

Introduced by: Councilmember Clarke *Ryan Dorsey, Cohen, Stokes*

At the request of: Daniel Wells

Address: c/o Noah Matten, 305 North Street, Easton, Maryland 21601

Telephone: 1-410-443-8702

Prepared by: Department of Legislative Reference

Date: January 17, 2017

Referred to: LAND USE AND TRANSPORTATION Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL *17-0016*

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of 1 Dwelling Unit to
1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District –
2823 Huntingdon Avenue**

FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning
Section(s) 3-305(b) and 14-102
Baltimore City Revised Code
(Edition 2000)

Margaret

Ryan Dorsey

Robert Stokes

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

Baltimore City Public School System

Baltimore Development Corporation

City Solicitor

Comptroller's Office

Department of Audits

Department of Finance

Department of General Services

Department of Housing and Community Development

Department of Human Resources

Department of Planning

Other: _____

Other: _____

Other: _____

Department of Public Works

Department of Real Estate

Department of Recreation and Parks

Department of Transportation

Fire Department

Health Department

Mayor's Office of Employment Development

Mayor's Office of Human Services

Mayor's Office of Information Technology

Office of the Mayor

Police Department

Other: _____

Other: _____

Boards and Commissions

Board of Estimates

Board of Ethics

Board of Municipal and Zoning Appeals

Comm. for Historical and Architectural Preservation

Commission on Sustainability

Employees' Retirement System

Other: _____

Other: _____

Other: _____

Environmental Control Board

Fire & Police Employees' Retirement System

Labor Commissioner

Parking Authority Board

Planning Commission

Wage Commission

Other: _____

Other: _____

Other: _____

CITY OF BALTIMORE
ORDINANCE 17-018
Council Bill 17-0016

Introduced by: Councilmembers Clarke, Dorsey, Cohen, Stokes
At the request of: Daniel Wells
Address: c/o Noah Matten, 305 North Street, Easton, Maryland 21601
Telephone: 1-410-443-8702

Introduced and read first time: January 23, 2017
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: May 8, 2017

AN ORDINANCE CONCERNING

1 Zoning – Conditional Use Conversion of 1 Dwelling Unit to
2 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District –
3 2823 Huntingdon Avenue

4 FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to
5 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property
6 known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

7 BY authority of
8 Article - Zoning
9 Section(s) 3-305(b) and 14-102
10 Baltimore City Revised Code
11 (Edition 2000)

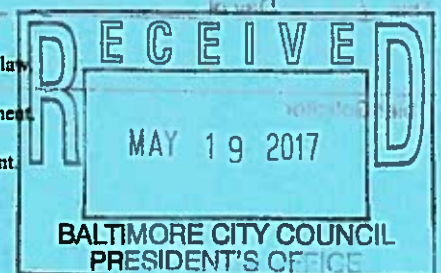
12 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That
13 permission is granted for the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency
14 dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as
15 outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City
16 Zoning Code §§ 3-305(b) and 14-102, subject to the condition that the following conditions:

17 1. The adoption of this Ordinance is conditioned on the continued maintenance of the 2
18 required parking spaces.

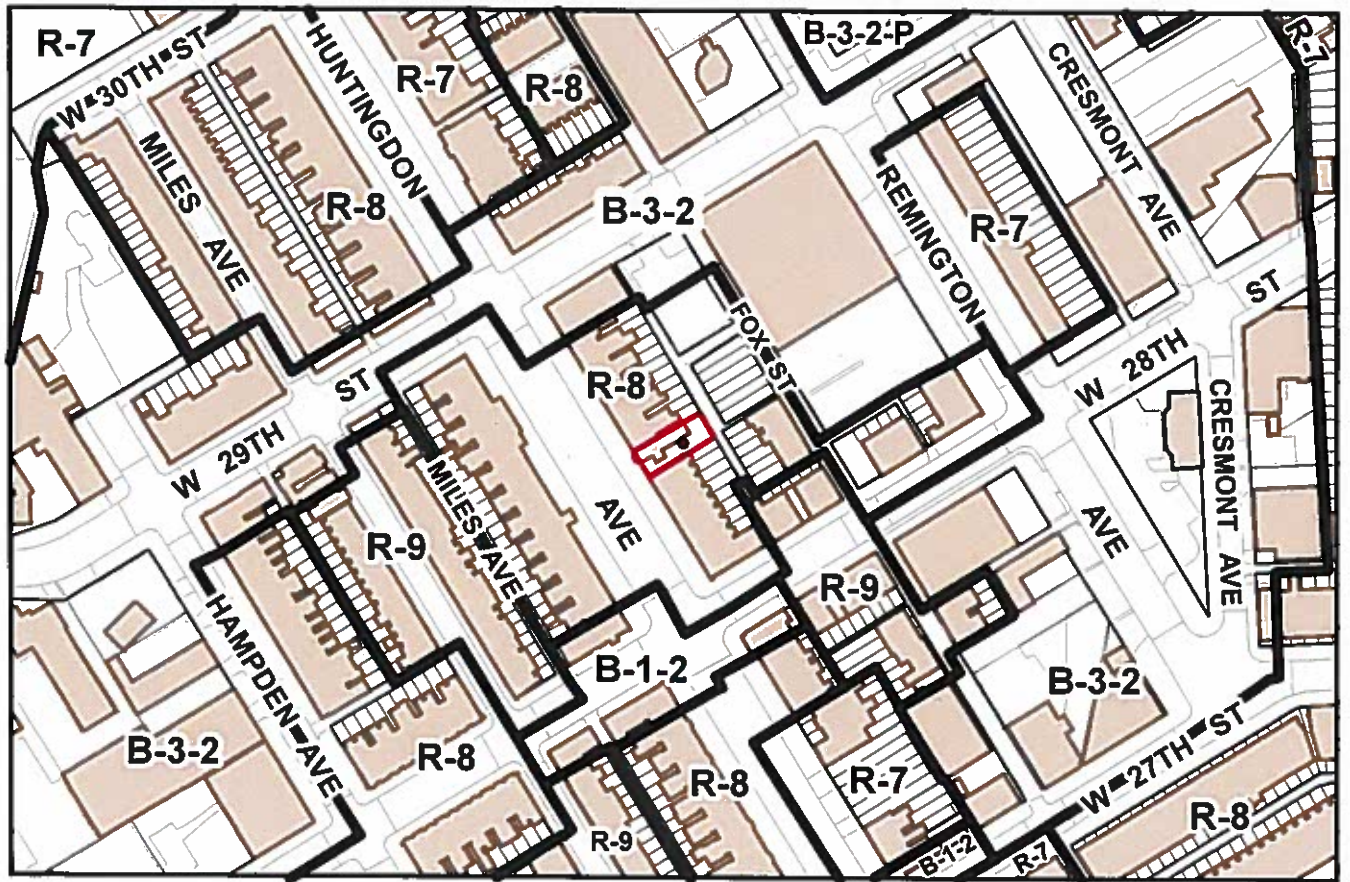
19 2. The building complies must comply with all applicable federal, state, and local
20 licensing and certification requirements.

21 SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the
22 accompanying plat and in order to give notice to the agencies that administer the City Zoning
23 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
24 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;

EXPLANATION: CAPITALS indicate matter added to existing law
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment
~~Strike-out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment



**SHEET NO. 35 OF THE ZONING DISTRICT MAP OF
THE BALTIMORE CITY ZONING CODE**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With The Property Known As No. 2823 HUNTINGDON AVENUE. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A One Family Dwelling Unit To A One Family Dwelling Unit And An Efficiency Dwelling Unit In The R-8 Zoning District, As Outlined In Red Above.

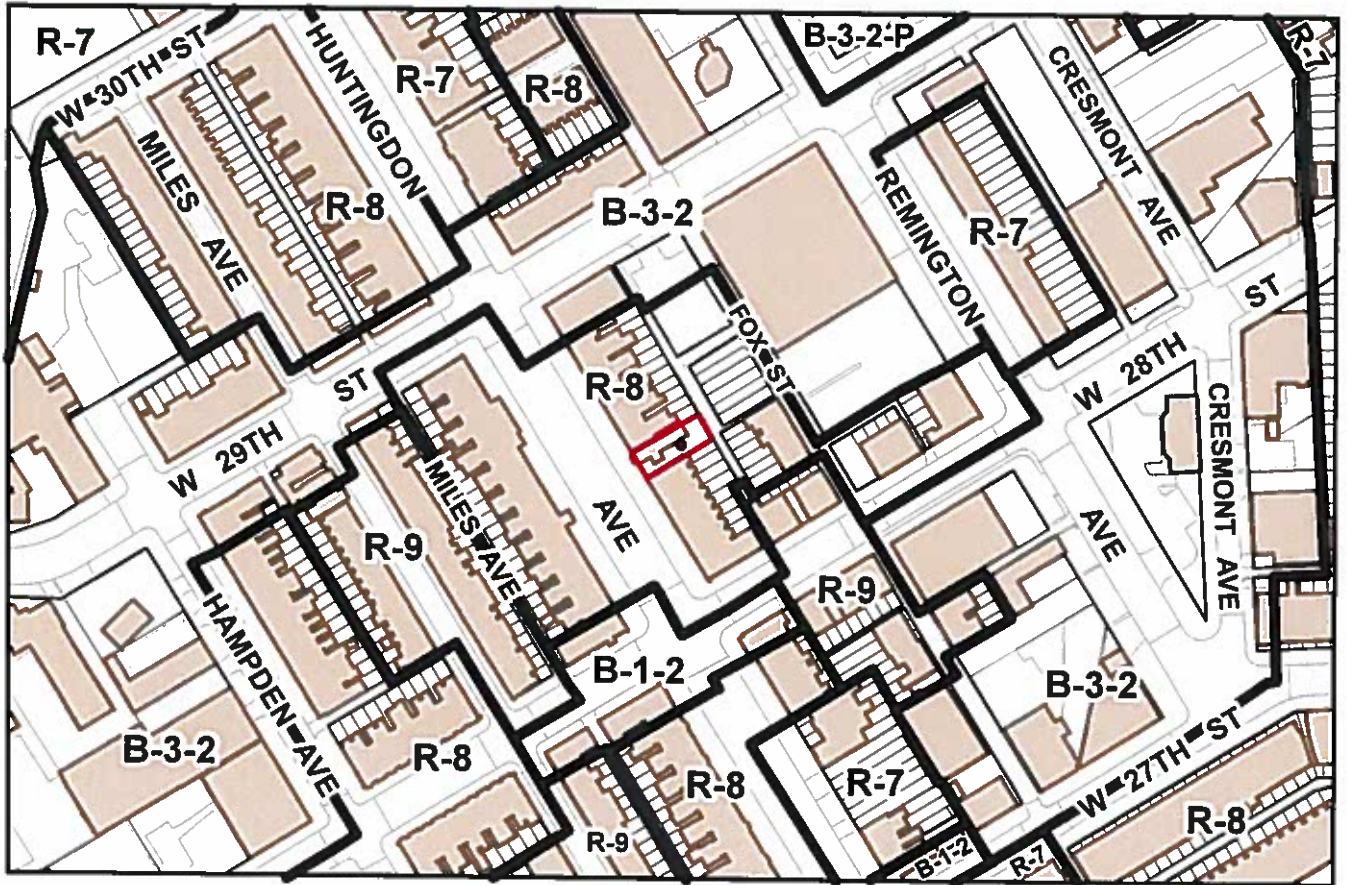
WARD 12 SECTION 2
BLOCK 3651 LOT 11

Catherine E. Pfl
MAYOR

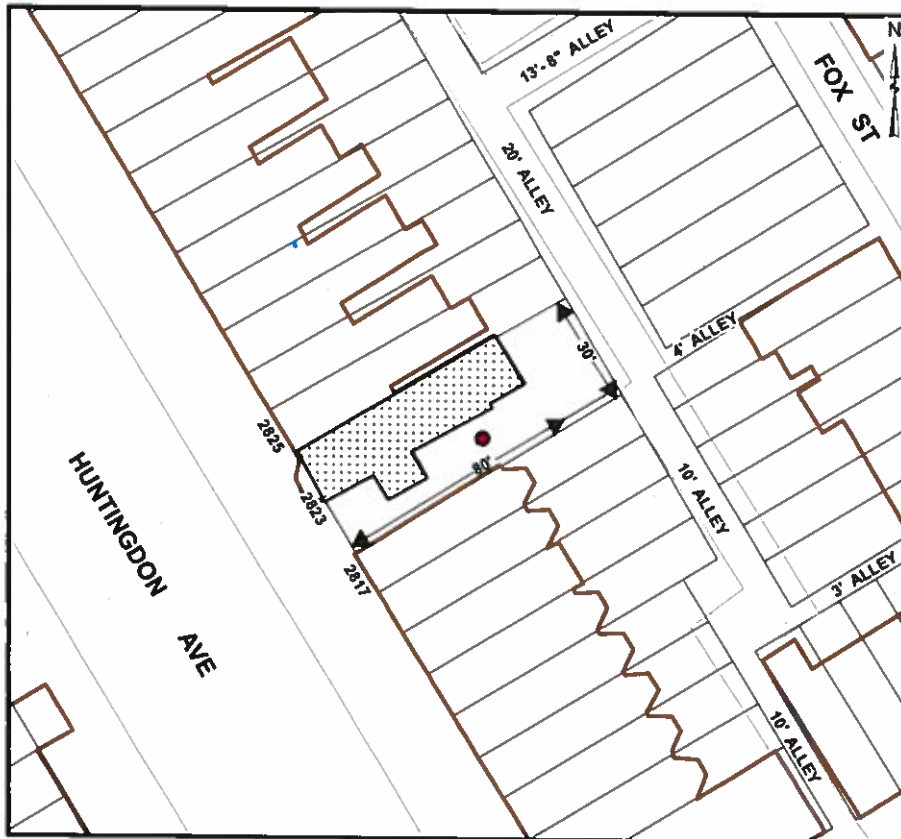
Paul J. Jones
PRESIDENT CITY COUNCIL

016

**SHEET NO. 35 OF THE ZONING DISTRICT MAP OF
THE BALTIMORE CITY ZONING CODE**



Scale: 1" = 200'



Scale: 1" = 50'

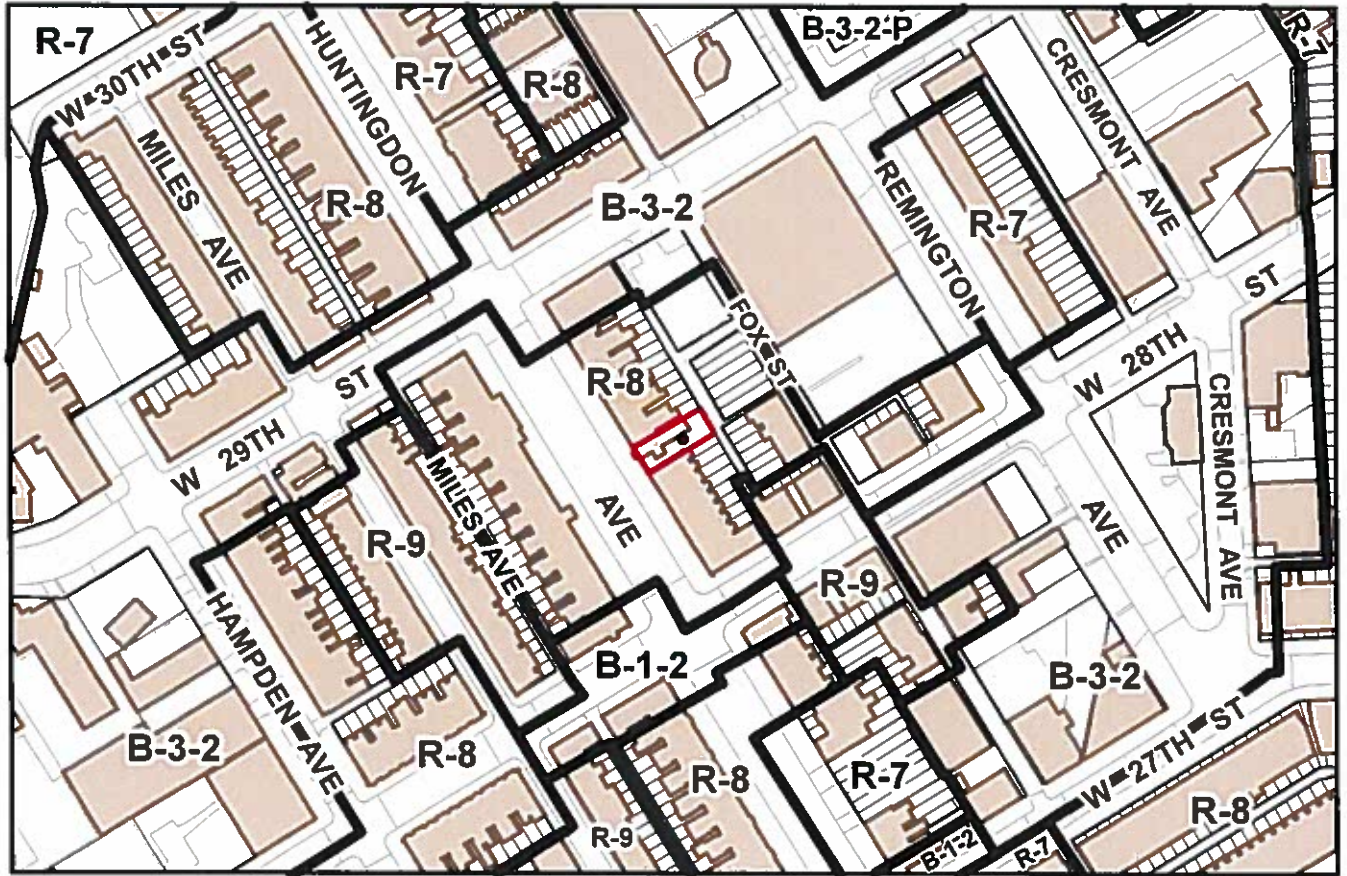
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WARD 12 SECTION 2
BLOCK 3651 LOT 11

Cathryn P...
MAYOR
Robert J. ...
PRESIDENT CITY COUNCIL

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THE BALTIMORE CITY ZONING CODE**



Scale: 1" = 200'



Scale: 1" = 50'

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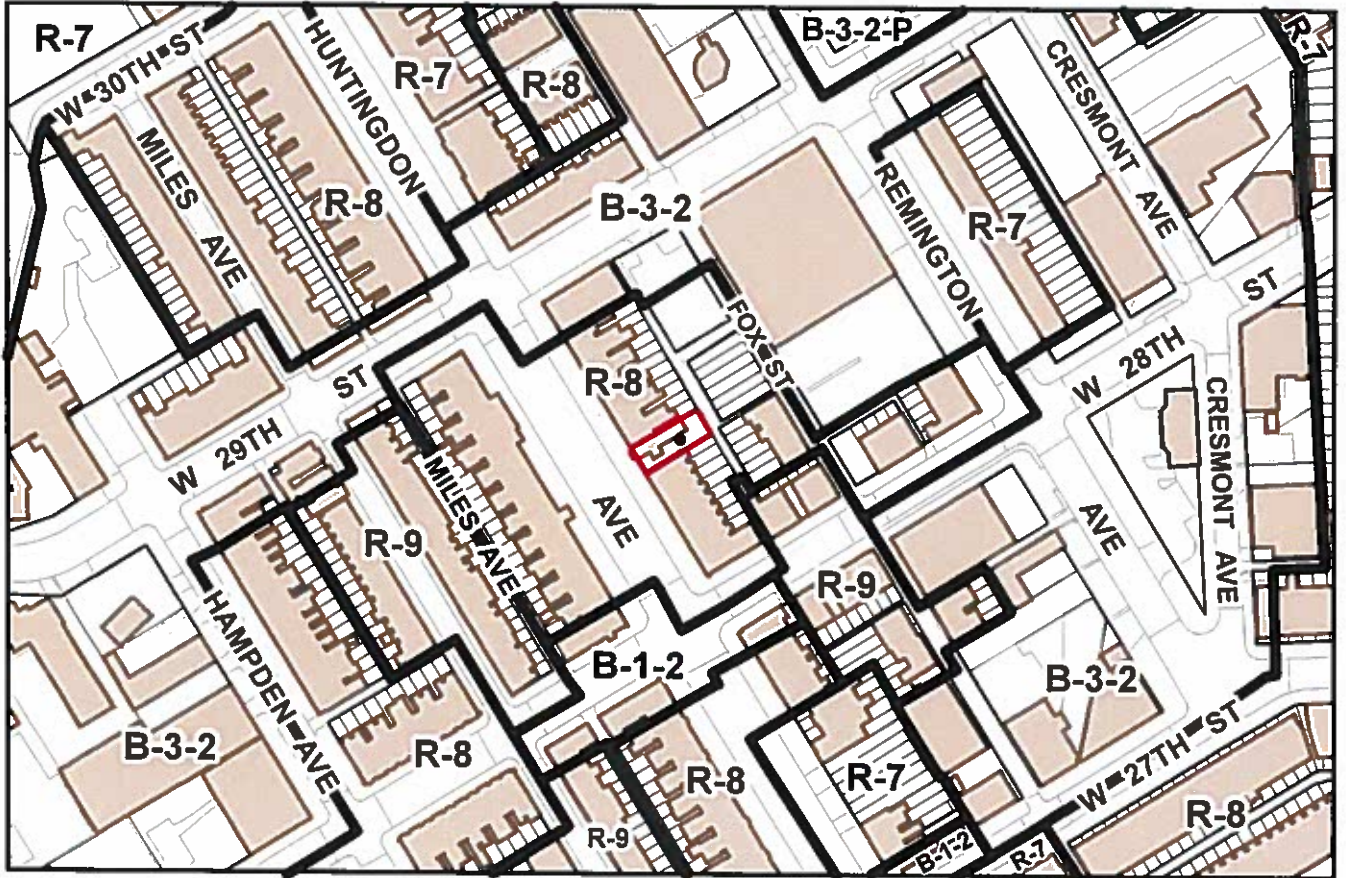
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BLOCK 3651 LOT 11

Cathy PFA
MAYOR

Paul DeLoach
PRESIDENT CITY COUNCIL

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THE BALTIMORE CITY ZONING CODE**



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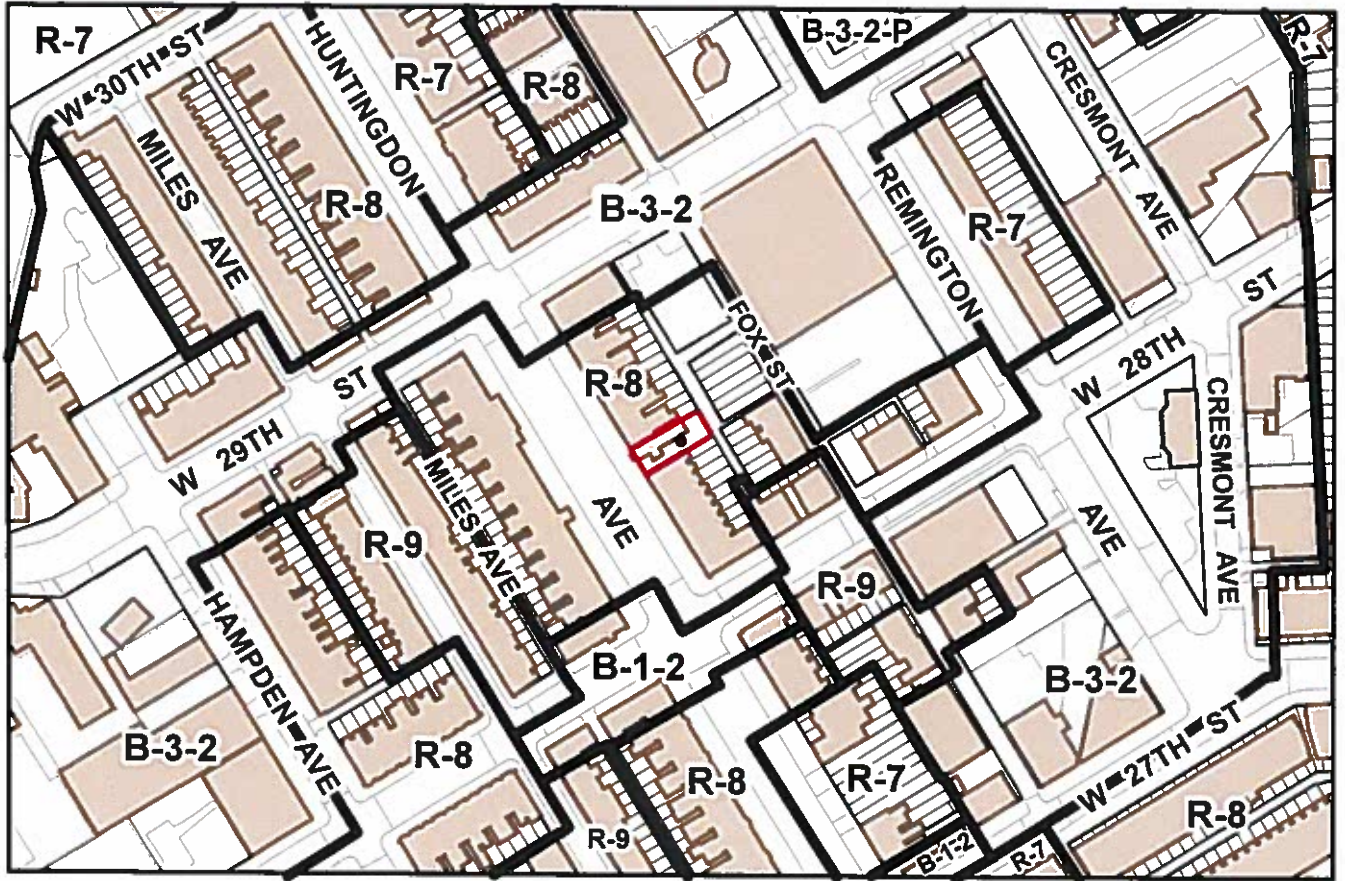
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WARD 12 SECTION 2
BLOCK 3651 LOT 11

Cathy [Signature]
MAYOR

Paul [Signature]
PRESIDENT CITY COUNCIL

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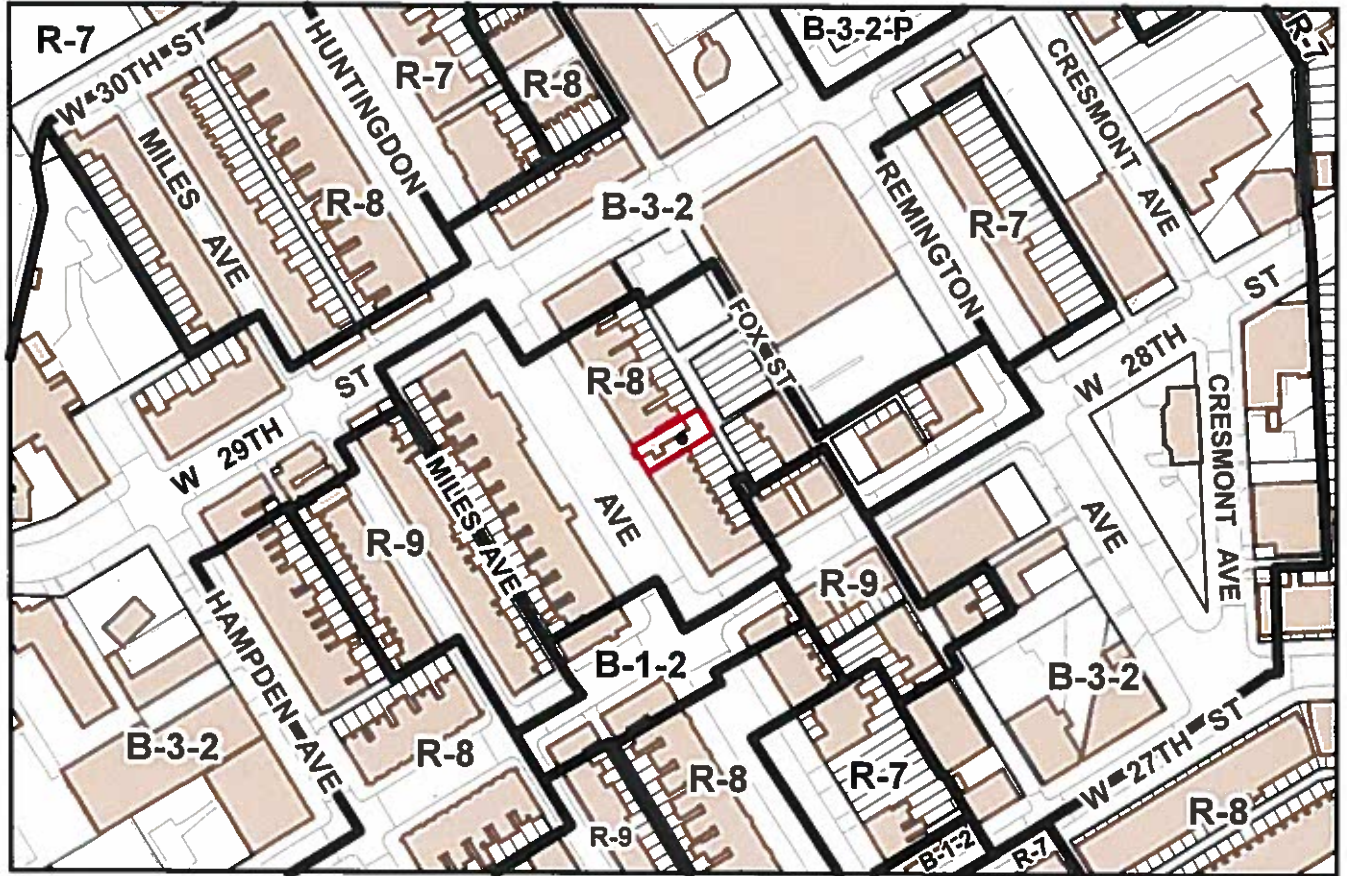
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WARD 12 SECTION 2
BLOCK 3651 LOT 11

Catharine P. [Signature]
MAYOR

[Signature]
PRESIDENT CITY COUNCIL

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THE BALTIMORE CITY ZONING CODE**



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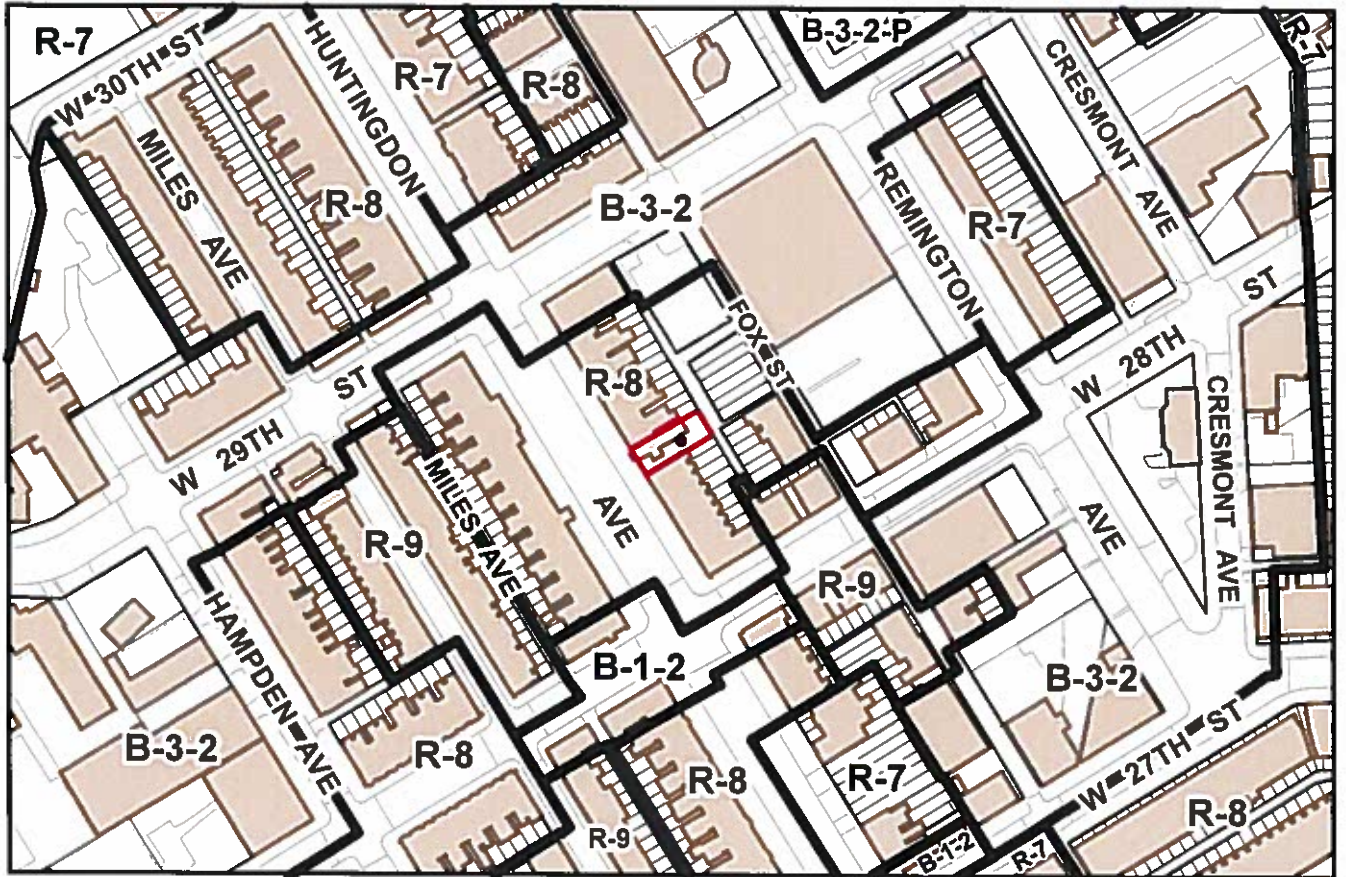
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BLOCK 3651 LOT 11

Cath Epp
MAYOR

Paul Delaney
PRESIDENT CITY COUNCIL

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THE BALTIMORE CITY ZONING CODE**



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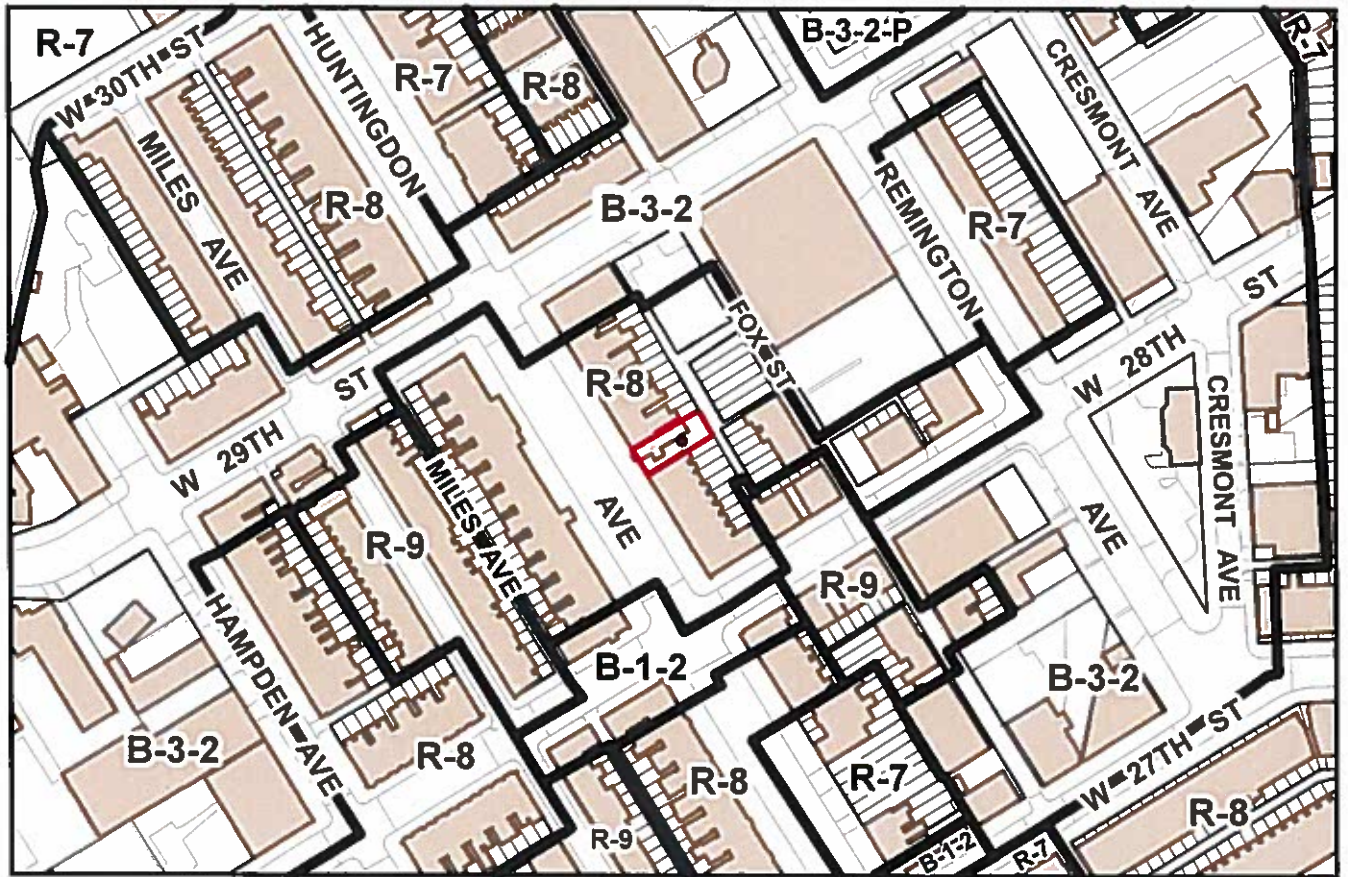
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BLOCK 3651 LOT 11

Cathy [Signature]
MAYOR

David [Signature]
PRESIDENT CITY COUNCIL

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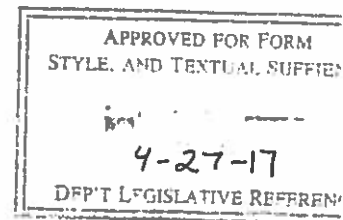
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WARD 12 SECTION 2
BLOCK 3651 LOT 11

Catherine [Signature]
MAYOR

Paul [Signature]
PRESIDENT CITY COUNCIL



AMENDMENTS TO COUNCIL BILL 17-0016
(1st Reader Copy)

By: Land Use and Transportation Committee

Amendment No. 1

On page 1, in line 17, strike “condition that the” and substitute “following conditions”:

1. The adoption of this Ordinance is conditioned on the continued maintenance of the 2 required parking spaces.
2. The”;

and, on page 1, in line 17, strike “complies” and substitute “must comply”.

ADOPTED



[Faint, illegible text or markings in the center of the page.]

BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION COMMITTEE VOTING RECORD

DATE: April 26, 2017

BILL NUMBER: 17-0016

BILL TITLE: ZONING - CONDITIONAL USE CONVERSION - OF 1 DWELLING UNIT TO 1 DWELLING UNIT AND 1 EFFICIENY DWELLING UNIT IN THE R-8 ZONING DISTRICT - 2823 HUNTINGDON AVENUE

MOTION BY: Clout SECONDED BY: M. Coble

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward - Chairman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon - Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>6</u>	<u>1</u>	<u>1</u>	<u> </u>

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Marshall C. Bell Initials:

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A CONDITIONAL USE FOR:

City Council Bill No. 17-0016

Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

According to the Baltimore City Zoning Code, agency reports and public testimony a conditional use is being granted under:

Title 14-204

ADOPTED

Upon finding that:

- (1) the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
- (2) the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization is not otherwise in any way contrary to the public interest; and
- (4) the authorization is in harmony with the purpose and intent of this article

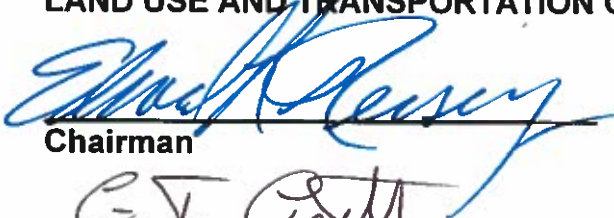
Title 14-205

After consideration of:

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;
- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
- (5) accessibility of the premises for fire and police protection;
- (6) accessibility of light and air to the premises and to the property in the vicinity;
- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;
- (8) the preservation of cultural and historic landmarks;
- (9) the provisions of the City Master Plan;
- (10) the provisions of any applicable Urban Renewal Plan;
- (11) all applicable standards and requirements of this article;
- (12) any other matters considered to be in the interest of the general welfare.

LAND USE AND TRANSPORTATION COMMITTEE:



Chairman



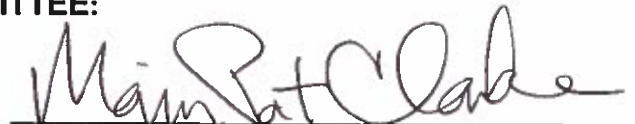
Member



Member



Member



Member



Member

Member

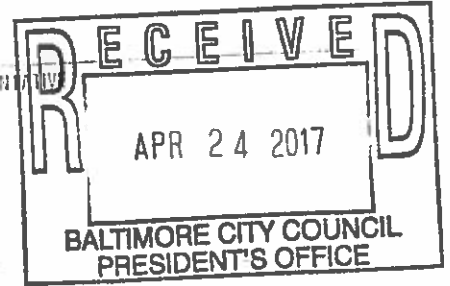
Member

Certificate of Posting

Baltimore, MD April 24, 2007

hereby certify that the sign relating to City Council Bill 16, introduced on January 25, 2007 to
was posted on the premises in question from 1/31/07 - 3/15/07, 2007 in accordance with the above instructions.

SIGNATURE OF PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE



"NOTICE OF INTRODUCTION" SIGN - POSTING REQUIRED
 (For Conditional Use, Planned Unit Development and Rezoning Ordinances)

Each applicant requesting authorization of the City Council for a conditional use, a change in the zoning classification of property, or a planned unit development is required to post in a conspicuous place on the property a sign giving notice of the requested authorization or zoning classification change. The property must be posted for at least 30 days regarding one week after the bill is introduced in the City Council. Signs are provided by the Department of Legislative Reference (396-4730) for a \$20.00 fee.

"NOTICE OF INTRODUCTION" SIGN

ZONING NOTICE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT CITY COUNCIL BILL NO. 17-0016 HAS BEEN INTRODUCED INTO THE CITY COUNCIL OF BALTIMORE.

THE PROPERTY KNOWN AS: 2823 Huntington Avenue

IS PROPOSED TO BE

REZONED FROM:

CONDITIONAL USE AS: conversion - 1 unit to 1 unit and an efficiency in the R-8 district

PLANNED UNIT DEVELOPMENT:

OTHER:

BY AUTHORITY OF ARTICLE 30 - ZONING, BALTIMORE CITY CODE

The "Notice of Introduction" sign must be posted on the property as follows:

1. The sign must be posted in a conspicuous manner on the front side of the property, not over ten feet above the ground level, and where it will be clearly visible and legible to the public.
2. The sign must be posted not later than one week after introduction of the bill and must remain posted for 30 days thereafter.
3. The sign must be maintained in good condition the entire time it is posted. Where proposed changes are to be at the rear of the property, the sign must nevertheless be posted on the front of the premises, unless otherwise directed.

FOR DEPARTMENT OF LEGISLATIVE REFERENCE

Property Owner :

Authorized Representative:

Address:

Bill No. 17-0016 Sign Picked Up By: 

Type of Change Requested by the Bill (check one):

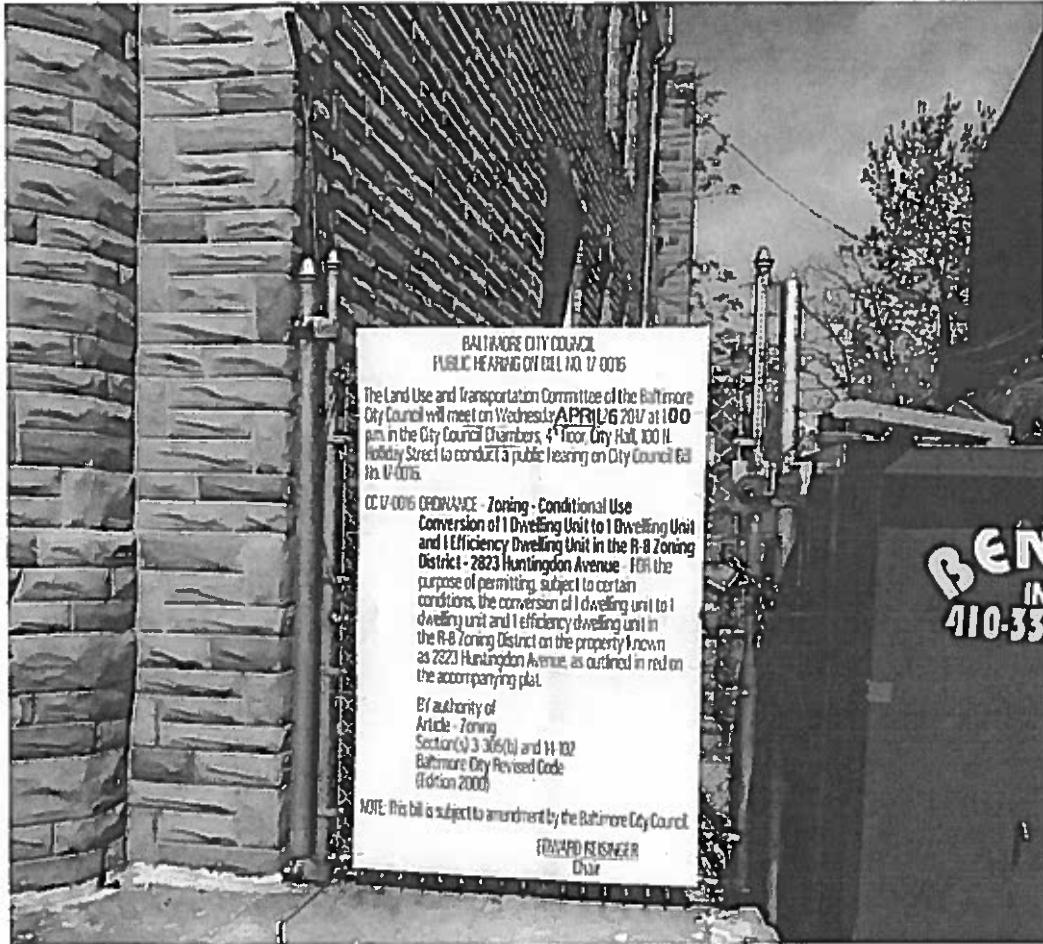
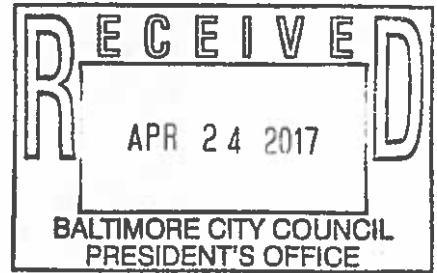
Conditional Use Rezoning Planned Unit Development

NOTES:

Prior to the public hearing on the bill, the Certificate of Posting at the bottom of this form must be dated, signed, and returned to: Baltimore City Council Office, Executive Secretary, Room 409 City Hall, 100 N. Holliday Street, Baltimore, Maryland 21202.

A second sign ("Notice of Hearing") will be required to be posted before the public hearing. Information about the "Notice of Hearing" sign can be obtained from the Executive Secretary of the Baltimore City Council (396-4800.)

Certificate of Posting
Baltimore City Council Hearing Notice
City Council Bill No. 17-0016



2823 Huntingdon Ave., Baltimore, Md, 21211

Posted 4/9/17

Noah Matten

305 North Street, Baltimore, Md, 21601

410-443-8702

RECEIVED
APR 2 1954
BALTIMORE
FEDERAL BUREAU OF INVESTIGATION

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

4/11/2017

Order #: 11319577

Case #:

Description:

PUBLIC HEARING - CC 17-0016 ORDINANCE - Zoning - Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District - 2823 Huntingdon Avenue on Wednesday, April 26, 2017 at 1:00 p.m.

Darlene Miller, Public Notice Coordinator
(Representative Signature)

BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 17-0016

The Land Use and Transportation Committee of the Baltimore City Council will meet on **Wednesday, April 26, 2017 at 1:00 p.m.** in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 17-0016.

CC 17-0016 ORDINANCE - Zoning - Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District - 2823 Huntingdon Avenue

FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning

Section(s) 3-305(b) and 14-102

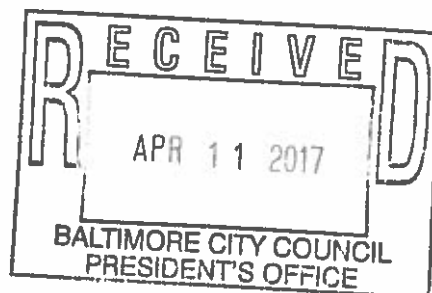
Baltimore City Revised Code

(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER
Chair

ap11



TO: Daniel Wells, c/o Noah Matten
FROM: Natawna B. Austin, Executive Secretary, Baltimore City Council
DATE: April 3, 2017
RE: INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR ZONING -
CONDITIONAL USE

The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

Bill: City Council Bill No. 17-0016
Date: Wednesday, April 26, 2017
Time: 1:00 p.m.
Place: City Council Chambers, 4th floor of City Hall, 100 N. Holliday Street.

At the expense of the applicant, notice of this public hearing:

- 1) must be posted by sign on the property involved, 15 days prior to date of hearing. The sign is to be not less than 4 feet long and 3 feet wide with black lettering 2 inches high on a white back-ground. The sign is to be placed in a conspicuous manner not over 10 feet above the ground; and
- 2) must be published in one (1) newspaper of general circulation, 15 days prior to the date of the hearing.

Newspaper Advertisement

You may choose any of the following newspapers for advertising purposes: The Daily Record, Baltimore Sun, or Afro-American.

Wording for Sign and Newspaper Advertisement

The information that must be advertised and posted appears between the double lines on the attached page; the deadline date is indicated at the top of the page.

Certification of Postings

Certification of the sign posting on the property and publication of the newspaper advertisements, in duplicate, must be sent to the Executive Secretary, four (4) days prior to the hearing.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE ADVERTISED IN A NEWSPAPER AND A SIGN MUST BE POSTED ON THE PROPERTY **BY TUESDAY, APRIL 11, 2017**, AS OUTLINED ON THE PREVIOUS PAGE.

BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0016

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 26, 2017 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 17-0016.

CC 17-0016 ORDINANCE - **Zoning - Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District - 2823 Huntingdon Avenue** - FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 3-305(b) and 14-102
Baltimore City Revised Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER

Chair

SEND CERTIFICATION OF PUBLICATION TO:

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202

SEND BILL FOR THIS ADVERTISEMENT TO:

Daniel Wells, c/o Noah Matten
305 North Street
Easton, MD, 21601
410-443-8702

TO: Daniel Wells, c/o Noah Matten
FROM: Natawna B. Austin, Executive Secretary, Baltimore City Council
DATE: February 28, 2017
RE: INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR ZONING -
CONDITIONAL USE

The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

Bill: City Council Bill No. 17-0016
Date: Wednesday, March 29, 2017
Time: 1:15 p.m.
Place: City Council Chambers, 4th floor of City Hall, 100 N. Holliday Street.

At the expense of the applicant, notice of this public hearing:

- 1) must be posted by sign on the property involved, 15 days prior to date of hearing. The sign is to be not less than 4 feet long and 3 feet wide with black lettering 2 inches high on a white back-ground. The sign is to be placed in a conspicuous manner not over 10 feet above the ground; and
- 2) must be published in one (1) newspaper of general circulation, 15 days prior to the date of the hearing.

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THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE ADVERTISED IN A NEWSPAPER AND A SIGN MUST BE POSTED ON THE PROPERTY **BY TUESDAY, MARCH 14, 2017**, AS OUTLINED ON THE PREVIOUS PAGE.

BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0016

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, March 29, 2017 at 1:15 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 17-0016.

CC 17-0016 ORDINANCE - Zoning - Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District - 2823 Huntingdon Avenue - FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

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(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER

Chair

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c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202

SEND BILL FOR THIS ADVERTISEMENT TO:

Daniel Wells, c/o Noah Matten
305 North Street
Easton, MD, 21601
410-443-8702

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

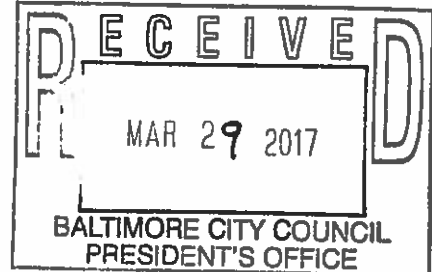


BOARD OF MUNICIPAL AND
ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

March 28, 2017

The Honorable President and
Members of the City Council
City Hall, Room 400
100 N. Holliday Street
Baltimore, MD 21202



On March 28, 2017, the Board of Municipal and Zoning Appeals considered Council Bill #17-0016, which is a request to convert the existing single-family dwelling to one dwelling unit and one efficiency unit in an R-8 zoning district at the real property address known as 2823 Huntingdon Avenue. In the Board's consideration of the aforementioned Bill, the Board reviewed the attached staff report which outlines the specificities relative to the required regulations and findings that the Board must determine in order to recommend approval of this Bill. As a result, the Board adopted the subsequent resolution, four members being present (four in favor):

RESOLVED, the Board of Municipal and Zoning Appeals finds, in accordance with the required considerations set forth under §§ 16-304 and 14-205 of the Zoning Code of Baltimore City, that the proposed use outlined in City Council Bill #17-0016: will not be detrimental to or endanger the public health, security, general welfare, or morals; is not in any way precluded by any other law, is not in any way contrary to the public interest; and is in harmony with the purpose and intent of this Article.

As a result, the Board of Municipal and Zoning Appeals recommends approval of Council Bill # 17-0016.

Sincerely,

David C. Tanner
Executive Director

DCT/rdh

F

**CC: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administrator
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Mr. Victor Tervalva, Law Department
Legislative Reference**



**BOARD OF MUNICIPAL AND ZONING APPEALS
STAFF REPORT**



ZONING DISTRICT: R-8
ADDRESS: 2823 Huntington Avenue, Baltimore, Maryland 21211
BLOCK/LOT: 3651/011
NEIGHBORHOOD: Remington
LOT AREA: 30' x 80' = 2,400 square feet

REQUEST: City Council Bill # 17-0016/ Zoning – Conditional Use Conversion of a single-family dwelling to 1 dwelling unit and 1 efficiency unit.

PETITIONERS: Councilmembers Clarke, Dorsey, Cohen, and Stokes, at the request of Daniel Wells

OWNER: Daniel Wells

CASE HISTORY: No legislative or BMZA actions have occurred relative to this site.

ANALYSIS

The proposal before the City Council is a conversion request to change the existing single-family dwelling to 1 dwelling unit and 1 efficiency unit. Under the provisions set forth under § 3-305(b)(2), the conversion of a 1- or 2-family dwelling to additional dwelling or efficiency units may be authorized only by a conditional-use ordinance and only as long as the number of dwelling and efficiency units to be allowed conforms with the applicable principal-permitted-use bulk regulations for the district in which the building is located. Therefore, the following bulk regulations have been analyzed to see if any variances would be required with this conditional use authorization request:

MIN. LOT AREA: Under § 4-1106, the minimum lot area requirement for a multiple-family dwelling is 500 square feet per efficiency unit and 750 square feet per dwelling unit. Since the property will have one of each, the total lot area required is 1,250 square feet. Since the property contains 2,400 square feet of lot area, no variance will be required for this request.

FAR: Under § 4-1108, the maximum floor area ratio for all principal conditional uses in an R-8 zoning district is 2.0. The floor area ratio that exists on the structure is 0.7, so no variance will be required for this request.

PARKING: One off-street parking space is required to serve the efficiency unit. The alley that is located behind the rear portion of the premises is 20 feet wide and meets the zoning code's requirements for accessibility. The rear yard measures approximately 20 feet deep and is 30 feet wide, so the rear yard could provide the requisite off-street parking. In addition, the property has an existing curb cut on Huntingdon Avenue with a 10 foot driveway. Therefore, no variance for parking should be required.

CONDITIONAL USE: In accordance with § 16-304, the BMZA must base their recommendations to the City Council on the required considerations set forth under Title 14 ("Conditional Uses").

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #17-0016 / Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

CITY of
BALTIMORE
MEMO



DATE:

March 24, 2017

TO
The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

At its regular meeting of March 23, 2017, the Planning Commission considered City Council Bill #17-0016, for the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #17-0016, and adopted the following resolution, seven members being present (seven in favor):

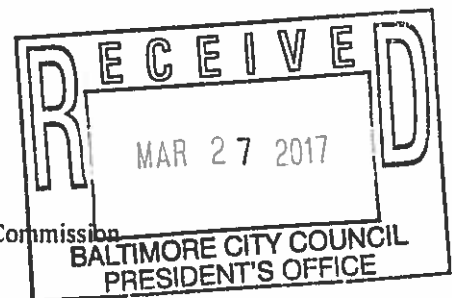
RESOLVED, That the Planning Commission finds, in accordance with subsections 16-304 and 14-204 of the Zoning Code of Baltimore City, that the proposed use provided in City Council bill 17-0016: will not be detrimental to or endanger the public health, security, general welfare, or morals; is not in any way precluded by any other law; is not in any way contrary to the public interest; and is in harmony with the purpose and intent of this Article; and further, the Planning Commission has heard the testimony of its staff that, with regard to the considerations contained in subsection 14-205 of the Zoning Code of Baltimore City, the proposed use would comply with those considerations, and agrees with staff findings that City Council bill 17-0016 should be recommended for approval.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Daniel Wells



F



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

March 23, 2017

REQUEST: City Council Bill # 17-0016 / Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

For the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmembers Clarke, Dorsey, Cohen, and Stokes, at the request of Daniel Wells

OWNER: Daniel Wells

SITE/GENERAL AREA

Site Conditions: 2823 Huntingdon Avenue is located on the northeast side of the street, approximately 125' north of the intersection with 28th Street. This property measures approximately 30' by 80' and is currently improved with a two-story semi-detached residential building measuring approximately 20' by 60'. This site is zoned R-8.

General Area: This is a predominantly residential area known as Remington, with scattered uses such as religious institutions and small commercial uses (the latter being concentrated on the west side of Remington, near to the Jones Falls). This property is approximately 100' southwest of the western side of the "R House" building in the Remington Row Planned Unit Development. Most of the area was originally developed in the mid-to-late 19th Century. The width of Huntingdon Avenue reflects its original design around the bed of the trolley line connecting Hampden to the north with the city center to the south.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

ANALYSIS

Project: This legislation would allow the petitioner to renovate the existing structure into one dwelling unit and one basement-level efficiency unit, providing new life for this original building. Adaptive re-use as a two-family semi-detached dwelling would allow preservation of part of Remington's traditional architectural fabric while offering a more affordable housing alternative to persons who wish to live in an area convenient to downtown Baltimore.

Zoning Analysis: This property was formerly authorized for use as a social club. This bill would encourage re-use of a structure consistent with its current zoning.

- The Zoning Code requires, for a property in the R-8 District, 750 square feet of lot area per dwelling unit and 500 square feet of lot area per efficiency unit (BCZC §4-1106.a.). A lot area of 1,250 square feet is thus required for the proposed use. This lot has 2,400 square feet, so a lot area variance is not needed to reduce this requirement.
- An interior side yard of 10' is required for an end-of-group residence (BCZC §4-1107.a.). The property has this interior side yard, and no encroachment upon it is proposed by the petitioner.
- A rear yard setback of 20' is required (BCZC §4-1107.a., as reduced according to BCZC §3-208). The property has a 20' deep rear yard suitable for off-street parking, and no encroachment upon this setback is proposed by the petitioner.
- The maximum floor area ratio (FAR) in this zoning district is 2.0 (BCZC §4-1108.a.). This premises has a FAR of 0.7, so a variance of that requirement is not needed.
- One off-street parking space is required to serve the newly-created dwelling unit. The alley is 20' wide in the rear of this property and meets the Zoning Code requirement for accessibility. The rear yard measures approximately 20' deep by 30' wide, and so could provide at least one off-street parking space. An existing curb cut on Huntingdon Avenue also provides access to a 10' wide driveway that leads to the rear yard. A variance for off-street parking is therefore not required.

Conditional Use – Required findings: In accordance with §16-304 of the Zoning Code of Baltimore City, the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 14 {"Conditional Uses"} of the Zoning Code:

1. the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
2. the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization is not otherwise in any way contrary to the public interest; and the authorization is in harmony with the purpose and intent of this article (§14-204).

In addition, the Zoning Code requires review of these considerations, as appropriate:

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- there will be no negative impact to traffic patterns in the immediate area;
- development of the proposed use will not impair the present and future development of this lot or the surrounding area;
- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to fire and police protection;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access, drainage, and other necessary facilities have been or will be provided; and
- the use of the property as one dwelling unit and one efficiency dwelling unit meets all other applicable standards and requirements of this article (§ 14-205).

The proposed use as a 2-family dwelling (one dwelling unit and one efficiency unit) would be consistent with residential use in the area; would not be detrimental to or endanger public health, security, general welfare, or morals; and would allow constructive re-use of a vacant structure that has been a blighting influence on the community. The site is adequate for the proposed use, would not create a negative impact on traffic patterns in the immediate area, nor impair present or future development of the surrounding area, nor have a negative impact on other dwellings, churches, schools, public structures, or other places of public gathering. The site has adequate fire and police protection, adequate air and light, adequate utilities, access, drainage, and other facilities; and use as two dwelling units meets all other applicable standards of the Zoning Code.

Notification: The following community organizations have been notified of this action: Greater Remington Improvement Association and Remington Neighborhood Alliance.



Thomas J. Stosur
Director

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

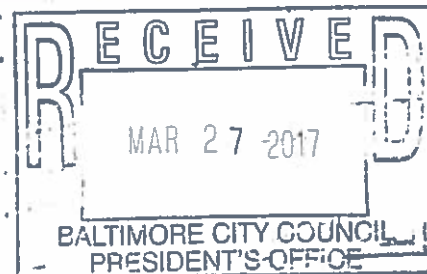


DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

March 24, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202



Re: City Council Bill 17-0016 – Zoning – Conditional Use Conversion of 1 Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0016 for form and legal sufficiency. The bill permits the conversion of 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue. Conversions are permitted in an R-8 Zoning District only by ordinance. Zoning Code of Baltimore City (“ZC”), § 3-305(b)(2).

The Law Department notes that for this conversion the Zoning Code requires the following standards to be met:

- a minimum lot area coverage of 1,250 square feet (ZC, § 4-1106(a));
- an interior side yard of at least 10 feet (ZC, § 4-1107);
- a rear yard setback of 25 feet, which may be reduced by 20% given the size of the depth of the rear yard (ZC, §§ 4-1107(a) & 3-208);
- a maximum floor area ratio of 2.0 (ZC, § 4-1108(a)); and
- at least 2 off-street parking space unless, as in this case, the pre-1971 parking requirements apply, which reduces the requirement to 1 parking space (ZC, § 10-404).

According to the Planning Department’s Report filed for this bill (“Report”), the property meets or exceeds all but the last of the above zoning code requirements. Report, page 2. The Report, however, does not clearly establish that at least one off-street parking space currently exists. The facts regarding this matter must be established before this bill can be approved. If a parking space has yet to exist, the bill should be amended to state that no occupancy permit may be

Fav w/ Amend

granted until the property owner provides proof that the a parking space is available for use of a resident of 2823 Huntingdon Avenue. The attached amendment can serve that purpose.

The Law Department points out that, if this bill is to be adopted, findings of fact are required in a quasi-judicial proceeding such as granting a conditional use. *Montgomery County v. Woodward & Lothrop, Inc.*, 280 Md. 686, 713 (1977). To this end, the Zoning Code requires the Planning Commission ("Commission") and the Board of Municipal Zoning Appeals ("Board") to report their findings of facts and considerations to the City Council in regard to a bill authorizing a conditional use. ZC § 16-302. The Zoning Code directs both entities to base their recommendations on considerations outlined in Title 14 of the Zoning Code. ZC § 16-304. Title 14 outlines the elements the Board must consider in regard to a proposed conditional use as well the type of facts it must find before it can approve a conditional use. *See* ZC §§ 14-204 & 14-205. Title 14 does not address the duties of the Commission, but since the Zoning Code directs the Commission to make findings of fact and considerations with respect to those stated in Title 14, the Law Department concludes that the required considerations and findings of fact applicable to the Board apply to the Commission.

We note further that, pursuant to the City Zoning Code, a bill concerning a conditional use is classified as a "legislative authorization." ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill's passage. Specifically, certain notice requirements apply to the introduction of the bill. *See* ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. *See* ZC §§ 16-301, 16-302 & 16-304. Additional public notice and hearing requirements also apply to the bill. *See* ZC § 16-402. Finally, certain limitations on the City Council's ability to amend the bill apply. *See* ZC § 16-403.

Aside from the parking issue discussed above, the Law Department is prepared to approve the bill for form and legal sufficiency if all the procedural requirements are met and substantiated before the City Council. If the facts suggest that the parking requirement has yet to be fulfilled, the bill must be amended to require one. The suggested amendment is attached.

Sincerely,



Victor K. Tervala
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor

AMENDMENTS TO COUNCIL BILL 17-0016
(1st Reader Copy)


By: Law Department
{To be offered to the Land Use and Transportation Committee}

Amendment No. 1

On page 1, in line 17, strike “condition that the” and substitute “following conditions:”

1. No use or occupancy permit may be issued by the Department of Housing and Community Development until the property owner provides proof that a parking space is available for use by a resident of 2823 Huntingdon Avenue.
2. The”;

and, in line 17, strike “complies” and substitute “must comply”.

F R O M	NAME & TITLE	Frank J. Murphy, Acting Director	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527		
	SUBJECT	City Council Bill 17-0016		

March 22, 2017

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

I am herein reporting on City Council Bill 17-0016 for the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue.

The rezoning is successful is anticipated to have a minimal impact on traffic or parking.

The Department of Transportation (DOT) has no objection to this bill and defers to Planning for the appropriate zoning for this property.

Thank you for this opportunity to comment.

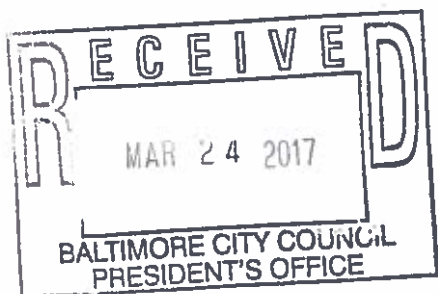
Respectfully,



Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office



No obj/actors to plann. 12



**BALTIMORE
HOUSING**

CATHERINE PUGH
Mayor

MICHAEL BRAVERMAN
Acting Executive Director, HABC
Acting Commissioner, HCD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Acting Commissioner *MEB*

Date: March 8, 2017

Re: **City Council Bill 17-0016 - Zoning - Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District - 2823 Huntingdon Avenue**

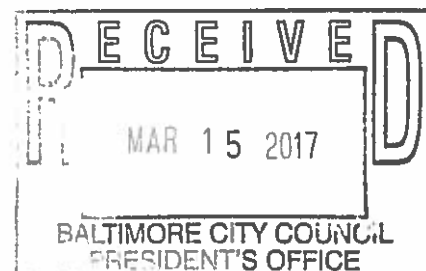
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0016 for of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue.

If enacted, this bill would allow the conversion of a one dwelling unit property in the Remington neighborhood.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0016.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: February 24, 2017
RE: Council Bill 17-0016

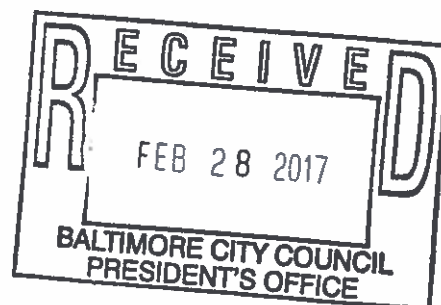


I am herein reporting on City Council Bill 17-0016 introduced by Councilmembers Clarke, Dorsey, Cohen, and Stokes at the request of Daniel Wells.

The purpose of this bill is for permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue.

The Parking Authority of Baltimore City reviewed the proposed legislation. The legislation does not explicitly address parking; therefore, the parking requirements will be based on those of the underlying district and prescribed by the Zoning Code. This site is not located on a block where the Parking Authority administers any on-street parking programs. As building plans and uses become more defined, the Parking Authority will be involved through Site Plan Review and Planning Commission hearings to ensure that parking demand is adequately addressed and negative effects to parking as a result of development on this site are mitigated.

Based on the comments above, the Parking Authority of Baltimore City does not oppose - the passage of City Council Bill 17-0016.




*Not
opposed*



MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO 

DATE: February 14, 2017

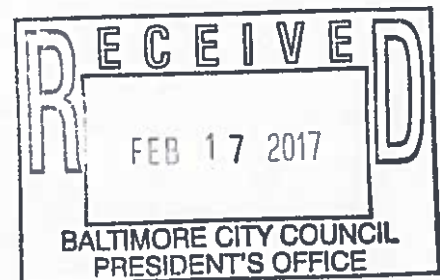
SUBJECT: City Council Bill No. 17-0016
Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and
1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue


The Baltimore Development Corporation (BDC) has been asked to comment on Council Bill 17-0016, a Zoning-Conditional Use Conversion of 1 Dwelling Unit to a 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District-2823 Huntingdon Avenue.


The proposed conditional use is necessary to allow for the additional dwelling unit in the R-8 Zoning District. BDC has no objection to the proposed City Council Bill 17-0016.

cc: Colin Tarbert
Angela Gibson

sandra.blake/ccbill17/17-0016



NO


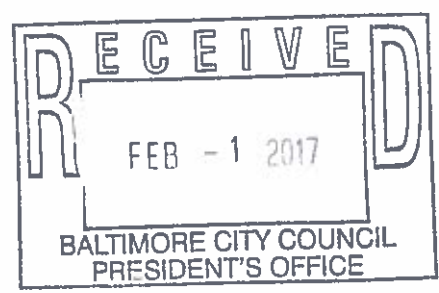
FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>	CITY OF BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. 21202		
	SUBJECT	City Council Bill #17-0016 Response to: Zoning-Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District- 2823 Huntingdon Avenue		

TO The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408

DATE: January 30, 2017

For the purpose of permitting subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

The Fire Department has no objection to the proposed City Council bill 17-0016 as written provided all fire and life safety codes are adhered to during and after construction.



no obj.



HEARING NOTES

Bill: 17-0016

Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

Committee: Land Use and Transportation
Chaired By: Councilmember Edward Reisinger

Hearing Date: April 26, 2017
Time (Beginning): 1:05 pm
Time (Ending): 1:30 pm
Location: Clarence "Du" Burns Chamber
Total Attendance: 20

Committee Members in Attendance:
Edward Reisinger Leon Pinkett Mary Pat Clarke
Sharon Green Middleton Ryan Dorsey Eric Costello

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Evidence of notification to property owners?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember Clarke		
Seconded by:	Councilmember Middleton		
Final Vote:	Fav. with Amendments		

Major Speakers

(This is not an attendance record.)

- Martin French, Department of Planning
- Victor Tervalá, Department of Law

Major Issues Discussed

1. Planning Department briefly testified in support of the ordinance, outlining in great detail, the required *findings of fact* (echoing the same information contained in the department's submitted written report). In addition, Mr. French responded to a question from the committee regarding parking spaces, and if there was a need for a parking variance. He explained that no variance was required as the lot has a paved "curb cut in" which extends to around the side of the building, and the entire backyard area behind the building, all of which would more than satisfy the need for a required parking space for the new dwelling unit being added.
2. At the behest of a neighborhood resident and following a discussion between representatives from the Law Department and the Planning Department, and Councilwoman Clarke, an Amendment was produced which would require, as a condition of the conversion, that the property owner maintain the parking pads in good condition for use as parking spaces for the residents of the property.
3. All other departments and agencies stood by their submitted written reports.

Further Study

Was further study requested?

Yes No

If yes, describe.

Marshall C. Bell, Committee Staff

MCB

Date: April 27, 2017

cc: Bill File
OCS Chrono File

OF BALTIMORE RING ATTENDANCE RECORD

CHAIRPERSON: THE HONORABLE ED REISINGER

PLACE: Clarence "Du" Burns Chambers

CC BILL NUMBER: 17-0016

ORGANIZATION NAME	ZIP	EMAIL ADDRESS	WHAT IS YOUR POSITION ON THIS BILL?		(*) LOBBYIST: ARE YOU REGISTERED IN THE CITY	
			FOR	AGAINST	YES	NO
Charles Street	21202	Johndoenbmore@yahoo.com	✓	✓	✓	✓
Charles Street	21218	dgarza@baltimoredevelopment.com	✓			
Howard St	21218	hwooleyhou@hotmail.com	✓			
Howard St	21211	R/A				
City			✓			
City			✓			

PLEASE CHECK HERE

be required by law to register with the City Ethics Board. Registration is a simple process. For information and LEGISLATIVE REFERENCE, 626 City Hall, Baltimore, MD 21202. Tel: 410-396-4730. Fax: 410-396-8483



**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward L. Reisinger
Chairman**

PUBLIC HEARING

WEDNESDAY, APRIL 26, 2017

1:00 PM

CLARENCE "DU" BURNS COUNCIL CHAMBERS

City Council Bill #17-0016

***Zoning – Conditional Use Conversion of 1 Dwelling Unit to
1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District –
2823 Huntingdon Avenue***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Marguerite Murray

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: D'Paul Nibber

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac "Yitzy" Schleifer
Staff: Jennifer Coates

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac "Yitzy" Schleifer – Vice Chair
Kristerfer Burnett
Bill Henry
Shannon Sneed
Zeke Cohen
Ryan Dorsey
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: D'Paul Nibber

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Marguerite Murray

LAND USE AND TRANSPORTATION

Edward Reisinger - Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Marshall Bell

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac "Yitzy" Schleifer
Staff: Marshall Bell

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Jennifer Coates
- *Larry Greene (pension only)*



BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 17-0016

Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

Sponsor: Councilmember Clarke
Introduced: January 23, 2017

Purpose:

FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat

Effective: 30th Day after Enactment

Hearing Date/Time/Location: Wednesday, April 26, 2017/1:00 PM/Clarence “Du” Burns Chambers

Agency Reports

Planning Commission	Favorable
Department of Law	Favorable/Amend
Department of Housing and Community Development	Favorable
Board of Municipal and Zoning Appeals	Favorable
Baltimore Development Corporation	No Objection
Fire Department	No Objection
Department of Transportation	Defers to Planning
Parking Authority of Baltimore City	Not Opposed

Analysis

Current Law

Article – Zoning; Section(s) 3-305(b) and 14-102; Baltimore City Revised Code (Edition 2000)

Background

CC Bill 17-0016, if approved, would permit, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue. The petitioner seeks to renovate the existing structure in order to provide new life for this original building; an adaptive re-use as a two-family semi-detached dwelling which would not only preserve a part of Remington's traditional architectural character, but also assist in providing a more affordable housing alternative to those individuals seeking to live in an area convenient to downtown Baltimore.

2823 Huntingdon Avenue is located approximately 125 feet north of the intersection with 28th street, in the Remington neighborhood; a predominately residential area, with scattered uses such as religious institutions and small commercial uses. Most of the area was originally developed in the mid-to-late 19th Century. This site was formerly authorized for use as a social club. This bill would encourage re-use of the structure consistent with its original zoning.

As required by the Zoning Code, the proposed use as a 2-family dwelling is consistent with residential use in the area, satisfies all applicable considerations as appropriate, would not be detrimental to or endanger the public trust and, such constructive re-use of a vacant structure, is a positive remedy for this blighting influence on the community. In addition, the proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

Additional Information

Fiscal Note: Not Available

Information Source(s): Planning Department staff report

Analysis by: Marshall Bell  Direct Inquiries to: 410-396-1091
Analysis Date: March 27, 2017

**CITY OF BALTIMORE
COUNCIL BILL 17-0016
(First Reader)**

Introduced by: Councilmembers Clarke, Dorsey, Cohen, Stokes

At the request of: Daniel Wells

Address: c/o Noah Matten, 305 North Street, Easton, Maryland 21601

Telephone: 1-410-443-8702

Introduced and read first time: January 23, 2017

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of 1 Dwelling Unit to**
3 **1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District –**
4 **2823 Huntingdon Avenue**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to
6 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property
7 known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

8 BY authority of

9 Article - Zoning

10 Section(s) 3-305(b) and 14-102

11 Baltimore City Revised Code

12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
14 permission is granted for the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency
15 dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as
16 outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City
17 Zoning Code §§ 3-305(b) and 14-102, subject to the condition that the building complies with all
18 applicable federal, state, and local licensing and certification requirements.

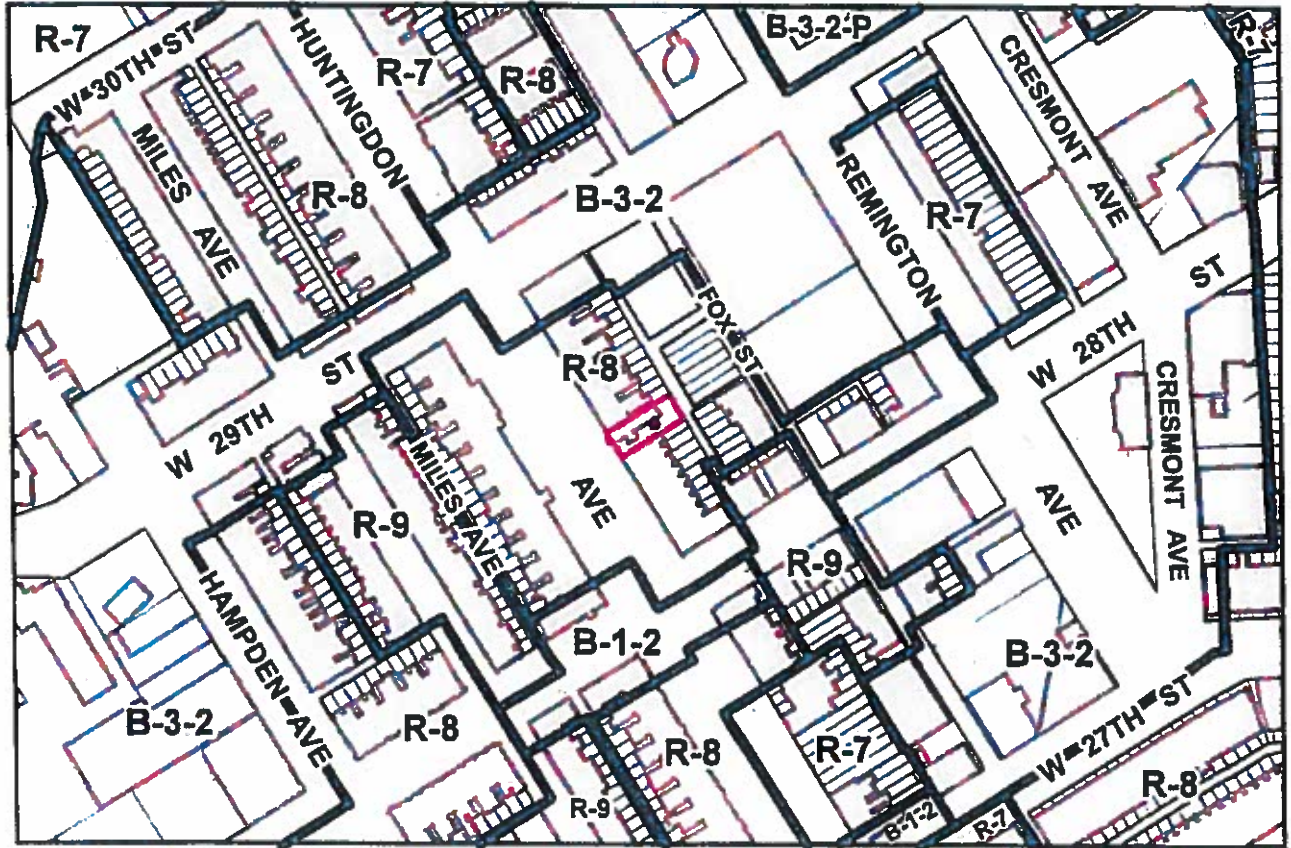
19 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
20 accompanying plat and in order to give notice to the agencies that administer the City Zoning
21 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
22 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
23 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
24 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
25 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
26 the Zoning Administrator.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

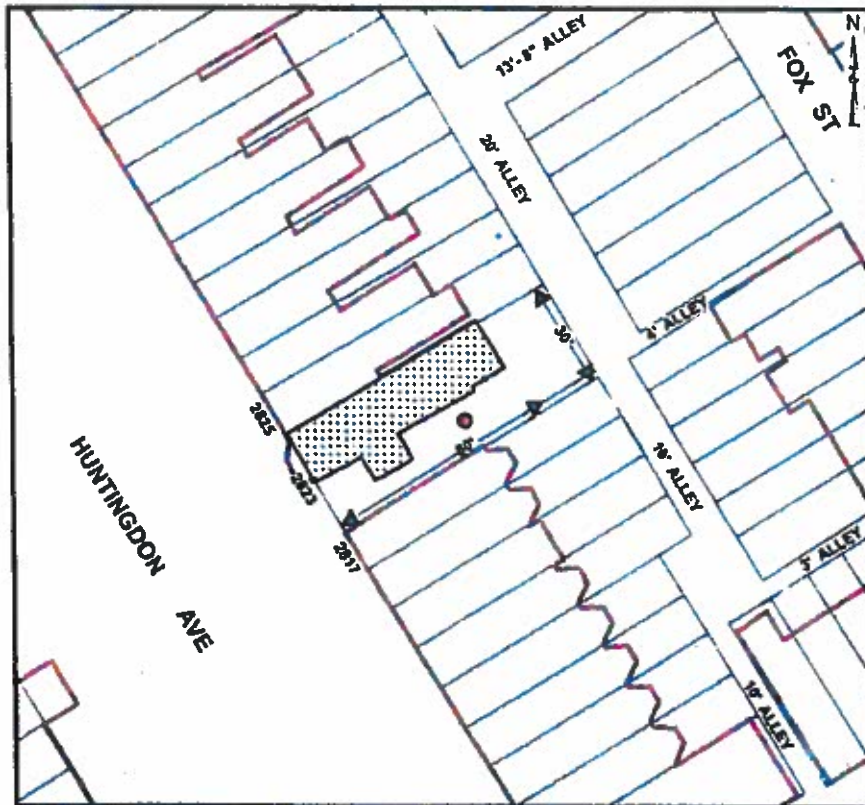
Council Bill 17-0016

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

**SHEET NO. 5 OF THE ZONING DISTRICT MAP OF
THE BALTIMORE CITY ZONING CODE**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With The Property Known As No. 2823 HUNTINGDON AVENUE. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A One Family Dwelling Unit To A One Family Dwelling Unit And An Efficiency Dwelling Unit In The R-8 Zoning District, As Outlined In Red Above.

WARD 12 SECTION 2
BLOCK 3651 LOT 11

MAYOR

PRESIDENT CITY COUNCIL

116

**LAND USE
AND
TRANSPORTATION
COMMITTEE**

CC#: 17-0016

**AGENCY
REPORTS**



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stasia
Director

March 23, 2017

REQUEST: City Council Bill # 17-0016 / Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

For the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmembers Clarke, Dorsey, Cohen, and Stokes, at the request of Daniel Wells

OWNER: Daniel Wells

SITE/GENERAL AREA

Site Conditions: 2823 Huntingdon Avenue is located on the northeast side of the street, approximately 125' north of the intersection with 28th Street. This property measures approximately 30' by 80' and is currently improved with a two-story semi-detached residential building measuring approximately 20' by 60'. This site is zoned R-8.

General Area: This is a predominantly residential area known as Remington, with scattered uses such as religious institutions and small commercial uses (the latter being concentrated on the west side of Remington, near to the Jones Falls). This property is approximately 100' southwest of the western side of the "R House" building in the Remington Row Planned Unit Development. Most of the area was originally developed in the mid-to-late 19th Century. The width of Huntingdon Avenue reflects its original design around the bed of the trolley line connecting Hampden to the north with the city center to the south.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

FROM

THOMAS J. STOSUR, DIRECTOR

DEPARTMENT OF PLANNING
8TH FLOOR, 417 EAST FAYETTE STREET

CITY COUNCIL BILL #17-0016 / Zoning - Conditional Use
Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency
Dwelling Unit in the R-8 Zoning District - 2823 Huntingdon Avenue

CITY of
BALTIMORE
MEMO



DATE:

March 24, 2017

TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

At its regular meeting of March 23, 2017, the Planning Commission considered City Council Bill #17-0016, for the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #17-0016, and adopted the following resolution, seven members being present (seven in favor):

RESOLVED, That the Planning Commission finds, in accordance with subsections 16-304 and 14-204 of the Zoning Code of Baltimore City, that the proposed use provided in City Council bill 17-0016: will not be detrimental to or endanger the public health, security, general welfare, or morals; is not in any way precluded by any other law; is not in any way contrary to the public interest; and is in harmony with the purpose and intent of this Article; and further, the Planning Commission has heard the testimony of its staff that, with regard to the considerations contained in subsection 14-205 of the Zoning Code of Baltimore City, the proposed use would comply with those considerations, and agrees with staff findings that City Council bill 17-0016 should be recommended for approval.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Daniel Wells

ANALYSIS

Project: This legislation would allow the petitioner to renovate the existing structure into one dwelling unit and one basement-level efficiency unit, providing new life for this original building. Adaptive re-use as a two-family semi-detached dwelling would allow preservation of part of Remington's traditional architectural fabric while offering a more affordable housing alternative to persons who wish to live in an area convenient to downtown Baltimore.

Zoning Analysis: This property was formerly authorized for use as a social club. This bill would encourage re-use of a structure consistent with its current zoning.

- The Zoning Code requires, for a property in the R-8 District, 750 square feet of lot area per dwelling unit and 500 square feet of lot area per efficiency unit (BCZC §4-1106.a.). A lot area of 1,250 square feet is thus required for the proposed use. This lot has 2,400 square feet, so a lot area variance is not needed to reduce this requirement.
- An interior side yard of 10' is required for an end-of-group residence (BCZC §4-1107.a.). The property has this interior side yard, and no encroachment upon it is proposed by the petitioner.
- A rear yard setback of 20' is required (BCZC §4-1107.a., as reduced according to BCZC §3-208). The property has a 20' deep rear yard suitable for off-street parking, and no encroachment upon this setback is proposed by the petitioner.
- The maximum floor area ratio (FAR) in this zoning district is 2.0 (BCZC §4-1108.a.). This premises has a FAR of 0.7, so a variance of that requirement is not needed.
- One off-street parking space is required to serve the newly-created dwelling unit. The alley is 20' wide in the rear of this property and meets the Zoning Code requirement for accessibility. The rear yard measures approximately 20' deep by 30' wide, and so could provide at least one off-street parking space. An existing curb cut on Huntingdon Avenue also provides access to a 10' wide driveway that leads to the rear yard. A variance for off-street parking is therefore not required.

Conditional Use – Required findings: In accordance with §16-304 of the Zoning Code of Baltimore City, the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 14 {"Conditional Uses"} of the Zoning Code:

1. the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
2. the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization is not otherwise in any way contrary to the public interest; and the authorization is in harmony with the purpose and intent of this article (§14-204).

In addition, the Zoning Code requires review of these considerations, as appropriate:

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- there will be no negative impact to traffic patterns in the immediate area;
- development of the proposed use will not impair the present and future development of this lot or the surrounding area;
- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to fire and police protection;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access, drainage, and other necessary facilities have been or will be provided; and
- the use of the property as one dwelling unit and one efficiency dwelling unit meets all other applicable standards and requirements of this article (§14-205).

The proposed use as a 2-family dwelling (one dwelling unit and one efficiency unit) would be consistent with residential use in the area; would not be detrimental to or endanger public health, security, general welfare, or morals; and would allow constructive re-use of a vacant structure that has been a blighting influence on the community. The site is adequate for the proposed use, would not create a negative impact on traffic patterns in the immediate area, nor impair present or future development of the surrounding area, nor have a negative impact on other dwellings, churches, schools, public structures, or other places of public gathering. The site has adequate fire and police protection, adequate air and light, adequate utilities, access, drainage, and other facilities; and use as two dwelling units meets all other applicable standards of the Zoning Code.

Notification: The following community organizations have been notified of this action: Greater Remington Improvement Association and Remington Neighborhood Alliance.



Thomas J. Stosur
Director

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

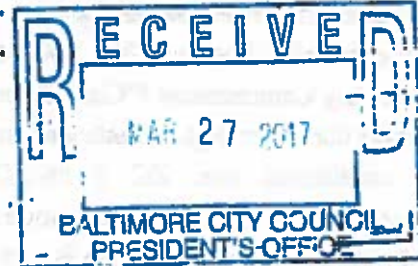


DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

March 24, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202



Re: City Council Bill 17-0016 – Zoning – Conditional Use Conversion of 1 Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0016 for form and legal sufficiency. The bill permits the conversion of 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue. Conversions are permitted in an R-8 Zoning District only by ordinance. Zoning Code of Baltimore City ("ZC"), § 3-305(b)(2).

The Law Department notes that for this conversion the Zoning Code requires the following standards to be met:

- a minimum lot area coverage of 1,250 square feet (ZC, § 4-1106(a));
- an interior side yard of at least 10 feet (ZC, § 4-1107);
- a rear yard setback of 25 feet, which may be reduced by 20% given the size of the depth of the rear yard (ZC, §§ 4-1107(a) & 3-208);
- a maximum floor area ratio of 2.0 (ZC, § 4-1108(a)); and
- at least 2 off-street parking space unless, as in this case, the pre-1971 parking requirements apply, which reduces the requirement to 1 parking space (ZC, § 10-404).

According to the Planning Department's Report filed for this bill ("Report"), the property meets or exceeds all but the last of the above zoning code requirements. Report, page 2. The Report, however, does not clearly establish that at least one off-street parking space currently exists. The facts regarding this matter must be established before this bill can be approved. If a parking space has yet to exist, the bill should be amended to state that no occupancy permit may be

Fav w/ Among

granted until the property owner provides proof that the a parking space is available for use of a resident of 2823 Huntingdon Avenue. The attached amendment can serve that purpose.

The Law Department points out that, if this bill is to be adopted, findings of fact are required in a quasi-judicial proceeding such as granting a conditional use. *Montgomery County v. Woodward & Lothrop, Inc.*, 280 Md. 686, 713 (1977). To this end, the Zoning Code requires the Planning Commission ("Commission") and the Board of Municipal Zoning Appeals ("Board") to report their findings of facts and considerations to the City Council in regard to a bill authorizing a conditional use. ZC § 16-302. The Zoning Code directs both entities to base their recommendations on considerations outlined in Title 14 of the Zoning Code. ZC § 16-304. Title 14 outlines the elements the Board must consider in regard to a proposed conditional use as well the type of facts it must find before it can approve a conditional use. See ZC §§ 14-204 & 14-205. Title 14 does not address the duties of the Commission, but since the Zoning Code directs the Commission to make findings of fact and considerations with respect to those stated in Title 14, the Law Department concludes that the required considerations and findings of fact applicable to the Board apply to the Commission.

We note further that, pursuant to the City Zoning Code, a bill concerning a conditional use is classified as a "legislative authorization." ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill's passage. Specifically, certain notice requirements apply to the introduction of the bill. See ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. See ZC §§ 16-301, 16-302 & 16-304. Additional public notice and hearing requirements also apply to the bill. See ZC § 16-402. Finally, certain limitations on the City Council's ability to amend the bill apply. See ZC § 16-403.

Aside from the parking issue discussed above, the Law Department is prepared to approve the bill for form and legal sufficiency if all the procedural requirements are met and substantiated before the City Council. If the facts suggest that the parking requirement has yet to be fulfilled, the bill must be amended to require one. The suggested amendment is attached.

Sincerely,



Victor K. Tervala
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor

**AMENDMENTS TO COUNCIL BILL 17-0016
(1st Reader Copy)**

By: Law Department
{To be offered to the Land Use and Transportation Committee}

Amendment No. 1

On page 1, in line 17, strike "condition that the" and substitute "following conditions:

1. No use or occupancy permit may be issued by the Department of Housing and Community Development until the property owner provides proof that a parking space is available for use by a resident of 2823 Huntingdon Avenue.
2. The";

and, in line 17, strike "complies" and substitute "must comply".

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

March 28, 2017

The Honorable President and
Members of the City Council
City Hall, Room 400
100 N. Holliday Street
Baltimore, MD 21202

On March 28, 2017, the Board of Municipal and Zoning Appeals considered Council Bill #17-0016, which is a request to convert the existing single-family dwelling to one dwelling unit and one efficiency unit in an R-8 zoning district at the real property address known as 2823 Huntingdon Avenue. In the Board's consideration of the aforementioned Bill, the Board reviewed the attached staff report which outlines the specificities relative to the required regulations and findings that the Board must determine in order to recommend approval of this Bill. As a result, the Board adopted the subsequent resolution, four members being present (four in favor):

RESOLVED, the Board of Municipal and Zoning Appeals finds, in accordance with the required considerations set forth under §§ 16-304 and 14-205 of the Zoning Code of Baltimore City, that the proposed use outlined in City Council Bill #17-0016: will not be detrimental to or endanger the public health, security, general welfare, or morals; is not in any way precluded by any other law, is not in any way contrary to the public interest; and is in harmony with the purpose and intent of this Article.

As a result, the Board of Municipal and Zoning Appeals recommends approval of Council Bill # 17-0016.

Sincerely,

A handwritten signature in cursive script that reads "David C. Tanner".

David C. Tanner
Executive Director

DCT/rdh

**CC: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administrator
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Mr. Victor Tervalá, Law Department
Legislative Reference**



**BOARD OF MUNICIPAL AND ZONING APPEALS
STAFF REPORT**



ZONING DISTRICT: R-8
ADDRESS: 2823 Huntington Avenue, Baltimore, Maryland 21211
BLOCK/LOT: 3651/011
NEIGHBORHOOD: Remington
LOT AREA: 30' x 80' = 2,400 square feet

REQUEST: City Council Bill # 17-0016/ Zoning – Conditional Use Conversion of a single-family dwelling to 1 dwelling unit and 1 efficiency unit.

PETITIONERS: Councilmembers Clarke, Dorsey, Cohen, and Stokes, at the request of Daniel Wells

OWNER: Daniel Wells

CASE HISTORY: No legislative or BMZA actions have occurred relative to this site.

ANALYSIS

The proposal before the City Council is a conversion request to change the existing single-family dwelling to 1 dwelling unit and 1 efficiency unit. Under the provisions set forth under § 3-305(b)(2), the conversion of a 1- or 2-family dwelling to additional dwelling or efficiency units may be authorized only by a conditional-use ordinance and only as long as the number of dwelling and efficiency units to be allowed conforms with the applicable principal-permitted-use bulk regulations for the district in which the building is located. Therefore, the following bulk regulations have been analyzed to see if any variances would be required with this conditional use authorization request:

MIN. LOT AREA: Under § 4-1106, the minimum lot area requirement for a multiple-family dwelling is 500 square feet per efficiency unit and 750 square feet per dwelling unit. Since the property will have one of each, the total lot area required is 1,250 square feet. Since the property contains 2,400 square feet of lot area, no variance will be required for this request.

FAR: Under § 4-1108, the maximum floor area ratio for all principal conditional uses in an R-8 zoning district is 2.0. The floor area ratio that exists on the structure is 0.7, so no variance will be required for this request.

PARKING: One off-street parking space is required to serve the efficiency unit. The alley that is located behind the rear portion of the premises is 20 feet wide and meets the zoning code's requirements for accessibility. The rear yard measures approximately 20 feet deep and is 30 feet wide, so the rear yard could provide the requisite off-street parking. In addition, the property has an existing curb cut on Huntingdon Avenue with a 10 foot driveway. Therefore, no variance for parking should be required.

CONDITIONAL USE: In accordance with § 16-304, the BMZA must base their recommendations to the City Council on the required considerations set forth under Title 14 {"Conditional Uses"}.



**BALTIMORE
HOUSING**

CATHERINE PUGH
Mayor

MICHAEL BRAVERMAN
Acting Executive Director, HABC
Acting Commissioner, HCD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Acting Commissioner *MB*

Date: March 8, 2017

Re: City Council Bill 17-0016 - Zoning - Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District - 2823 Huntingdon Avenue

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0016 for of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue.

If enacted, this bill would allow the conversion of a one dwelling unit property in the Remington neighborhood.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0016.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO *W.H. Cole*

DATE: February 14, 2017

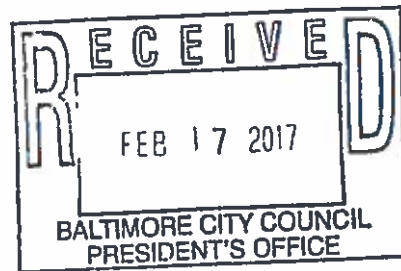
SUBJECT: City Council Bill No. 17-0016
Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and
1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

The Baltimore Development Corporation (BDC) has been asked to comment on Council Bill 17-0016, a Zoning-Conditional Use Conversion of 1 Dwelling Unit to a 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District-2823 Huntingdon Avenue.


The proposed conditional use is necessary to allow for the additional dwelling unit in the R-8 Zoning District. BDC has no objection to the proposed City Council Bill 17-0016.

cc: Colin Tarbert
Angela Gibson

sandra.blake/ccbill17/17-0016



nb
chj

F R O M	NAME & TITLE	Frank J. Murphy, Acting Director	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527		
	SUBJECT	City Council Bill 17-0016		

March 22, 2017

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

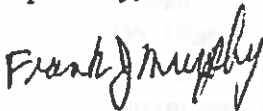
I am herein reporting on City Council Bill 17-0016 for the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue.

The rezoning is successful is anticipated to have a minimal impact on traffic or parking.

The Department of Transportation (DOT) has no objection to this bill and defers to Planning for the appropriate zoning for this property.

Thank you for this opportunity to comment.

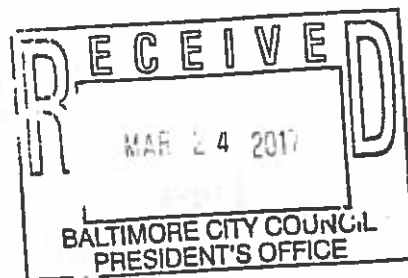
Respectfully,



Frank J. Murphy
Acting Director

FJM/PAF

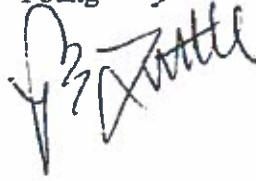
Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office



No obj/defers to planning

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: February 24, 2017
RE: Council Bill 17-0016

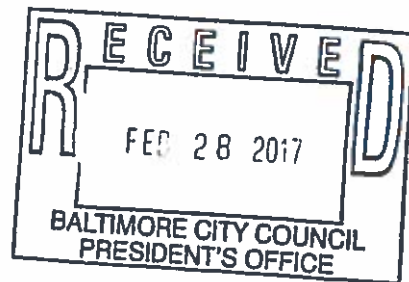


I am herein reporting on City Council Bill 17-0016 introduced by Councilmembers Clarke, Dorsey, Cohen, and Stokes at the request of Daniel Wells.

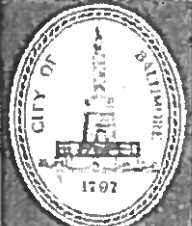
The purpose of this bill is for permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue.

The Parking Authority of Baltimore City reviewed the proposed legislation. The legislation does not explicitly address parking; therefore, the parking requirements will be based on those of the underlying district and prescribed by the Zoning Code. This site is not located on a block where the Parking Authority administers any on-street parking programs. As building plans and uses become more defined, the Parking Authority will be involved through Site Plan Review and Planning Commission hearings to ensure that parking demand is adequately addressed and negative effects to parking as a result of development on this site are mitigated.

Based on the comments above, the Parking Authority of Baltimore City does not oppose - the passage of City Council Bill 17-0016.



*Not
opposed*

FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NR</i>	CITY OF BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202		
	SUBJECT	City Council Bill #17-0016 Response to: Zoning-Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District- 2823 Huntingdon Avenue		

TO **The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408**

DATE: **January 30, 2017**

For the purpose of permitting subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

The Fire Department has no objection to the proposed City Council bill 17-0016 as written provided all fire and life safety codes are adhered to during and after construction.

**CITY OF BALTIMORE
COUNCIL BILL 17-0016
(First Reader)**

Introduced by: Councilmembers Clarke, Dorsey, Cohen, Stokes
At the request of: Daniel Wells
Address: c/o Noah Matten, 305 North Street, Easton, Maryland 21601
Telephone: 1-410-443-8702

Introduced and read first time: January 23, 2017

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of 1 Dwelling Unit to**
3 **1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District –**
4 **2823 Huntingdon Avenue**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to
6 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property
7 known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

8 BY authority of
9 Article - Zoning
10 Section(s) 3-305(b) and 14-102
11 Baltimore City Revised Code
12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
14 permission is granted for the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency
15 dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as
16 outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City
17 Zoning Code §§ 3-305(b) and 14-102, subject to the condition that the building complies with all
18 applicable federal, state, and local licensing and certification requirements.

19 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
20 accompanying plat and in order to give notice to the agencies that administer the City Zoning
21 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
22 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
23 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
24 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
25 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
26 the Zoning Administrator.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 17-0016

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

APPROVED FOR FORM
STYLE, AND TEXTUAL SUFFICIENCY

1-17-17
DPT LEGISLATIVE REFERENCE

Introduced by: Councilmember Clarke
At the request of: Daniel Wells
Address: c/o Noah Matten, 305 North Street, Easton, Maryland 21601
Telephone: 1-410-443-8702

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of 1 Dwelling Unit to
1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District –
2823 Huntingdon Avenue**

FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning
Section(s) 3-305(b) and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 3-305(b) and 14-102, subject to the condition that the building complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

STATEMENT OF INTENT
UNDER ZONING CODE § 16-202
FOR

2823 HUNTINGDON AVE.
{Address}

1. Applicant's Contact Information:

Name: DANIEL WELLS
Mailing Address: 1100 W. 36TH ST., BALTIMORE, MD 21211
Telephone Number: 443-564-1981
Email Address: OLDBANKBARBERS1@GMAIL.COM

2. All Proposed Zoning Changes for the Property: TO CONVERT SINGLE-FAMILY DWELLING INTO A SINGLE-FAMILY DWELLING WITH EFFICIENCY APARTMENT

3. All Intended Uses of the Property: SINGLE-FAMILY DWELLING AND EFFICIENCY

4. Current Owner's Contact Information:

Name: DANIEL WELLS
Mailing Address: 1100 W. 36TH ST. Baltimore MD 21211
Telephone Number: 443-564-1981
Email Address: OLDBANKBARBERS1@GMAIL.COM

5. Property Acquisition:

The property was acquired by the current owner on 11/02/2016 by deed recorded in the Land Records of Baltimore City in Liber 18599 Folio 0073.

6. Contract Contingency:

(a) There is ___ is not a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties to the contract are as follows {use additional sheet if necessary}: _____

(ii) The purpose, nature, and effect of the contract are: _____

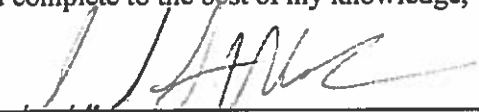
7. Agency:

(a) The applicant is _____ is not acting as an agent for another.

(b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are as follows {use additional sheet if necessary}: _____

AFFIDAVIT

I, DANIEL WELLS, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

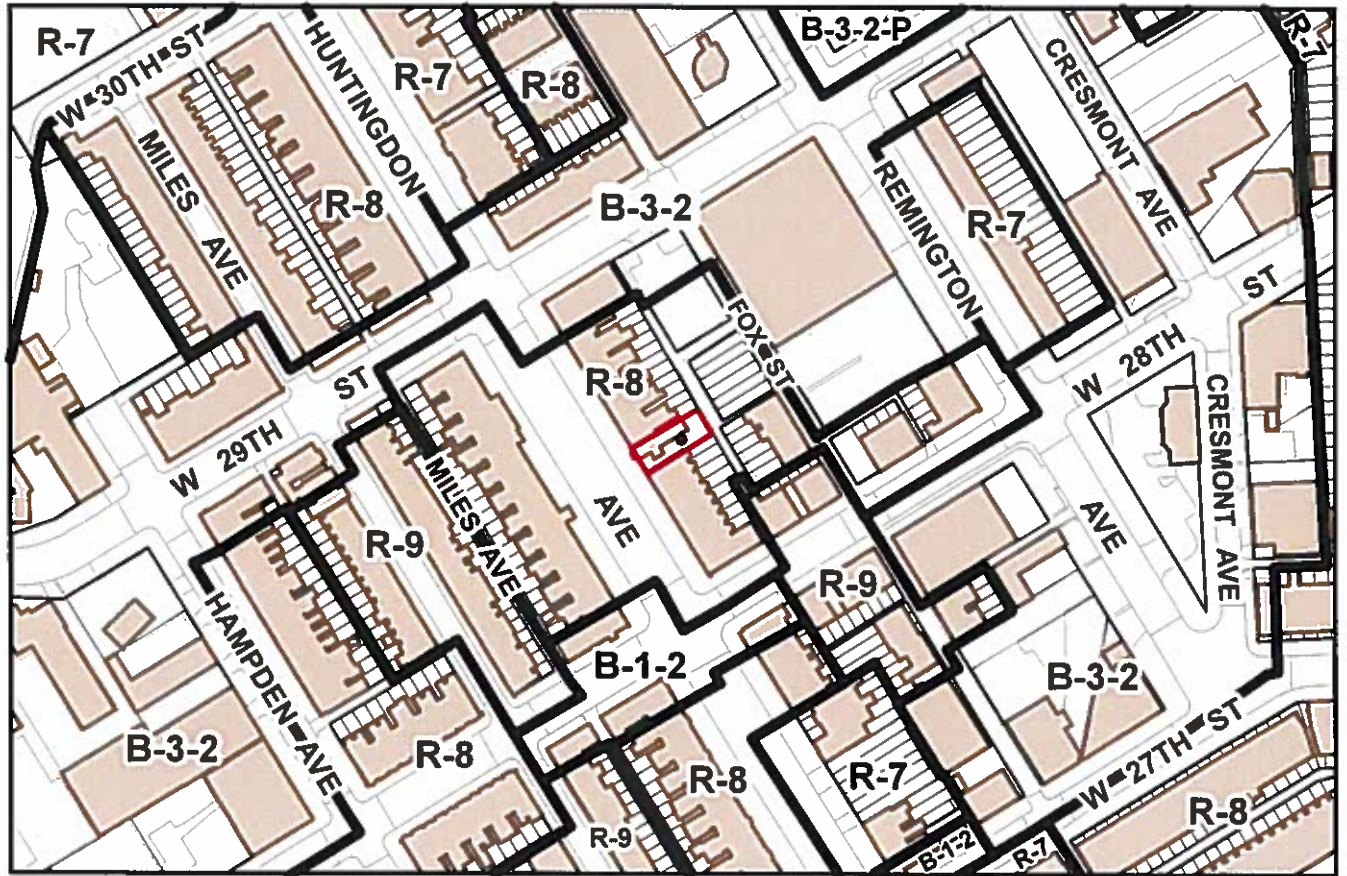


Applicant's signature

11/17/17

Date

**SHEET NO. 35 OF THE ZONING DISTRICT MAP OF
THE BALTIMORE CITY ZONING CODE**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With The Property Known As No. 2823 HUNTINGDON AVENUE. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A One Family Dwelling Unit To A One Family Dwelling Unit And An Efficiency Dwelling Unit In The R-8 Zoning District, As Outlined In Red Above.

WARD 12 SECTION 2
BLOCK 3651 LOT 11

MAYOR

PRESIDENT CITY COUNCIL



ACTION BY THE CITY COUNCIL

JAN 23 2017

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON April 26 _____ 20 17

COMMITTEE REPORT AS OF April 27 _____ 20 17

_____ FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

Edward R. King
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

MAY 08 2017

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ MAY 15 2017

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

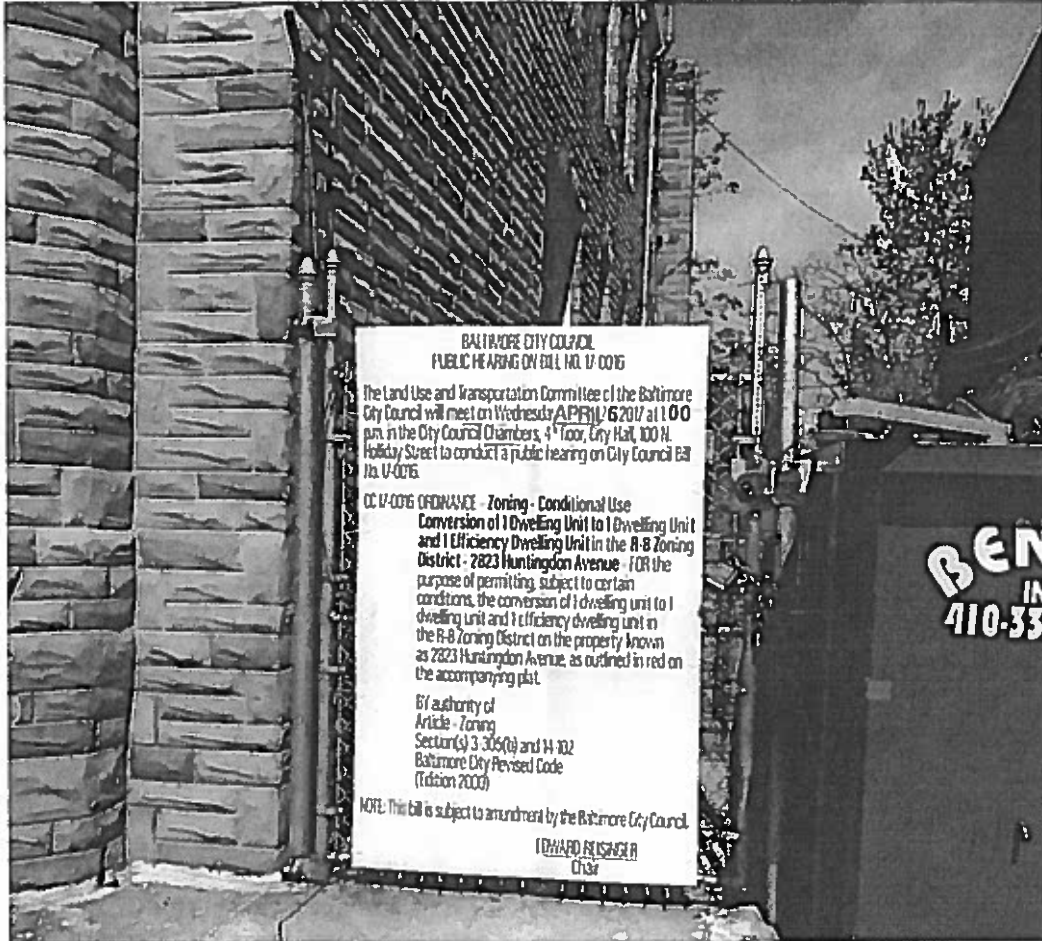
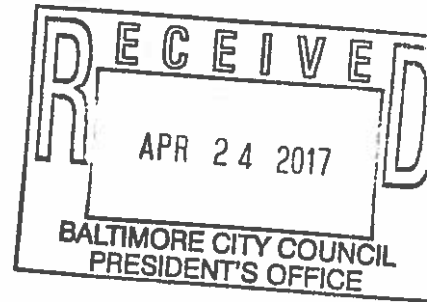
WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

Buddy Day
President

Steven J. Dean
Chief Clerk

Certificate of Posting
Baltimore City Council Hearing Notice
City Council Bill No. 17-0016



2823 Huntingdon Ave., Baltimore, Md, 21211

Posted 4/9/17

Noah Matten

305 North Street, Baltimore, Md, 21601

410-443-8702

A handwritten signature in black ink, appearing to be "Noah Matten", written over a light-colored background.

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

March 28, 2017

The Honorable President and
Members of the City Council
City Hall, Room 400
100 N. Holliday Street
Baltimore, MD 21202

On March 28, 2017, the Board of Municipal and Zoning Appeals considered Council Bill #17-0016, which is a request to convert the existing single-family dwelling to one dwelling unit and one efficiency unit in an R-8 zoning district at the real property address known as 2823 Huntingdon Avenue. In the Board's consideration of the aforementioned Bill, the Board reviewed the attached staff report which outlines the specificities relative to the required regulations and findings that the Board must determine in order to recommend approval of this Bill. As a result, the Board adopted the subsequent resolution, four members being present (four in favor):

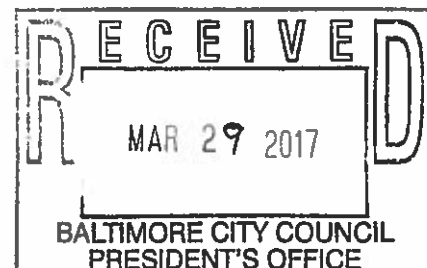
RESOLVED, the Board of Municipal and Zoning Appeals finds, in accordance with the required considerations set forth under §§ 16-304 and 14-205 of the Zoning Code of Baltimore City, that the proposed use outlined in City Council Bill #17-0016: will not be detrimental to or endanger the public health, security, general welfare, or morals; is not in any way precluded by any other law, is not in any way contrary to the public interest; and is in harmony with the purpose and intent of this Article.

As a result, the Board of Municipal and Zoning Appeals recommends approval of Council Bill # 17-0016.

Sincerely,

David C. Tanner
Executive Director

DCT/rdh



F

**CC: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administrator
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Mr. Victor Tervalá, Law Department
Legislative Reference**



**BOARD OF MUNICIPAL AND ZONING APPEALS
STAFF REPORT**



ZONING DISTRICT: R-8
ADDRESS: 2823 Huntington Avenue, Baltimore, Maryland 21211
BLOCK/LOT: 3651/011
NEIGHBORHOOD: Remington
LOT AREA: 30' x 80' = 2,400 square feet

REQUEST: City Council Bill # 17-0016/ Zoning -- Conditional Use Conversion of a single-family dwelling to 1 dwelling unit and 1 efficiency unit.

PETITIONERS: Councilmembers Clarke, Dorsey, Cohen, and Stokes, at the request of Daniel Wells

OWNER: Daniel Wells

CASE HISTORY: No legislative or BMZA actions have occurred relative to this site.

ANALYSIS

The proposal before the City Council is a conversion request to change the existing single-family dwelling to 1 dwelling unit and 1 efficiency unit. Under the provisions set forth under § 3-305(b)(2), the conversion of a 1- or 2-family dwelling to additional dwelling or efficiency units may be authorized only by a conditional-use ordinance and only as long as the number of dwelling and efficiency units to be allowed conforms with the applicable principal-permitted-use bulk regulations for the district in which the building is located. Therefore, the following bulk regulations have been analyzed to see if any variances would be required with this conditional use authorization request:

MIN. LOT AREA: Under § 4-1106, the minimum lot area requirement for a multiple-family dwelling is 500 square feet per efficiency unit and 750 square feet per dwelling unit. Since the property will have one of each, the total lot area required is 1,250 square feet. Since the property contains 2,400 square feet of lot area, no variance will be required for this request.

FAR: Under § 4-1108, the maximum floor area ratio for all principal conditional uses in an R-8 zoning district is 2.0. The floor area ratio that exists on the structure is 0.7, so no variance will be required for this request.

PARKING: One off-street parking space is required to serve the efficiency unit. The alley that is located behind the rear portion of the premises is 20 feet wide and meets the zoning code's requirements for accessibility. The rear yard measures approximately 20 feet deep and is 30 feet wide, so the rear yard could provide the requisite off-street parking. In addition, the property has an existing curb cut on Huntington Avenue with a 10 foot driveway. Therefore, no variance for parking should be required.

CONDITIONAL USE: In accordance with § 16-304, the BMZA must base their recommendations to the City Council on the required considerations set forth under Title 14 ("Conditional Uses").

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #17-0016 / Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

CITY of
BALTIMORE
MEMO



DATE: March 24, 2017

TO The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

At its regular meeting of March 23, 2017, the Planning Commission considered City Council Bill #17-0016, for the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #17-0016, and adopted the following resolution, seven members being present (seven in favor):

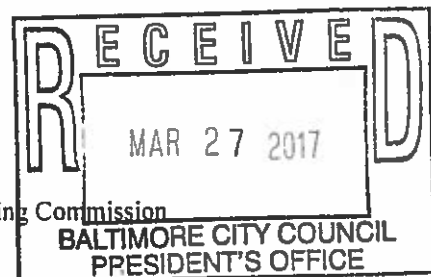
RESOLVED, That the Planning Commission finds, in accordance with subsections 16-304 and 14-204 of the Zoning Code of Baltimore City, that the proposed use provided in City Council bill 17-0016: will not be detrimental to or endanger the public health, security, general welfare, or morals; is not in any way precluded by any other law; is not in any way contrary to the public interest; and is in harmony with the purpose and intent of this Article; and further, the Planning Commission has heard the testimony of its staff that, with regard to the considerations contained in subsection 14-205 of the Zoning Code of Baltimore City, the proposed use would comply with those considerations, and agrees with staff findings that City Council bill 17-0016 should be recommended for approval.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Daniel Wells



F



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stasur
Director

March 23, 2017

REQUEST: City Council Bill # 17-0016 / Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

For the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmembers Clarke, Dorsey, Cohen, and Stokes, at the request of Daniel Wells

OWNER: Daniel Wells

SITE/GENERAL AREA

Site Conditions: 2823 Huntingdon Avenue is located on the northeast side of the street, approximately 125' north of the intersection with 28th Street. This property measures approximately 30' by 80' and is currently improved with a two-story semi-detached residential building measuring approximately 20' by 60'. This site is zoned R-8.

General Area: This is a predominantly residential area known as Remington, with scattered uses such as religious institutions and small commercial uses (the latter being concentrated on the west side of Remington, near to the Jones Falls). This property is approximately 100' southwest of the western side of the "R House" building in the Remington Row Planned Unit Development. Most of the area was originally developed in the mid-to-late 19th Century. The width of Huntingdon Avenue reflects its original design around the bed of the trolley line connecting Hampden to the north with the city center to the south.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

ANALYSIS

Project: This legislation would allow the petitioner to renovate the existing structure into one dwelling unit and one basement-level efficiency unit, providing new life for this original building. Adaptive re-use as a two-family semi-detached dwelling would allow preservation of part of Remington's traditional architectural fabric while offering a more affordable housing alternative to persons who wish to live in an area convenient to downtown Baltimore.

Zoning Analysis: This property was formerly authorized for use as a social club. This bill would encourage re-use of a structure consistent with its current zoning.

- The Zoning Code requires, for a property in the R-8 District, 750 square feet of lot area per dwelling unit and 500 square feet of lot area per efficiency unit (BCZC §4-1106.a.). A lot area of 1,250 square feet is thus required for the proposed use. This lot has 2,400 square feet, so a lot area variance is not needed to reduce this requirement.
- An interior side yard of 10' is required for an end-of-group residence (BCZC §4-1107.a.). The property has this interior side yard, and no encroachment upon it is proposed by the petitioner.
- A rear yard setback of 20' is required (BCZC §4-1107.a., as reduced according to BCZC §3-208). The property has a 20' deep rear yard suitable for off-street parking, and no encroachment upon this setback is proposed by the petitioner.
- The maximum floor area ratio (FAR) in this zoning district is 2.0 (BCZC §4-1108.a.). This premises has a FAR of 0.7, so a variance of that requirement is not needed.
- One off-street parking space is required to serve the newly-created dwelling unit. The alley is 20' wide in the rear of this property and meets the Zoning Code requirement for accessibility. The rear yard measures approximately 20' deep by 30' wide, and so could provide at least one off-street parking space. An existing curb cut on Huntingdon Avenue also provides access to a 10' wide driveway that leads to the rear yard. A variance for off-street parking is therefore not required.

Conditional Use – Required findings: In accordance with §16-304 of the Zoning Code of Baltimore City, the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 14 {"Conditional Uses"} of the Zoning Code:

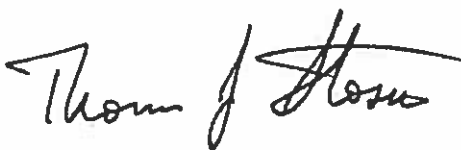
1. the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
2. the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization is not otherwise in any way contrary to the public interest; and the authorization is in harmony with the purpose and intent of this article (§14-204).

In addition, the Zoning Code requires review of these considerations, as appropriate:

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- there will be no negative impact to traffic patterns in the immediate area;
- development of the proposed use will not impair the present and future development of this lot or the surrounding area;
- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to fire and police protection;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access, drainage, and other necessary facilities have been or will be provided; and
- the use of the property as one dwelling unit and one efficiency dwelling unit meets all other applicable standards and requirements of this article (§14-205).

The proposed use as a 2-family dwelling (one dwelling unit and one efficiency unit) would be consistent with residential use in the area; would not be detrimental to or endanger public health, security, general welfare, or morals; and would allow constructive re-use of a vacant structure that has been a blighting influence on the community. The site is adequate for the proposed use, would not create a negative impact on traffic patterns in the immediate area, nor impair present or future development of the surrounding area, nor have a negative impact on other dwellings, churches, schools, public structures, or other places of public gathering. The site has adequate fire and police protection, adequate air and light, adequate utilities, access, drainage, and other facilities; and use as two dwelling units meets all other applicable standards of the Zoning Code.

Notification: The following community organizations have been notified of this action: Greater Remington Improvement Association and Remington Neighborhood Alliance.



Thomas J. Stosur
Director

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

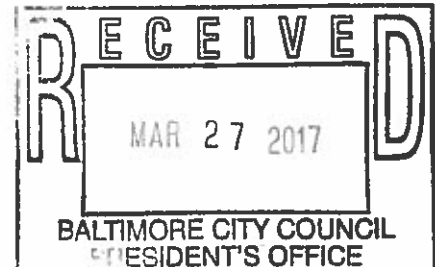


DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

March 24, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202



Re: City Council Bill 17-0016 – Zoning – Conditional Use Conversion of 1 Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0016 for form and legal sufficiency. The bill permits the conversion of 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue. Conversions are permitted in an R-8 Zoning District only by ordinance. Zoning Code of Baltimore City ("ZC"), § 3-305(b)(2).

The Law Department notes that for this conversion the Zoning Code requires the following standards to be met:

- a minimum lot area coverage of 1,250 square feet (ZC, § 4-1106(a));
- an interior side yard of at least 10 feet (ZC, § 4-1107);
- a rear yard setback of 25 feet, which may be reduced by 20% given the size of the depth of the rear yard (ZC, §§ 4-1107(a) & 3-208);
- a maximum floor area ratio of 2.0 (ZC, § 4-1108(a)); and
- at least 2 off-street parking space unless, as in this case, the pre-1971 parking requirements apply, which reduces the requirement to 1 parking space (ZC, § 10-404).

According to the Planning Department's Report filed for this bill ("Report"), the property meets or exceeds all but the last of the above zoning code requirements. Report, page 2. The Report, however, does not clearly establish that at least one off-street parking space currently exists. The facts regarding this matter must be established before this bill can be approved. If a parking space has yet to exist, the bill should be amended to state that no occupancy permit may be

Fav W Amard

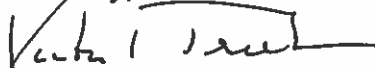
granted until the property owner provides proof that the a parking space is available for use of a resident of 2823 Huntingdon Avenue. The attached amendment can serve that purpose.

The Law Department points out that, if this bill is to be adopted, findings of fact are required in a quasi-judicial proceeding such as granting a conditional use. *Montgomery County v. Woodward & Lothrop, Inc.*, 280 Md. 686, 713 (1977). To this end, the Zoning Code requires the Planning Commission (“Commission”) and the Board of Municipal Zoning Appeals (“Board”) to report their findings of facts and considerations to the City Council in regard to a bill authorizing a conditional use. ZC § 16-302. The Zoning Code directs both entities to base their recommendations on considerations outlined in Title 14 of the Zoning Code. ZC § 16-304. Title 14 outlines the elements the Board must consider in regard to a proposed conditional use as well the type of facts it must find before it can approve a conditional use. *See* ZC §§ 14-204 & 14-205. Title 14 does not address the duties of the Commission, but since the Zoning Code directs the Commission to make findings of fact and considerations with respect to those stated in Title 14, the Law Department concludes that the required considerations and findings of fact applicable to the Board apply to the Commission.

We note further that, pursuant to the City Zoning Code, a bill concerning a conditional use is classified as a “legislative authorization.” ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill’s passage. Specifically, certain notice requirements apply to the introduction of the bill. *See* ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. *See* ZC §§ 16-301, 16-302 & 16-304. Additional public notice and hearing requirements also apply to the bill. *See* ZC § 16-402. Finally, certain limitations on the City Council’s ability to amend the bill apply. *See* ZC § 16-403.

Aside from the parking issue discussed above, the Law Department is prepared to approve the bill for form and legal sufficiency if all the procedural requirements are met and substantiated before the City Council. If the facts suggest that the parking requirement has yet to be fulfilled, the bill must be amended to require one. The suggested amendment is attached.

Sincerely,



Victor K. Tervalo
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor’s Office of Government Relations
Kyron Banks, Mayor’s Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor

AMENDMENTS TO COUNCIL BILL 17-0016
(1st Reader Copy)


By: Law Department
{To be offered to the Land Use and Transportation Committee}

Amendment No. 1

On page 1, in line 17, strike “condition that the” and substitute “following conditions:”

1. No use or occupancy permit may be issued by the Department of Housing and Community Development until the property owner provides proof that a parking space is available for use by a resident of 2823 Huntingdon Avenue.
2. The”;

and, in line 17, strike “complies” and substitute “must comply”.

F R O M	NAME & TITLE	Frank J. Murphy, Acting Director	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527		
	SUBJECT	City Council Bill 17-0016		

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

March 22, 2017

I am herein reporting on City Council Bill 17-0016 for the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue.

The rezoning is successful is anticipated to have a minimal impact on traffic or parking.

The Department of Transportation (DOT) has no objection to this bill and defers to Planning for the appropriate zoning for this property.

Thank you for this opportunity to comment.

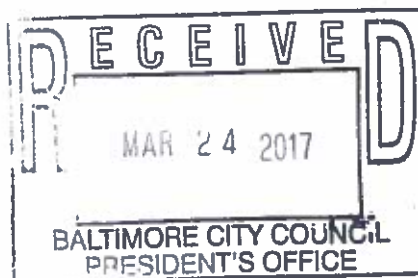
Respectfully,



Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office



*No dot/ refers
to planning*



**BALTIMORE
HOUSING**

CATHERINE PUGH
Mayor

MICHAEL BRAVERMAN
Acting Executive Director, HAHC
Acting Commissioner, HCD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Acting Commissioner *MB*

Date: March 8, 2017

Re: City Council Bill 17-0016 - Zoning - Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District - 2823 Huntingdon Avenue

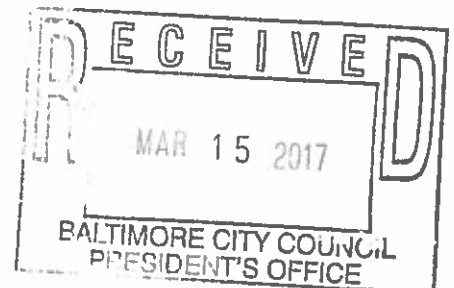
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0016 for of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue.

If enacted, this bill would allow the conversion of a one dwelling unit property in the Remington neighborhood.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0016.

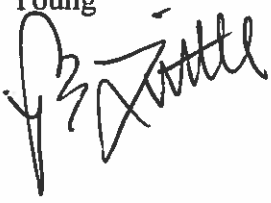
MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: February 24, 2017
RE: Council Bill 17-0016

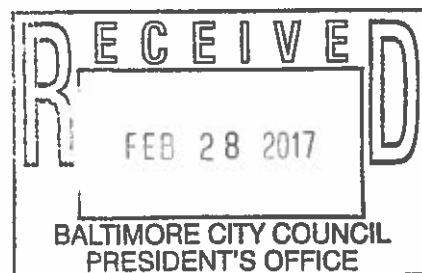


I am herein reporting on City Council Bill 17-0016 introduced by Councilmembers Clarke, Dorsey, Cohen, and Stokes at the request of Daniel Wells.

The purpose of this bill is for permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue.

The Parking Authority of Baltimore City reviewed the proposed legislation. The legislation does not explicitly address parking; therefore, the parking requirements will be based on those of the underlying district and prescribed by the Zoning Code. This site is not located on a block where the Parking Authority administers any on-street parking programs. As building plans and uses become more defined, the Parking Authority will be involved through Site Plan Review and Planning Commission hearings to ensure that parking demand is adequately addressed and negative effects to parking as a result of development on this site are mitigated.

Based on the comments above, the Parking Authority of Baltimore City does not oppose - the passage of City Council Bill 17-0016.




*Not
opposed*



MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO 

DATE: February 14, 2017

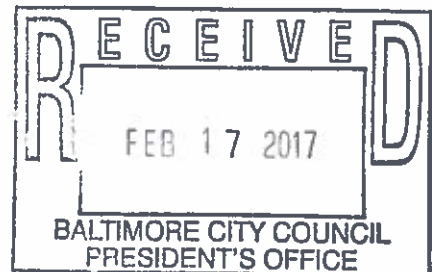
SUBJECT: City Council Bill No. 17-0016
Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and
1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

The Baltimore Development Corporation (BDC) has been asked to comment on Council Bill 17-0016, a Zoning-Conditional Use Conversion of 1 Dwelling Unit to a 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District-2823 Huntingdon Avenue.

The proposed conditional use is necessary to allow for the additional dwelling unit in the R-8 Zoning District. BDC has no objection to the proposed City Council Bill 17-0016.

cc: Colin Tarbert
Angela Gibson

sandra.blake/ccbill17/17-0016



No 

FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202
	SUBJECT	City Council Bill #17-0016 Response to: Zoning-Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District- 2823 Huntingdon Avenue

CITY OF
BALTIMORE
MEMO

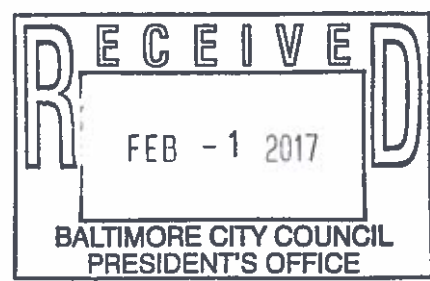


TO The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408

DATE: **January 30, 2017**

For the purpose of permitting subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

The Fire Department has no objection to the proposed City Council bill 17-0016 as written provided all fire and life safety codes are adhered to during and after construction.



NO obj

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

4/11/2017

Order #: 11319577

Case #:

Description:

PUBLIC HEARING - CC 17-0016 ORDINANCE - Zoning - Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District - 2823 Huntingdon Avenue on Wednesday, April 26, 2017 at 1:00 p.m.

Darlene Miller, Public Notice Coordinator
(Representative Signature)

BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 17-0016

The Land Use and Transportation Committee of the Baltimore City Council will meet on **Wednesday, April 26, 2017 at 1:00 p.m.** in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 17-0016.

CC 17-0016 ORDINANCE - Zoning - Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District - 2823 Huntingdon Avenue

FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning

Section(s) 3-305(1) and 14-102

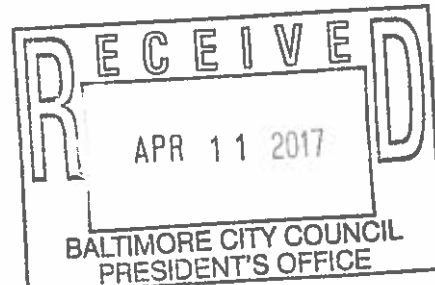
Baltimore City Revised Code

(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER
Chair

ap11



**CITY OF BALTIMORE
COUNCIL BILL 17-0016
(First Reader)**

Introduced by: Councilmembers Clarke, Dorsey, Cohen, Stokes

At the request of: Daniel Wells

Address: c/o Noah Matten, 305 North Street, Easton, Maryland 21601

Telephone: 1-410-443-8702

Introduced and read first time: January 23, 2017

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of 1 Dwelling Unit to**
3 **1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District –**
4 **2823 Huntingdon Avenue**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to
6 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property
7 known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

8 BY authority of

9 Article - Zoning

10 Section(s) 3-305(b) and 14-102

11 Baltimore City Revised Code

12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
14 permission is granted for the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency
15 dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as
16 outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City
17 Zoning Code §§ 3-305(b) and 14-102, subject to the condition that the building complies with all
18 applicable federal, state, and local licensing and certification requirements.

19 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
20 accompanying plat and in order to give notice to the agencies that administer the City Zoning
21 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
22 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
23 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
24 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
25 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
26 the Zoning Administrator.

EXPLANATION: CAPITALS indicate matter added to existing law.
{Brackets} indicate matter deleted from existing law.

Council Bill 17-0016

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

STATEMENT OF INTENT
UNDER ZONING CODE § 16-202
FOR

2823 HUNTINGDON AVE.
{Address}

1. Applicant's Contact Information:

Name: DANIEL WELLS

Mailing Address: 1100 W. 36TH ST., BALTIMORE, MD 21211

Telephone Number: 443-564-1981

Email Address: OLDBANKBARBERS1@GMAIL.COM

2. All Proposed Zoning Changes for the Property: TO CONVERT SINGLE-FAMILY DWELLING INTO A SINGLE-FAMILY DWELLING WITH EFFICIENCY APARTMENT

3. All Intended Uses of the Property: SINGLE-FAMILY DWELLING AND EFFICIENCY

4. Current Owner's Contact Information:

Name: DANIEL WELLS

Mailing Address: 1100 W. 36TH ST Baltimore MD 21211

Telephone Number: 443-564-1981

Email Address: OLDBANKBARBERS1@GMAIL.COM

5. Property Acquisition:

The property was acquired by the current owner on 11/02/2016 by deed recorded in the Land Records of Baltimore City in Liber 18599 Folio 0073.

6. Contract Contingency:

(a) There is ___ is not X a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties to the contract are as follows {use additional sheet if necessary}: _____

(ii) The purpose, nature, and effect of the contract are: _____

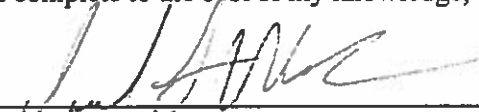
7. Agency:

(a) The applicant is _____ is not acting as an agent for another.

(b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are as follows {use additional sheet if necessary}: _____

AFFIDAVIT

I, DANIEL WELLS, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.



Applicant's signature

11/17/17

Date

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UNDER ZONING CODE § 16-202
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016

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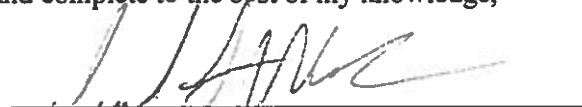
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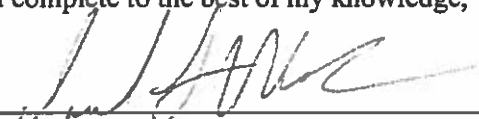
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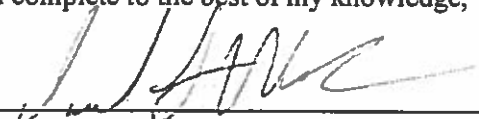
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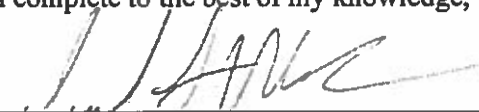
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216

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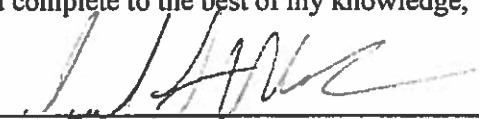
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AFFIDAVIT

I, DANIEL WELLS, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.



Applicant's signature

11/17/17

Date

STATEMENT OF INTENT
UNDER ZONING CODE § 16-202
FOR

2823 HUNTINGDON AVE.
{Address}

1. Applicant's Contact Information:

Name: DANIEL WELLS

Mailing Address: 1100 W. 36TH ST., BALTIMORE, MD 21211

Telephone Number: 443-564-1981

Email Address: OLDBANKBARBERS1@GMAIL.COM

2. All Proposed Zoning Changes for the Property: TO CONVERT SINGLE-FAMILY DWELLING INTO A SINGLE-FAMILY DWELLING WITH EFFICIENCY APARTMENT

3. All Intended Uses of the Property: SINGLE-FAMILY DWELLING AND EFFICIENCY

4. Current Owner's Contact Information:

Name: DANIEL WELLS

Mailing Address: 1100 W. 36TH ST Baltimore MD 21211

Telephone Number: 443-564-1981

Email Address: OLDBANKBARBERS1@GMAIL.COM

5. Property Acquisition:

The property was acquired by the current owner on 11/02/2016 by deed recorded in the Land Records of Baltimore City in Liber 18599 Folio 0073.

6. Contract Contingency:

(a) There is is not X a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties to the contract are as follows {use additional sheet if necessary}: _____

(ii) The purpose, nature, and effect of the contract are: _____

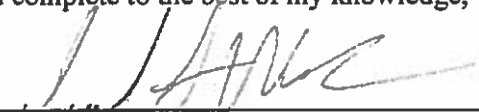
7. Agency:

(a) The applicant is _____ is not acting as an agent for another.

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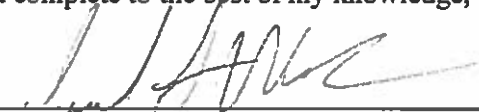
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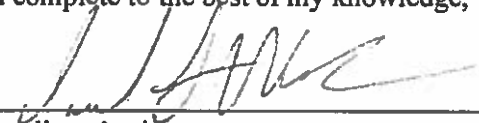
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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL 17-0016

APPROVED FOR FORM STYLE, AND TEXTUAL SUFFICIENCY
1-17-17
DEPT LEGISLATIVE REFERENCE

Introduced by: Councilmember Clarke
 At the request of: Daniel Wells
 Address: c/o Noah Matten, 305 North Street, Easton, Maryland 21601
 Telephone: 1-410-443-8702

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Conditional Use Conversion of 1 Dwelling Unit to
 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District –
 2823 Huntingdon Avenue

LOT
 Law
 BMZA
 flannigan
 HCO
 Fire
 BOC
 Parviz
 DOT

FOR the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

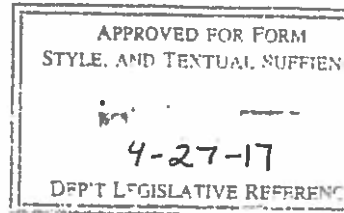
BY authority of
 Article - Zoning
 Section(s) 3-305(b) and 14-102
 Baltimore City Revised Code
 (Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 3-305(b) and 14-102, subject to the condition that the building complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
 THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.



AMENDMENTS TO COUNCIL BILL 17-0016
(1st Reader Copy)

By: Land Use and Transportation Committee

Amendment No. 1

On page 1, in line 17, strike “condition that the” and substitute “following conditions”:

1. The adoption of this Ordinance is conditioned on the continued maintenance of the 2 required parking spaces.
2. The”;

and, on page 1, in line 17, strike “complies” and substitute “must comply”.

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A CONDITIONAL USE FOR:

City Council Bill No. 17-0016

Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

According to the Baltimore City Zoning Code, agency reports and public testimony a conditional use is being granted under:

Title 14-204

Upon finding that:

- (1) the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
- (2) the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization is not otherwise in any way contrary to the public interest; and
- (4) the authorization is in harmony with the purpose and intent of this article

Title 14-205

After consideration of:

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;
- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
- (5) accessibility of the premises for fire and police protection;
- (6) accessibility of light and air to the premises and to the property in the vicinity;
- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;
- (8) the preservation of cultural and historic landmarks;
- (9) the provisions of the City Master Plan:
- (10) the provisions of any applicable Urban Renewal Plan:
- (11) all applicable standards and requirements of this article;
- (12) any other matters considered to be in the interest of the general welfare.

LAND USE AND TRANSPORTATION COMMITTEE:

Chairman

Member

Member

Member

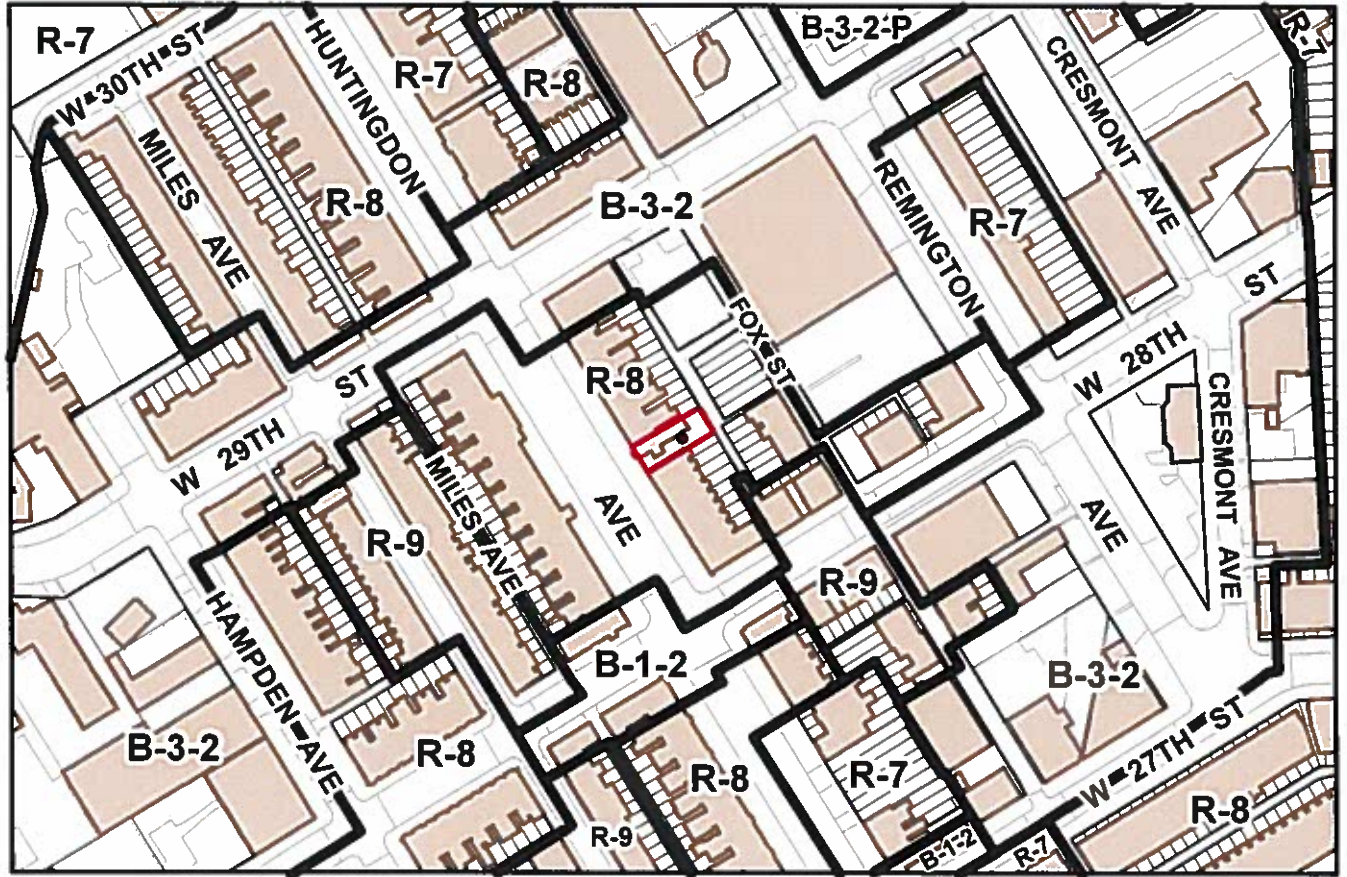
Member

Member

Member

Member

**SHEET NO. 35 OF THE ZONING DISTRICT MAP OF
THE BALTIMORE CITY ZONING CODE**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

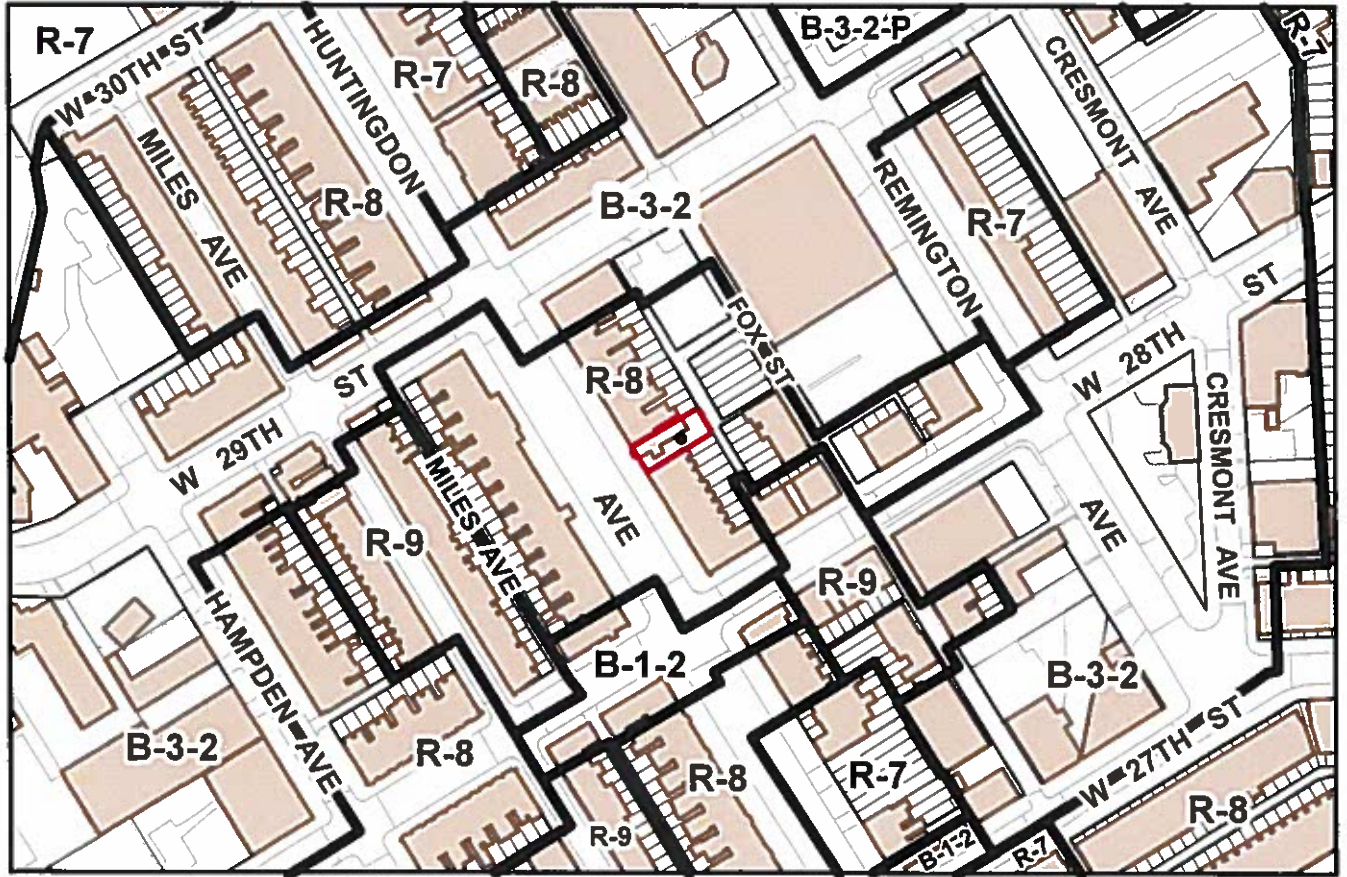
In Connection With The Property Known As No. 2823 HUNTINGDON AVENUE. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A One Family Dwelling Unit To A One Family Dwelling Unit And An Efficiency Dwelling Unit In The R-8 Zoning District, As Outlined In Red Above.

WARD 12 SECTION 2
BLOCK 3651 LOT 11

MAYOR

PRESIDENT CITY COUNCIL

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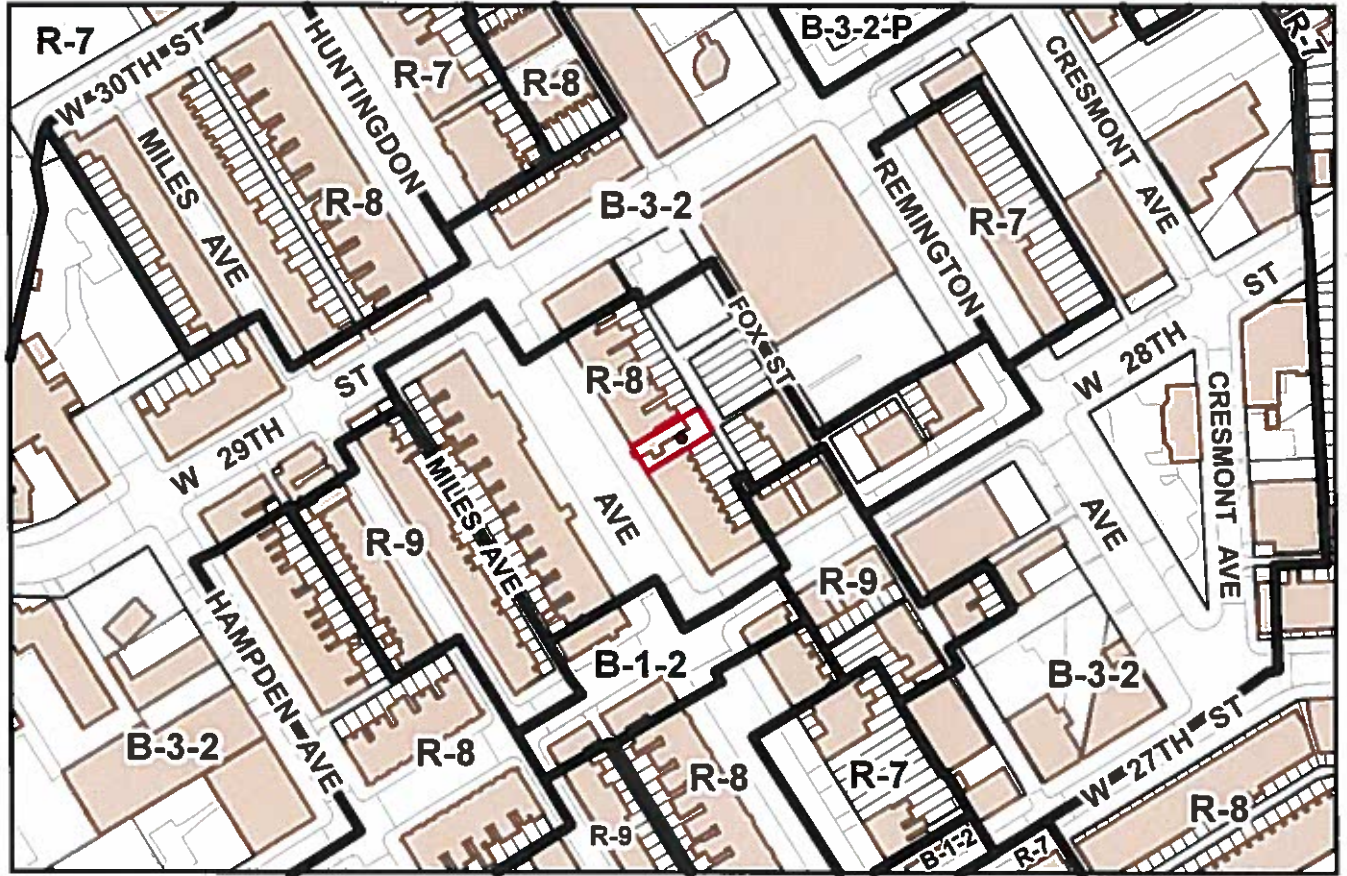
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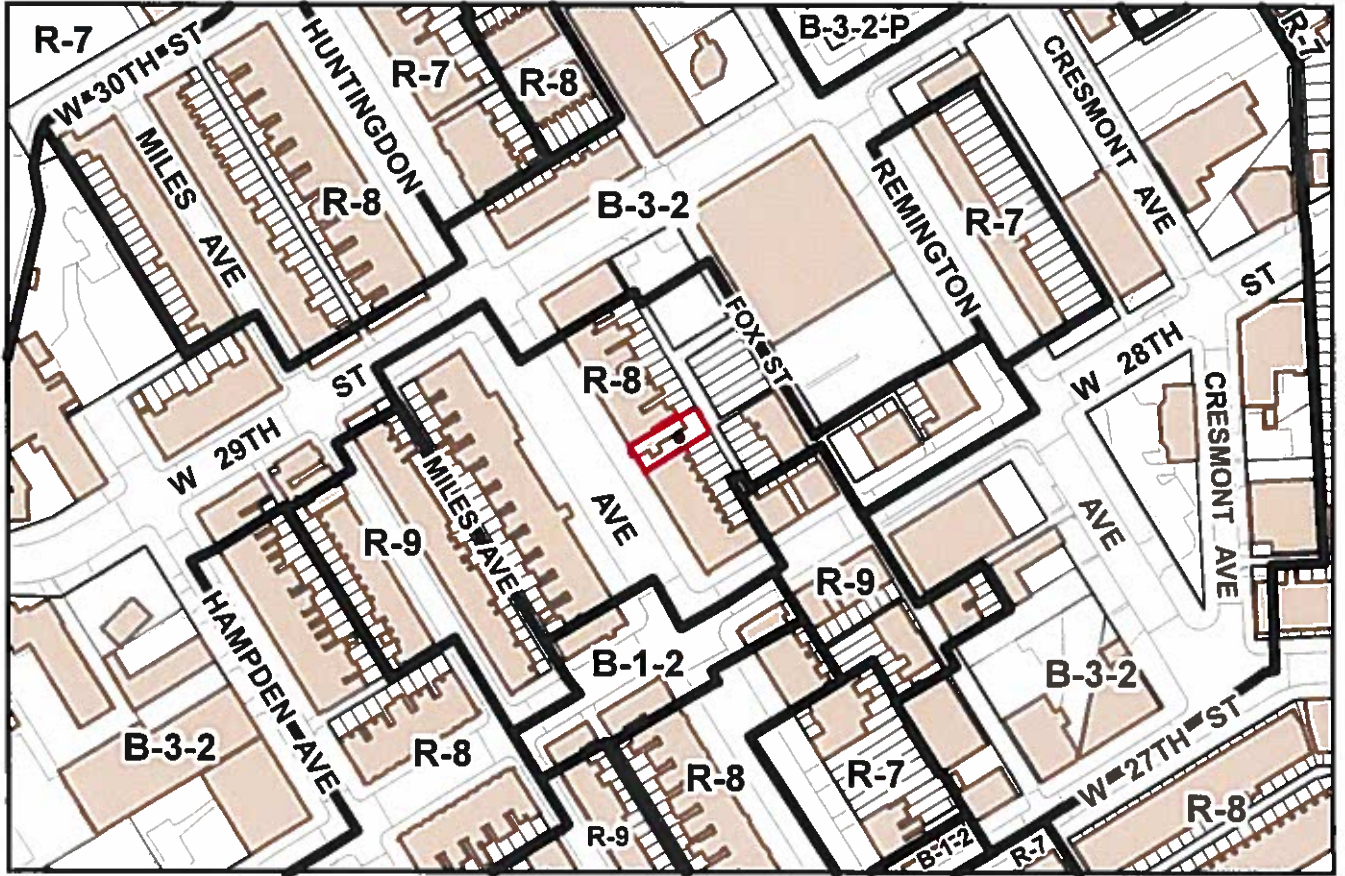
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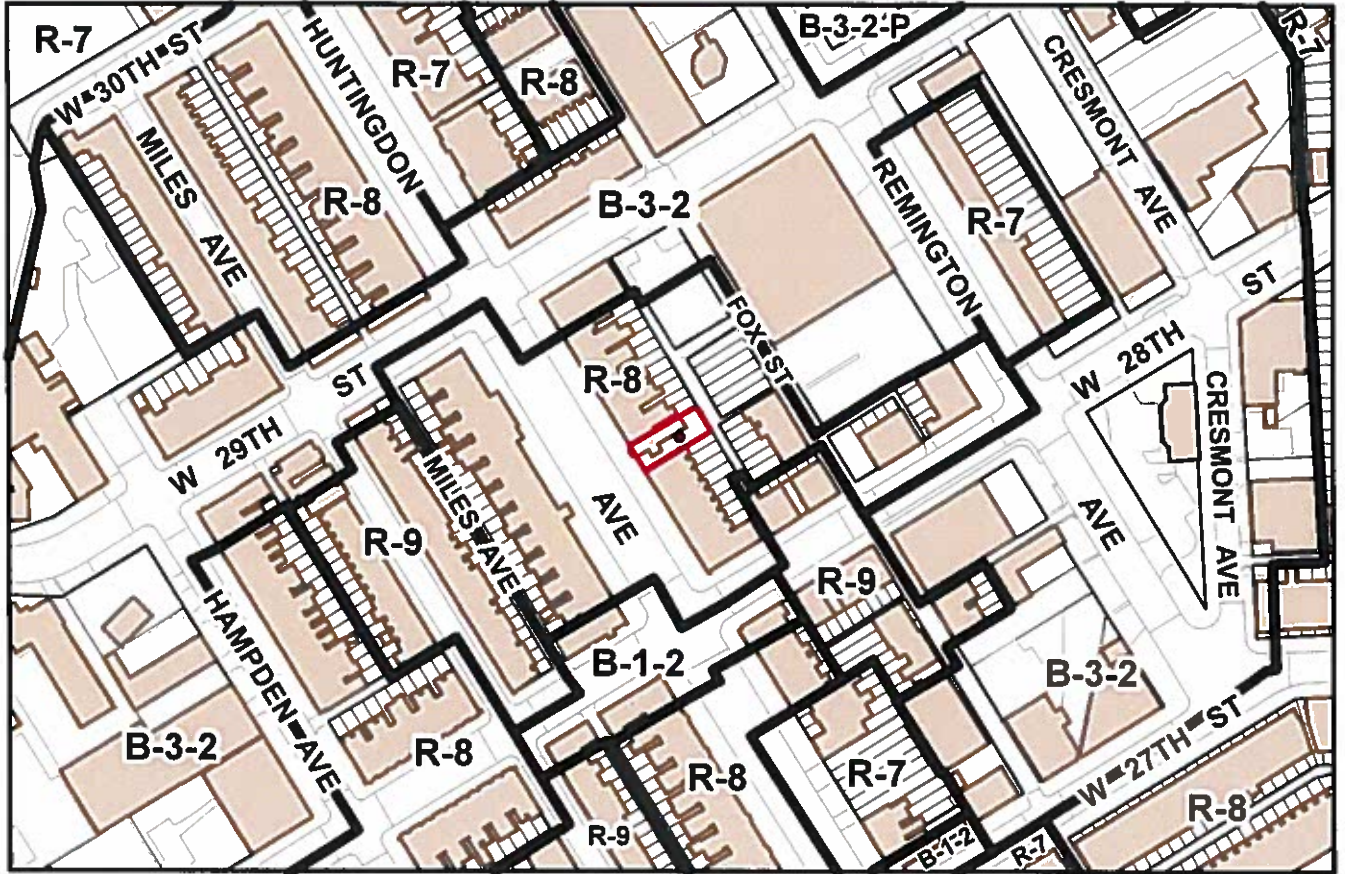
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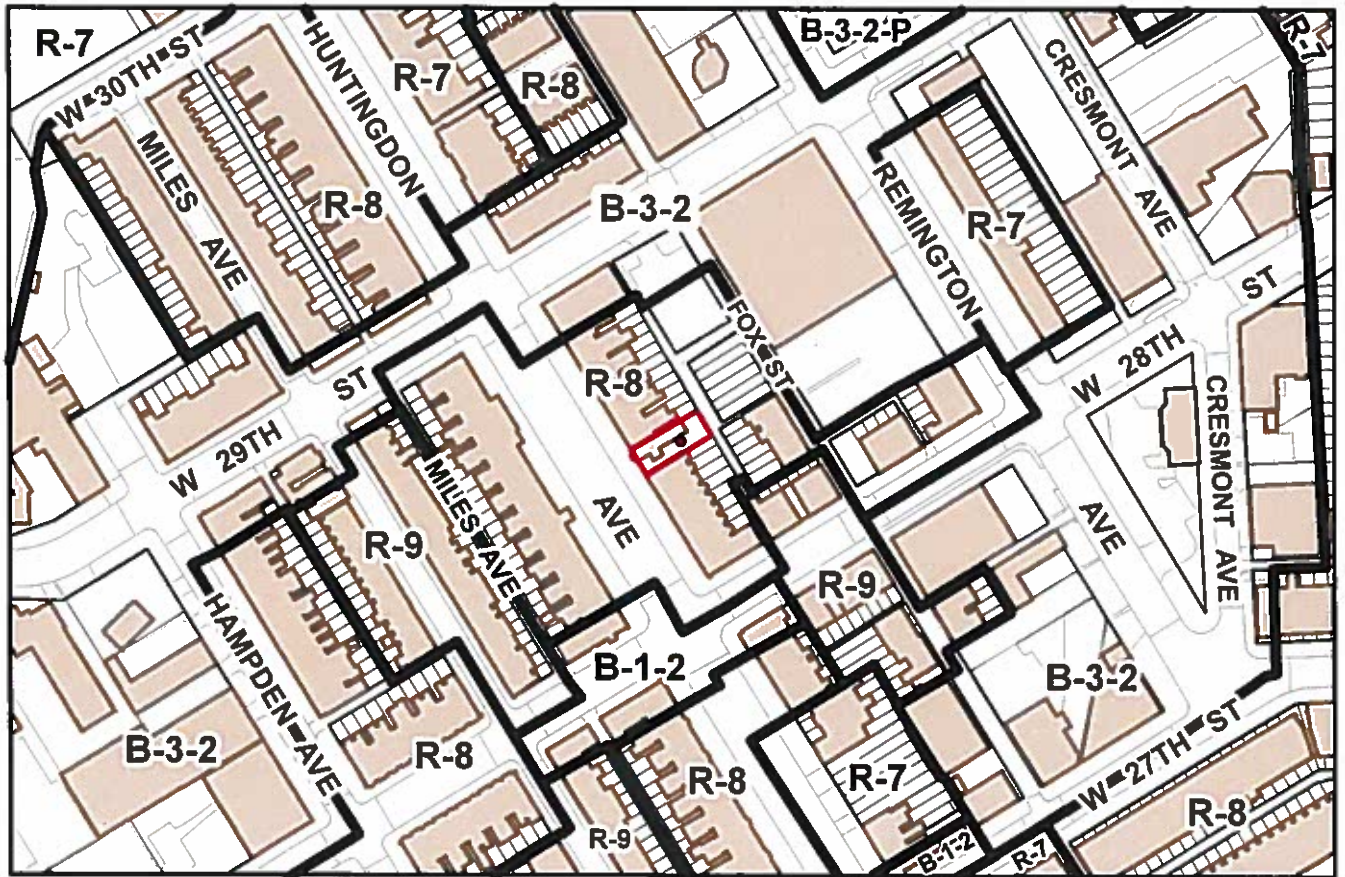
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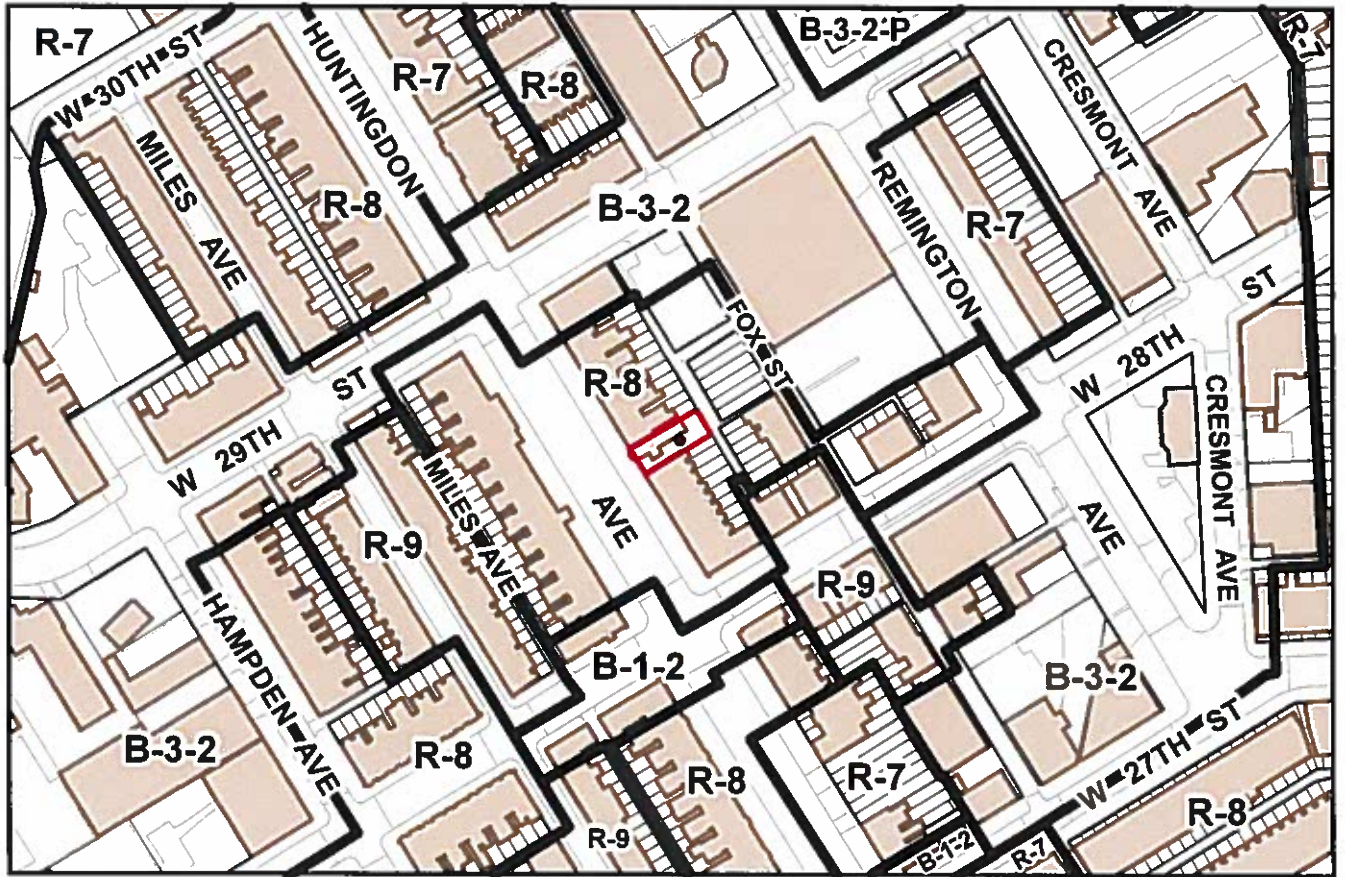
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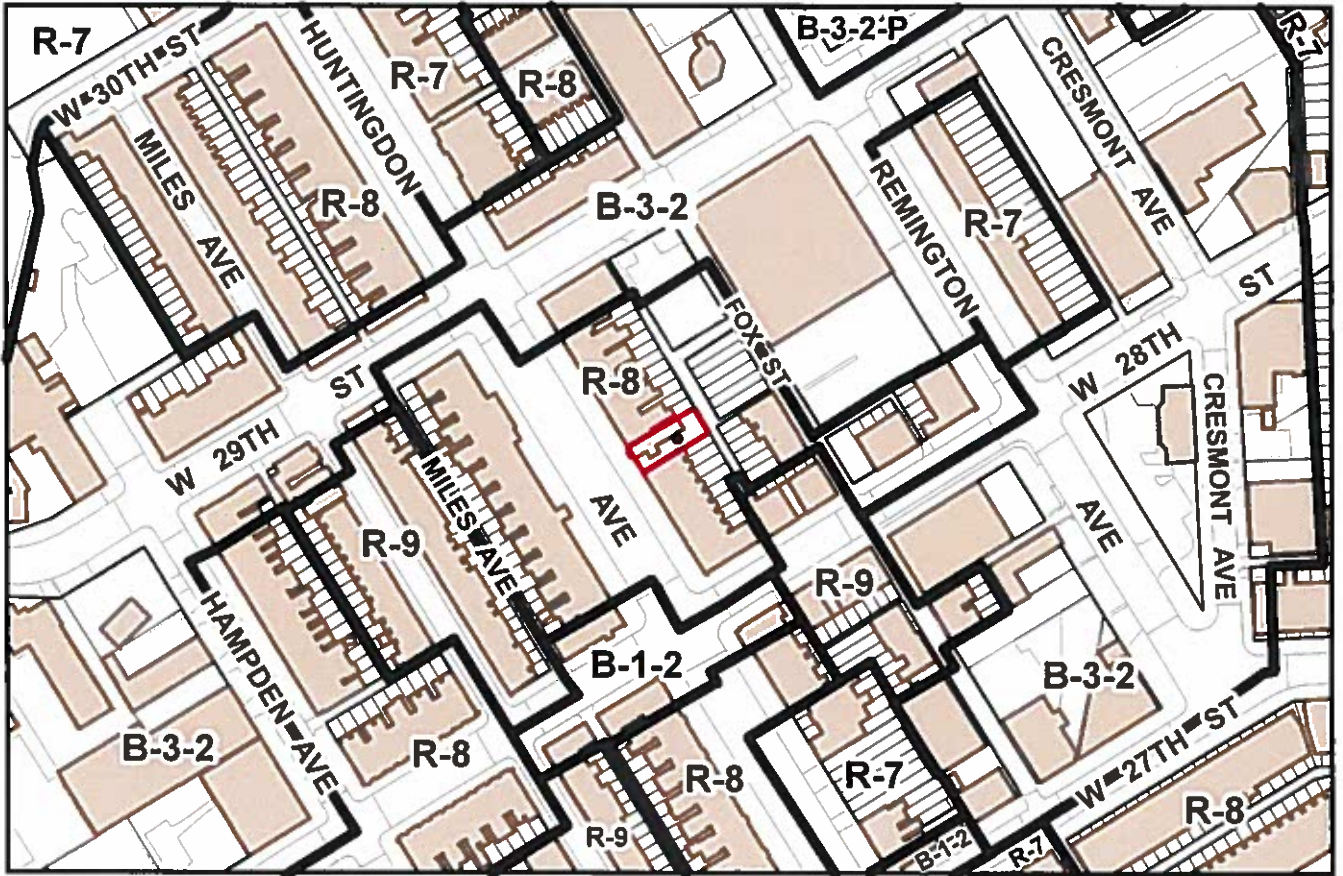
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