

CITY OF BALTIMORE

BRANDON M. SCOTT

Mayor



DEPARTMENT OF LAW

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

January 6, 2026

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 25-0103 – Zoning – Conditional Use Conversion of Single-Family Dwelling
Unit to 3 Dwelling Units in the R-8 Zoning District – 1224 West Lafayette Avenue

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 25-0103 for form and legal sufficiency. The bill would permit, subject to certain conditions, the conversion of a single-family dwelling unit into 3 dwelling units on the property known as 1224 West Lafayette Avenue (Block 0078, Lot 005), as outlined in red on the accompanying plat, and provide for a special effective date.

Conditional Use Standards

The conversion of a single-family dwelling to a multi-family dwelling in an R-8 Zoning District requires conditional-use approval by ordinance. Baltimore City Code, Art. 32, § 9-701(2). To approve a conditional use, the City Council must find:

- (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.

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).

Planning Commission Recommendations

The Planning Commission accepted the Planning Staff recommendation and voted to approve this bill. The subject property is located in the Sandtown-Winchester neighborhood, within a block of rowhouse dwellings. The surrounding blocks are also predominantly rowhouses, with one open block of open space at Lafayette Square Park to the east.

Under the City's current Comprehensive Master Plan, the subject property is designated in the General Land Use Plan as "Residential: Higher Density." The Staff Report notes that the proposed development conforms to that designation. The Staff Report further notes that the proposed conversion is unlikely to impact existing traffic patterns. The property remains accessible to emergency vehicles and its use will be contained entirely within the existing structure, with no impact on light or air to nearby properties. An equity analysis is included in the Staff Report.

Procedural Requirements

Certain procedural requirements apply to this bill because an ordinance that authorizes a conditional use is considered "legislative authorizations." Baltimore City Code, Art. 32, § 5-501(2)(ii). 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. Finally, certain limitations on the City Council's ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507(c).

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 bill is amended to include the variance for gross floor area, 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,



Desireé Luckey
Assistant Solicitor

cc: Ebony Thompson, City Solicitor
Hilary Ruley, Chief Solicitor, General Counsel Division
Jeff Hochstetler, Chief Solicitor
Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor