



**BALTIMORE CITY COUNCIL
ECONOMIC AND COMMUNITY DEVELOPMENT
COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the Committee on Economic and Community Development (ECD) is responsible for supporting strong thriving communities. ECD will review proposed zoning and land use changes, tackle issues related to economic development, oversee housing policy, and promote equitable economic opportunity for all Baltimore residents.

The Honorable Sharon Green Middleton

PUBLIC HEARING

April 1, 2024

1:59 PM

CLARENCE "DU" BURNS COUNCIL CHAMBERS

23-0470

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit
to 4 Dwelling Units in the R-8 Zoning District - Variances - 704 North
Gilmor Street**

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BILL SYNOPSIS

Committee: Economic and Community Development

Bill: 23-0470

Title: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 704 North Gilmor Street

Sponsor: Councilmember Bullock

Introduced: December 4, 2023

Purpose: FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 4 dwelling units in the R-8 Zoning District on the property known as 704 North Gilmor Street (Block 0098, Lot 016), as outlined in red on the accompanying plat; granting variances from certain bulk regulations (lot area size) and off-street parking requirements; and providing for a special effective date.

BY authority of

Article - Zoning

Section(s) 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c), 9-703(f), 16-203, and 16-602 (Table 16-406)

Baltimore City Revised Code

(Edition 2000)

Effective: On the 30th day after enactment

Agency Reports

| | |
|---|----------------------------------|
| City Solicitor | Approve for form and sufficiency |
| Dept of Housing & Community Development | Favorable |
| Fire Dept | Does not Oppose |
| Baltimore Development Corporation | Does not Oppose |
| Parking Authority | Favorable |
| Dept of Transportation | Does not oppose |
| BMZA | Defers to Planning |
| Planning Commission | Favorable with amendments |

Analysis

Background

City Law

To approve a conditional use, the City Council must find, based on facts presented at a hearing on the bill:

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.
4. the authorization would be in harmony with the purpose and intent of the Baltimore City Zoning Code

Bill Analysis

This bill if enacted would permit the single-family dwelling unit known as 704 North Gilmore Street to be converted to 4 dwelling units. The property is in the Harlem Park II Urban Renewal Plan area – a part of the Harlem Park Community it has received the support of the Harlem Park Neighborhood Council.

Variances

This property would need variances for:

- Total Lot Area – while the interior area of the structure is sufficient to support several 1 bedroom units the lot itself is smaller in proportion to the structure (3570 sq feet of internal floor space) and would need a variance. Lot size is approximately 1710 sq feet and would need to be 2625 sq feet resulting in a 34.8% variance.
- Parking - there is a requirement for one off-street parking space per added unit – if four units are created 3 spaces would be needed. The lot does not offer any off-street parking and so a variance would be needed.

Proposed Amendments

Councilman Bullock is offering a proposed amendment to the bill which would reduce the number of authorized units from 4 to three – this is in alignment with recommendations from the Department of Planning staff report as well as the Planning Commission memo.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports, 23-0470 1st reader, Baltimore City Building Code, written testimony, proposed amendments.

Analysis by: Anthony Leva

Direct Inquiries to: 410-396-1091

Analysis Date: March 27, 2024

**CITY OF BALTIMORE
COUNCIL BILL 23-0470
(First Reader)**

Introduced by: Councilmember Bullock
At the request of: Glenn Curtis Rogers Jr.
Address: 3113 Baker Street, Baltimore, Maryland, 21216
Telephone: (443) 822-1669

Introduced and read first time: December 4, 2023

Assigned to: Economic and Community Development Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**
3 **4 Dwelling Units in the R-8 Zoning District – Variances –**
4 **704 North Gilmor Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit into 4 dwelling units in the R-8 Zoning District on the property known as
7 704 North Gilmor Street (Block 0098, Lot 016), as outlined in red on the accompanying plat;
8 granting variances from certain bulk regulations (lot area size) and off-street parking
9 requirements; and providing for a special effective date.

10 BY authority of

11 Article - Zoning

12 Section(s) 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c), 9-703(f),
13 16-203, and 16-602 (Table 16-406)

14 Baltimore City Revised Code
15 (Edition 2000)

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
17 permission is granted for the conversion of a single-family dwelling unit into 4 dwelling units in
18 the R-8 Zoning District on the property known as 704 North Gilmor Street (Block 0098,
19 Lot 016), as outlined in red on the plat accompanying this Ordinance, in accordance with
20 Baltimore City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building
21 complies with all applicable federal, state, and local licensing and certification requirements.

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

Council Bill 23-0470

1 **SECTION 2. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by
2 §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted from the requirements of
3 § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk and Yard
4 Regulations) and 9-703(d), as the minimum lot size requirement for 4 dwelling units, in the R-8
5 Zoning District, is 2,625 square feet, and the lot area size is 1,708.50 square feet, thus requiring a
6 variance of 34.91%.

7 **SECTION 3. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by
8 §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
9 requirements of §§ 9-703(f), 16-203, and 16-602 (Table 16-406: Required Off-Street Parking) for
10 off-street parking.

11 **SECTION 4. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the
12 accompanying plat and in order to give notice to the agencies that administer the City Zoning
13 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
14 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
15 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
16 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
17 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
18 the Zoning Administrator.

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

Economic and Community Development Committee

23-0470

**Zoning - Conditional Use Conversion of a
Single-Family Dwelling Unit to 4 Dwelling Units
in the R-8 Zoning District - Variances - 704
North Gilmor Street**

Agency Reports

CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
EBONY THOMPSON
CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

March 27, 2024

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

Re: City Council Bill 23-0470 – Zoning – Conditional Use Conversion of Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District – Variances – 704 North Gilmor Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0470 for form and legal sufficiency. The bill would permit the conversion of a single-family dwelling unit to four dwelling units at 704 North Gilmor Street, which is in an R-8 Zoning District. The bill would also grant variances from certain bulk (lot area size) and off-street parking requirements.

Conditional Use Standards

The conversion of a single-family dwelling to a multi-family dwelling in an R-8 District requires conditional-use approval by ordinance. City Code, Art. 32, § 9-701(2). The only properties eligible for conversions are those that were “originally constructed as a single-family dwelling” and contain “1,500 square feet or more in gross floor area” exclusive of the basement. Baltimore City Code, Art. 32, § 9-703(b). The Planning Commission Report indicates that this property contains more than 3,500 square feet, thus making it eligible for the conversion.

When a property is converted to multiple dwelling units, as in this bill, each unit must have a certain amount of square feet of gross floor area depending on the number of bedrooms in the unit. Baltimore City Code, Art. 32, § 9-703(c). In this case, according to the Planning Commission Report, the conversion proposed is for four new, one-bedroom dwelling units. One-bedroom dwellings are required to have at least 750 square feet. Baltimore City Code, Art. 32, § 9-703(c)(1). The Planning Commission Report notes that each new dwelling meets that standard.

The converted dwelling must continue to conform to the bulk and yard regulations, including minimum lot size, for the district in which the building is located. Baltimore City Code, Art. 32, § 9-703(d). The minimum lot size per dwelling unit in a multi-family dwelling in an R-8 district is 750 square feet. The Planning Commission notes that this lot contains approximately

1,710 square feet, thus requiring a 915 square feet variance, or approximately 34.8%. The bill contains the requisite variance.

Additionally, three off-street parking spaces are required to serve the newly created dwelling unit. Baltimore City Code, Art. 32, § 9-703(f). However, as the Planning Commission notes, the rear of this property is landlocked, so no additional off-street parking is possible. Accordingly, a parking variance is required, as contained in the bill.

Conditional Use Standards

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). The Planning Commission's report contains findings pertaining to each of the above, using the criteria outlined in Art. 32, § 5-406(a). Although Planning staff recommended approval of the bill as written, the Planning Commission recommends amending the bill to permit only 3 dwelling units.

Variance Standards

To grant any variance, the City Council must find that, "because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out." Baltimore City Code, Art. 32, § 5-308(a). The City Council must also make seven other findings:

- (1) the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification;
- (2) the unnecessary hardship or 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;

- (3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;
- (4) 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;
- (5) the variance is in harmony with the purpose and intent of this Code;
- (6) 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
- (7) 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). The Planning Commission report does not appear to contain findings pertaining to each of the above criteria; the Council record will need to contain these findings before approval.

Procedural Requirements

The City Council committee assigned the bill must consider it at a scheduled public hearing wherein it will hear and weigh the evidence. Baltimore City Code, Art. 32, §§ 5-404; 5-406; 5-507; 5-602. After weighing the evidence presented and submitted into the record before it, the Committee is required to make findings of fact with respect to the factors and considerations outlined above. If, after its investigation of the facts, the Committee makes findings which support the conditional use and the variances sought, it may adopt these findings and the legal requirements will be met.

Finally, certain procedural requirements apply to this bill because both conditional uses and variances are considered "legislative authorizations." Baltimore City Code, Art. 32, § 5-501(2). Specifically, notice requirements apply to the bill, and it must be referred to certain City agencies, which are obligated to review it in a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506, 5-602. Additionally, certain limitations on the City Council's ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507.


This bill is the appropriate method to review the facts and make the determination as to whether the legal standards for a conditional use and variances have been met. 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,



Jeffrey Hochstetler
Chief Solicitor

cc: Ebony Thompson, Acting City Solicitor
Nina Themelis, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor
Teresa Cummings, Assistant Solicitor

| | | | |
|----------------------------|-----------------------|--|--|
| F R O M | NAME & TITLE | Corren Johnson, Director | CITY of BALTIMORE MEMO  |
| | AGENCY NAME & ADDRESS | Department of Transportation (DOT) 417 E Fayette Street, Room 527 | |
| | SUBJECT | Council Bill 23-0470 | |

DATE: 3/18/2024

TO: Mayor Brandon Scott
TO: Economic and Community Development Committee
FROM: Department of Transportation
POSITION: **No Objection**
SUBJECT: Council Bill 23-0470

INTRODUCTION - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 704 North Gilmore Street

PURPOSE/PLANS - For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 4 dwelling units in the R-8 Zoning District on the property known as 704 North Gilmore Street (Block 0098, Lot 016), as outlined in red on the accompanying plat; granting variances from certain bulk regulations (lot area size) and off-street parking requirements; and providing for a special effective date.

COMMENTS – Council Bill 23-0470 looks to secure authorization allowing for the conversion of 704 North Gilmore Street from a single-family dwelling to a 4-unit multi-family residential property. 704 North Gilmore Street is located within the R-8 Zoning District. Per the City’s Zoning Code, R-8 Districts are largely comprised of traditional Baltimore rowhome residential density with limited pedestrian oriented commercial uses.

AGENCY/DEPARTMENT POSTION – The Baltimore City Department of Transportation foresees no direct operational or fiscal impact resulting from the legislation and has **no objection** towards the advancement of Council Bill 23-0470.

If you have any questions, please do not hesitate to contact Liam Davis at Liam.Davis@baltimorecity.gov or at 410-545-3207

Sincerely,

Corren Johnson,
Director



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

| | |
|----------------|--|
| TO | The Honorable President and Members of the Baltimore City Council |
| FROM | Alice Kennedy, Housing Commissioner |
| DATE | April 2, 2024 |
| SUBJECT | CCB 23-0470 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 704 North Gilmor Street |

The Honorable President and
Members of the City Council
City Hall, Room 400

04/02/2024

Position: Favorable

Introduction

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 23-0470 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 704 North Gilmor Street for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 4 dwelling units in the R-8 Zoning District on the property known as 704 North Gilmor Street (Block 0098, Lot 016), as outlined in red on the accompanying plat; granting variances from certain bulk regulations (lot area size) and off-street parking requirements; and providing for a special effective date.

If enacted, City Council Bill 23-0470 would permit the conversion of a single-family dwelling unit into 4 dwelling units in the R-8 Zoning District on the property known as 704 North Gilmor Street while granting variances from certain bulk regulations (lot area size) and off-street parking requirements. If approved, this ordinance will take effect the day it is enacted.

DHCD Analysis

At its regular meeting of January 25, 2024, the Planning Commission concurred with the recommendations of its Departmental staff and recommended that the Bill be amended and approved by the City Council. The Commission found that granting the conditional use conversion at 704 N. Gilmor St. would not endanger public health, safety, or welfare.


DHCD does not foresee any negative impacts as a result of the approval of this bill and it may allow the longtime vacant property to return to productive residential reuse on an otherwise disadvantaged block. The majority of neighboring properties are predominantly vacant privately-owned residential row-homes, while originally built for single-family owner-occupancy, some have undergone conversion to multi-family dwellings during the previous decades. The subject property has recently undertaken new ownership and a vacant building notice was issued to the new owner.

The original conditional use approval for 704 North Gilmore Street for the purpose of multi-family use that was granted in 2015 has lapsed and as a result the applicant has filed this application for the conversion of the property to 4 one-bedroom dwelling units.

This Bill does not have an operational or fiscal impact on DHCD. The property is not located within any of DHCD's Impact Investment Areas, Community Development Zones, or Streamlined Code Enforcement Areas. This conditional use conversion may expand residential rental opportunities for residents of Harlem Park and surrounding communities and may encourage additional abatement of vacant buildings on the block.

Conclusion

DHCD respectfully request a **favorable** report on City Council Bill 23-0470.

| | | | | |
|------|-----------------------|--|---|--|
| FROM | NAME & TITLE | CHRIS RYER, DIRECTOR | CITY of BALTIMORE MEMO |  |
| | AGENCY NAME & ADDRESS | DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET | | |
| | SUBJECT | CITY COUNCIL BILL #23-0470/ ZONING – CONDITIONAL USE CONVERSION OF A SINGLE-FAMILY DWELLING UNIT TO 4 DWELLING UNITS IN THE R-8 ZONING DISTRICT – VARIANCES – 704 NORTH GILMOR STREET | | |

TO

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

DATE: January 29, 2024

At its regular meeting of January 25, 2024, the Planning Commission considered City Council Bill #23-0470, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 4 dwelling units in the R-8 Zoning District on the property known as 704 North Gilmor Street (Block 0098, Lot 016), as outlined in red on the accompanying plat; granting variances from certain bulk regulations (lot area size) and off-street parking requirements; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #23-0470, and adopted the following resolution, with eight members being present (seven in favor, one abstained):

RESOLVED, That the Planning Commission finds, in accordance with §5-406(a) and (b) of the Zoning Code of Baltimore City, that if the proposed use provided in this bill were amended to three dwelling units instead, it:

- would not be detrimental to or endanger the public health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest; and
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in §5-406(a) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and finds that because of its particular surroundings and shape of the specific structure, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements were carried out; and therefore recommends that City Council Bill #23-0470 be **amended and approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Chief of the Land Use and Urban Design Division at 410-396-8365.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Ms. Rebecca Witt, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

January 25, 2024

REQUEST: City Council Bill #23-0470/ Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 704 North Gilmore Street:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 4 dwelling units in the R-8 Zoning District on the property known as 704 North Gilmore Street (Block 0098, Lot 016), as outlined in red on the accompanying plat; granting variances from certain bulk regulations (lot area size) and off-street parking requirements; and providing for a special effective date.

RECOMMENDATION: Adopt Findings, and Approve

STAFF: Eric Tiso

PETITIONER: Glenn Curtis Rogers Jr.

OWNER: Glenn Curtis Rogers Jr.

SITE/GENERAL AREA

Site Conditions: 704 North Gilmore Street is located on the west side of the street, approximately 37' north of the intersection with Harlem Avenue. This property measures approximately 17' by 100'7" and is currently improved with a three-story attached residential building measuring approximately 17' by 70'. This site is zoned R-8 and is located within the Harlem Park II Urban Renewal Plan area, the Old West Baltimore National Register Historic District, and Harlem Park community.

General Area: This property is located in the Harlem Park neighborhood, which is predominantly residential in nature, with the housing stock largely comprised of row homes. There are scattered institutional and small commercial uses throughout the neighborhood.

HISTORY

- Ord. #15-429, dated December 7, 2015, approved this property for three dwelling units.

ANALYSIS

Background: This property was the subject of an appeal before the Board of Municipal and Zoning Appeals (BMZA) on November 21, 2023 (BMZ2023-00190). The BMZA was not able to approve the request conversion, as this property is located in an R-8 zone, and so this request requires a conditional use conversion bill.

Zoning Analysis:

- Use: Multi-family dwellings are a permitted use in the R-8 District (*Zoning*, Table 9-301). In this case, the property was last authorized for use as a multi-family dwelling containing three dwelling units by Ord. #15-429 dated November 17, 2015. That ordinance also approved several variances of the Zoning Code regulations that were then in effect under the prior zoning code. However, that ordinance’s approval was not followed by a certificate of occupancy issued to the previous owner, and the building remained vacant. Thus, the conditional use approval granted in 2015 has lapsed per Article 32 – *Zoning*, §2-203(j), and as a result the applicant has filed this application for conversion to four one-bedroom units.
- Insufficient Lot Area and Variance: In this zoning district, multi-family dwellings require 750 square feet of lot area per dwelling unit (Table 9-401). In this case, for four dwelling units, 2,625 square feet of lot area is required. On a lot with 3 or more dwelling units, a fraction of the total area that is 50% or more of the required lot area factor counts as an additional permitted dwelling unit (§15-302). The lot only encloses 1,710 square feet, and so does not meet this requirement. The Board may grant a variance to reduce the applicable minimum lot area requirements. In this case, the proposed amount of variance would be 34.8%. While this would seem to be a large percentage variance, the ratio of interior floor space is large as compared to the smaller lot area of the property.
- Conversion standards: Per §9-703(b), (1) The existing dwelling must be: (i) a structure originally constructed as a single-family dwelling; and (ii) 1,500 square feet or more in gross floor area. (2) For purposes of this subsection, gross floor area does not include any basement area. In this case, the existing three-story dwelling contains 3,570 sqft of floor area, which meets this requirement.
- Floor Area Requirement: (c) GFA per dwelling unit. The converted dwelling must meet the following gross floor area per unit type: (1) 1-bedroom unit: 750 square feet. For four one-bedroom units, a total of 3,000 sqft of interior space is required, and 3,570 sqft is available.
- Off-Street Parking: In this zoning district, multi-family dwellings require one off-street parking space per dwelling unit (Table 16-406). For four dwelling units, three additional parking spaces are required to serve the new units; none are to be provided since the rear of this lot is landlocked, and so it is not possible to provide the required off-street parking. A parking variance of 100% is therefore required, and is included in the bill.

Conditional Use: Per §5-406(b) {“Approval standards”} of Article 32 – *Zoning*:

(b) *Limited criteria for denying.*

The Board of Municipal and Zoning Appeals or the City Council, may not approve a conditional use or sign unless, after public notice and hearing and on consideration of the standards required by this subtitle, the Board or Council finds that:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use or sign would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use or sign 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.

Establishment, location, construction, maintenance, and operation of a multi-family dwelling at 704 North Gilmore Avenue would not be detrimental to or endanger public health, safety, or welfare. The proposed use is not precluded by any other law, including any Urban Renewal Plan. Use of this property for a multi-family dwelling is not otherwise in any way contrary to the public interest. The authorization would be in harmony with the purpose and intent of the Zoning Code.

Below is the staff's review of §5-406(a) {"Approval standards"} of Article 32 – *Zoning*:

(a) Evaluation criteria.

As a guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals must consider the following, where appropriate:

- (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 emergency vehicles;
- (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 and structures;
- (9) the character of the neighborhood;
- (10) the provisions of the City's Comprehensive Master Plan;
- (11) the provisions of any applicable Urban Renewal Plan;
- (12) all applicable standards and requirements of this Code;
- (13) the intent and purpose of this Code; and
- (14) any other matters considered to be in the interest of the general welfare.

Staff finds that the site, including its size and shape, is appropriate for the proposed use. There would be no change to traffic patterns if this use would be authorized. The surrounding area is one in which the predominant residential type was originally single-family owner-occupancy rowhousing but in which some conversions of single-family to multi-family dwellings occurred during the 20th Century. For this reason, it is unlikely that the proposed multi-family use would impair present or future development. There is reasonable proximity of other dwellings, churches and other places of worship, schools, public structures, and places of public gathering. There is adequate accessibility for emergency vehicles, and of light and air to the premises and to other properties in the vicinity. There are adequate utilities, roads, drainage, and other necessary facilities. The proposed use of the existing structure would not affect preservation of cultural and historic landmarks and structures. Approval of the proposed use as a multi-family dwelling would not affect the existing character of the neighborhood, as noted above. While consistent with provisions of the City's Comprehensive Master Plan, the proposed use is not prevented or limited by any Urban Renewal Plan. Multi-family use would meet all applicable standards and requirements of the Zoning Code upon granting of variances discussed previously, and would be consistent with the intent and purpose of the Zoning Code.

Equity: Staff does not believe that there will be any negative impacts as a result of an approval of this bill, as this is a modest increase over the prior authorization granted in 2015.

Notification: The Harlem Park Neighborhood Council, the Harlem Park Improvement Association, and the West Harlem Park Neighborhood Association have been notified of this action. Staff has received a letter of support from the Harlem Park Neighborhood Council, Inc. (originally addressed to the BMZA).



Chris Ryer
Director



PARKING
OF BALTIMORE CITY
AUTHORITY

MEMORANDUM

To: Nick J. Mosby, President, Baltimore City Council

From: Peter Little, Executive Director

Date: February 1, 2024

Subject: City Council Bill 23-0470



I am herein reporting on City Council Bill 23-0470 introduced by Councilmember Bullock at the request of Glenn Curtis Rogers Jr.

The purpose of this bill is to permit, subject to certain conditions, the conversion of a single-family dwelling unit into 4 dwelling units in the R-8 Zoning District on the property known as 704 North Gilmore Street (Block 0098, Lot 016).

The Parking Authority of Baltimore City (PABC) has reviewed the proposed legislation. This property is not located within any PABC-administered parking programs. PABC staff conducted a site visit in January 2024. Currently no off-street parking is provided as the rear of the lot is not accessible by car. According to the Zoning Administrator Memo dated November 27, 2023, this bill requires an off-street parking variance for the number of new dwelling units added. There is sufficient on-street parking to accommodate demand.

Passage of this bill would have no fiscal impact on PABC programs.

Based on the comments above, the PABC respectfully requests a favorable report on City Council Bill 23-0470.

| | | | | |
|----------------------------|-----------------------|---|---|---|
| F R O M | Name & Title | James W. Wallace, Fire Chief  | CITY OF BALTIMORE MEMO |  |
| | Agency Name & Address | Baltimore City Fire Department 401 E. Fayette Street, Mezzanine | | |
| | Subject | City Council Bill #23-0470 – Zoning – Conditional Use Conversion of Single-Family Unit to 4 Dwelling Units in the R-8 Zoning District – Variances – 704 North Gilmor Street | | |

TO: The Honorable Nick J. Mosby, President
 And All Members of the Baltimore City Council
 City Hall, Room 408

DATE: January 10, 2024


The Baltimore City Fire Department (BCFD) has no opposition to Council Bill 23-0470. The location must comply with all applicable codes, ordinances, and laws and shall be required to obtain all required approvals. The location shall comply with the Building, Fire, and Related Codes of Baltimore City 2020 Edition (As enacted by Ord. 15-547, and last amended by Ord. 18-1830) and applicable Maryland laws.

The above does not negate any requirements for submission of plans to the Office of the Fire Marshal for review of construction, fire detection/notification/suppression systems, and automatic sprinkler installation. The location may be subject to an annual fire inspection and/or permits from the Office of the Fire Marshal.

JW/kw



MEMORANDUM

DATE: January 2, 2024
TO: Economic and Community Development Committee
FROM: Colin Tarbert, President and CEO 
POSITION: No Objection
SUBJECT: City Council Bill No. 23-0470
Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District – Variances –704 North Gilmore Street

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill No. 23-0470 introduced by Councilmember Bullock, on December 4, 2023.

PURPOSE

This bill would allow for the conditional use conversion of a single-family dwelling unit at 704 N. Gilmore Street to four dwelling units.

BRIEF HISTORY

The property is located near the northwest corner of N. Gilmore Street and Harlem Avenue (Block 0098, Lot 016). A variance is required to convert this property to a multifamily use with four dwelling units, because the property measures approximately 1,708 square feet, and the minimum lot size for four dwelling units, in an R-8 district is 2,625 square feet.

FISCAL IMPACT

None.

AGENCY POSITION

The Baltimore Development Corporation has **no objection** to City Council Bill No. 23-0470. If you have any questions, please contact Kim Clark at 410-837-9305 or KClark@baltimoredevelopment.com.

cc: Nina Themelis, Mayor's Office of Government Relations

[MJF]

CITY OF BALTIMORE

Brandon M. Scott, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

Rebecca Lundberg Witt, *Executive Director*

December 7, 2023

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

Re: CC Bill #23-0470- Zoning- Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District- Variances- 704 North Gilmor Street

Ladies and Gentlemen:

City Council Bill No. 23-0470 has been referred to by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 23-0470 is to permit, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 704 North Gilmor Street (Block 0098, Lot 016); and to grant a variances from certain bulk regulations (lot area size) and off-street parking requirements; and to provide for a special effective date. BMZA is deferring its recommendation on the legislation to that of the report and recommendation of the Planning Commission.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca R Witt".

Rebecca Lundberg Witt
Executive Director

CC: Mayor's Office of Council Relations
City Council President
Legislative Reference



Office of the Zoning Administrator
417 E. Fayette Street, Benton Bldg., Room 147

Ref: 704 North Gilmor Street

Date: November 27, 2023

This memo is submitted to confirm the review of a request from the owner and/or representative of the property (or properties) referenced above for authorization to:

Convert existing premises into four dwelling units - R-8 Zoning District

Please be advised that the Office of the Zoning Administrator has determined that the authorization requested above (in whole or in part) requires approval by Ordinance of the Mayor and City Council of Baltimore. In the furtherance of said Ordinance approval, the Zoning Administrator has determined that no additional variances per the Zoning Code of Baltimore City are required or needed to be incorporated into the bill for approval.

- Subsections 9-703(d) and 9-401 – Lot area per dwelling unit. A minimum lot area of 2,625 square feet is required for four units. This lot is approximately 1,708.5 square feet.
- Subsections 9-703(f) and 16-406 – Required Off-Street Parking. For four dwelling units, three off-street parking spaces are required. None are provided.

Note: Should three dwelling units be requested instead of four. Variances would still be needed per said Subsections noted.

This memo is being submitted in accordance with Subsections 5-201 and 5-303 of the Zoning Code for Baltimore City.

Respectfully,

Geoffrey M. Veale
Zoning Administrator

cc: Department of Legislative Reference
Glenn Rogers, Applicant
Councilmember John Bullock
Department of Planning

Economic and Community Development Committee

23-0470

**Zoning - Conditional Use Conversion of a
Single-Family Dwelling Unit to 4 Dwelling Units
in the R-8 Zoning District - Variances - 704
North Gilmor Street**

Additional Materials

BULLOCK I TBD

BULLOCK I TBD

**AMENDMENTS TO COUNCIL BILL 23-0470
(1st Reader Copy)**

By: Councilmember Bullock

{To be offered to the Economic and Community Development Committee}

Amendment No. 1

On page 1, in line 3, strike “4” and substitute “3”; and, on that same page, in lines 6 and 17, in each instance, strike “4” and substitute “3”; and, on page 2, in line 4, strike “4” and substitute “3”.

**AMENDMENTS TO COUNCIL BILL 23-0470
(1st Reader Copy)**

By: Department of Planning
{To be offered to the Economic and Community Development Committee}

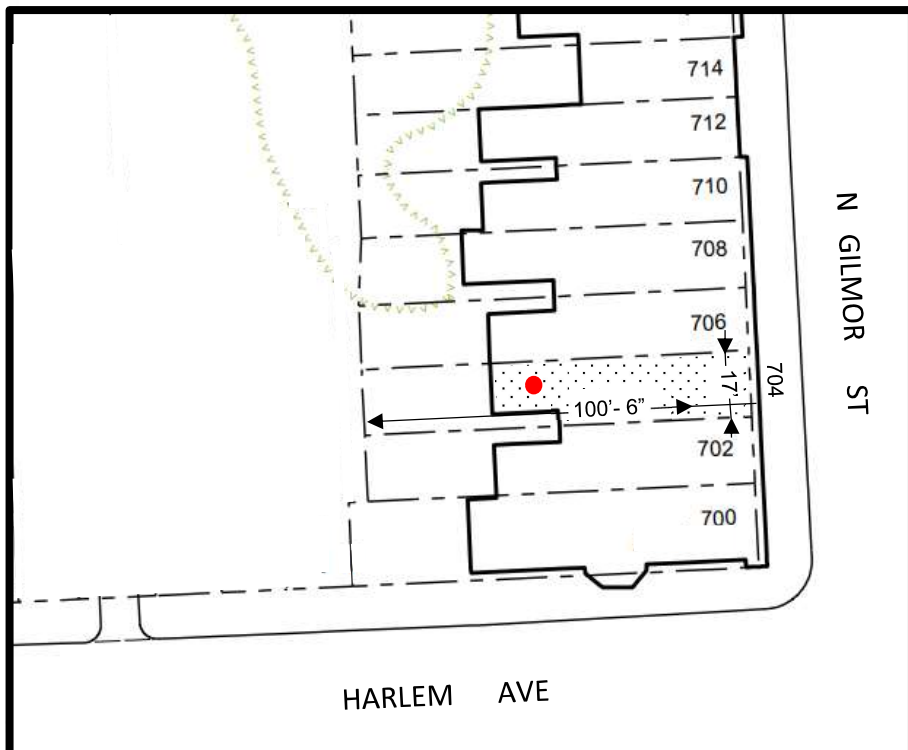
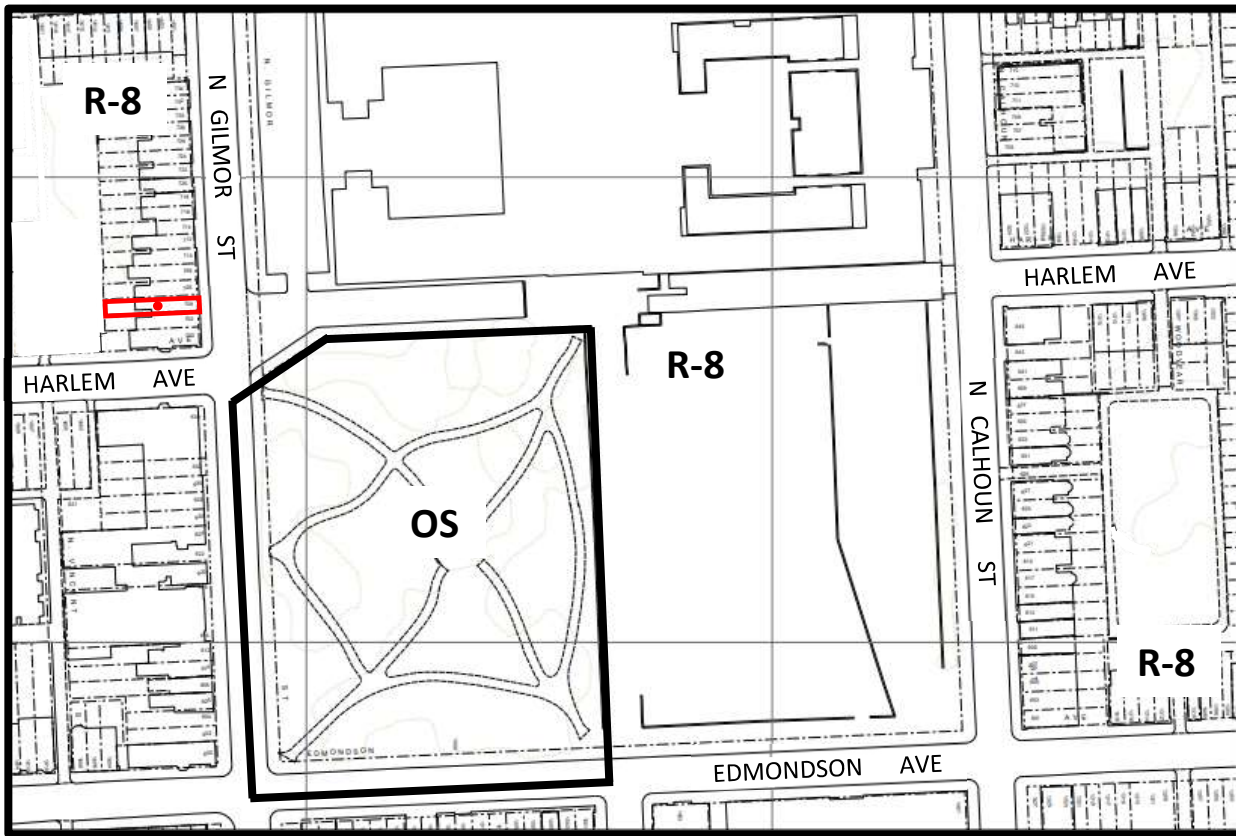
Amendment No. 1

On page1, in line 3, strike “4” and substitute “3”; and, on that same page, in lines 6 and 17, in each instance, strike “4” and substitute “3”; and, on page 2, in line 4, strike “4” and substitute “3”; and, on that same page, in line 5, strike “2,625” and substitute “1,875”; and, on that same page, in that same line, strike “1,708.50” and substitute “1,710”; and, on that same page, in line 6, strike “34.91%” and substitute “8.8%”.

Amendment No. 2

Strike the accompanying plat in its entirety and substitute with the attached.

SHEET NO. 54 OF THE ZONING MAP OF THE ZONING CODE OF BALTIMORE CITY



Note:

In Connection With The Property Known As No. 704 NORTH GILMOR STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 16 SECTION 10
BLOCK 98 LOT 16

MAYOR

PRESIDENT CITY COUNCIL

Scale: 1" = 50'

Harlem Park Neighborhood Council, Inc.

***P.O Box 4347 Baltimore, Maryland 21223
410-523-0401***

11/06/2023

**Becky Witt
Executive Director
Board of Municipal & Zoning Appeals
417 E. Fayette Street, Suite 912
Baltimore, Maryland 21202
BMZA@baltimorecity.gov**

**RE: 704 N. Gilmor Street (Block 0098, Lot 016)
Baltimore, MD 21217
BMZA #2023-190
Letter of Support**

Dear Ms. Witt,

The Harlem Park Neighborhood Council, Inc. (HPNC) is in support of the request of conditional use of 704 N. Gilmor St. Baltimore, MD 21217, to be used as a Multi-Family Dwelling consisting of Three (3) Dwelling Units.

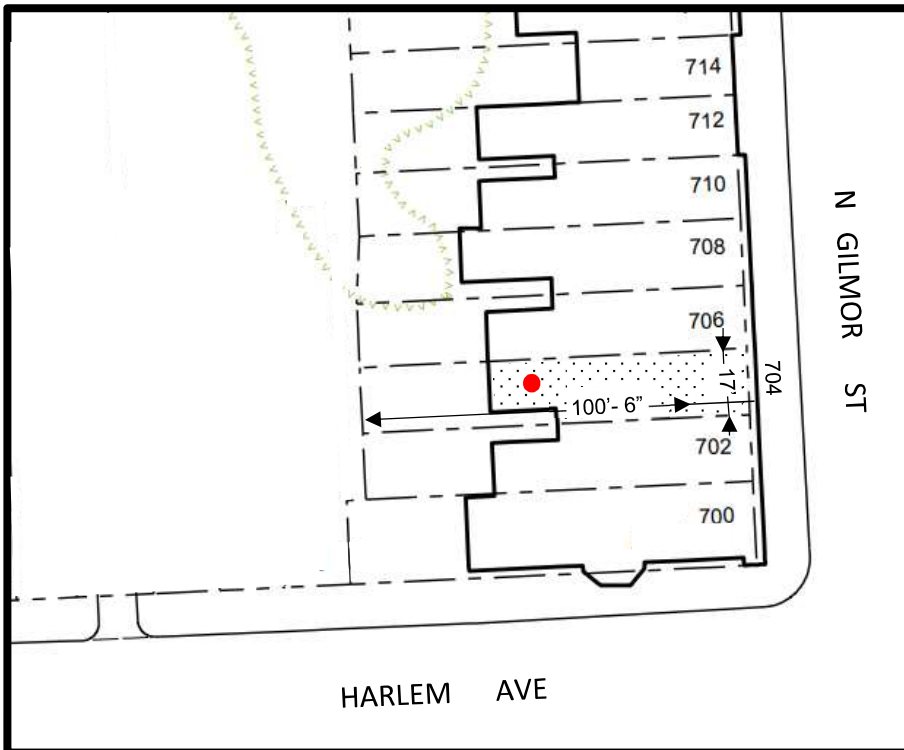
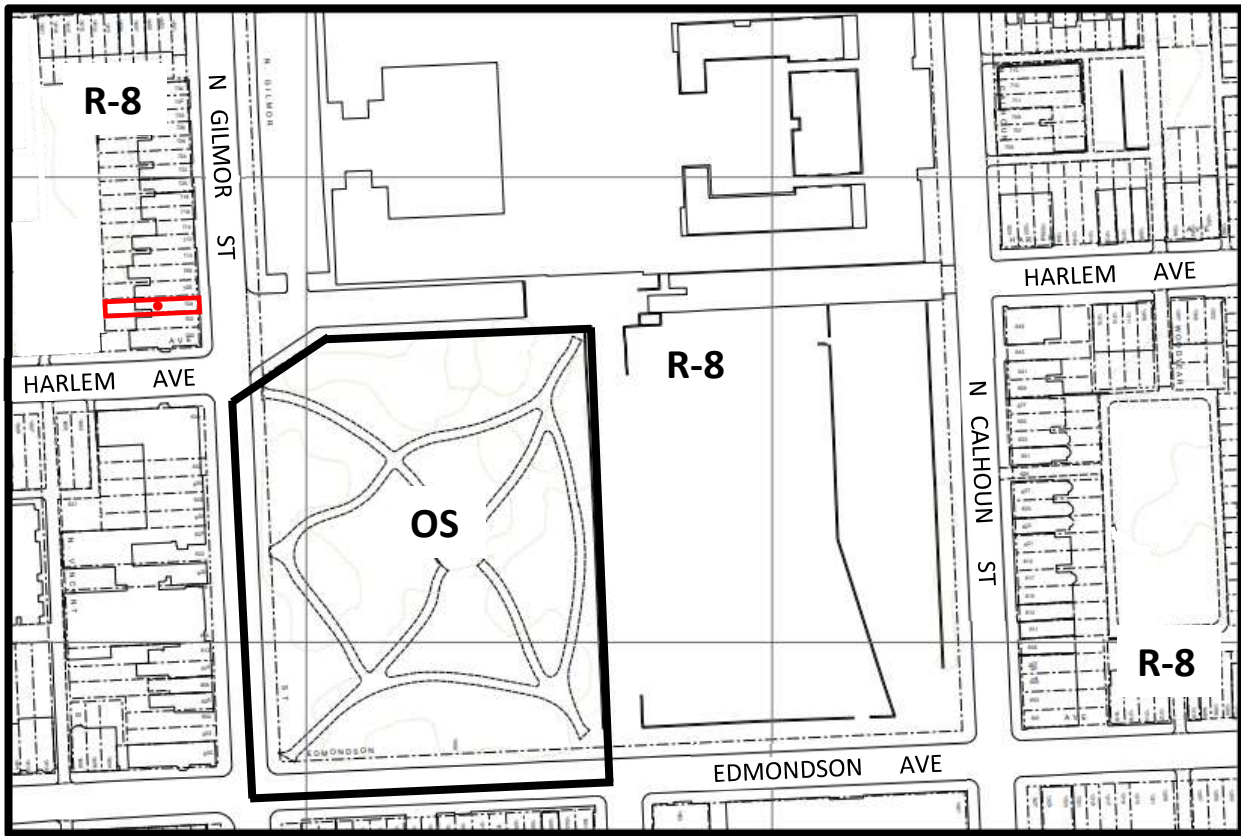
This building has been vacant for at least the last 10 years or more. Since it does not meet the requirements for the establishment of Four Dwelling units; 4 dwelling units are likely to exceed the city's 96-gallon trash pickup limit. We the Harlem Park Neighborhood Council, Inc., can only support Three (3) Dwelling units, at this address if that meets the requirements

**Sincerely,
Rev. George Nicholson,
President- HPNC**

**cc: Councilman John Bullock – 9th Baltimore City Council District
Del. Melissa Wells- 40th Legislative District
Del. Frank Conaway, Jr. 40th Legislative District
Del. Marlon Amprey- 40th Legislative District
Del. Roxanne Prettyman 44-A Legislative District
Senator- Antonio Hayes- 40th District Baltimore City
Ms. Arlene Fisher- Lafayette Square Community Association
Mr. Chad Hayes- Director of Community Planning and Revitalization
Mr. Howard Tutman, III- DHCD- Department of Development
HPNC File
Glenn Rogers
Tarek Bolden**

***A Progressive Community
Bounded by Lafayette Ave., Monroe St., Franklin St., Fremont Ave.***

SHEET NO. 54 OF THE ZONING MAP OF THE ZONING CODE OF BALTIMORE CITY



Note:

In Connection With The Property Known As No. 704 NORTH GILMOR STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Four Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 16 SECTION 10

BLOCK 98 LOT 16

MAYOR

PRESIDENT CITY COUNCIL

Scale: 1" = 50'

ZONING ORDINANCE REQUEST

STATEMENT OF INTENT

FOR

{Property Address; Block 98, Lot 16}

1. Applicant's Contact Information:

Name: Glenn Curtis Rogers Jr.
Mailing Address: 3113 baker st.
Baltimore, MD 21216
Telephone Number: 4438221669
Email Address: Gcrogersjr@hotmail.com

2. All Proposed Zoning Changes for the Property:

Convert 704 N.Gilmor st. from a single family dwelling into a four-unit dwelling

3. All Intended Uses of the Property:

Four one bedroom apartments/studio apartments or efficiency apartments

4. Current Owner's Contact Information:

Name: Glenn Curtis Rogers Jr.
Mailing Address: 3113 baker st
Baltimore, MD 21216
Telephone Number: 4438221669
Email Address: Gcrogersjr@hotmail.com

5. Property Acquisition:

The property was acquired by the current owner on April 10, 2023 by deed recorded in the Land Records of Baltimore City in Liber Folio .

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 owners of any corporate entity are as follows {use additional sheet if necessary}:

AFFIDAVIT

I, Glenn Curtis Rogers Jr., _____, 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

6/3/2023

Date

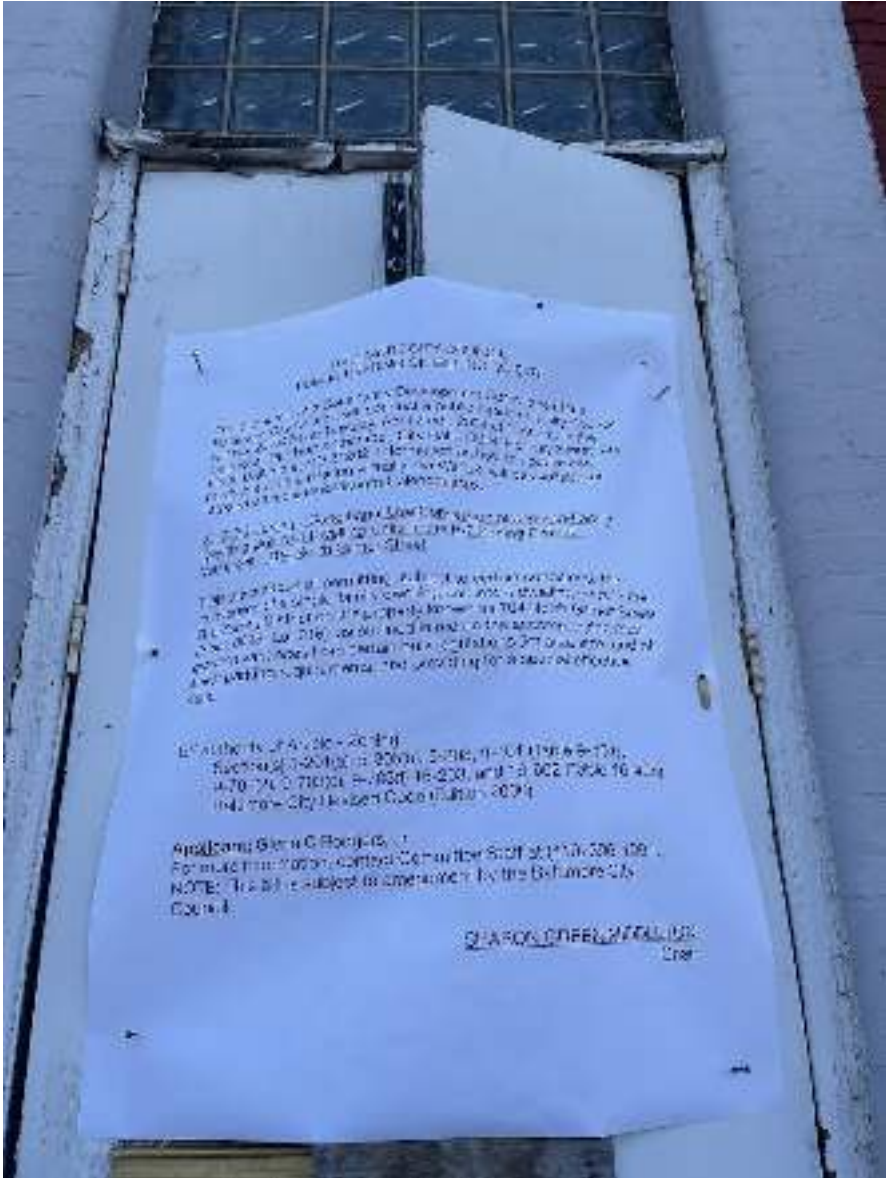
Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 23-0470

Today's Date: 3/12/24

(Place a picture of the posted sign in the space below.)



Email to: Natawnab.Austin@baltimorecity.gov



QUARON OFFICIAL USE
 PUBLIC HEALTH DEPARTMENT, BALTIMORE, MD

On April 20, 2020, the Baltimore City Health Department (BCHD) issued a public health order to address the COVID-19 outbreak in Baltimore. This order is intended to prevent the spread of COVID-19 and protect the health and safety of the community. The order requires that all persons who are symptomatic or have been in contact with a symptomatic person must self-isolate and avoid public places, including schools, workplaces, and public transportation. The order also requires that all persons who are symptomatic or have been in contact with a symptomatic person must wear a face mask in public places.

The order also requires that all persons who are symptomatic or have been in contact with a symptomatic person must avoid public places, including schools, workplaces, and public transportation. The order also requires that all persons who are symptomatic or have been in contact with a symptomatic person must wear a face mask in public places.

For more information, contact the Chief of Public Health at (410) 396-1000 or the Baltimore City Health Department at (410) 396-1000.

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

QUARON OFFICIAL USE
 Chief

Address: 704 N Gilmor St Baltimore, MD 21217

Date Posted: 3/12/24

Name: Glenn C Rogers Jr.

Address: 3113 baker st Baltimore, MD 21216

Telephone: +1 (443) 822-1669