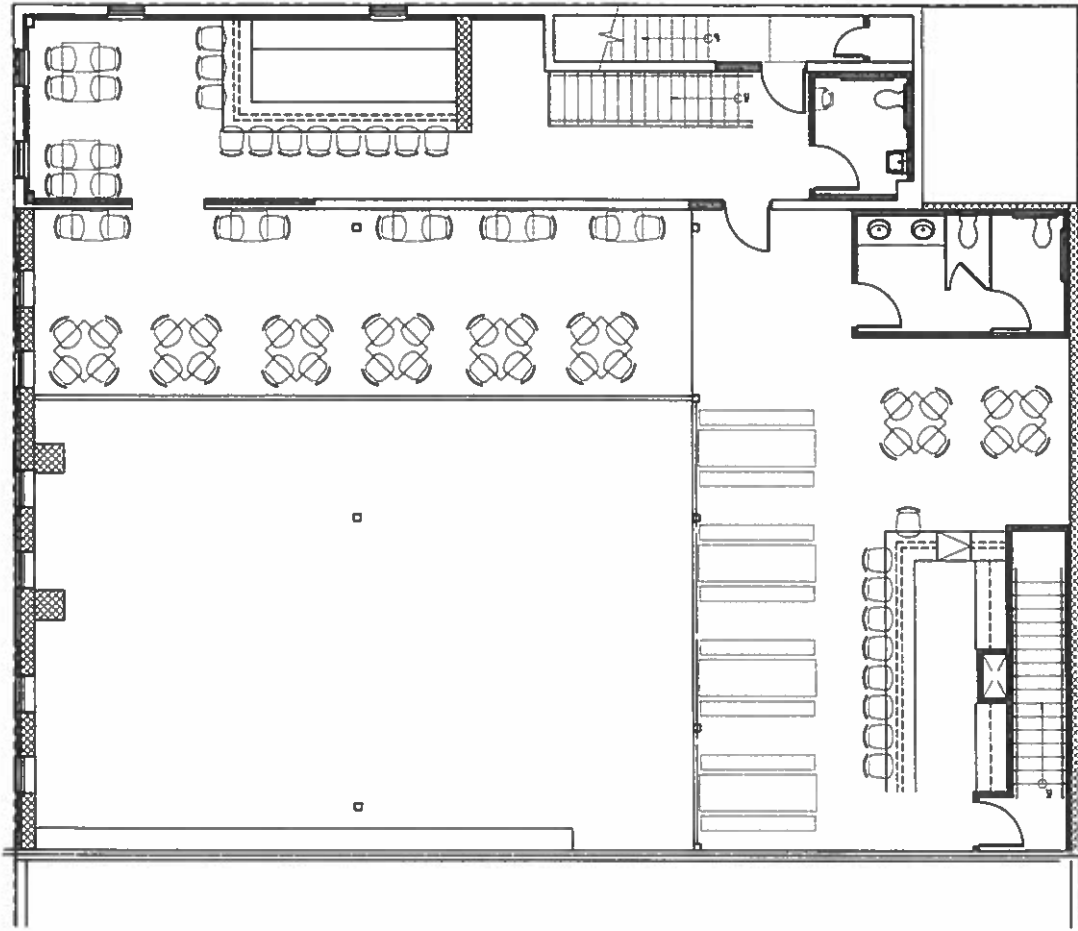
Names	Address	Signature	DOB (Month/Year)	Length of time Acquainted with the Applicant(s)
Marut Poldmae	1301 W. Northern Pky.	Marut Poldmae	4-35	25 yrs.

Board of Liquor License Commissioners for the City of Baltimore,
 231 East Baltimore Street, 6th Floor, Baltimore, Maryland 21202
 Phone: 410-396-4377 Fax: 410-396-4382

Stamp Application Here:

Please note that this is a public document and upon request will be provided to the general members of the public.

E | SECOND FLOOR PLAN



NOTES

_____ LIGHTS CONSTRUCTION BY OWNER
 _____ EXISTING CONSTRUCTION TO BE DEMOLISHED
 _____ NEW CONSTRUCTION

Project Number: 12013
A1.3

SECOND FLOOR PLAN

Project Title	CROSSBAR
Client	CROSSBAR
Architect	DESIGN REVOLUTION
Project Manager	DAVID
Designer	DAVID
Project Number	12013
Revision	1
Date	11/11/13
Scale	1/8" = 1'-0"

CROSSBAR
 12-18 E. CROSS STREET
 BALTIMORE, MD 21230





Liquor Board System

Version 1.0

Annual-Renewal | License-Transfer | One-Day | Add New License | Query | Help

License Detail

[Close the License](#)
[Print License](#)
[Print Renewal Letter](#)
[<< Go Back](#)

License Info

License Num: LBD7 128 Cert Num: 0371 Fee: \$1,320.00 Status: Renewed
 License Date: 5/1/2016 License Year: 2016
 CR Number: 15155018
 Payment Date: ****

2015 - 2016 TPP Paid
 2016 Trader's License [Update Info](#)

[Click to Start License Renewal](#)

Add Adult Entertainment License

[Add New Adult Entertainment License](#)

Location

Corp Name: LL CHARLES LLC
 Trade Name: JOEY B'S BAR & GRILLE
 Zone Code: 7
 Phone: 443-388-9653

Block Num: 1015-19 Street: CHARLES STREET SOUTH
 City: BALTIMORE State: MD Zip: 21230

CR Number: 15155018

Portion of Business Used:
 USE PORTION OF PREMISES 1ST FLOOR AS A BAR AND GRILLE

Restriction:
 LICENSEES MUST OPERATE ACCORDING TO LETTER OF AGREEMENT WITH FEDERAL HILL NEIGHBORHOOD ASSOCIATION. OUTDOOR TABLE SERVICE LIMITED TO 3 TABLES & 6 PATRONS.

[Edit the License Location Info](#)
[Alternate Mailing Address](#)

License Owners

First Name	Last Name	Street	City	State	Zip	Action	Change Owner
B.AUSTIN & J.FOII	CONTACT PURCHAER	1015-19 S. CHARLES ST	BALTIMORE	MD	21230	Edit	Remove Owner

Comments

Date	Comment	Action

04/06/2016	RENEWED APPLICATION FOR 2015-2016 UNDER BRETT AUSTIN AND JOSHUA FOTI (CONTRACT PURCHASER). \$1500.00 LATE FEE WAS PAID AND 2015-2016 LICENSE FEE PAID (\$1320.00)...K/R	Delete
10/15/2015	Sent letter to licensee about past due administration fee of \$100.00 from hearing date June 26, 2014.... /sb	Delete
06/26/2015	6/25/2015 Protest of Renewal (3-0 vote) RENEWED	Delete
02/24/2015	06/26/14 Public Hearing re: Request for hardship extension . GRANTED 180 days from hearing date	Delete
02/19/2015	Sent 2nd sales tax hold letter to Licensee home address.	Delete
02/03/2015	State of MD Tax Hold, letter sent to merchant on January 23, 2015.	Delete
02/02/2015	12/03/14 - Paid \$1,320.00 License Fee, invoice #95385.	Delete
11/19/2014	06/26/2014 Request for hardship extension. Board granted 180 day extension from hearing date.	Delete
04/09/2013	3/21/2013 Public Hearing re: VIOLATION of Rule 4.01(a) Sale to Minor. VIOLATION of Rule 3.03(c) Records. Rule 4.01(a) GUILTY \$2000 suspended \$1000. Rule 3.03(c) GUILTY \$125. TOTAL FINE \$1125.	Delete
04/09/2013	3/21/2013 Public Hearing re: Application to transfer ownership with request for live entertainment, outdoor table service and off premises catering. APPROVED.	Delete
02/27/2013	Application for transfer with off premises catering filed 2/11/13	Delete
05/29/2012	5/24/2012 Public Hearing re: Request for live entertainment. GRANTED subject to the terms & conditions set forth by the BMZA.	Delete
04/20/2012	4/12 Request to add live entertainment, BD7-BWL, Antoine Peltaway, Clark Hudak, Jr., 1015 Charles, LLC	Delete
11/13/2009	11/13/09 \$625 FINE PAID IN FULL #70368	Delete
11/02/2009	10/29/09 Public Hearing re: Violation of rules 4.01(a)DECISION: RULE 4.01(a)GUILTY \$500..FINE \$500 + \$125 = \$625	Delete
11/19/2008	10/9/08 Public hearing re: application to transfer ownership from contract purchaser & add basement for storage & add outdoor table service and to remove restriction on license. DECISION: APPROVED.LICENSEES MUST OPERATE ACCORDING TO LETTER OF AGREEMENT WITH FEDERAL HILL NEIGHBORHOOD ASSOC. INC.WAIVED ADM.FEE.	Delete
07/17/2008	07/15/08 \$100 CONF.FEE PAID IN FULL #64456	Delete
07/17/2008	07/10/08 Hardship extension requested.DECISION: EXTENSION GRANTED.EXTENSION GRANTED UNTIL 1/18/09.MUST PAY CONF.FEE \$100	Delete

[Print History (Print Card)]

License num: LBD7 128 Address: 1015-19 CHARLES STREET SOUTH
Trade Name: JOEY B'S BAR & GRILLE

Comment:

[Add Comment]

Hold Info



Entity Name: 18 CROSS, LLC

Department ID: W15089857

General Information

Amendments

Personal Property

Certificate of Status

Principal Office (Current):

18 EAST CROSS STREET
BALTIMORE, MD 21230

Resident Agent (Current):

D. DUSKY HOLMAN
600 WASHINGTON AVENUE
SUITE 200
TOWSON, MD 21204

Status:

ACTIVE

Good Standing:

Yes

What does it mean when a business is not in good standing or forfeited?

Business Code:

Other

Date of Formation or Registration:

02/21/2013

State of Formation:

MD

Stock/Nonstock:

N/A

Close/Not Close:

Unknown

PROPOSED LOCATION: 18 E. Cross St.

MAP SUMMARY (RECAPITULATION)

TOTAL ESTABLISHMENTS IN MAP AREA 31

"A" BEER & WINE _____

"B" BEER & WINE 1

"C" BEER & WINE _____

"D" BEER & WINE 8

"A" BEER, WINE & LIQUOR 2

"A-2" BEER, WINE & LIQUOR _____

"B" BEER, WINE & LIQUOR 8

"C" BEER, WINE & LIQUOR _____

"D" BEER, WINE & LIQUOR 4

"BD7" BEER, WINE & LIQUOR 8

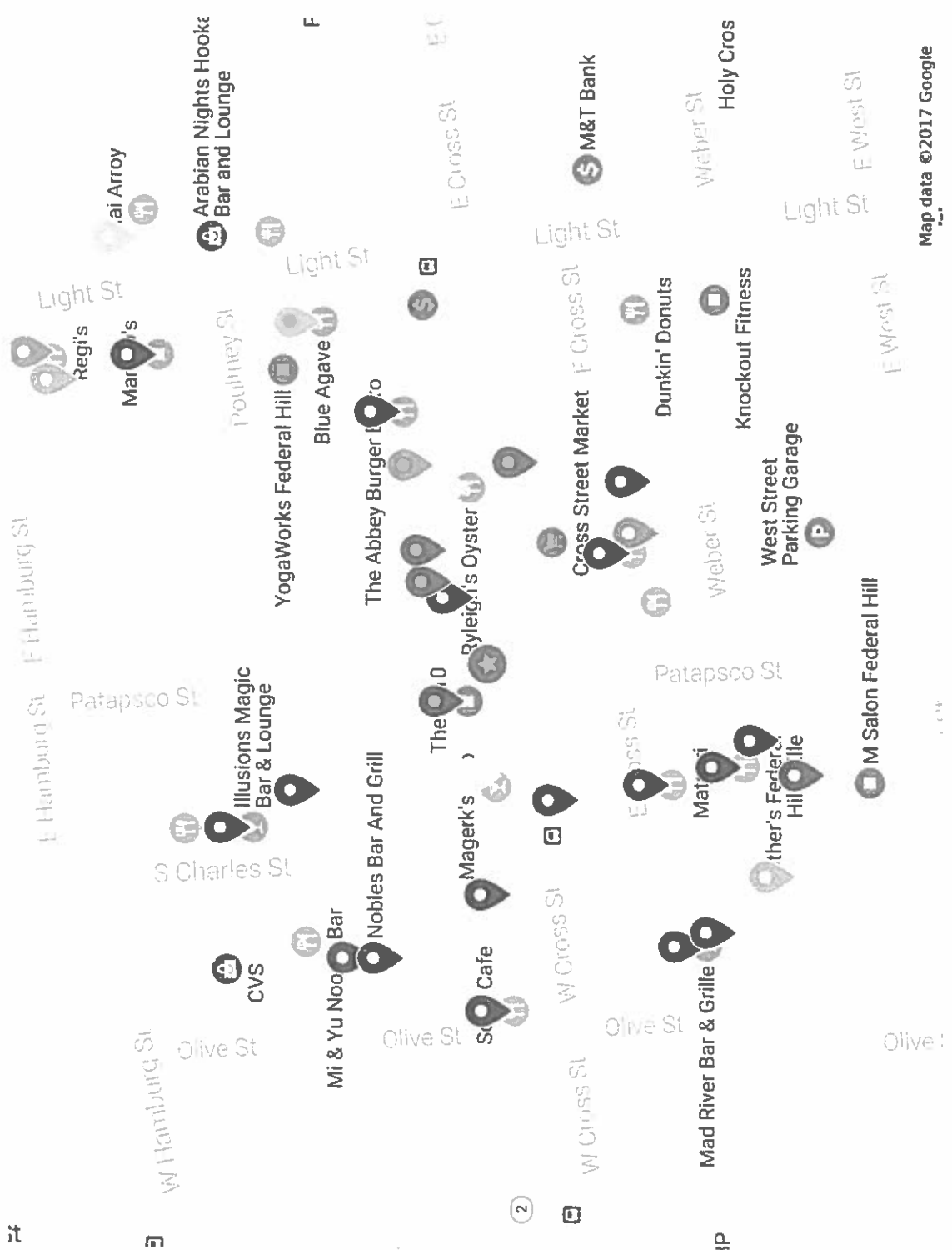
ARENA _____

HOTEL/MOTEL _____

RACING _____

PREPARED BY: *John M. [Signature]* DATE: 1/10/17

18 E. Cross St.



Licensed Establishments

- ★ 18 E. Cross St.
- Banditos Bar & Kitchen LBD7
- Big Jim's Deli WB
- Blue Agave Restaurant LB
- Boiler Room LD
- Bookmakers LBD7
- Brothers Sushi LD
- Charles Street Liquors LA
- HarborQue WD
- Illusions Magic BAR LD
- Kiku Sushi Restaurant WD
- Mad River Bar & Grille LB
- Magerk's Pub LBD7
- Maria D's WD
- Matsuri Restaurant WD
- Mother's Federal Hill Grille LB
- Nick" Inner Harbor WD
- No Way Jose Cafe LB
- Nobles Bar And Grill LBD7
- Pub Dog DraftHs LBD7

Other / No value LB
HYPERHILLS

Licensed Establishments

- 📍 Regi's LB
- 📍 Smitty's Liquors LA
- 📍 SoBo Café WD
- 📍 Social Pub & Pie LBD7
- 📍 Spoons WD
- 📍 Stalking Horse LBD7
- 📍 Thai Yum WD
- 📍 The 8x10 LBD7
- 📍 The Abbey Burger Bistro LB
- 📍 The Joint Bar And Patio LD
- 📍 Wayward - LB

Board of Liquor License Commissioners

For Baltimore City
 231 E. Baltimore Street, 6th Floor
 Baltimore, Maryland, 21202-3258

POSTING SIGNS REPORT

<i>Applicant(s) Name:</i>	<input type="text" value="Lilia Kai Poldmae"/>
<i>Address of Premises:</i>	<input type="text" value="18 E. Cross Street"/>
<i>Inspector:</i>	<input type="text" value="i:\0#w\baltimore\mark.fosler"/>
<i>Date Posted:</i>	<input type="text" value="1/4/2017"/>
<i>Time Posted:</i>	<input type="text" value="12:00 PM"/>
<i>Date Rechecked:</i>	<input type="text"/>
<i>Time Rechecked:</i>	<input type="text"/>
<i>Manager or Owner when sign posted:</i>	<input type="text"/>

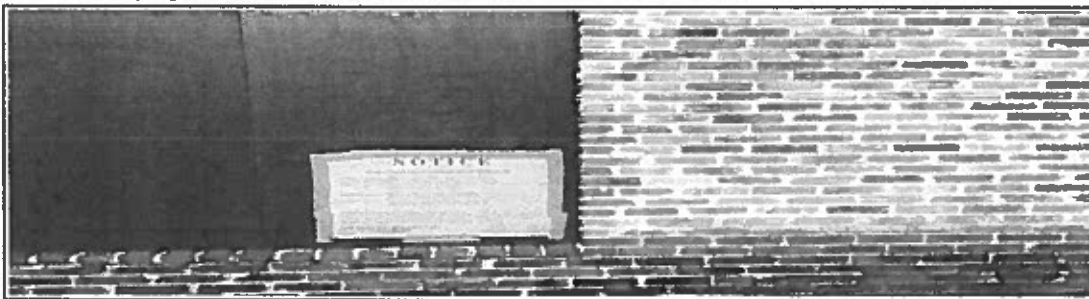
Summary on location of sign posted:

Posted outside on boarded up window. Building was being renovated. No fixtures inside. Inside appe...

Summary on location of sign rechecked:

Sign remained posted on ninth day of ten day period 1/12/17

Insert Photo of Sign and location:



Board of Liquor License Commissioners

For Baltimore City
231 E. Baltimore Street, 6th Floor
Baltimore, Maryland, 21202-3258

INSPECTORS REPORT - TRANSFERS/NEW APPLICATIONS

<i>Licensee Information (Trade Name):</i>	Joshua Foti/Lilia Kai Poldmae t/a Crossbar
<i>Corporation Name:</i>	18 Cross LLC
<i>Location Address:</i>	18 E. Cross St.
<i>License Type:</i>	Class "BD7" Beer, Wine and Liquor
<i>Is the establishment open and operating in a safe and sanitary manner? (If not open, not in comments - CLOSED or NOT OPERATING)</i>	No
<i>Is the location within 300 feet of Church and/or School?</i>	No
<i>Date Posted?</i>	1/4/2017
<i>Date Removed?</i>	
<i>Are there any other licensed establishments within a two block radius?</i>	Yes

Other licensed locations - Describe/Note:

See Map

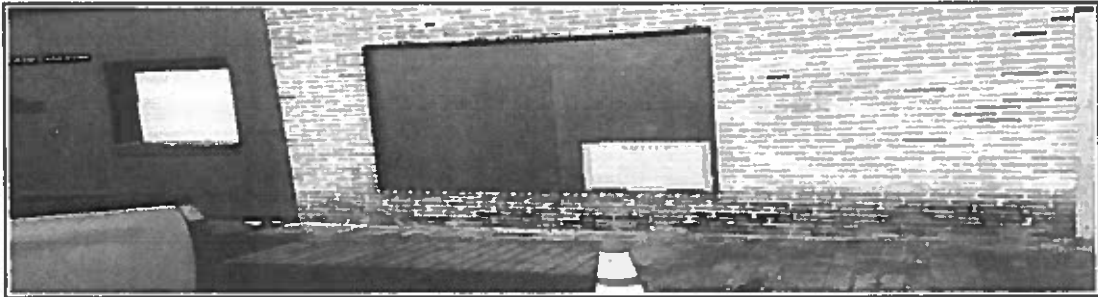
Comments and Follow-up Items(s) (please note any issues or concerns about the location):

Transfer of location from 1015 S. Charles St., Balto. 21230 to 18 E. Cross St. and transfer of ownership

18 E. Cross St. still under construction.

1015 S. Charles St. contract purchaser

Insert Photo of Sign and location:



Inspector Name	Date and Time	
<i>i:\0#w\baltimore\joann.martin</i>	1/9/2017	11:15:47 AM
Name of Licensee (if present)		
<i>Contract purchaser</i>		

BLLC Routine Inspection

Address: 1015-19 CHARLES STREET SOUTH 21230

Trade Name: JOEY B'S BAR & GRILLE

Corporation Name: LL CHARLES LLC

Type of License: Class "BD7" Beer, Wine and Liquor

Date/Time of Inspection: 8/3/2016 12:19:11 PM

Manager/Licensee

Open/Closed: Closed

Closed Date:

Clean and Free of Debris: N/A

Location of Bar: N/A

Shape of Bar:

Condition of Bar Area/Floors: N/A

Hot Water: N/A

Disinfectant Solution: N/A

Three Compartment/Washer: N/A

Bulletproof Partitioning: N/A

Separate Pkg. Goods Dept.: N/A

Separate Pkg. Goods Store: N/A

Bar/Tavern Open and Operating: N/A

Handwritten notes:
Closed
not operating
handshing files
7/29/15
removed
under contract
Baltimore

Selling Household/Grocery: N/A

Capacity:

Location of Dining Area:

Condition of Dining Area/Floors: N/A

Sanitation: N/A

Menu: N/A

Traders License: N/A

*Alcohol Awareness Certification Date
Issued:*

Employee Records: N/A

*Alcohol Beverage Information Invoice
Numbers and Date:*

Inspector Comments:

Inspector Comments:

Exits Marked, Unobstructed: N/A

Fire Capacity:

Outdoor Seating Capacity:

License is Valid:

N/A

Dancers Present 18 and older: N/A

Cleanliness of Dressing Room: N/A

Live Entertainment (Describe):

Outdoor Table Service N/A

Violation Issued: No

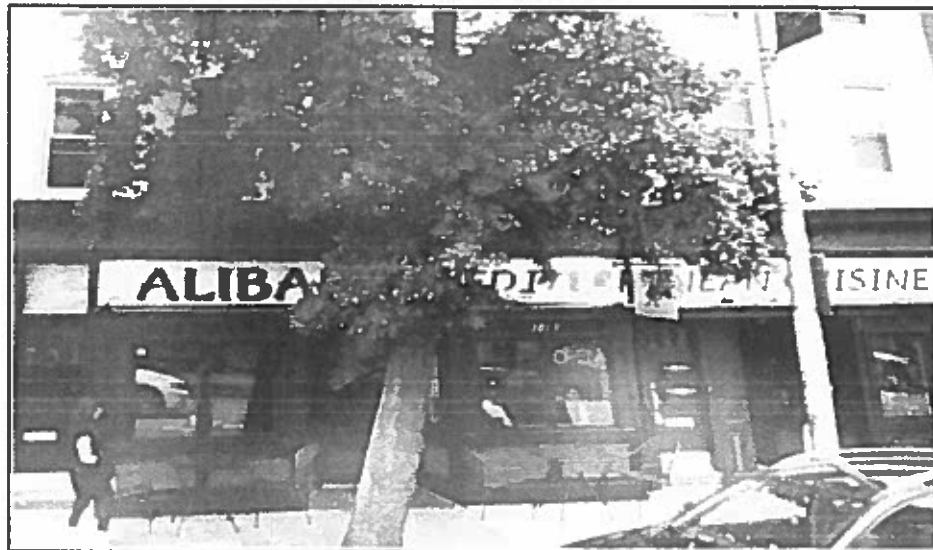
Violations Noted:

Instructions Given to Licensee:

Inspector's Comments:

On not inspected list for 2016-17 .Establishment out of business since 2014....in name of Contract F

Photo Taken:



Owner Email:

Submitted by Inspector



**BALTIMORE
HOUSING**

STEPHANIE RAWLINGS-BLAKE
Mayor

PAUL T. GRAZIANO
Executive Director, HABC
Commissioner, HCD

August 1, 2016

Fogleman & Ransom
c/o Stephan W. Fogleman
1720 Thames Street
Baltimore, MD 21231

Re: 18 E. Cross Street

Ladies and Gentlemen:

This is in response to your zoning inquiry with reference to the above property. A review of the zoning records of Baltimore City revealed the following.

The property 18 E. Cross Street is located in a B-2-3 Community Business District. The property was last authorized as a single family dwelling. To use the premises as a restaurant/tavern without live entertainment and dancing would be a permitted use in the B-2-3 zoning district under the zoning ordinance of Baltimore City subject to an occupancy permit and if all other applicable regulations are in compliance.

There are currently no outstanding zoning violations with respect to this property. The property complies with applicable zoning regulations.

If you should require additional information regarding this property, you may contact this office at 410-396-4126.

Sincerely,

Geoffrey Veale
Zoning Administrator

GV:RB:sk



CITY OF BALTIMORE

STEPHEN F. RAY (OGS) BLAKE, Mayor



DEPARTMENT OF GENERAL SERVICES

PROPERTY LOCATION OFFICE
264 Abel Wolman Municipal Building
290 N. Holliday Street
Baltimore, Maryland 21202

May 14, 2014

Federal Hill Partners II, LLC
222 Courthouse Court, Suite 300
Towson, Maryland 21204

RE: CONSOLIDATION REQUEST #021-14

Block: 935A Lot(s): 25, 26 & 27
Dated: 9/13/13

TO WHOM IT MAY CONCERN:

The above-mentioned Consolidation Request has been approved by all agencies involved and will be forwarded to the State Department of Assessments and Taxation for processing to be entered on the Tax Rolls for the (14/15) tax year. The consolidated address will now be known as 18 East Cross Street.

In addition, please contact Ms. Karen McCargo, Revenue Measurement and Billing Division at (410) 396-5533 so she may advise you if any steps need to be taken regarding the water services on the properties included in this consolidation.

If you have any questions concerning this consolidation, please feel free to contact Dawn Flanary at (410) 396-3800.

Sincerely,

A handwritten signature in black ink, appearing to read "Wesley Shaw".

WESLEY SHAW
SUPERVISOR
PROPERTY LOCATION

WS:dlf

cc: Revenue Measurement & Billing Division
Ms. Karen McCargo
Ms. Vivian Smith
Ms. Agnes Alston
Mr. Michael Clark

Visit Our Website @ www.baltimore.gov

Property Address: _____ Block/Lot: 0935A/025

Plan No: -

18 E CROSS ST

1001-000000-2600-159400-400540	Filing Fee	50.00
1001-000000-1500-102800-400230	Tax	3.00
1001-000000-2600-158009-400480	Use&Occupancy	45.00
	Total:	98.00

Applicant:

KEITH NESSICK 410-984-0652

320 BELL RD WESTMINSTER MA 21158

Owner/Lessee:

Owner FEDERAL HILL PARTNERS II LLC
222 COURTHOUSE CT. # 300

Contractor:

Use & Occupancy Draft

THIS IS NOT A PERMIT. THIS DOCUMENT IS PROOF OF APPLICATION FOR A PERMIT. YOU MUST OBTAIN THE ACTUAL PERMIT OR CERTIFICATE OF OCCUPANCY BEFORE THE BELOW STATED WORK OR USE CAN BEGIN. FOR MORE INFORMATION CONTACT THE ONE STOP SHOP PERMIT CENTER AT 443-984-1809.

Expiration:	WORK COST:	District: 901	MINOR PRIVILEGE:
-------------	------------	---------------	------------------

USE AS A RESTAURANT

***DUPLICATE**
PD:9/15/2016 CR:034 LOC: WOLM WS: 01
ID:00 TR: 0020 RCT #: 002785-
9/13/2016 4:46PM
PERMIT #:USE2016X04318B

CO AMOUNT PAID:	\$98.00
Building Permits	\$50
Building Permits	\$3
Building Permits	\$45
CK	\$3,209.1
CHANGE	\$0

**Department Of Housing And Community Development
Division Of Construction And Building Inspection**

Permit No.: COM2016-19898

THIS WRITTEN INSTRUMENT, WHEN PROPERLY VALIDATED, CONSTITUTES AUTHORITY FOR DOING OR RECEIVING THE THINGS INDICATED BY THE FEES OR CHARGES SHOWN IN THE APPROPRIATE SPACES BELOW. ANY AND ALL THINGS TO BE DONE OR RECEIVED UNDER THIS WRITTEN INSTRUMENT SHALL BE DONE OR RECEIVED IN STRICT COMPLIANCE WITH THE APPLICATION HERETOFORE FILED IN THIS DEPARTMENT FOR THE AUTHORITY CONTAINED HEREIN, INCLUDING ANY AND ALL APPROVED DRAWINGS AND OTHER DATA OR INFORMATION ATTACHED THERETO, AND SUBJECT TO ANY AND ALL LAWS, ORDINANCES, RULES AND REGULATIONS IN EFFECT IN THE CITY OF BALTIMORE AND THE STATE OF MARYLAND. WARNING: IT IS UNLAWFUL TO WORK BETWEEN THE HOURS OF 7:00 PM AND 7:00 AM WITHIN 300 FEET OF A DWELLING.

WARNING: IT IS UNLAWFUL TO CONCEAL ANY WORK UNTIL INSPECTED AND APPROVED BY THIS DEPARTMENT.

WARD	SEC.	BLOCK	LOT	ISSUE DATE	EXP. DATE	DISTRICT	MINOR PRIVILEGE	DRAWINGS ATTACHED	PLANS NO.
23	04	0935A	025	9/13/16	3/13/17	901		N	

PROPERTY ADDRESS: 18 E CROSS ST
K/A ADDRESS:

OWNER: FEDERAL HILL PARTNERS II,LLC

ADDR: 222 COURTHOUSE CT STPHONE :

LESSEE:

ADDR: PHONE :

PRIME CONTR: COMMERCIAL DYNAMICS, LLC

PHONE: 410-984-0652 LIC. NO.: 06006702

ELECTRICAL CONTRACTOR: RICHARD J GARBER

PHONE: 443-896-8484 LIC. NO.: M5405

PLUMBING CONTRACTOR: THOMAS A DIMAGGIO

PHONE: LIC. NO.: 21451

GAS FITTER: THOMAS A DIMAGGIO

PHONE: 717-524-9530 LIC. NO.: M12030

HVAC & R CONTR.: GEORGE A LINK

PHONE: 410-296-7188 LIC. NO.: 8814

ARCHITECT:

PHONE: LIC. NO.:

ENGINEER:

PHONE: LIC. NO.:

WORK COST: \$100,000.00	LAND USE CODES: 1113 0000 0000 0000	UNDERPINNING: N	INTERIOR DEMOLITION: N
-------------------------	-------------------------------------	-----------------	------------------------

CONSTRUCT NEW WALLS, ROOF AND ALTERATIONS FOR NEW RESTAURANT/TAVERN. NEW MEP SYSTEMS AS PER PLANS AND PER CODE.

(NOTE; PER J.IGWE PERMIT PREVIOUSLY PROCESSED AND ISSUED UNDER PERMIT#COM2014-09541 W/PLANS#2014-916 FEES TO BE PROCESSED PER COM2014-09541

Property site must be kept clean of trash & debris & maintained secured as per code for the duration of the construction project. A building permit DOES NOT constitute approval by or compliance with any deed restrictions, covenants, easements, or funding sources.

1001-000000-2600-159600-400560 PER INSP	1001-000000-2600-158009-400480 MISC	1001-000000-2600-158009-400480 CH. USE	1001-000000-2600-158301-400490 NEW BLDG.	1001-000000-2600-158302-400490 ADDITIONS	240.00
1001-000000-2600-158302-400490 ALTERATIONS 663.00	1001-000000-2600-158304-400490 REPAIRS	1001-000000-2600-158305-400490 MISC CONST.	1001-000000-2600-158800-400500 ELECT.	1001-000000-2600-158901-400510 HYDRONIC/STEAM HEAT	522.00
1001-000000-2600-158902-400510 DISTR./EXH 100.00	1001-000000-2600-158902-400510 AIR COND 255.00	1001-000000-2600-158904-400510 DISP TANKS 70.00	1001-000000-2600-158905-400510 FIRE	1001-000000-2600-158906-400510 FUEL-BURNING EQUIPMENT	350.00
1001-000000-2600-159300-400530 ELEVATOR 690.00	1001-000000-2600-159000-400520 PLUMBING	1001-000000-2600-158307-400490 S & E CONTROL	1001-000000-5700-508801-401811 CHAP	1001-000000-1500-102800-400230 TAX	146.00
1001-000000-2600-158308-400490 RAZING 50.00	1001-000000-2600-159400-400540 GUARANTY FUND AND FILING FEE	1001-000000-2600-158302-400490 LOW VOLTAGE/TELECOM 25.00	1001-000000-2600-158009-400480 PENALTY	TOTAL FEES:	3,111.00

THE AUTHORITY CONTAINED HEREIN MAY NOT BE VALIDLY EXERCISED UNTIL AND AFTER ALL OF THE FEES APPEARING HEREON HAVE BEEN PAID AND EVIDENCE THEREOF APPEARS IN THIS SPACE.



Michael Braverman

**MICHAEL BRAVERMAN
BUILDING OFFICIAL**

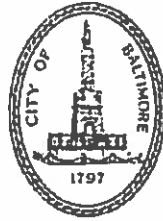
PLEASE BE ADVISED THAT THERE IS A PRESUMPTION OF LEAD-BASED PAINT IN PROPERTIES CONSTRUCTED PRIOR TO 1950. PROTECT WORKERS AND TENANTS BY USING THE LEAD-SAFE WORK PRACTICES FOUND IN THE CODE OF MARYLAND REGULATIONS SECTION 26.02.07.

THE AUTHORITY CONTAINED HEREIN DOES NOT AUTHORIZE THE PERFORMANCE OF ANY WORK IN, ON, UNDER OR OVER ANY STREET, HIGHWAY, ALLEY, SIDEWALK OR ANY OTHER PUBLIC WAY, UNLESS PERMISSION TO DO SO HAS BEEN FIRST SECURED FROM THE PROPER AUTHORITY. FOR MORE INFORMATION ABOUT RIGHT-OF-WAY PERMITS, TO ACQUIRE ONE, OR TO REPORT AN EMERGENCY EXCAVATION CALL 410-396-2889, EMAIL STREETCUTS@BALTIMORECITY.GOV, OR VISIT 200 N. HOLLIDAY STREET - LOBBY COUNTER 4.

IN THE MATTER OF THE
PETITION FOR: IAN SOKOLOSKI

12-18 EAST CROSS STREET

Appeal No. 2013-391
Hearing Date: February 25, 2014



APR 04 2014

Baltimore City Board of Municipal
& Zoning Appeals

David C. Tanner
Executive Director
417 E. Fayette Street, 14th floor
Baltimore, MD 21202
Phone: 410-396-4301

RESOLUTION

This matter comes before the Board of Municipal and Zoning Appeals (Board or BMZA) on an appeal of the final decision of the Zoning Administrator for Baltimore City denying Ian Sokoloski's (Appellant) application to consolidate 12/14 East Cross Street, 16 East Cross Street and 18 East Cross Street; to change the use of 16 East Cross Street and 18 East Cross Street to a tavern; to raze 14-18 East Cross street but retain the front walls; to raze the rear portion of 12/ 14 East Cross Street; and to construct a two story rear addition with open courtyard.

BACKGROUND

12/14 East Cross Street is located on the northeast corner of the intersection with Patapsco Street. This property measures approximately 29' by 73' and is currently improved with a three-story semi-detached residential building covering the entire lot. 16 East Cross Street is located on the north side of the street, approximately 29' east of the intersection with Patapsco Street. This property measures approximately 14'6" by 73' and is currently improved with a three-story attached residential building covering nearly all of the lot. 18 East Cross Street is located on the north side of the street, approximately 43'6" east of the intersection with Patapsco Street. This property measures approximately 14'6" by 73' and is currently improved with a three-story attached residential building covering almost all of the lot. This site is zoned B-2-3 and is located within the South Baltimore Business Area Urban Renewal Plan area and the Federal Hill National Register Historic District. Throughout this resolution, in light of the consolidation, the abovementioned properties will be referred to as "property".

A hearing was held before the Board on February 11, 2014. Appellant was present and was represented by Joseph Woolman. The Board staff and the Planning Department were present and each submitted memoranda evaluating the appeal. Letters of support and opposition were also presented to the Board. Additionally, a number of neighbors were present as Opposition. At the conclusion of the hearing, the Board voted on the proposal- three in support of granting the requisite variances and use request, two against granting the requisite variances and use request. Approval of the variances and use request needed four votes; therefore, for the reasons stated below, Appellant's appeal was denied.

DISCUSSION

In B-2-3 zoning districts, taverns, not including live entertainment and dancing, are a permitted use. Zoning Code (ZC) §6-306. Appellant proposes to consolidate, selectively raze and construct a two-story structure with an open courtyard and operate the structure as a tavern. To accomplish this, the Appellant is seeking variances with respect to rear yard, parking and conditional use for outdoor table service.¹

In support of Appellant's request, letters from the Federal Hill South Neighborhood Association and the South Baltimore Neighborhood Association (SBNA) were presented to the Board. Testimony was offered that the Appellant worked with those community associations for many months and eventually signed a memorandum of understanding (MOU) with the SBNA. In opposition to Appellant's request, many neighbors residing in the immediate vicinity of the project offered testimony regarding their objections. The Opposition's objections to the project centered on problems with parking and the addition of another tavern in a neighborhood. Most importantly, the Opposition was concerned about the level of noise that would be produced from Appellant's proposed open courtyard beer garden as well as the prospect of increased parking demand created by the size of the proposed establishment. The requested variances, the conditional use request for outdoor table service and the Board's findings are addressed in turn below.

A. Rear Yard

Under the bulk regulation requirement, a rear yard of no less than 30 feet in depth is required in a B-2-3 Zoning District. ZC§6-312(e). According to Appellant's documents, the two-story rear addition will project to the rear lot line. Appellant testified that the existing structures on the property extend to the rear yard line and that the new structure will maintain the footprint of the existing structures. The Board, under ZC §15-203, may grant a variance to authorize a yard or setback less than what is otherwise required by the applicable regulation.

To grant a variance, the Board must make findings detailed in ZC §§15-217 to 15-219. Notably, the Board must find that because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty would result, as distinguished from a mere inconvenience, if the strict letter of the applicable requirement were carried out. ZC §15-218.

After listening to all the evidence presented during the hearing and reviewing the plans, the Board found that a rear yard variance is not needed. The Board found that the current structures, like many found on this section of Cross Street, extend to the rear yard line and the new structure will have the same rear yard line as the existing structure. Further, the applicant proffered that the existing walls of the structure extending to the lot line would remain. Existing

¹ Appellant filed an appeal before retaining Woolman as an attorney. At the hearing and in his memorandum, Woolman made clear that he did not believe a variance was needed for parking or that a conditional use for outdoor seating was applicable in this case.

noncomplying structures only need a variance if they seek to increase the degree of compliance. ZC §13-506. Since Appellant's project does not increase the degree of noncompliance with respect to rear yard, the Board, upon consideration of the evidence submitted, review of the plans, plat map and pictures submitted, found that a rear yard variance is not required.

B. Parking Spaces

Appellant's completed project will be approximately 3,000 square feet, not including the courtyard, and was cited by the Zoning Administrator for not providing the required number of off street parking spaces. It was determined by Board staff that eight off street parking spaces need to be provided. Appellant's proposal did not include any provisions for off street parking. The Board has the authority to grant a variance that reduces the number of off street parking spaces required by no more than 75%. ZC §15-208(b). Appellant's proposal requires a 100% parking variance.

Though he was cited by the Zoning Administrator for not having the requisite amount of off-street parking for his proposal, Appellant does not believe he needs a parking variance. Appellant avers that ZC §10-405, which dictates the parking requirement for various establishments, does not specifically list taverns; therefore taverns are not a use that require off-street parking. Lastly, Appellant asserts that the Planning Department is in agreement with his assertions.

It is the responsibility of the Zoning Administrator to interpret the zoning code. It is the Zoning Administrator's responsibility to read, apply and enforce the zoning code, which has been amended numerous times since its 1971 inception and occasionally has minor inconsistencies. When the current code was passed, it did not make a distinction between taverns and restaurants. Both could serve food and both could serve liquor. The ordinance which enacted ZC §1-182.2, previously ZC §1-182.1, did not even become effective until December 29, 2004. Under Appellant's interpretation, a tavern would never have to provide off street parking or at best, taverns would have to comply with ZC §10-405(17)(ii), which establishes parking requirements for commercial establishments not otherwise listed in §10-405. ZC §10-405(17)(ii) states that other commercial establishments, not otherwise provided for in §10-405, located in a B-2-3 zoning district, should have one parking space per 800 square feet of floor area in excess of 4,000 square feet. A tavern in a business district, applying the §10-207 exception², would have to be at least 6,400 square feet in order to have a parking requirement. The practical implication of such an interpretation is untenable and the Zoning Administrator and the Board do not believe it was City Council's intention to grant such a sweeping exception to taverns. Therefore, despite taverns not being explicitly mentioned in §10-405, it has been the standard practice and operating procedure of the Zoning Administrator and the Board, since the enactment of the Zoning Code in 1971, to apply the parking requirement established under ZC §10-405(21)(i), 'prepared food', to restaurants *and* taverns. The Board so finds in this case as well.

² 10-207(a)(1): Except as specified in paragraph (2) of this subsection, if the application of this title results in a requirement of no more than 2 vehicle parking spaces on a single lot in a Business or Industrial District, those off-street parking spaces need not be provided.

Appellant, while maintaining that a parking variance is not needed, mentioned in his memorandum, and at the hearing, that the property owner agreed in his MOU with SBNA to provide an approved parking plan. The Board was not provided a copy of the aforementioned approved parking plan. Appellant presented no details to the Board regarding this approved parking plan nor did the Appellant present a valet parking agreement or parking lot lease. Thus, as far as the Board is concerned, Appellant still needs a 100% parking variance. Pursuant to ZC §15-208(b) the Board does not have the authority to grant 100% parking variances and Appellant's requests for such is hereby DENIED.

C. Outdoor Seating

Appellant's plan proposes to have outdoor seating in an open courtyard. Outdoor table service as accessory to a tavern use is not listed as a permitted, accessory or conditional use in the B-2-3 zoning district. ZC §§6-306-308. Pursuant to ZC §3-106, any use that is not expressly allowed in a district is prohibited. Appellant contends that the courtyard seating is not accessory, but part of the principal use. More importantly, Appellant avers that the courtyard seating is contained in an enclosed structure, as such; the outdoor table service conditional use exception to enclosed structures is not applicable in this case. ZC §1-139 defines enclosed structures as a "structure that is separated on all sides from the adjoining yards or other open space, or from other structures, by exterior walls or approved party walls pierced only by normal windows and doors." Businesses must be located in an enclosed structure. ZC §6-305(c)(1). Outdoor table service is an exception to the enclosure requirement for businesses. ZC 6-305(c)(2)(ii). Appellant argues that since an enclosed structure does not require a roof, the open courtyard is enclosed and therefore does not trigger the need for outdoor table service conditional use exception.

The Board is not persuaded by Appellant's argument. The Zoning Administrator has never viewed a structure without a roof as being enclosed. If the Board were to find, as argued by the Appellant, that an enclosed structure only required four walls to enclose it, and not a ceiling or roof, any business could propose to house themselves within four walls and without a ceiling and thereby expose the surrounding communities to unrestrained noise and other intrusive effects (odors, etc.) which would escape without the presence of a ceiling or roof to confine them. Indeed, it is likely that other taverns (which cannot offer outdoor table service) around the City, and possibly within this community, would seek to follow Appellant's model and operate without a roof, thereby circumventing the prohibition against taverns with outdoor table service. It is not rational to conclude that was intended by the Mayor and City Council in enacting the Zoning Code. Considering the fact that the courtyard is exposed to the elements; the fact that the MOU with SBNA states the "outdoor portion of the facility will close" at specific hours suggesting it is an accessory use not primary; that the tables in the courtyard is referred to as "exterior tables"; and most importantly the fact that the Zoning Administrator and the Board have never considered having four walls without a roof an enclosed structure, the Board finds that the open courtyard is not enclosed per the meaning and intent of the zoning code. Outdoor table service as accessory to a tavern use is not listed as a permitted, accessory or conditional use in the B-2-3 district, therefore Appellant's request for such is DENIED.

CONCLUSION

For the reasons set forth above, and after giving public notice, reviewing the zoning records, holding a public hearing, considering all data and testimony submitted, it is by the authority of Ordinance No. 1051, approved April 21, 1971, known as the Zoning Code of Baltimore City, that on this 4th day of April, 2014, that Appeal No. 2013-391, an application to consolidate 12/14 East Cross Street, 16 East Cross Street and 18 East Cross Street; to change the use of 16 East Cross Street and 18 East Cross Street to a tavern; to raze 14-18 East Cross street but retain the front walls; to raze the rear portion of 12/ 14 East Cross Street; and to construct a two story rear addition with open courtyard is hereby:

DENIED by the Board of Municipal and Zoning Appeals.

DO NOT START WORK OR USE THE PROPERTY IF THIS APPLICATION IS APPROVED UNTIL YOU OBTAIN A BUILDING PERMIT OR USE AND OCCUPANCY PERMIT FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN ONE YEAR OF THE HEARING DATE



David C. Tanner
Executive Director
Board of Municipal & Zoning Appeals

