

Introduced by: Councilmember Costello

At the request of: Markeese Freeland

Address: 8508 Valley Hill Court, Randallstown, Maryland 21133

Telephone: 443-630-4093

Prepared by: Department of Legislative Reference

Date: February 28, 2019


Referred to: LAND USE AND TRANSPORTATION Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 19 - 0348

A BILL ENTITLED

AN ORDINANCE concerning



**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-7 Zoning District – Variances –
343 Robert Street**

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 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

By authority of

Article 32- Zoning

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

Baltimore City Revised Code
(Edition 2000)

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

<input checked="" type="checkbox"/>	Baltimore City Public School System
<input checked="" type="checkbox"/>	Baltimore Development Corporation
<input checked="" type="checkbox"/>	City Solicitor
<input type="checkbox"/>	Comptroller's Office
<input type="checkbox"/>	Department of Audits
<input type="checkbox"/>	Department of Finance
<input type="checkbox"/>	Department of General Services
<input type="checkbox"/>	Department of Housing and Community Development
<input type="checkbox"/>	Department of Human Resources
<input type="checkbox"/>	Department of Planning
<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Department of Public Works
<input type="checkbox"/>	Department of Real Estate
<input type="checkbox"/>	Department of Recreation and Parks
<input type="checkbox"/>	Department of Transportation
<input type="checkbox"/>	Fire Department
<input type="checkbox"/>	Health Department
<input type="checkbox"/>	Mayor's Office of Employment Development
<input type="checkbox"/>	Mayor's Office of Human Services
<input type="checkbox"/>	Mayor's Office of Information Technology
<input type="checkbox"/>	Office of the Mayor
<input type="checkbox"/>	Police Department
<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____

Boards and Commissions

<input checked="" type="checkbox"/>	Board of Estimates
<input checked="" type="checkbox"/>	Board of Ethics
<input checked="" type="checkbox"/>	Board of Municipal and Zoning Appeals
<input type="checkbox"/>	Comm. for Historical and Architectural Preservation
<input type="checkbox"/>	Commission on Sustainability
<input type="checkbox"/>	Employees' Retirement System
<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Environmental Control Board
<input type="checkbox"/>	Fire & Police Employees' Retirement System
<input type="checkbox"/>	Labor Commissioner
<input type="checkbox"/>	Parking Authority Board
<input type="checkbox"/>	Planning Commission
<input type="checkbox"/>	Wage Commission
<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____

CITY OF BALTIMORE
ORDINANCE **19-262**
Council Bill 19-0348

Introduced by: Councilmember Costello
At the request of: Markeese Freeland
Address: 8508 Valley Hill Court, Randallstown, Maryland 21133
Telephone: 443-630-4093

Introduced and read first time: March 11, 2019
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: May 13, 2019

AN ORDINANCE CONCERNING

1 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**
2 **2 Dwelling Units in the R-7 Zoning District – Variances -**
3 **343 Robert Street**

4 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
5 dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 343
6 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; providing
7 for a special effective date; and granting variances from certain bulk and off-street parking
8 regulations.

9 BY authority of
10 Article 32 - Zoning
11 Sections 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(d), 9-703(f), 16-203, and 16-602
12 (Table 16-406)
13 Baltimore City Revised Code
14 (Edition 2000)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That**
16 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
17 the R-7 Zoning District on the property known as 343 Robert Street (Block 0331, Lot 020), as
18 outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City
19 Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies with
20 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.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by amendment
or deleted from existing law by amendment.

Council Bill 19-0348

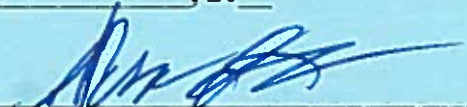
1 SECTION 2. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-
2 305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
3 requirements of §§ 9-401 and 9-703(d), as the property does not meet the bulk requirements for 2
4 dwelling units.

5 SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-
6 305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
7 requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-7 Zoning District
8 (Table 16-406).

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

17 SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
18 after the date it is enacted.

Certified as duly passed this _____ day of ~~JUN 11 2019~~, 20__



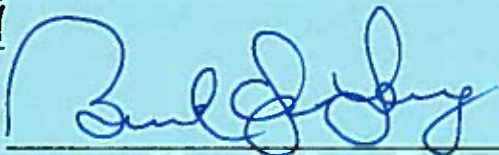
President, Baltimore City Council

Certified as duly delivered to his Honor, the Mayor,
this _____ day of ~~JUN 11 2019~~, 20__



Chief Clerk

Approved this 17 day of June, 2019

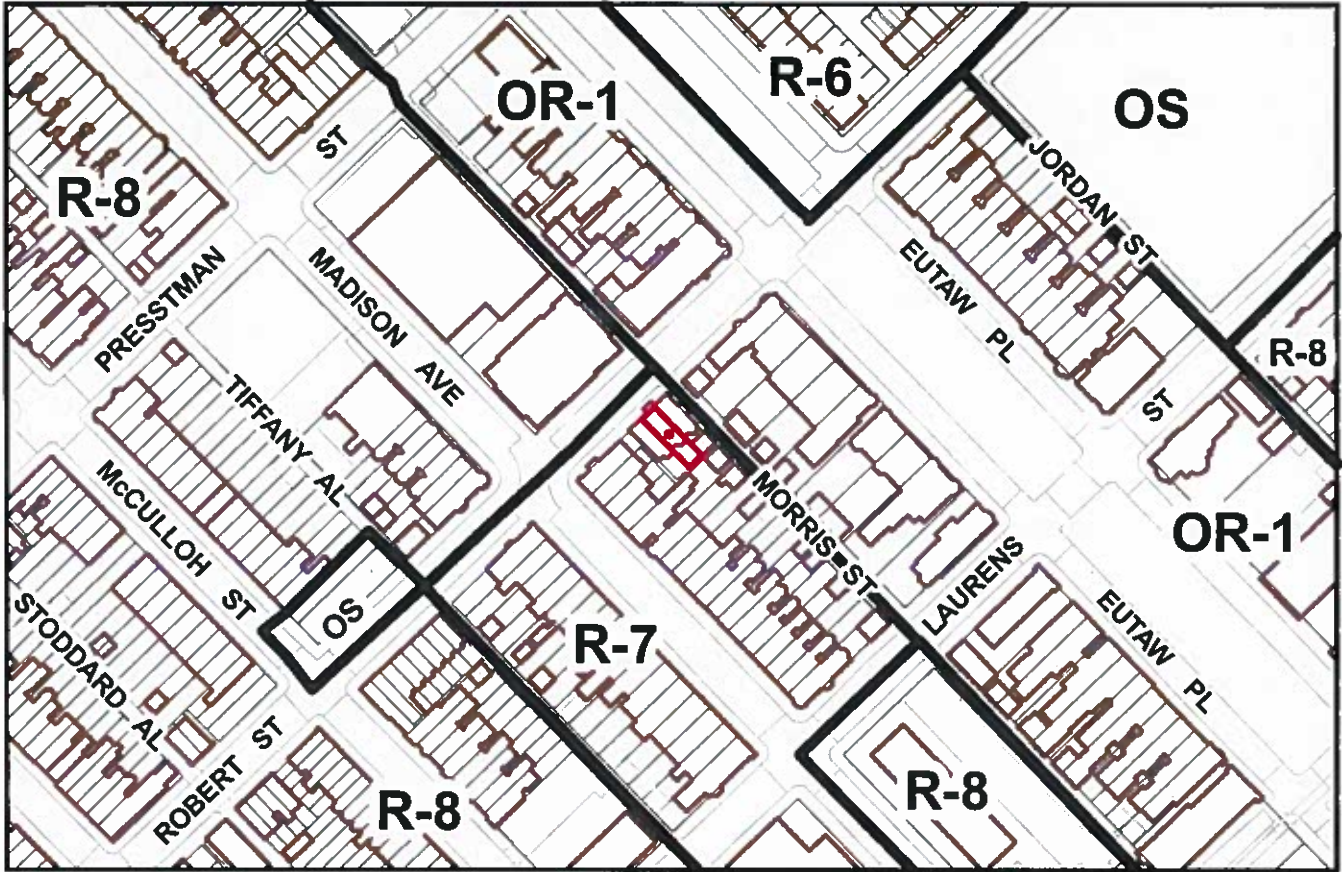


Mayor, Baltimore City

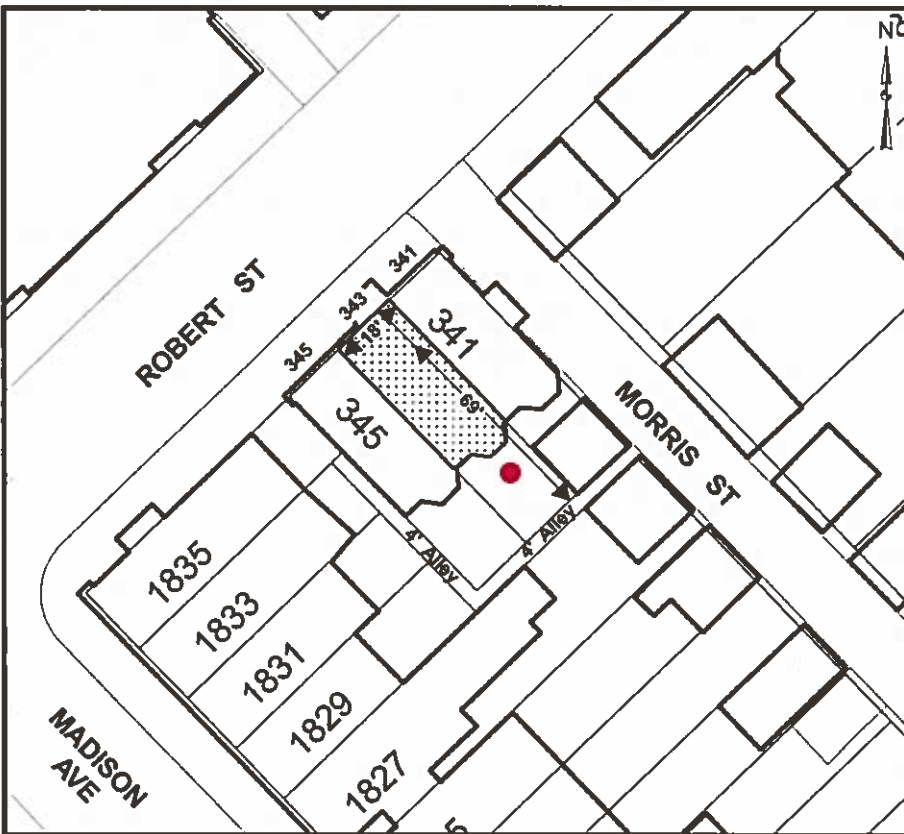
Approved For Form and Legal Sufficiency
This _____ Day of _____.

Chief Solicitor

**SHEET NO. 45 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With The Property Known As No. 343 ROBERT STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Two Dwelling Units In The R-7 Zoning District, As Outlined In Red Above.

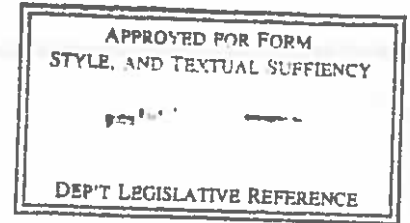
WARD 14 SECTION 13

BLOCK 331 LOT 20

[Signature]
MAYOR

[Signature]
PRESIDENT CITY COUNCIL

AMENDMENTS TO COUNCIL BILL 19-0348
(1st Reader Copy)



By: Land Use and Transportation Committee

Amendment No. 1

On page 1, in line 7, after the semi colon, insert "providing for a special effective date;".

Amendment No. 2

On page 2, in lines 11 and 12, strike "the 30th day after".

ADOPTED

BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION VOTING RECORD

DATE: May 8, 2019

BILL#: 19-0348

BILL TITLE: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street

MOTION BY: Stokes SECONDED BY: Costello

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>7</u>			

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE, AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO ARTICLE 32, SECTION 5-406 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A CONDITIONAL USE FOR:

City Council Bill No. 19-0348

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street

- (1) the establishment, location, construction, maintenance, or operation of the conditional use **will not** be detrimental to or endanger the public health, safety, or welfare for the following reasons:

The establishment, location and operation of this property as a multi-family dwelling containing two dwelling units would not be detrimental to or endanger public health, safety, or welfare.

- (2) the use **would not** be precluded by any other law, including an applicable Urban Renewal Plan;

The proposed use is not precluded by any other law, including the Madison-Park North Urban Renewal Plan.

- (3) the authorization **would not** be contrary to the public interest for the following reasons:

The proposed authorization would not be contrary to the public interest (in fact, it would advance the public interest by creating more housing affordable to moderate-income families).

- (4) the authorization **would** be in harmony with the purpose and intent of this Code for the following reasons:

Therefore, Planning staff conclude that the authorization would be in harmony with the purpose and intent of the Zoning Code.

After consideration of the following, **where applicable (fill out all that are *only* relevant)**:

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

The nature of the proposed site, including its size and shape, are adequate for the proposed use.

- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

There will be no negative impact to traffic patterns. The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. This property is not located on a block where the PABC administers on-street parking programs. A site visit was conducted during the first week of April 2019. The PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC investigated the alley and rear of the property and determined that there is not sufficient access for any off-street parking spaces. Therefore, a variance for off-street parking is required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

The Department of Transportation has no objection to the bill.

- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

The proposed use will not impair the present and future development of this lot or the surrounding area.

- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

There will be no negative impact resulting from proximity to dwellings, churches, schools, public structures, and other places of public gathering.

- (5) accessibility of the premises for emergency vehicles;

There is adequate accessibility of the premises to emergency vehicles.

- (6) accessibility of light and air to the premises and to the property in the vicinity;

There is adequate light and air to the premises and to properties 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;

Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided.

- (8) the preservation of cultural and historic landmarks and structures;

The proposed use would not interfere with preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

The proposed use would not alter the character of the neighborhood.

- (10) the provisions of the City's Comprehensive Master Plan;

The Department of Housing supports enactment of the bill as it will facilitate proposed redevelopment plans for the property and create housing in the community.

The proposed use is consistent with provisions of the City's Comprehensive Master Plan. 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.

- (11) the provisions of any applicable Urban Renewal Plan;

The proposed use is consistent with the provisions of the Charles / 25th Urban Renewal Plan.

- (12) all applicable standards and requirements of this Code;

The proposed use meets all other applicable standards and requirements of the Zoning Code.

- (13) the intent and purpose of this Code; and

The proposed use is consistent with the intent and purpose of the Zoning Code.

- (14) any other matters considered to be in the interest of the general welfare.

The proposed use is consistent with any other matters that may be considered to be in the interest of the general welfare.

SOURCE OF FINDINGS (Check all that apply):

- [X] Planning Report – Planning Commission Report, Dated April 22, 2019;
Department of Planning Staff Report, Dated April 18, 2019
- [X] Testimony presented at the Committee hearing

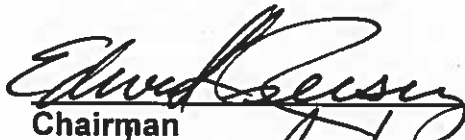
Oral – Witness Name:

- Mr. Martin French, Department of Planning
- Mr. Liam Davis, Department of Transportation
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Ms. Elena DiPietro, Department of Law
- Ms. Tyrell Dixon, Department of Housing and Community Development
- Mr. Taylor Lafave, Parking Authority of Baltimore City

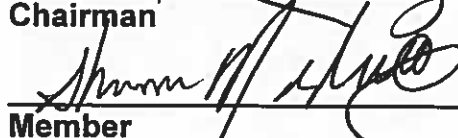
Written – Submitted by: (Include documents that have relevant facts only)

- Planning Commission Report, Dated April 22, 2019;
- Department of Planning Staff Report, Dated April 18, 2019
- Parking Authority of Baltimore City, Dated April 3, 2019
- Department of Housing and Community Development, Dated May 1, 2019
- Baltimore Development Corporation, Dated March 26, 2019
- Department of Transportation, Dated April 29, 2019

LAND USE AND TRANSPORTATION COMMITTEE:



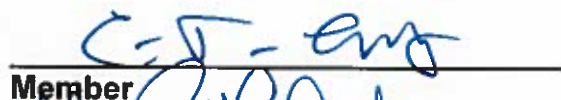
Chairman



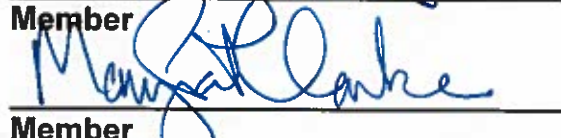
Member

Member

Member



Member



Member

Member

Member

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT FOR VARIANCE

City Council Bill No. 19-0348

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE: AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO THE APPLICABLE SECTIONS OF ARTICLE 32 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING ANY VARIANCES OF APPLICABLE STANDARDS FOR THE PROPERTY LOCATED AT:

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street

VARIANCE FOR: OFF-STREET PARKING

(Use a separate Variance form for each Variance sought in the bill)

THRESHOLD QUESTION:

- In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

HARDSHIP OR PRACTICAL DIFFICULTY:

The City Council has considered at least one of the following:
(check all that apply to evidence consideration)

- The physical surroundings around the STRUCTURE / LAND involved;
(underline one)
- The shape of the STRUCTURE / LAND involved;
(underline one)
- The topographical conditions of the STRUCTURE / LAND involved.
(underline one)

and finds either that:

- (1) An unnecessary hardship WOULD / WOULD NOT exist if the strict letter of the applicable
(underline one) requirement from which the variance is sought were applied because:

or that:

- (2) Practical difficulty WOULD / WOULD NOT exist if the strict letter of the applicable
(underline one) requirement from which the variance is sought were applied because:

One additional off-street parking space is required to serve the one newly-created dwelling unit (BCZC §9-703.f.). This property cannot provide any off-street parking spaces meeting Zoning Code standards for accessibility, and therefore a variance of this requirement is included in this bill.

According to the Department of Planning 's Staff Report (Dated April 18, 2019):

- While no off-street parking meeting Zoning Code standards can be provided on this property, the site is located in a dense, walkable neighborhood that is served by several bus lines.
- Each of the variances that would be granted would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. Maintaining this property in full occupancy would actually help improve property values in the Madison Park Historic District. The variances are in harmony with the comprehensive master Plan, the Madison Park Historic District, the Old West Baltimore National Register Historic District, and the Madison-Park North Urban Renewal Plan, and related considerations of public health, safety, and general welfare.

Mr. Martin French, representing the Department of Planning, testified that the property is landlocked and does not allow access to parking on the property.

SOURCE OF FINDINGS:

(check all that apply)

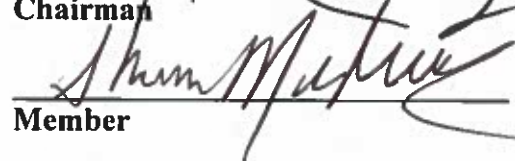
- Planning Report - Planning Commission Report, Dated April 22, 2019; Department of Planning Staff Report, Dated April 18, 2019
- Testimony presented at the Committee hearing:
 - Oral – Witnesses Names:
 - Mr. Martin French, Department of Planning
 - Mr. Liam Davis, Department of Transportation
 - Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
 - Ms. Elena DiPietro, Department of Law
 - Ms. Tyrell Dixon, Department of Housing and Community Development
 - Mr. Taylor Lafave, Parking Authority of Baltimore City
 - Written – Authors Names:
 - o Planning Commission Report, Memorandum, Dated April 22, 2019;
 - o Department of Planning Staff Report, Memorandum, Dated April 18, 2019
 - o Parking Authority of Baltimore City, Memorandum, Dated April 3, 2019

- o Department of Housing and Community Development, Memorandum, Dated May 1, 2019
- o Baltimore Development Corporation, Memorandum, Dated March 26, 2019
- o Department of Transportation, Memorandum, Dated April 29, 2019

LAND USE AND TRANSPORTATION COMMITTEE:



Chairman



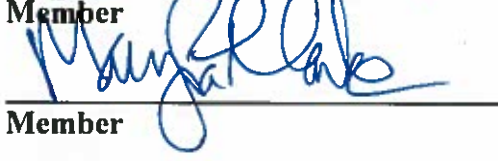
Member

Member

Member



Member



Member

Member

Member

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT FOR VARIANCE

City Council Bill No. 19-0348

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE: AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO THE APPLICABLE SECTIONS OF ARTICLE 32 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING ANY VARIANCES OF APPLICABLE STANDARDS FOR THE PROPERTY LOCATED AT:

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street

VARIANCE FOR: BULK REGULATIONS (LOT AREA)

(Use a separate Variance form for each Variance sought in the bill)

THRESHOLD QUESTION:

- In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

HARDSHIP OR PRACTICAL DIFFICULTY:

*The City Council has considered at least one of the following:
(check all that apply to evidence consideration)*

- The physical surroundings around the STRUCTURE / LAND involved;
(underline one)
- The shape of the STRUCTURE / LAND involved;
(underline one)
- The topographical conditions of the STRUCTURE / LAND involved.
(underline one)

and finds either that:

- (1) An unnecessary hardship WOULD / WOULD NOT exist if the strict letter of the applicable
(underline one) requirement from which the variance is sought were applied because:

or that:

- (2) Practical difficulty WOULD / WOULD NOT exist if the strict letter of the applicable
(underline one) requirement from which the variance is sought were applied because:

The Zoning Code requires, for conversion of a single-family property in the R-7 District, 1,150 square feet of lot area per dwelling unit (BCZC §9-703. d., citing Table 401). A lot area of 2,200 square feet is thus required for the proposed use. This lot has 1,242 square feet and thus does not meet the lot area requirement for conversion. A variance of this requirement is therefore included in this bill.

According to the Department of Planning 's Staff Report (Dated April 18, 2019):

- The proposed use as a 2-family dwelling would be consistent with other residential use in the area and would allow continuing use of a structure that contributes to the Madison Park Historic District and the Old West Baltimore National Register Historic District.
- The amount of lot coverage of this property is essentially unique to the property and is not generally applicable to other property within the R-7 zoning district (as others in this area and R-7 districts generally meet Zoning Code bulk standards).
- There is a practical difficulty with complying with the bulk standards in the Zoning Code that has not been caused by action or inaction of any person with a present interest in this property. The purpose of the variances requested is not based exclusively on a desire to increase the value or income potential of the property. Staff understands that the property was purchased by the applicant with two dwelling units already existing in the building, though this property had not been formally approved for two units.
- Each of the variances that would be granted would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. Maintaining this property in full occupancy would actually help improve property values in the Madison Park Historic District. The variances are in harmony with the comprehensive master Plan, the Madison Park Historic District, the Old West Baltimore National Register Historic District, and the Madison-Park North Urban Renewal Plan, and related considerations of public health, safety, and general welfare.

SOURCE OF FINDINGS:

(check all that apply)

- Planning Report - Planning Commission Report, Dated April 22, 2019; Department of Planning Staff Report, Dated April 18, 2019
- Testimony presented at the Committee hearing:
 - Oral – Witnesses Names:

- Mr. Martin French, Department of Planning
- Mr. Liam Davis, Department of Transportation
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Ms. Elena DiPietro, Department of Law
- Ms. Tyrell Dixon, Department of Housing and Community Development
- Mr. Taylor Lafave, Parking Authority of Baltimore City

Written – Authors Names:

- o Planning Commission Report, Dated April 22, 2019;
- o Department of Planning Staff Report, Dated April 18, 2019
- o Parking Authority of Baltimore City, Memorandum, Dated April 3, 2019
- o Department of Housing and Community Development, Memorandum, Dated May 1, 2019
- o Baltimore Development Corporation, Memorandum, Dated March 26, 2019
- o Department of Transportation, Memorandum, Dated April 29, 2019

LAND USE AND TRANSPORTATION COMMITTEE:


Chairman

Chairman

Member

Member

Member


Member

Member

Member

Member

Member

**Baltimore City Council
Certificate of Posting - Public Hearing Notice**

City Council Bill No.: 19-0348

Today's Date: 05/03/2019



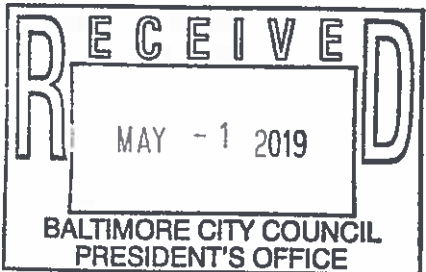
Address: 343 Robert Street, Baltimore, MD 21217



Date Posted: 04/12/2019

Name: Markeese Freeland

Address: 8508 Valley Hill Ct, Randallstown, MD 21133

Telephone: 443-630-4093



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 #19-0348/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 343 ROBERT STREET		

DATE:

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

April 22, 2019

At its regular meeting of April 18, 2019, the Planning Commission considered City Council Bill #19-0348, 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 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #19-0348, 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, as described in the Departmental staff report; and further

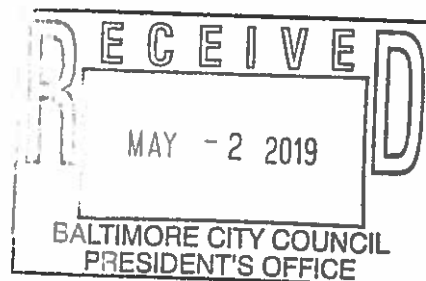
RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and finds that because of its particular surroundings and shape of the specific structure, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements were carried out; and therefore recommends that City Council Bill #19-0348 be 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.

CR/ewt

Attachment





cc: Mr. Pete Hammen, Chief Operating Officer
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Jeff Amoros, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. William H. Cole IV, BDC
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Tyrell Dixon, DCHD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Frank Murphy, DOT
Ms. Eboni Wimbush, DOT
Ms. Natawna Austin, Council Services
Mr. Ervin Bishop, Council Services
Ms. Markeese Freeland



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

April 18, 2019

REQUEST: City Council Bill 19-0348/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District – Variances – 343 Robert Street:

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 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmember Costello, at the request of Markeese Freeland

OWNER: Markeese Freeland

SITE/ GENERAL AREA

Site Conditions: 343 Robert Street is located on the south side of Robert Street, approximately 18' west of the intersection with Morris Street. This property measures approximately 18' by 69' and is currently improved with a three-story attached residential building (the middle of a group of three) measuring approximately 18' by 42'. The site is zoned R-7. The building on the lot is presently used as a single-family dwelling.

General Area: Most of the housing closest to this property was originally developed in the second half of the 19th Century, and comprises part of the Madison Park Local and the Old West Baltimore National Register Historic Districts. In the first half of the 20th Century some single-family residential buildings in the area were converted to either multi-family dwellings or residential mixed-use. This property is also in the southwestern portion of the Madison-Park North Urban Renewal Area. From before its origins in 1963 to the present, this urban renewal area has been characterized by a mix of mid- to late-19th Century row-houses, with multi-family, religious and institutional uses and scattered commercial uses in various locations.

HISTORY

The Madison-Park North Urban Renewal Plan was established by Ordinance no. 1594 in 1963 and last amended by Ordinance no. 85-281 in 1985. The Planning Commission recommended repeal of this Urban Renewal Plan on April 19, 2018; City Council Bill 18-0202 to accomplish that purpose remains in committee at this moment. The Madison Park Historic District was

created by Ordinance no. 503 on September 29, 1977; the Old West Baltimore Historic District was certified to the National Register of Historic Places on December 23, 2004. This property was rezoned from R-8 to R-7 during the comprehensive rezoning accompanying adoption of the new (current) Zoning Code on June 5, 2017.

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.

ANALYSIS

Background: This legislation would allow the petitioner to use the existing structure as two dwelling units. Adaptive re-use as a two-family multi-family dwelling would allow preservation of a piece of the historic district's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown for residents of the two dwelling units.

Zoning Analysis: This property is a mid-row residential structure containing approximately 1,512 square feet of gross floor area. This bill would encourage re-use of a structure consistent with current zoning.

- The Zoning Code requires, for conversion of a single-family property in the R-7 District, 1,150 square feet of lot area per dwelling unit (BCZC §9-703.d., citing Table 9-401). A lot area of 2,200 square feet is thus required for the proposed use. This lot has 1,242 square feet and thus does not meet the lot area requirement for conversion. A variance of this requirement is therefore included in this bill.
- A rear yard setback of 25' is required. This property has a rear yard setback of 25' and thus meets this requirement.
- The maximum lot coverage allowed is 80%. This structure covers approximately 63% of the lot. No variance of this requirement is needed.
- The Zoning Code requires, for conversion of a single-family property in the R-7 District, gross floor area of 750 square feet per 1-bedroom unit created, and 1,000 square feet per 2-bedroom unit created (BCZC §9-703.c.). The existing structure contains approximately 756 gross square feet on each of its two above-grade levels, thus no variance of this requirement is needed to allow two 1-bedroom dwelling units at this location.
- One additional off-street parking space is required to serve the one newly-created dwelling unit (BCZC §9-703.f.). This property cannot provide any off-street parking spaces meeting Zoning Code standards for accessibility, and therefore a variance of this requirement is included in this bill.

Conditional Use: Per §5-406 {"Approval standards"} of Article 32 – Zoning:

(a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals, nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

- (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.

The establishment, location, and operation of this property as a multi-family dwelling containing two dwelling units would not be detrimental to or endanger public health, safety, or welfare. The proposed use is not precluded by any other law, including the Madison-Park North Urban Renewal Plan. The proposed authorization would not be contrary to the public interest (in fact, it would advance the public interest by creating more housing affordable to moderate-income families). Therefore, Planning staff conclude that the authorization would be in harmony with the purpose and intent of the Zoning Code.

In making the above recommendation, Planning staff reviewed §5-406(b) {"Required considerations"} of Article 32 – *Zoning*, and finds that the proposed use meets these additional criteria for approval of a conditional use:

- (1) the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- (2) there will be no negative impact to traffic patterns;
- (3) the proposed use will not impair the present and future development of this lot or the surrounding area;
- (4) there will be no negative impact resulting from proximity to dwellings, churches, schools, public structures, and other places of public gathering;
- (5) there is adequate accessibility of the premises to emergency vehicles;
- (6) there is adequate light and air to the premises and to properties in the vicinity;
- (7) adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- (8) the proposed use would not interfere with preservation of cultural and historic landmarks and structures;
- (9) the proposed use would not alter the character of the neighborhood;
- (10) the proposed use is consistent with provisions of the City's Comprehensive Master Plan;
- (11) the proposed use is consistent with the provisions of the Charles/ 25th Urban Renewal Plan;
- (12) the proposed use meets all other applicable standards and requirements of the Zoning Code;
- (13) the proposed use is consistent with the intent and purpose of the Zoning Code; and
- (14) is consistent with any other matters that may be considered to be in the interest of the general welfare.

Planning staff recommend that the Planning Commission also find:


- The proposed use as a 2-family dwelling would be consistent with other residential use in the area and would allow continuing use of a structure that contributes to the Madison Park Historic District and the Old West Baltimore National Register Historic District. While the lot area requirement is not satisfied without a variance, this is in part offset by the size of the existing residential building.

- While no off-street parking meeting Zoning Code standards can be provided on this property, the site is located in a dense, walkable neighborhood that is served by several bus lines.
- The amount of lot coverage of this property is essentially unique to the property and is not generally applicable to other property within the R-7 zoning district (as others in this area and R-7 districts generally meet Zoning Code bulk standards).
- There is a practical difficulty with complying with the bulk standards in the Zoning Code that has not been caused by action or inaction of any person with a present interest in this property. The purpose of the variances requested is not based exclusively on a desire to increase the value or income potential of the property. Staff understands that the property was purchased by the applicant with two dwelling units already existing in the building, though this property had not been formally approved for two units.
- Each of the variances that would be granted would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. Maintaining this property in full occupancy would actually help improve property values in the Madison Park Historic District. The variances are in harmony with the Comprehensive Master Plan, the Madison Park Historic District, the Old West Baltimore National Register Historic District, and the Madison-Park North Urban Renewal Plan, and related considerations of public health, safety, and general welfare.

Notification: The Madison Park Improvement Association and Councilman Costello have been notified of this action.



Chris Ryer
Director

FROM	NAME & TITLE	Frank Murphy, Acting Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0348		

TO: Ex Officio Mayor Bernard C. "Jack" Young
TO: Land Use & Transportation Committee
FROM: Department of Transportation
POSITION: No Objection
RE: Council Bill – 19-0348

DATE: 4/29/19

INTRODUCTION – Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street.

PURPOSE/PLANS – 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 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

COMMENTS – This bill is a standard conditional use conversion ordinance that proposed to change a single-family dwelling unit into two dwelling units. The bill as proposed should have no fiscal or operational impact on the Department of Transportation.

AGENCY/DEPARTMENT POSITION – The Department of Transportation has no objection to City Council bill 19-0348.

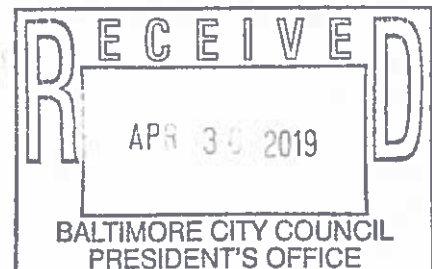
If you have any questions, please do not hesitate to contact Liam Davis at Liam.Davis@baltimorecity.gov or at 410-545-3207.

Sincerely,

Frank Murphy

Frank Murphy
Acting Director

no objection



CITY OF BALTIMORE

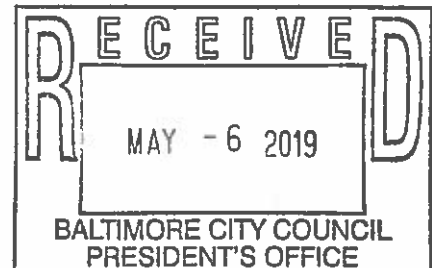
BERNARD C. "JACK" YOUNG
Mayor



DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

May 6, 2019

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 19-0348 – Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District – Variances – 343 Robert St.

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0348 for form and legal sufficiency. The bill would permit the conversion of a single-family dwelling unit to a 2-family dwelling at 343 Robert Street, which is in an R-7 Zoning district. The bill would also grant variances for lot area and off-street parking requirements.

Conditional Use Standards

Under the Zoning Article of the City Code, the conversion of a single-family dwelling to a multi-family dwelling in an R-7 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 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(a). In making these findings, the City Council must be guided by 14 "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

Fav w/ comments

of the neighborhood,” and “the resulting traffic patterns and adequacy of proposed off-street parking.” Baltimore City Code, Art. 32, § 5-406(b).

Variance Standards

The bill also contains variances for lot area and off-street parking requirements. In general, dwellings in an R-7 must have 2,200 square feet and one off-street parking space per dwelling unit. Baltimore City Code, Art. 32, §§ 9-401; 9-703 (d), (f). Since the property does not meet the applicable requirements, the bill seeks a variance from them.

To grant a 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).

Hearing Requirements

The Land Use and Transportation Committee (the “Committee”) must consider the above law at the scheduled public hearing wherein it will hear and weigh the evidence as presented in: (1) the Planning Report and other agency reports; (2) testimony from the Planning Department and other City agency representatives; and (3) testimony from members of the public and interested persons. 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



BALTIMORE CITY
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner *MB*

Date: May 1, 2019

Re: **City Council Bill 19-0348**, Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District – Variances – 343 Robert Street

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0348, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to two dwelling units in the R-7 Zoning District on the property known as 343 Robert Street; and granting variances from certain bulk and off-street parking regulations.

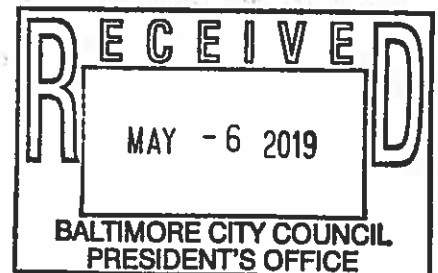
If enacted, this bill will allow the property to be converted from a single-family dwelling to two, one-bedroom units. One unit will be occupied by the owner, while the other will be used a rental. The Planning Department Staff found that the proposed conversion will have no adverse effects on the surrounding community and provided a favorable recommendation for the bill. On April 19th, the Planning Commission voted to concur with the Planning Staff's recommendation.

DHCD has reviewed City Council Bill 19-0348 and supports the passage of the bill.

MB:td

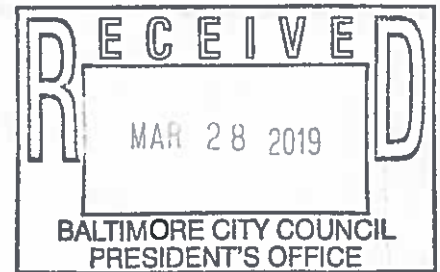
cc: Mr. Jeffrey Amoros, *Mayor's Office of Government Relations*

Favorable





Favorable



MEMORANDUM

DATE: March 26, 2019
TO: Land Use and Transportation Committee
FROM: William H. Cole, President and CEO
POSITION: Support
SUBJECT: Council Bill 19-0348 Zoning-Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District-Variance-343 Robert Street

INTRODUCTION

The Baltimore Development Corporation is reporting on City Council Bill 19-0348 introduced by Councilmember Costello, at the request of Markeese Freeland.

PURPOSE

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 343 Robert Street (Block 0331, Lot 20), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

BRIEF HISTORY

The property is located in the Madison Park neighborhood and the owner will be the primary resident with one rental unit. Enactment of this Bill will facilitate proposed redevelopment plans for the property and create housing in the community.

FISCAL IMPACT

NONE

AGENCY POSITION

The Baltimore Development Corporation **Supports** City Council Bill 19-0348.

If you have any questions, please do not hesitate to contact Kimberly Clark at kclark@baltimoredevelopment.com or 410-837-9305.

cc: Jeffrey Amoros

[DG]

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director *P. Little*
DATE: April 3, 2019
RE: Council Bill 19-0348



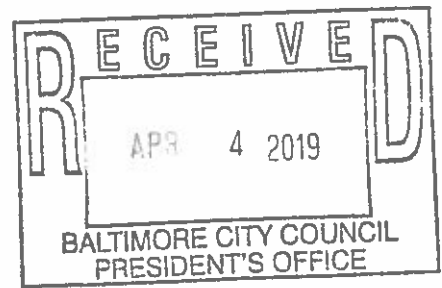
I am herein reporting on City Council Bill 19-0348 introduced by Councilmember Costello at the request of Markeese Freeland.

The purpose of this bill is for 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 343 Robert Street.


According to Baltimore City Code Art. 32 § 9-701(2), the R-7 Zoning District allows for the conversion of a single-family dwelling to a multi-family dwelling through conditional-use approval by Ordinance of the Mayor and City Council. Conversion standards in Baltimore City Code Art. 32 § 9-703(f) require that at least 1 off-street parking space must be provided for each dwelling unit. This proposed legislation requests a variance for the off-street parking requirement.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. This property is not located on a block where the PABC administers on-street parking programs. A site visit was conducted during the first week of April 2019. The PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC investigated the alley and rear of the property and determined that there is not sufficient access for any off-street parking spaces. Therefore, a variance for off-street parking is required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, the PABC does not oppose the passage of City Council Bill 19-0348.



Not opposed

FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202		
	SUBJECT	City Council Bill #19-0348 Response to Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 District-Variances 343 Robert Street		

TO **The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408**

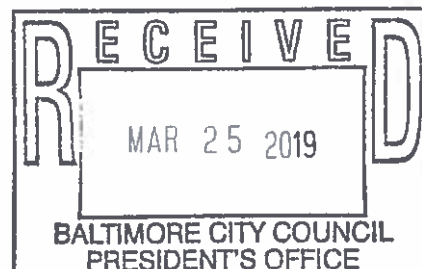
DATE: **March 18, 2019**

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 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

The Baltimore City Fire Department has no objections for Council Bill 19-0348: Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District -Variances for the property located at 343 Robert Street. All rental locations must comply with all applicable codes, ordinances, and laws and shall be required to obtain all required approvals. The rental locations shall comply with the Building, Fire, and Related Codes of Baltimore City 2015 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. Locations may be subject to an annual fire inspection and/or permits from the Office of the Fire Marshal.

no objection



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Land Use and Transportation Committee

Wednesday, May 8, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0348

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 7 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Eric T. Costello, Member Ryan Dorsey, Member Leon F. Pinkett III, and Member Robert Stokes Sr.

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0348

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street
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 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

Sponsors: Eric T. Costello

A motion was made by Member Stokes, Sr., seconded by Member Costello, that the bill be recommended favorably with amendment. The motion carried by the following vote:

Yes: 7 - Member Reisinger, Member Middleton, Member Clarke, Member Costello, Member Dorsey, Member Pinkett III, and Member Stokes Sr.

ADJOURNMENT

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG,
Ex Officio Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 19-0348

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street

Committee: Land Use and Transportation
Chaired By: Councilmember Edward Reisinger

Hearing Date: May 8, 2019
Time (Beginning): 1:00 PM
Time (Ending): 1:11 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~50
Committee Members in Attendance:
Reisinger, Edward, Chairman
Middleton, Sharon, Vice Chair
Clarke, Mary Pat
Costello, Eric
Dorsey, Ryan
Pinkett, III Leon
Stokes, Robert

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?.....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?.....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Evidence of notification to property owners?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:.....	Councilmember Stokes		
Seconded by:.....	Councilmember Costello		
Final Vote:	Favorable/Amendments		

Major Speakers

(This is not an attendance record.)

- Mr. Martin French, Department of Planning
- Mr. Liam Davis, Department of Transportation
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Ms. Elena DiPietro, Department of Law
- Ms. Tyrell Dixon, Department of Housing and Community Development
- Mr. Taylor Lafave, Parking Authority of Baltimore City

Major Issues Discussed

1. Councilmember Reisinger introduced committee members and read the bill's title, purpose and public notice certification report.
2. Councilmember Costello explained the purpose of the bill. Councilman Costello proposed an amendment to allow the bill to take effect on the date of enactment. The amendment was approved.
3. Mr. Martin French presented the Planning Commission's report in support of the bill. The Planning Department's staff report noted that the property is 18' x 69", and is situated in the middle of a group of three buildings. He noted that two variances (for lot area and off-street parking) are needed in order to use the property as a single-family dwelling. The lot is short and landlocked and the owner cannot meet Zoning Code bulk and off-street parking requirements. A request for the variances is included in the bill. The use is consistent with uses in the area.
4. Mr. Derek Baumgardner testified that the Board of Municipal Zoning Appeals was in support of the bill.
5. Agency representatives confirmed their agency's written report. There were no reports in opposition to the bill.
6. The committee voted to accept the findings of fact.
7. The committee approved Councilmember Costello's amendment.
8. The committee voted to recommend the bill favorable with amendment.
10. The hearing was adjourned.

Further Study

Was further study requested?
If yes, describe.

Yes No

Committee Vote:

Reisinger, Edward, Chairman..... Yea
 Middleton, Sharon, Vice Chair..... Yea
 Clarke, Mary Pat..... Yea

Costello, Eric Yea
Dorsey, Ryan Yea
Pinkett, Leon..... Yea
Stokes, Robert:..... Yea

Jennifer L. Coates, Committee Staff *JLC*

Date: May 9, 2019

cc: Bill File
OCS Chrono File

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Land Use and Transportation Committee

Wednesday, May 8, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0348

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0348

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street

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 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

Sponsors:

Eric T. Costello

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward Reisinger
Chairperson**

PUBLIC HEARING

**Wednesday, May 8, 2019
1:00 PM**

City Council Bill # 19-0348

***Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2
Dwelling Units in the R-7 Zoning District -
Variances - 343 Robert Street***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Marguerite Currin

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Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: Matthew Peters

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Kristerfer Burnett – Vice Chair
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Edward Reisinger
Brandon Scott
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LABOR

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Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Samuel Johnson

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Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

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Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac "Yitzy" Schleifer
Staff: Richard Krummerich

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Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Samuel Johnson
- Larry Greene (pension only)

CITY OF BALTIMORE

BERNARD C "JACK" YOUNG,
Ex Officio Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 19-0348

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit
to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street**

Sponsor: Councilmember Costello

Introduced: March 11, 2019

Purpose:

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 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

Effective: 30th day after the date of enactment

Hearing Date/Time/Location: May 8, 2019 / 1:00 p.m./ Clarence "Du" Burns Chambers

Agency Reports

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	
Department of Transportation	No Objection
Department of Law	
Department of Housing and Community Development	
Baltimore Development Corporation	Favorable
Fire Department	No Objection
Parking Authority of Baltimore City	Not Opposed

Analysis

Current Law

Article 32 - Zoning

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

Baltimore City Revised Code
(Edition 2000)

Background

Ms. Markeese Freeland is the applicant and owner of the property which measures 18' x 69'. The applicant intends to use the existing 18' x 42' attached residential structure on the site as two dwelling units. The building is currently being used as a single-family dwelling.

The property is situated in the Madison-Park North Urban Renewal Area. Bill 18-0202 - *Repeal of Madison - Park North Urban Renewal Area and Plan*, was introduced to the City Council on 03/12/2018 to repeal the Urban Renewal Area. The bill is being reviewed by the Housing and Urban Affairs Committee.

The property is zoned R-7 and is situated near row houses, with multi-family, religious and scattered commercial uses. The property was rezoned from R-8 to R-7 during the Transform Baltimore comprehensive rezoning process. During the 20th century, several residential buildings in the area have been converted to multi-family dwellings.

If approved, Bill 19-0348 would permit, 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 343 Robert Street.

The bill would also grant variances from the requirements for:

- **off-street parking** – one parking space is required to serve the one newly-created dwelling unit.
- **bulk requirement (lot area)** – a lot area of 2,200 square feet is required for the proposed use.

Variance – Bulk Regulation (Lot Area)

According to *Article 32; Section 9-703 and Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk and Yard Regulations*, in the R-7 Zoning District, a lot area of 1,150 square feet per dwelling unit is required. Based on a formula, the total lot area needed for the two dwelling units is 2,200 square feet. The property has only 1,242 square feet of lot area. The applicant is requesting a variance for the lot area.

Variance – Off-street Parking

According to *Article 32 – Zoning, Section 16-203, 16-602 and Table 16-406: Required Off-Street Parking*, one (1) off-street parking spaces is required for the one newly-created dwelling units. The property cannot provide any off-street parking spaces meeting Zoning Code standards for accessibility. The applicant is requesting a variance for off-street parking.

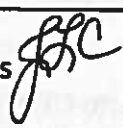
Amendments

There are no proposed amendments for the bill.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports

Analysis by: Jennifer L. Coates 
Analysis Date: May 3, 2019

Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE
COUNCIL BILL 19-0348
(First Reader)**

Introduced by: Councilmember Costello
At the request of: Markeese Freeland
Address: 8508 Valley Hill Court, Randallstown, Maryland 21133
Telephone: 443-630-4093

Introduced and read first time: March 11, 2019

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**
3 **2 Dwelling Units in the R-7 Zoning District – Variances –**
4 **343 Robert Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 343
7 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and
8 granting variances from certain bulk and off-street parking regulations.

9 BY authority of

10 Article 32- Zoning

11 Sections 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(d), 9-703(f), 16-203, and 16-602

12 (Table 16-406)

13 Baltimore City Revised Code

14 (Edition 2000)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
16 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
17 the R-7 Zoning District on the property known as 343 Robert Street (Block 0331, Lot 020), as
18 outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City
19 Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies with
20 all applicable federal, state, and local licensing and certification requirements.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
22 305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
23 requirements of §§ 9-401 and 9-703(d), as the property does not meet the bulk requirements for 2
24 dwelling units.

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26 305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the

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

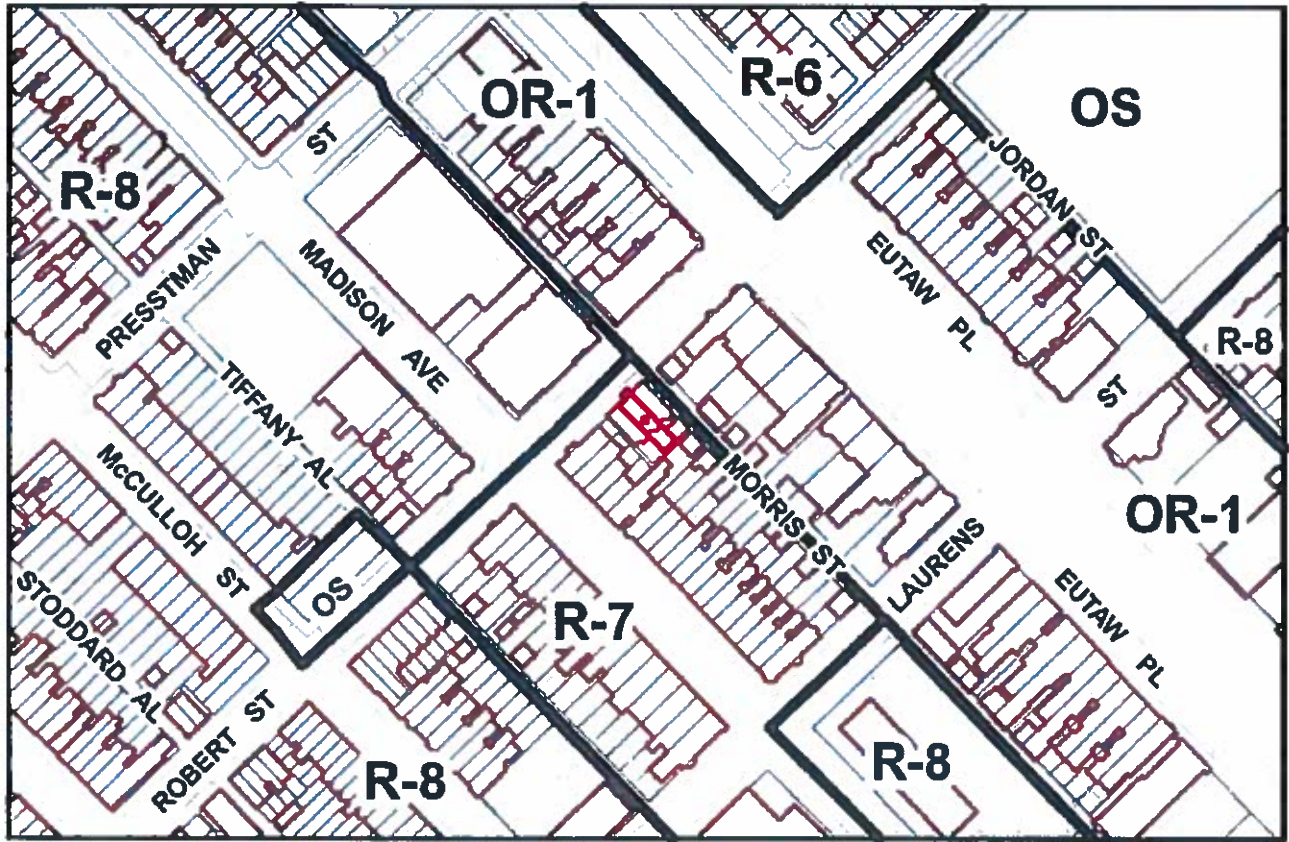
Council Bill 19-0348

1 requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-7 Zoning District
2 (Table 16-406).

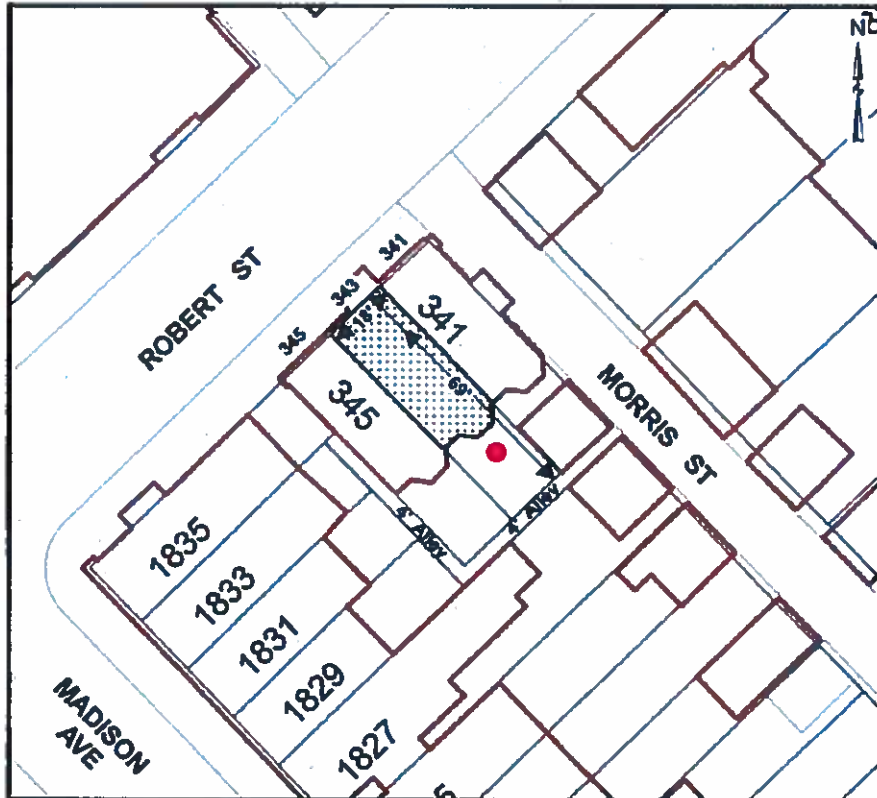
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4 accompanying plat and in order to give notice to the agencies that administer the City Zoning
5 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
6 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
7 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
8 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
9 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
10 the Zoning Administrator.

11 **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
12 after the date it is enacted.

**SHEET NO. 45 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With The Property Known As No. 343 ROBERT STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Two Dwelling Units In The R-7 Zoning District, As Outlined In Red Above.

WARD 14 SECTION 13
BLOCK 331 LOT 20

MAYOR

PRESIDENT CITY COUNCIL

208

Coates, Jennifer

From: Coates, Jennifer
Sent: Tuesday, March 26, 2019 2:20 PM
To: 'mfreela09@gmail.com'
Cc: Costello, Eric; Austin, Natawna B.
Subject: Public Notice Instructions for Bill 19-0348
Attachments: Sample - Certificate of Posting - Attachment C.docx; LU Form - Contacts for Sign Posting.docx; PNI - Letter - 19-0348 - CU VAR - 343 Robert Street.docx

Good Afternoon Markeese Freeland:

Attached is the information you will need to post a sign for the subject bill to be heard by the Baltimore City Council's Land Use and Transportation Committee on **May 8, 2019 at 1:00 p.m.** I have also attached a contact list for sign makers and a sample certification template.

If you need more information, feel free to contact me.

PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL.



Jennifer L. Coates

*Senior Legislative Policy Analyst
Office of Council Services*

100 N. Holliday Street, Room 415
Baltimore, MD 21202

jennifer.coates@baltimorecity.gov

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596

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This e-mail, including any attachment(s), is intended for receipt and use by the intended addressee(s), and may contain legal or other confidential and privileged information. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail is strictly prohibited, and requested to delete this communication and its attachment(s) without making any copies thereof and to contact the sender of this e-mail immediately. Nothing contained in the body and/or header of this e-mail is intended as a signature or intended to bind the addressor or any person represented by the addressor to the terms of any agreement that may be the subject of this e-mail or its attachment(s), except where such intent is expressly indicated.

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

TO: Markeese Freeland

FROM: Jennifer L. Coates, Committee Staff, Land Use and Transportation Committee,
Baltimore City Council

Date: March 26, 2019

RE: INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING – CONDITIONAL USE AND
VARIANCES

The Land Use and Transportation Committee has scheduled the following City Council Bill for a public hearing:

Bill: City Council Bill No. 19-0348

Date: Wednesday, May 8, 2019

Time: 1:00 p.m.

Place: City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

Article 32. Zoning § 5-602 – Major variances: Conditional uses.

For helpful information about the public notice requirements under Article 32 - Zoning (*pages 129 – 130*) - see *Attachment B*. You can access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

Disclaimer. The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising your accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers

Wording for the Sign to be Posted

The information that must be posted on a sign, at least 21 days before the public hearing, appears between the double lines on the attached page (*see Attachment A*). The deadline date is indicated in **BOLD** characters at the top of Attachment A. Instructions for posting the sign can be found in Article 32. Zoning § 5-602 – Major variances: Conditional uses

Certification of Postings

Certification of the sign posting (*see example on Attachment C*), in duplicate, must be received four (4) days prior to the hearing to:

Ms. Natawna Austin, Executive Secretary
Baltimore City Council
100 N. Holliday Street, Fourth Floor, Room 400
Baltimore, MD 21202

If the required certification is not received as specified above, the public hearing will be cancelled without notice to the applicant. The deadline dates are as follows:

Sign Must Be Posted By: ***April 17, 2019***
Certificate of Posting Due By: ***May 3, 2019***

Please note that **ALL** of these requirement **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your notice requirements please contact:

Ms. Jennifer L. Coates, Committee Staff
Baltimore City Council
Land Use and Transportation Committee
410-396-1260
Jennifer.Coates@baltimorecity.gov

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY BY APRIL 17, 2019, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 19-0348

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, May 8, 2019 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0348.

CC 19-0348 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street

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 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

BY authority of

Article 32- Zoning

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

Baltimore City Revised Code
(Edition 2000)

Applicant: Markeese Freeland

For more information contact committee staff at (410) 396-1260.

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

EDWARD REISINGER

Chair

SEND CERTIFICATION OF PUBLICATION TO:

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202

SEND BILL FOR THIS SIGN POSTING TO:

Markeese Freeland
8508 Valley Hill Ct
Randallstown, MD 21133
443-630-4093

**ZONING
SUBTITLE 6 – NOTICES**

ARTICLE 32, § 5-602

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

§ 5-602. Major variances; Conditional uses.

(a) *Hearing required.*

For major variances and conditional uses, the Board of Municipal and Zoning Appeals or the City Council, as the case may be, must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be read.

(b) *Notice of hearing required.*

Notice of the hearing must be given by posting in a conspicuous place on the subject property.

(c) *Contents of notice.*

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed variance or conditional use;
- (3) the name of the applicant; and
- (4) how additional information on the matter can be obtained.

(d) *Number and manner of posted notices.*

(1) The number and manner of posting is as follows:

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;

(iii) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and

(iv) each sign must be at least 3 feet by 4 feet in size.

(2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

(e) *Timing of notice.*

The posted notice must be:

(1) posted at least 21 days before the public hearing; and

(2) removed within 48 hours after conclusion of the public hearing.

(Ord. 16-581; Ord. 17-015.)

THE NOTICE OF HEARING SIGN(S) MUST BE MADE IN ACCORDANCE WITH THE RULES OF THE BALTIMORE CITY BOARD OF MUNICIPAL AND ZONING APPEALS AND ARTICLE 32 – ZONING, SECTION 5-602 (SEE ATTACHMENT B) WHICH CAN BE OBTAINED FROM THE FOLLOWING WEBSITES:

<https://zoning.baltimorecity.gov/>

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

SIGNS MAY BE OBTAINED FROM A VENDOR OF YOUR CHOICE OR ANY OF THOSE LISTED BELOW:

RICHARD HOFFMAN
904 DELLWOOD DRIVE
BALTIMORE, MARYLAND 21047
PHONE: (443) 243-7360
E-MAIL: DICK_E@COMCAST.NET

JAMES EARL REID
LA GRANDE VISION
5517 HADDON AVENUE
BALTIMORE, MARYLAND 21207
PHONE: (443) 722-2552
E-MAIL: JamesEarlReid@aol.com or JamesEarlReid@aim.com

SIGNS BY ANTHONY
ANTHONY L. GREENE
2815 TODKILL TRACE
EDGEWOOD, MD 21040
PHONE: 443-866-8717
FAX: 410-676-5446
E-MAIL: bones_malone@comcast.net

LINDA O'KEEFE
523 PENNY LANE
HUNT VALLEY, MD 21030
PHONE: 410-666-5366
CELL: 443-604-6431
E-MAIL: LUCKYLINDA1954@YAHOO.COM

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Baltimore City Council
Certificate of Posting - Public Hearing Notice

City Council Bill No.:

Today's Date: [Insert Here]

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

Address:

Date Posted:

Name:

Address:

Telephone:

- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202



CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation

Chairperson: Edward Reisinger

Date: May 8, 2019

Time: 1:00 p.m.

Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - Variances - 343 Robert Street

CC Bill Number: 19-0348

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Martin	French		Planning			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Markeese	Freeland					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

**CITY OF BALTIMORE
COUNCIL BILL 19-0348
(First Reader)**

Introduced by: Councilmember Costello

At the request of: Markeese Freeland

Address: 8508 Valley Hill Court, Randallstown, Maryland 21133

Telephone: 443-630-4093

Introduced and read first time: March 11, 2019

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**
3 **2 Dwelling Units in the R-7 Zoning District – Variances –**
4 **343 Robert Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
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9 BY authority of

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11 Sections 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(d), 9-703(f), 16-203, and 16-602
12 (Table 16-406)
13 Baltimore City Revised Code
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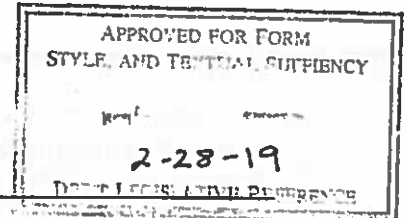
Council Bill 19-0348

1 requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-7 Zoning District
2 (Table 16-406).

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12 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Costello
At the request of: Markeese Freeland
Address: 8508 Valley Hill Court, Randallstown, Maryland 21133
Telephone: 443-630-4093

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-7 Zoning District – Variances –
343 Robert Street**

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 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

BY authority of

Article 32- Zoning

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

Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 343 Robert Street (Block 0331, Lot 020), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-401 and 9-703(d), as the property does not meet the bulk requirements for 2 dwelling units.

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

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

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

SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

STATEMENT OF INTENT

FOR

343 Robert St, Baltimore MD 21217
{Address}

1. Applicant's Contact Information:

Name: Markeese Freeland
Mailing Address: 8508 Valley Hill Ct, Randallstown MD 21133
Telephone Number: 443 630 4093
Email Address: mfreela09@gmail.com

2. All Proposed Zoning Changes for the Property: single family home into 2 units.

3. All Intended Uses of the Property: Primary Residence & 1 Rental unit

4. Current Owner's Contact Information:

Name: Markeese Freeland
Mailing Address: 8508 Valley Hill Ct Randallstown MD 21133
Telephone Number: 443 630 4093
Email Address: mfreela09@gmail.com

5. Property Acquisition:

The property was acquired by the current owner on 6/22/2018 by deed recorded in the Land Records of Baltimore City in Liber _____ Folio _____.

6. Contract Contingency:

(a) There is _____ is not X 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 stockholders of any corporation, are as follows {use additional sheet if necessary}: _____

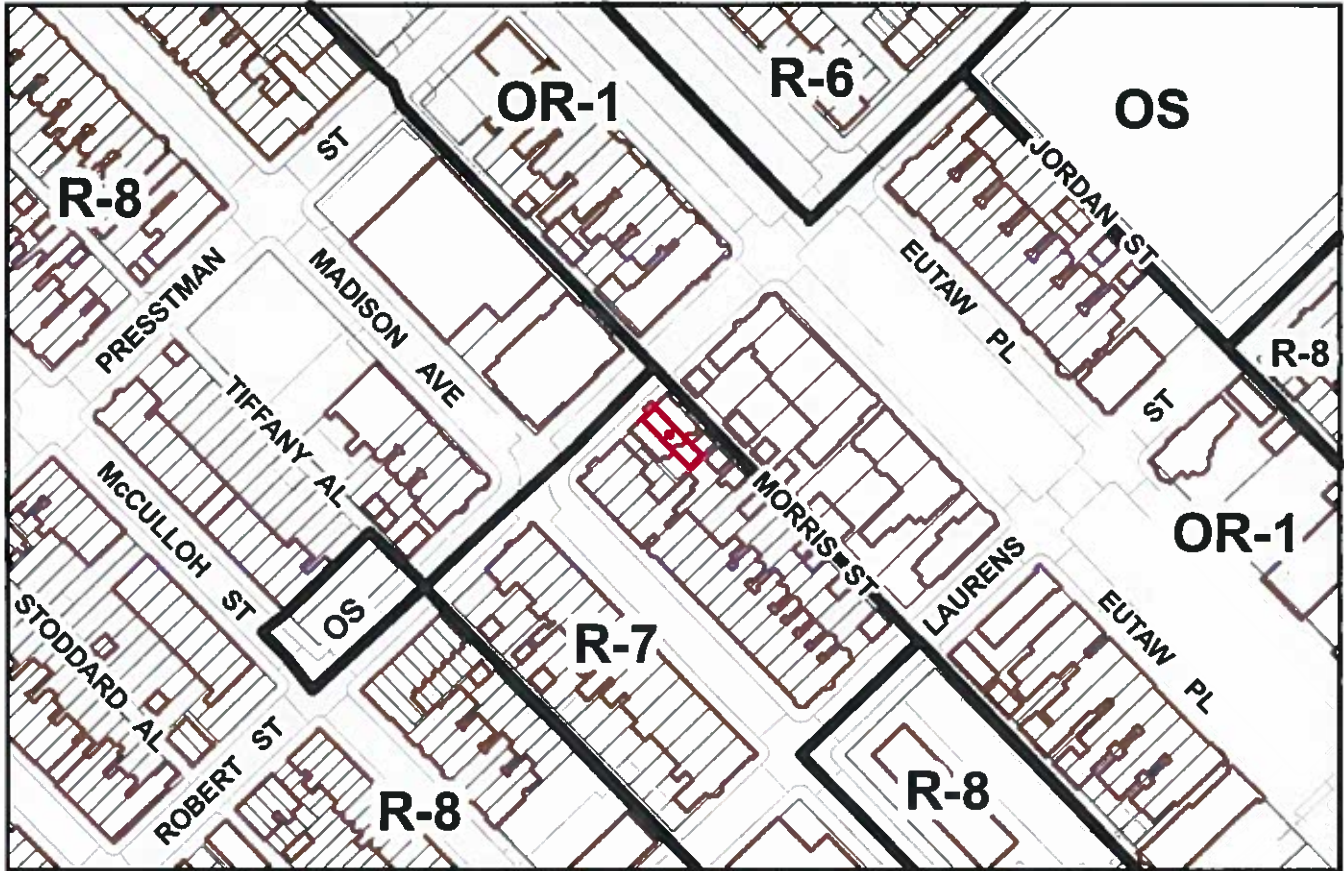
AFFIDAVIT

I, Markeese Fred and, 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.

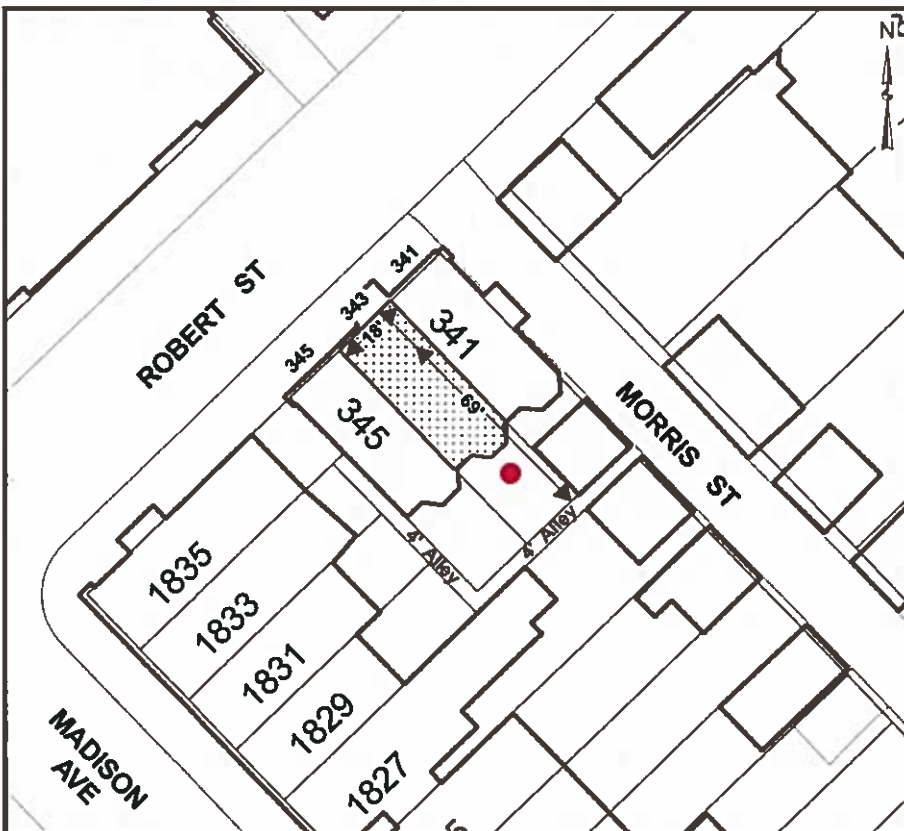
Markeese Fred
Applicant's signature

2/25/19
Date

**SHEET NO. 45 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With The Property Known As No. 343 ROBERT STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Two Dwelling Units In The R-7 Zoning District, As Outlined In Red Above.

WARD 14 SECTION 13
BLOCK 331 LOT 20

MAYOR

PRESIDENT CITY COUNCIL

ACTION BY THE CITY COUNCIL

MAR 11 2019

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON May 8, _____ 20 19

COMMITTEE REPORT AS OF May 13 _____ 20 _____

_____ FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

Edward J. Busby
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing. MAY 13 2019

THIRD READING _____ JUN 11 2019
20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

President

Chief Clerk