
CITY OF BALTIMORE

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Mayor



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September 24, 2025

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 25-0092 – Zoning – Conditional Use Conversion to a Banquet Hall
in the C-2 Zoning District – Variance – 1123 West Baltimore Street

Dear President and City Council Members:

The Law Department reviewed City Council Bill 25-0092 for form and legal sufficiency. The bill would permit, subject to certain conditions, the establishment, maintenance, and operation of a banquet hall on the property known as 1123 West Baltimore Street (Block 0217, Lot 012) in the C-2 zoning district and grant a variance from off-street parking requirements. The ordinance would take effect on the date of its enactment.

Conditional Use Standards

Banquet halls are permitted as a conditional use if approved by ordinance in the C-2 zoning district. Baltimore City Code, Art. 32, Zoning Table 10-301. To approve a conditional use, the City Council must find:

1. the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
2. the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization would not be contrary to the public interest; and
4. the authorization would be in harmony with the purpose and intent of this Code.

Baltimore City Code, Art. 32, § 5-406(b). In making these findings, the City Council must be guided by fourteen “considerations” involving such things as the “nature of the surrounding area and the extent to which the proposed use might impair its present and future development,” “the character of the neighborhood,” and “the resulting traffic patterns and adequacy of proposed off-street parking.” Baltimore City Code, Art. 32, § 5-406(a).

Variance Standards

Council Bill 25-0092 contains a request for a variance from off-street parking requirements. Required off-street parking for a banquet hall is “1 per 10 persons of fire-rated capacity.” Baltimore City Code, Art. 32, Zoning Table 16-406.

To grant a variance, the City Council must find that, “because of the conditions peculiar to the property, including particular physical surroundings, shape, or topographical conditions of the specific structure or land involved” or “because of exceptional circumstances related to the specific structure or land involved,” a practical difficulty, as distinguished from a mere inconvenience, would result from a strict application of the law’s requirements. Baltimore City Code, Art. 32, § 5-308(a). The City Council must also make six other findings:

1. the practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property;
2. the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;
3. the variance will not:
 - i. be injurious to the use and enjoyment of other property in the immediate vicinity; or
 - ii. substantially diminish and impair property values in the neighborhood;
4. the variance is in harmony with the purpose and intent of this Code;
5. the variance is not precluded by and will not adversely affect:
 - i. any Urban Renewal Plan;
 - ii. the City’s Comprehensive Master Plan; or
 - iii. any Historical and Architectural Preservation District; and
6. the variance will not otherwise:
 - i. be detrimental to or endanger the public health, safety, or welfare; or
 - ii. be in any way contrary to the public interest.

Baltimore City Code, Art. 32, § 5-308(b). It is important to note that all of these criteria must be found, in addition to a finding of practical difficulty. Baltimore City Code, Art. 32, § 5-308(a). The City Council must evaluate a request for a variance based on evidence presented at a public hearing. Baltimore City Code, Art. 32, § 5-305(a).

Planning Commission Recommendations

The site for the proposed banquet hall is a two-story building that occupies the entire lot at the southwest corner of the intersection of West Baltimore Street and South Carlton Street. The site is zoned C-2 and is in the Southwest Partnership Vision Plan area and the Union Square CHAP District. The property is also in the Hollins Market Neighborhood Statistical Area which is predominantly zoned C-1 and C-2 to accommodate community commercial uses. The Planning Report states that the area supports the proposed use as a banquet hall.

The subject structure is currently unoccupied. It was previously authorized for use as a place of worship in 2013 and as a screen printing business in 2022. The owners are working with CHAP staff to correct exterior modification violations. The 2024 Comprehensive Master Plan for the

City designates the subject property in the “Mixed Use: Predominantly Pedestrian-Oriented Commercial group.” The proposed development of the property conforms to this designation. The site is not located in an Urban Renewal Plan area. The applicant plans to operate an event venue on the first floor of the property, and the business will also provide event planning and décor services.

The Planning Report indicates that nothing about the property’s configuration renders it unsuitable for use as a banquet hall. Given the relatively small size of the building, it is not expected to unreasonably impact the traffic patterns in the immediate area. The use of the property as a banquet hall is not expected to negatively impact the Place of Worship on the opposite corner given that their typical hours of operation will not conflict. The nearest school is three blocks away. The property is accessible to emergency vehicles. The building will not be altered so there is no effect on access to light and air, and no effect on the site’s historic designation. The building is adequately served by existing City infrastructure.

The bill contains a request for a variance from off-street parking requirements. For a banquet hall, the Code requires off-street parking to be provided at a ratio of one space per ten persons of fire-rated capacity. Baltimore City Code, Art. 32, Zoning Table 16-406. Because the structure occupies the entire site no off-street parking can be provided. The Planning Report notes, however, that because this structure is more than 50 years old it is eligible for an exemption from parking requirements, subject to approval by the Director of Planning, if it has not historically provided parking and the lot lacks sufficient space to accommodate parking. See Baltimore City Code, Art. 32, § 16-601(f). The Planning Staff noted it could not find any previous variance granted to the property related to parking. Moreover, a former commercial parking lot that is now City-owned is just to the south of the site and likely accommodated parking for this site. Based on these factors, Planning Staff believes it is likely that no off-street parking was ever provided at the subject site. The Planning Report states that “[u]nder § 16-601 of the Zoning Code, the Director of Planning granted a parking exemption on the application dated September 17, 2025.” Planning Staff found that the requirements of the exemption were met. The Report states, “the property is exempt from the parking requirements of Zoning Code Table 16-406, and no variance is necessary for approval of the proposed use.” If the Council finds that the subject site has a valid exemption from off-street parking requirements, Section 2 of Council Bill 25-0092 on lines 22-26 of the first page should be removed, and Section 3 beginning on line 1 of the second page should be renumbered. The reference to a variance should also be removed from the bill title and the purpose clause.

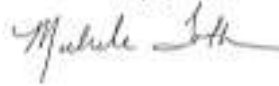
The Planning Report contains an equity analysis. The Planning Commission accepted the Planning Staff recommendation and recommended approval of this bill.

Hearing Requirements

Certain procedural requirements apply to this bill beyond those discussed above because an ordinance that authorizes a conditional use or a variance is considered a “legislative authorization.” Baltimore City Code, Art. 32, § 5-501(2)(i) and (ii). Specifically, notice requirements apply to the bill, and the bill must be referred to certain City agencies which are obligated to review the bill in a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506, 5-602. Finally, certain limitations on the City Council’s ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507.

The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standards have been met for a conditional use and for a variance, if required. Assuming the required findings are made at the hearing, and all procedural requirements are satisfied, the Law Department can approve the bill for form and legal sufficiency.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Michele M. Toth", written in a cursive style.

Michele M. Toth
Assistant Solicitor

cc: Ebony Thompson
Ethan Hasiuk
Ty'lor Schnella
Shamoyia Gardiner
Hilary Ruley
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