

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0181/ ZONING – CONDITIONAL USE CONVERSION– 824 NORTH CARROLLTON AVENUE		

**TO**

DATE:

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

February 23, 2018

At its regular meeting of February 22, 2018, the Planning Commission considered City Council Bill #18-0181, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 824 North Carrollton Avenue (Block 0090, Lot 009), as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment, and approval as amended, of City Council Bill #18-0181 and adopted the following resolution, eight members being present (eight in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-406(a) and §5-406(b) of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- 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(b) of the Zoning Code of Baltimore City; and further

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #18-0181 be amended and passed by the City Council.

If you have any questions, please contact Mr. Martin French in the Land Use and Urban Design Division at 410-396-1354.

TJS/ewt

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  
Mr. Kyron Banks, Mayor's Office  
The Honorable Edward Reisinger, Council Rep. to Planning Commission  
Mr. Derek Baumgardner, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Sharon Daboin, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Ms. Katelyn McCauley, DOT  
Ms. Natawna Austin, Council Services  
Ms. Tammy Rollins, New Reflections, Inc.



*Catherine E. Pugh*  
Mayor

## PLANNING COMMISSION

*Sean D. Davis, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

**February 22, 2018**

**REQUEST: City Council Bill #18-0181 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – 824 North Carrollton Avenue**

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 824 North Carrollton Avenue (Block 0090, Lot 009), as outlined in red on the accompanying plat.

**RECOMMENDATION:** Amendment, and Approval as amended

**Amendment:** Add a variance of off-street parking regulations.

**STAFF:** Martin French

**PETITIONERS:** Councilmember Bullock, at the request of New Reflections, Inc.

**OWNER:** New Reflections LLC

#### **SITE/GENERAL AREA**

**Site Conditions:** 824 North Carrollton Avenue is located on the west side of the street, approximately 49' south of the intersection with Lafayette Avenue, and opposite Lafayette Square. This property measures approximately 35' by 120' and is currently improved with a three-story semi-detached originally residential building measuring approximately 24' by 72'. This site is zoned R-8 and is located in the Harlem Park II Urban Renewal Plan Area and the Old West Baltimore National Register Historic District. The building on the lot is vacant and uninhabitable at present.

**General Area:** This is a predominantly residential area known as Harlem Park, with scattered non-residential uses such as religious institutions and a few small commercial uses. The subject property is opposite the western side of Lafayette Square. Most of the housing closest to this property was originally developed in the middle of the 19<sup>th</sup> Century, while the larger historic area dates from the 1850s to the 1880s. Behind this property is one of the inner block parks created in the early 1960s pursuant to the Harlem Park II Urban Renewal Plan.

## **HISTORY**

The Harlem Park Project II Urban Renewal Plan was established by Ordinance no. 419 dated July 6, 1960, and was last amended by Amendment 6 approved by Ordinance no. 10-264 dated March 24, 2010. The Old West Baltimore Historic District was certified to the National Register of Historic Places on December 23, 2004.

## **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. The proposed action also furthers two of the objectives of the Harlem Park II Urban Renewal Plan, to provide housing resources for families of all income levels through rehabilitation and new construction, and to address the growing number of vacant and deteriorated properties.

## **ANALYSIS**

Project: This legislation would allow the petitioner to use the existing structure as two dwelling units. Adaptive re-use as a two-family attached dwelling would allow preservation of part of Harlem Park's traditional and historic 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 includes a townhouse once containing over 5,000 square feet of floor area. This bill would encourage re-use of a structure consistent with its current zoning.

- The Zoning Code requires, for conversion of a single-family property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §9-703.d., citing Table 9-401). A lot area of 1,500 square feet is thus required for the proposed use. This lot has 4,200 square feet, so a lot area variance is not needed for this requirement. The Code also requires that the premises have a floor area of at least 1,500 square feet (BCZC §9-703.b.); this building has over 5,000 square feet of gross floor area, and thus does not need a variance of this requirement.
- A rear yard setback of 20' is required (Table 9-401). This property has a 48' deep rear yard. No variance of this requirement is needed.
- The maximum lot coverage allowed is 80% (Table 9-401). This structure covers 41% of the lot, so no variance of that requirement is needed.
- One off-street parking space is required to serve the newly-created dwelling unit (§9-703.f.). The property has no rear yard accessible for off-street parking, and no way to obtain access from the nearest street (Carrollton Avenue, mid-block). A variance for off-street parking is therefore required, and should be included in this bill.

Conditional Use – Required findings: In accordance with §5-406 of Article 32 (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 5 {"Applications and Authorizations"}, subtitle 4 {"Conditional Uses"} of the Zoning Code:

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 in harmony with the purpose and intent of this article (§5-406).

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

- 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;
- 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 emergency vehicles;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- the proposed use would not interfere with preservation of cultural and historic landmarks and structures;
- the proposed use would not alter the character of the neighborhood;
- the proposed use is consistent with provisions of the City's Comprehensive Master Plan; and
- the use of the property as two dwelling units meets all other applicable standards and requirements of this Code (§5-406).

The proposed use as a 2-family dwelling would be consistent with residential use in the area and would not prevent continuing use of a structure that is a contributing element in the Harlem Park and Lafayette Square community.

Notification: The Harlem Park Neighborhood Council and the Lafayette Square Association, and Councilman Bullock, were notified of this action.



**Thomas J. Stosur**  
**Director**