

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR <i>Chris Ryer</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #24-0551/ ZONING - CONDITIONAL USE CONVERSION OF SINGLE-FAMILY DWELLING UNIT TO 2 DWELLING UNITS IN THE R-7 ZONING DISTRICT - 3115 WALBROOK AVENUE		

DATE:

July 15, 2024

TO

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

At its regular meeting of July 11, 2024, the Planning Commission considered City Council Bill #24-0551, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 3115 Walbrook Avenue (Block 3002, Lot 019), as outlined in red on the accompanying plat; 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 #24-0551, and adopted the following resolution, with eight members being present (eight in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-406 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
- meets all criteria for approval specified in §5-406(b) 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 #24-0551 be **approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

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

July 11, 2024

REQUEST: City Council Bill #24-0551/ Zoning - Conditional Use Conversion of Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 3115 Walbrook 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-7 Zoning District on the property known as 3115 Walbrook Avenue (Block 3002, Lot 019), as outlined in red on the accompanying plat; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Eric Tiso

PETITIONER: Ashley Brown

OWNER: Bello Investments, LLC

SITE/GENERAL AREA

Site Conditions: 3115 Walbrook Avenue is located on the south side of the street, approximately 192' east of the intersection with North Ellamont Street. This property is zoned R-7, measures approximately 100' by 150' and is currently improved with a three-story single-family detached home measuring approximately 47' by 42'. The home is in poor condition, and has a vacant housing notice issued.

General Area: This property is located in the southern part of the Walbrook neighborhood, which is mostly residential in its internal areas, with commercial uses along major corridors, and scattered institutional uses throughout the neighborhood.

HISTORY

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

ANALYSIS

Permitted Use: In this Residential zoning district, multi-family dwellings are listed as a permitted use, and so are generally allowed (Table 9-301). In this case, the property was last authorized for use as a single-family dwelling, which is a permitted use in this R-7 District.

Residential Conversions: In the Residence Districts, the conversion of a single-family dwelling to a multi-family dwelling is allowed only in the R-7, R-8, R-9, and R-10 Districts, subject to: (1) the requirements of this subtitle; and (2) in the R-7 and R-8 Districts, conditional-use approval by Ordinance of the Mayor and City Council (§9-701).

Conditional Use Approval Standards: *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. (§5-406 (b))

Staff believes that the criteria under §5-406 above are met, as the property is quite large, provides more than enough parking, the area is well served by utilities, there will be no anticipated impacts to the development potential of surrounding lots, and that this use won't likely impact the surrounding area any more than it would if located on any other R-7 property.

Conversion standards: 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, not including any basement area (§9-703.b.). The existing structure contains approximately 3,900 square feet in gross floor area, which well exceeds this requirement.

The converted dwelling must meet the following gross floor area per unit type: (1) 1-bedroom unit: 750 square feet; (2) 2-bedroom unit: 1,000 square feet; (3) 3- or more bedroom unit: 1,250 square feet (§9-703.c.). The first unit will have three bedrooms, and will contain 1,700 sqft of GFA, and the second unit will have two bedrooms, and will contain 1,100 sqft of GFA. Both units will satisfy this requirement.

Lot Area Requirement: In this zoning district, multi-family dwellings require 1,100 square feet of lot area per dwelling unit (Table 9-401). In this case, for two dwelling units, 2,200 square feet of lot area is required. The lot encloses 15,000 square feet, which meets this requirement.

Off-Street Parking: In this zoning district, multi-family dwellings require one off-street parking space per dwelling unit (Table 16-406). For two dwelling units, two parking spaces are required, and will be provided.

Equity:

There will be no discernible negative impacts to the surrounding community from this project. Renovation of this home, returning it to productive use, support the tax base, increase the population of the City, and remove negative impacts that result from long-abandoned properties. Staff does not anticipate any impact to staff time or resources devoted to this project beyond routine requirements of development review.

Notification: The Gwynnbrook-Garriwood Neighborhood Association has been notified of this action. Staff notes a letter of support from the Greater Walbrook Neighborhood Association has been received.

Chris Ryer

Chris Ryer
Director