

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 23-0399

Introduced by: Councilmember Schleifer

At the request of: Kol Torah of Baltimore, Inc. c/o Chase Hoffberger, Al Barry, AB Associates

Address: 225 E. Redwood Street, Suite 400G, Baltimore, Maryland 21202

Telephone: (512) 536-0783

Introduced and read first time: June 12, 2023

Assigned to: Economic and Community Development Committee

Committee Report: Favorable

Council action: Adopted

Read second time: October 30, 2023

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment – Benhurst Park

FOR the purpose of repealing Ordinance 09-161; approving certain amendments to the Development Plan of the Benhurst Park Planned Unit Development; and providing for a special effective date.

BY authority of

Article - Zoning

Section 5-201(a) and Title 13

Baltimore City Revised Code

(Edition 2000)

Recitals

By Ordinance 73-417, as amended by Ordinances 78-690, 83-1127, 07-384, and 09-161, the Mayor and City Council (i) approved the application of Carl M. Freeman Associates, Inc. And Ralph DeChiaro Enterprises, Inc., to have certain property located on the south side of Fallstaff road, north and east of Bartol Avenue, north and south of Benhurst Park, and east of Clarks Lane, consisting of 50 acres, more or less, designated as a Residential Planned Unit Development and (ii) approved the Development Plan submitted by the applicant.

Kol Torah of Baltimore, Inc. wishes to repeal Ordinance 09-161 and to amend the Development Plan, as previously approved by the Mayor and City Council, to change the boundaries of the planned unit development.

On March 8, 2023, representatives of Kol Torah of Baltimore, Inc. met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

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.

Council Bill 23-0399

1 The representatives of Kol Torah of Baltimore, Inc. have now applied to the Baltimore City
2 Council for approval of these amendments, and they have submitted amendments to the
3 Development Plan intended to satisfy the requirements of Section 5-201(a) and Title 13 of the
4 Baltimore City Zoning Code.

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, that
6 Ordinance 09-161 is repealed.

7 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Mayor and City Council approves the
8 amendments to the Development Plan submitted by the Developer, removing all that parcel of
9 land situate in Baltimore City, State of Maryland, and described as follows, from the boundaries
10 of the Benhurst Park Planned Unit Development:

11 Being known and designated as Lot 67 on the plat entitled, “Final Subdivision Plan, Kol
12 torah, Liber SEB 168, folio 419, Ward 27 - Section 22 - Block 4324 - Lot 67/68” which plat
13 is recorded among the Land Records of Baltimore City as Plat FMC No. 4047.

14 Being the same property described in Deed dated October 20, 2009, and recorded among the
15 Land Records of Baltimore City in Liber FMC 12113, Page 0510 from Heather Ride
16 Condominium Council, Inc. to Kol Torah of Baltimore, Inc.

17 **SECTION 3. AND BE IT FURTHER ORDAINED**, That all plans for the construction of permanent
18 improvements on the property are subject to final design approval by the Planning Commission
19 to insure that the plans are consistent with the Development Plan and this Ordinance.

20 **SECTION 4. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the
21 accompanying amended Development Plan and in order to give notice to the agencies that
22 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
23 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
24 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
25 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
26 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
27 Commissioner of Housing and Community Development, the Supervisor of Assessments for
28 Baltimore City, and the Zoning Administrator.

29 **SECTION 5. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it is
30 enacted.

Council Bill 23-0399

Certified as duly passed this 6 day of November, 2023



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 6 day of November, 2023



Chief Clerk

Approved this 4th day of January, 2024



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 20th Day of November, 2023.

Elena R. DiPietro

Chief Solicitor