



**BALTIMORE CITY
BOARD OF MUNICIPAL
AND ZONING APPEALS**

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MEMORANDUM

To: The Honorable Members of the Land Use & Transportation Committee
From: Justin A. Williams, Interim Executive Director
CC: Geoffrey Veale, Zoning Administrator
Date: November 19, 2025
Re: Council Bill No. 25-0091 – Zoning – Conditional Use Conversion
1425 West Fayette Street
Position: No Objection

The Board of Municipal and Zoning Appeals (BMZA) has reviewed City Council Bill #25-0091. This bill seeks to permit the conversion of a vacant single-family dwelling into four dwelling units in the R-8 Zoning District at 1425 West Fayette Street, requiring a conditional use authorization by Ordinance and a variance from minimum lot area regulations.

Agency Position on Approval Standards

As a quasi-judicial agency, the Board of Municipal and Zoning Appeals typically adjudicates land use matters based on specific evidentiary standards. Because this legislation places the authority to grant the Conditional Use and Variance directly with the City Council, the Board defers to the Council’s judgment regarding whether the applicant has satisfied the specific approval standards outlined in the Zoning Code. Accordingly, the Board takes no position on the specific factual merits of the application, but offers No Objection to the passage of the bill.

Legislative Context: Procedural Reform and the Housing Options and Opportunity Act

While the Board takes no position on the specific merits of this property’s conversion, this bill serves as a pertinent example of the regulatory inefficiencies currently embedded in the Zoning Code—inefficiencies that the pending Housing Options and Opportunity Act (City Council Bill #25-0066) is designed to correct.

1. The Jurisdictional “Dead End”

Under the current Zoning Code, the conversion of a rowhome in an R-8 district from one unit to four units requires a Conditional Use by Ordinance. The BMZA is statutorily prohibited from hearing these cases in the R-8 district, regardless of the project's scale or impact. This forces property owners—often seeking to rehabilitate vacant shell structures into modest housing—to pursue a time-consuming and costly legislative process (a City Council Ordinance) rather than a streamlined administrative or quasi-judicial review.

2. Streamlining Development Review

As noted in the Board’s report for CCB #25-0066, the Housing Options and Opportunity Act would establish a permitted-by-right framework for “Low-Density Multi-Family” dwellings (2-4 units) in R-8 districts, provided they meet specific bulk and area standards.

- **Impact on this Case:** Had CCB #25-0066 already been enacted, the rehabilitation of 1425 West Fayette Street likely would not have required this legislative intervention. The proposed reforms align zoning permissions with the density suitable for historic rowhouse districts, potentially rendering the variance request moot and allowing this project to proceed “by right.”

3. Efficient Use of City Council Resources

By modernizing the code through CCB #25-0066, the City Council would be relieved of the burden of legislating individual, small-scale residential conversions. This would allow the Council to focus its legislative capacity on broader policy matters, while allowing the BMZA and administrative staff to handle routine land use adjustments through established, predictable processes.

Conclusion

City Council Bill #25-0091 represents the type of “jurisdictional workaround” currently necessitated by an outdated regulatory framework. While the Board offers No Objection to the relief sought by the applicant for 1425 West Fayette Street, this case underscores the urgent need for the systemic reforms proposed in the Housing Options and Opportunity Act, which would expedite approval processes for small-scale housing providers and reduce administrative burdens on the City Council.

For any questions regarding this report or to discuss these concerns further, please contact **Justin Williams** at justin.williams@baltimorecity.gov or **(410) 396-4301**.