

Introduced by: Councilmember Stokes

At the request of: Jabari Jackson

Address: c/o Ameenah Jackson, 25209 Bunting Circle, Land O Lakes, Florida 34639

Telephone: 443-676-9461

Prepared by: Department of Legislative Reference

Date: January 22, 2019

Referred to: LAND USE AND TRANSPORTATION Committee

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

CITY COUNCIL 19-0327

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District – Variances –
2323 North Calvert 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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain 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(b), 9-703(f), 16-203, and
16-602 (Table 16-406)

Baltimore City Revised Code
(Edition 2000)

Robert Stokes

NO. _____

****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

Agencies	Boards and Commissions
_____ Baltimore City Public School System	_____ Environmental Control Board
_____ Baltimore Development Corporation	_____ Fire & Police Employees' Retirement System
_____ City Solicitor	_____ Labor Commissioner
_____ Comptroller's Office	_____ Parking Authority Board
_____ Department of Audits	_____ Planning Commission
_____ Department of Finance	_____ Wage Commission
_____ Department of General Services	_____ Other: _____
_____ Department of Housing and Community Development	_____ Other: _____
_____ Department of Human Resources	_____ Other: _____
_____ Department of Planning	_____ Other: _____
_____ Other: _____	_____ Other: _____
_____ Other: _____	_____ Other: _____
_____ Other: _____	_____ Other: _____
_____ Department of Public Works	_____ Department of Recreation and Parks
_____ Department of Real Estate	_____ Department of Transportation
_____ Department of Public Works	_____ Fire Department
_____ Department of Recreation and Parks	_____ Health Department
_____ Department of Transportation	_____ Mayor's Office of Employment Development
_____ Fire Department	_____ Mayor's Office of Human Services
_____ Health Department	_____ Mayor's Office of Information Technology
_____ Mayor's Office of Employment Development	_____ Office of the Mayor
_____ Mayor's Office of Human Services	_____ Police Department
_____ Mayor's Office of Information Technology	_____ Other: _____
_____ Office of the Mayor	_____ Other: _____
_____ Police Department	_____ Other: _____
_____ Other: _____	_____ Other: _____
_____ Other: _____	_____ Other: _____
_____ Other: _____	_____ Other: _____

CITY OF BALTIMORE
ORDINANCE **19-260**
Council Bill 19-0327

Introduced by: Councilmember Stokes

At the request of: Jabari Jackson

Address: c/o Ameenah Jackson, 25209 Bunting Circle, Land O Lakes, Florida 34639

Telephone: 443-676-9461

Introduced and read first time: January 28, 2019

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable

Council action: Adopted

Read second time: May 6, 2019

AN ORDINANCE CONCERNING

1 Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 2 Dwelling Units in the R-8 Zoning District – Variances –
3 2323 North Calvert 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-8 Zoning District on the property known as 2323
6 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and
7 granting variances from certain bulk regulations (lot area) and certain 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(b), 9-703(f), 16-203, and
12 16-602 (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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot
18 012), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore
19 City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies
20 with 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 §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-8 Zoning District.

24 SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-
25 305(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.

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 19-0327

1 requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-8 Zoning District
2 (Table 16-406).

3 SECTION 4. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the
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.

Certified as duly passed this _____ day of MAY 13, 2019



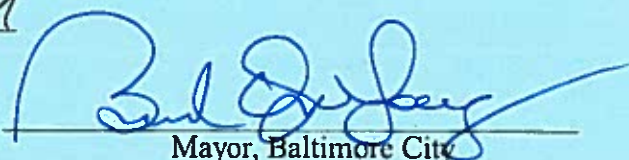
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of MAY 13, 2019



Chief Clerk

Approved this 17 day of June, 2019



Mayor, Baltimore City

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

Chief Solicitor

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.19-0327

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2323 North Calvert 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 Charles/25th 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 PABC administers on-street parking programs. A site visit was conducted during the third week of February 2019. PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, PABC investigated the alley and rear of the property and determined that there is not sufficient access or property for any off-street parking spaces. Therefore, a variance for off-street parking is required and PABC has determined that the passage of this bill will not negatively impact parking in the area.

Mr. Martin French of the Department of Planning testified that the rear yard setback for the property meets the zoning requirement of 15 feet, however, the rear yard does not provide the required 9 feet x 18 feet space needed for off-street parking. He also testified that the alley is 10 feet wide and consequently does not meet the 15 feet requirement for egress/ingress. Therefore, a variance for off-street parking is required.

- (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 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 proposed use is consistent with the provisions of the Comprehensive Master Plan.

- (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.

BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION VOTING RECORD

DATE: May 1, 2019

BILL#: 19-0327

BILL TITLE: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2323 North Calvert Street

MOTION BY: Warsey SECONDED BY: Stokes

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>5</u>		<u>2</u>	

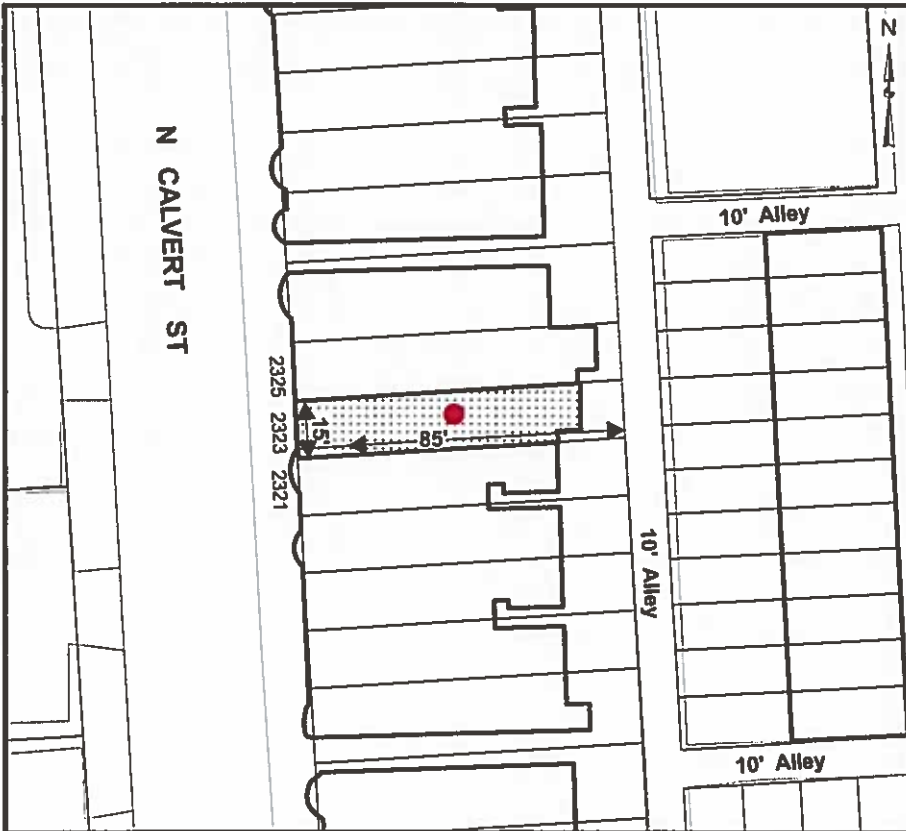
CHAIRPERSON: Edward H. Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

**SHEET NO. 36 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. 2323 NORTH CALVERT 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-8 Zoning District, As Outlined In Red Above.

WARD 12 SECTION 14
BLOCK 3822 LOT 12

[Signature]
MAYOR

[Signature]
PRESIDENT CITY COUNCIL

F R O M	NAME & TITLE	Michelle Pourciau, Director <i>MS</i>	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0327		

TO: Mayor Catherine E. Pugh
TO: Land Use and Transportation Committee
FROM: Department of Transportation
POSITION: no objection
RE: Council Bill – 19-0327

DATE: 2/8/19

INTRODUCTION – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 4 2323 North Calvert 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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

COMMENTS – Baltimore City Department of Transportation defers to Baltimore City Department of Planning recommendation.

AGENCY/DEPARTMENT POSITION –

The Department of Transportation has no objection City Council bill 19-0327.

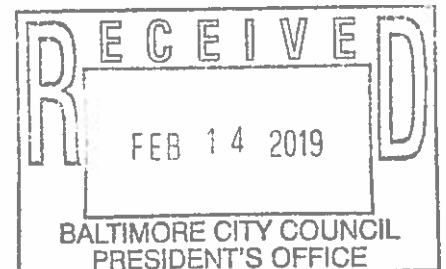
If you have any questions, please do not hesitate to contact Michael Castagnola at Michael.Castagnola@baltimorecity.gov, 410-396-6802.

Sincerely,



Michelle Pourciau
Director

MS



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

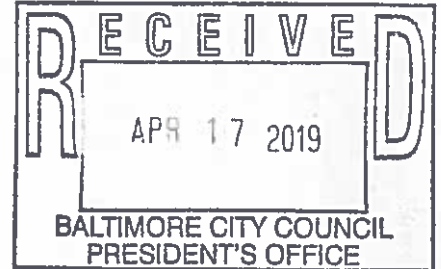


BOARD OF MUNICIPAL AND ZONING APPEALS

DEREK J. BAUMGARDNER, Executive Director
417 E. Fayette Street, Suite 922
Baltimore, Maryland 21202

Favorable

April 17, 2019



The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

**RE: CC Bill #19-0327 Zoning – Conditional Use Conversion of a Single
Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District –
Variances – 2323 North Calvert Street**

Ladies and Gentlemen:

City Council Bill No. 19-327 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 19-327 is to permit, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012); and grant variances from certain bulk regulations (lot area) and certain off-street parking regulations.

The BMZA has reviewed the legislation and concurs with the recommendation of the Planning Commission recommending approval of CC Bill. 19-327.

Sincerely,

Derek J. Baumgardner
Executive Director

CC: Mayors Office of Council Relations
City Council President
Legislative Reference



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

March 7, 2019

REQUEST: City Council Bill 19-0327/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2323 North Calvert 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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmember Stokes, at the request of Jabari Jackson

OWNER: Jabari R. Jackson

SITE/ GENERAL AREA

Site Conditions: 2323 North Calvert Street is located on the east side of Calvert Street, approximately 130' south of the intersection with 24th Street. This property measures approximately 15' by 85' and is currently improved with a three-story attached residential building measuring approximately 15' by 70'. The site is zoned R-8. 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 the heart of the Old Goucher College National Register Historic District. In the second half of the 20th Century, following Goucher College's move to Baltimore County, a number of single-family residential buildings were converted to either multi-family dwellings or residential mixed-use. This property is also in the southern portion of the Charles/ 25th Urban Renewal Area. From before its origins in 2001 to the present, this urban renewal area has been characterized by a mix of 19th Century row-houses, with multi-family, religious and institutional uses and scattered commercial uses in various locations.

HISTORY

The Charles/ 25th Urban Renewal Plan was established by Ordinance no. 01-0495 in 2001 and last amended by Ordinance no. 02-393 in 2002. The current Old Goucher College Historic District was certified to the National Register of Historic Places on September 26, 1994.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents. The proposed action also furthers two of the objectives of the Charles/ 25th Urban Renewal Plan, to create a mixed-use community that provides a variety of places for residential, business, and retail uses, and to maintain and protect the existing architectural and historic fabric of the community.

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 North Baltimore'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 2,800 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-8 District, 750 square feet of lot area per dwelling unit (BCZC §9-703.d., citing Table 9-401). A lot area of 1,500 square feet is thus required for the proposed use. This lot has 1,275 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 15' is required. This property has a rear yard setback of 15', and thus meets this requirement.
- The maximum lot coverage allowed is 80%. This structure covers approximately 79% of the lot. No variance of this requirement is needed.
- The Zoning Code requires, for conversion of a single-family property in the R-8 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 930 gross square feet on each of its three levels, allowing both dwelling units to meet this standard.
- 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 Charles/ 25th 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 Old Goucher College National Register Historic District. While the lot area requirement is not satisfied without a variance, this is in part offset by the large 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-8 zoning district (as others in this area and R-8 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.
- 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 central portion of the Old Goucher College National Register Historic District. The variances are in harmony with the Comprehensive Master Plan, the Old Goucher College National Register Historic District, and the Charles/ 25th Urban Renewal Plan, and related considerations of public health, safety, and general welfare.

Notification: The Old Goucher Community Association, the Barclay Leadership Council, the Residents of Barclay, and Councilman Stokes have been notified of this action.



Chris Ryer
Director

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 #19-0327// ZONING - CONDITIONAL USE CONVERSION - VARIANCES - 2323 NORTH CALVERT STREET		

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

DATE: March 8, 2019

At its regular meeting of March 7, 2019, the Planning Commission considered City Council Bill #19-0327, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known 2323 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain 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 #19-0327, 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:

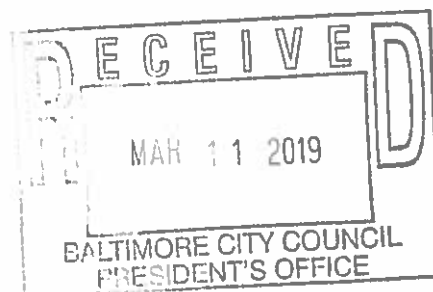
- would not be detrimental to or endanger the public health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest; and
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria 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 #19-0327 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
Mr. Jim Smith, Chief of Strategic Alliances
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
Mr. Jabari Jackson and Ms. Ameenah Jackson

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



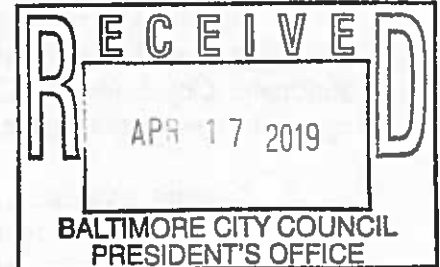
DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

April 17, 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

Favorable



Re: City Council Bill 19-0327 – Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2323 N. Calvert Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0327 for form and legal sufficiency. The bill would permit the conversion of a single-family dwelling unit to a 2-family dwelling at 2323 N. Calvert Street, which is in an R-8 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-8 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 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-8 must have 750 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 outlined above. If, after its investigation of the facts, the Committee makes findings which support the conditional use and the variances sought, it may adopt these findings and the legal requirements will be met.

Finally, certain procedural requirements apply to this bill beyond those discussed above because both conditional uses and variances are considered "legislative authorizations." Baltimore City Code, Art. 32, § 5-501(2)(i) and (ii). Specifically, notice requirements apply to the bill, and the bill must be referred to certain City agencies which are obligated to review the bill in specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506, 5-602. Finally, certain limitations on the City Council's ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507.

The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standard for a conditional use and variances have been met. Assuming the required findings are made at the hearing and all procedural requirements are satisfied, the Law Department approves the bill for form and legal sufficiency.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ashlea Brown', with a long horizontal flourish extending to the right.

Ashlea Brown
Assistant Solicitor

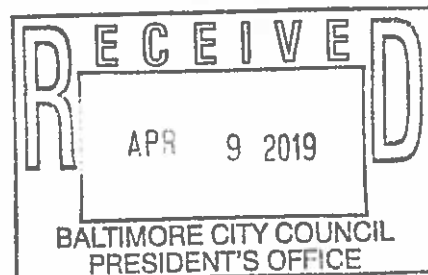
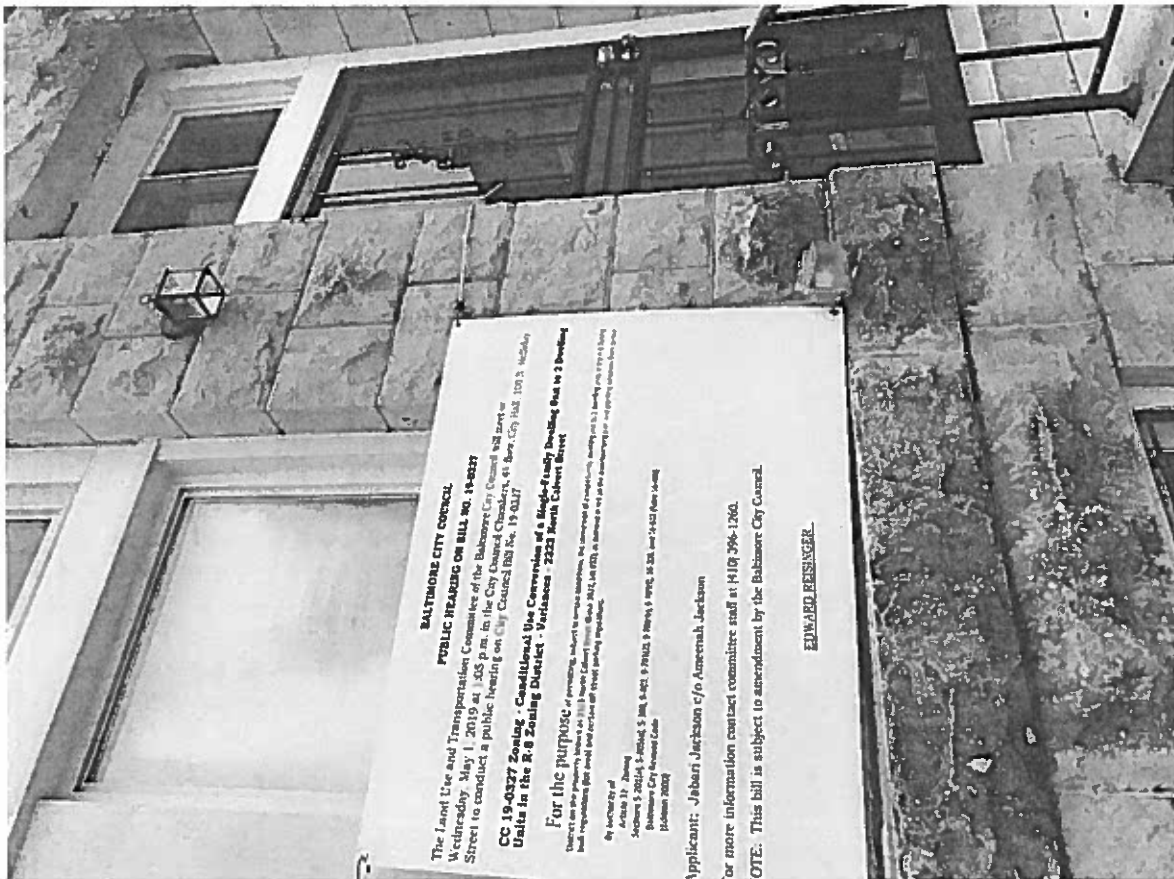
cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Jeff Amoros, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Hilary Ruley, Chief Solicitor
Avery Aisenstark

From: Ameenah Jackson
To: Jabari Jackson; Austin, Natawna B.
Subject: last email had no pics - certificate of posting 2323 N Calvert
Date: Tuesday, April 09, 2019 3:38:59 PM

My apologies- the last email did not have the attachments .
Thanks ,
Ameenah

ATTACHMENT C

Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 19-0327
Today's Date: April 9, 2019





Address: 2323 N Calvert ST Baltimore MD 21218
Date Posted: April 9, 2019

Name: Jabari Jackson

Address: 23209 Bunting Circle Land o Lakes FL 34639

Telephone: 443-676-9461

- 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

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT FOR VARIANCE

City Council Bill No. 19-0327

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:

2323 NORTH CALVERT 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:

Article 32 - Zoning Code requires, for conversion of a single-family property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC Section 9-703. d., citing Table 9-401). A lot area of 1,500 square feet is thus required for the proposed use. This lot has 1,275 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 – Staff Report (March 7, 2019):

- The proposed use as a 2-family dwelling would be consistent with other residential uses in the area and would allow continuing use of a structure that contributes to the Old Goucher College National Register Historic District. While the lot area requirement is not satisfied without a variance, this is in part offset by the large size of the existing residential building.
- 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-8 zoning district (as others in this area and R-8 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 variance requested is not based exclusively on a desire to increase the value or income potential of the property.
- 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 central portion of the Old Goucher College National Register Historic District. The variances are in harmony with the Comprehensive Master Plan, the Old Goucher College National Register Historic District, and the Charles / 25th Urban Renewal Plan, and related considerations of public health, safety, and general welfare.

Mr. Martin French, representing the Department of Planning, testified that the lot area variance is needed because the property has a large three-story rowhouse with a short lot. The depth of the lot is insufficient to meet the required lot area. The Department of Planning determined that there were practical difficulties in meeting the zoning requirements for lot area.

SOURCE OF FINDINGS:

(check all that apply)

Planning Report – Baltimore City Planning Commission Report – Dated: March 9, 2019
Baltimore City Planning Department Staff Report – Dated: March 7, 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. Mica Fetz, Baltimore Development Corporation
- Ms. Ashlea Brown, Department of Law
- Ms. Tyrell Dixon, Department of Housing and Community Development
- Mr. Jeff Amoros, Office of the Mayor

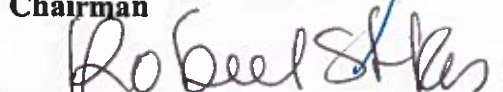
Written – Authors Names:

- Mr. Chris Ryer, Director, Department of Planning
- Mr. Martin French, Staff, Planning Department


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. 19-0327

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:

2323 NORTH CALVERT 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 Section 703.f.). This property cannot provide any off-street parking spaces meeting Article 32 - Zoning Code standards for accessibility, and therefore a variance of this requirement is included in this bill.

According to the Department of Planning – Staff Report (March 7, 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 serviced 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 central portion of the Old Goucher College National Register Historic District. The variances are in harmony with the Comprehensive Master Plan, the Old Goucher College National Register Historic District, and the Charles / 25th Urban Renewal Plan, and related considerations of public health, safety, and general welfare.

Mr. Martin French, representing the Department of Planning, testified that although the rear yard setback requirement of 15 feet meets the Zoning Code requirement, the size of the rear yard makes it impossible to provide the required off-street parking space which must be at least 9 feet wide x 18 feet deep. Additionally, the alley is only 10' wide. According to the Zoning Code, the alley is required to be 15 feet wide. A variance for off-street parking is needed. The Department of Planning determined that there were practical difficulties in meeting the zoning requirements for off-street parking.

SOURCE OF FINDINGS:

(check all that apply)

Planning Report – Baltimore City Planning Commission Report – Dated: March 9, 2019
Baltimore City Planning Department Staff Report – Dated: March 7, 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. Mica Fetz, Baltimore Development Corporation
- Ms. Ashlea Brown, Department of Law
- Ms. Tyrell Dixon, Department of Housing and Community Development
- Mr. Jeff Amoros, Office of the Mayor

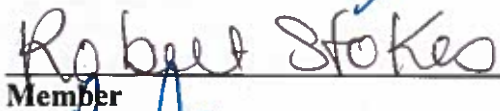
Written – Authors Names:

- Mr. Chris Ryer, Director, Department of Planning
- Mr. Martin French, Staff, Planning Department

LAND USE AND TRANSPORTATION COMMITTEE:


Chairman

Member


Member

Member


Member

Member


Member

Member

SOURCE OF FINDINGS (Check all that apply):

- [X] Planning Report – Planning Commission Report Dated March 8, 2019;
Department of Planning Staff Report Dated March 7, 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. Mica Fetz, Baltimore Development Corporation
- Ms. Ashlea Brown, Department of Law
- Ms. Tyrell Dixon, Department of Housing and Community Development
- Mr. Taylor LaFave, Parking Authority of Baltimore City
- Mr. Jeff Amoros, Office of the Mayor

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

- Planning Commission Report dated March 8, 2019; Department of Planning Staff Report dated March 7, 2019.
- Parking Authority of Baltimore City Report dated February 26, 2019

LAND USE AND TRANSPORTATION COMMITTEE:

Edward Weisberg

Chairman

Member

Robert Stokes

Member

Member

Ryan Dancy

Member

Member

C.T. Cruz

Member

Member

Coates, Jennifer

From: Coates, Jennifer
Sent: Tuesday, March 26, 2019 1:54 PM
To: 'jabari.jackson@gmail.com'
Cc: Christian, Kathy; 'Stokes, Robert'; Austin, Natawna B.
Subject: Public Notice Instructions for Bill 19-0327
Attachments: PNI - Letter - 19-0327 - CU VAR - 2323 N Calvert St.docx; LU Form - Contacts for Sign Posting CU VAR Art 32.docx; Sample - Certificate of Posting - Attachment C.docx

Good Afternoon Jabari Johnson:

Attached is the information you will need to post and advertise the subject bill to be heard by the Baltimore City Council's Land Use and Transportation Committee on **May 1, 2019 at 1:05 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

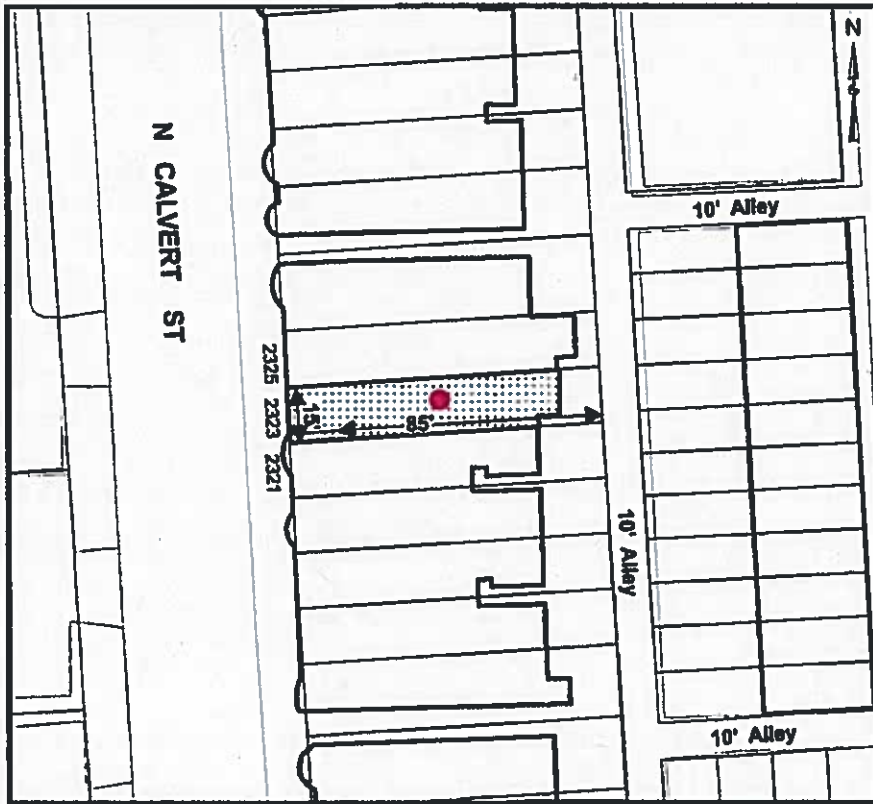
Confidentiality Notice:

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.

**SHEET NO. 36 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. 2323 NORTH CALVERT 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-8 Zoning District, As Outlined In Red Above.

WARD 12 SECTION 14
BLOCK 3822 LOT 12

MAYOR

PRESIDENT CITY COUNCIL

27.7

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

BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 19-0327

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District - Variances - 2323 North Calvert Street**

Sponsor: Councilmember Stokes

Introduced: January 28, 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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

Effective: 30th day after the date of enactment

Hearing Date/Time/Location: May 1, 2019 /1:05 p.m./Clarence "Du" Burns Chambers

Agency Reports

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Transportation	No Objection
Department of Law	Favorable
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	
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

If approved, Bill 19-0327 would permit, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012).

The bill would also grant variances from the requirements for:

- **lot area** - 1,500 square feet is required for the proposed use
- **off-street parking** – one parking space is required to serve the one newly-created dwelling unit.

Mr. Jabari Jackson is the applicant and owner of the property which measures 15' x 85'. The applicant intends to use the existing 15' x 70' residential, attached 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 Old Goucher College National Historic District and the Charles/25th Urban Renewal Plan area. The property is zoned R-8 and is situated near row houses, with multi-family, religious and institutional uses and scattered commercial uses. An off-street parking lot is directly across the street from the property.

Variance – Lot Area

According to Article 32; Section 9-703 and *Table 9-401: Rowhouse and Multi-Family Residential Districts (R5-R10) - Bulk and Yard Regulations*, in the R-8 Zoning District, a lot area of 750 square feet per dwelling unit is required. The total lot area needed for the two dwelling units is 1,500 square feet. The property has only 1,275 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 16-205 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.

Companion Bills and Amendments


There is no companion bill. There are no amendments.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports

Analysis by: Jennifer L. Coates
Analysis Date: April 25, 2019



Direct Inquiries to: (410) 396-1260



**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 1, 2019
1:05 PM**

City Council Bill # 19-0327

***Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2
Dwelling Units in the R-8 Zoning District -
Variances - 2323 North Calvert 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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Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
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Isaac "Yitzy" Schleifer
Staff: Marguerite Currin

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Robert Stokes
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LABOR

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Mary Pat Clarke
Staff: Samuel Johnson

LAND USE AND TRANSPORTATION

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Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
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Staff: Jennifer Coates

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Ryan Dorsey – Vice Chair
Kristerfer Burnett
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Zeke Cohen
Leon Pinkett
Isaac "Yitzy" Schleifer
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

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

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 1, 2019

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0327

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0327

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2323 North Calvert 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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

Sponsors:

Robert Stokes, Sr.

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



HEARING NOTES

Bill: 19-0327

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District - Variances - 2323 North Calvert Street**

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

Hearing Date: May 1, 2019
Time (Beginning): 1:10 PM
Time (Ending): 1:16 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~20
Committee Members in Attendance:
Reisinger, Edward, Chairman
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 Dorsey		
Seconded by:.....	Councilmember Stokes		
Final Vote:	Favorable		

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. Mica Fetz, Baltimore Development Corporation
- Ms. Ashlea Brown, Department of Law
- Ms. Tyrell Dixon, Department of Housing and Community Development
- Mr. Jeff Amoros, Office of the Mayor

Major Issues Discussed

1. Councilmember Reisinger introduced committee members and read the bill's title, purpose and public notice certification report.
2. Councilmember Stokes explained the purpose of the bill.
3. Mr. Martin French presented the Planning Commission's report in support of the bill. The Planning Department's staff report noted that the lot area variance is needed because the property has a large three story rowhouse with a short lot and the depth of the lot is insufficient to meet the required lot area. The property has the required 15' rear yard setback. Although the rear yard setback requirement is met, the size of the rear yard makes it impossible to provide the required off-street parking space which must be at least 9' wide x 18' deep. Additionally, the alley is only 10' wide. According to the Zoning Code, the alley is required to be 15' wide. A variance for off-street parking is needed. It was determined that there were practical difficulties in meeting the requirements for lot area and off-street parking.
4. Agency representatives presented their agency's report.
5. The committee voted to accept the findings.
6. The committee voted to recommend the bill favorable.
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.....	Absent
Clarke, Mary Pat.....	Yea
Costello, Eric.....	Yea
Dorsey, Ryan.....	Absent
Pinkett, Leon.....	Yea

Jennifer L. Coates, Committee Staff

JLC

Date: May 1, 2019

cc: Bill File
OCS Chrono File

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 1, 2019

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0327

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

- Present** 5 - Member Edward Reisinger, Member Eric T. Costello, Member Ryan Dorsey, Member Leon F. Pinkett III, and Member Robert Stokes Sr.
- Absent** 2 - Member Sharon Green Middleton, and Member Mary Pat Clarke

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0327

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2323 North Calvert 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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

Sponsors: Robert Stokes, Sr.

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

- Yes:** 5 - Member Reisinger, Member Costello, Member Dorsey, Member Pinkett III, and Member Stokes Sr.
- Absent:** 2 - Member Middleton, and Member Clarke

ADJOURNMENT



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

MEW

From: Michael Braverman, Housing Commissioner

Date: April 9, 2019

Re: **City Council Bill 19-0327, Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2323 North Calvert Street**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0327, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2323 North Calvert Street; and granting variances from certain bulk regulations and certain off-street parking regulations.

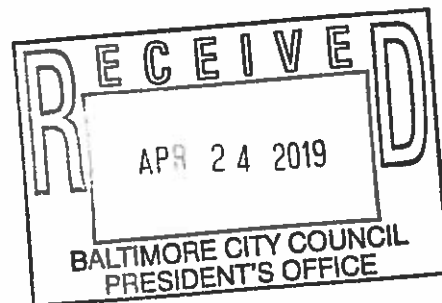
The petitioner proposed converting the property from a single-family dwelling to 2-dwelling units. The property has 2,800 feet of gross floor area, and the proposal would be consistent with most current zoning requires. However, zoning variances are needed to accommodate the lot size and off-street parking requirements.

At the March 7th, 2019 Planning Commission meeting, the Planning Commission concurred with the Planning Department staff recommendation to approve this bill. The Planning Department staff analysis found that the conversion and accompanying zoning variances are consistent with other residential uses in the area and would not produce adverse effects on the public.


DHCD concurs with the Planning Commission's recommendation and supports the passage of City Council Bill 19-0327.

MB:td

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



F

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 #19-0327 Response to Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances 2323 North Calvert Street		

TO

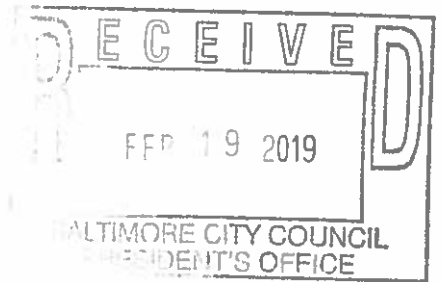
**The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408**

DATE: **February 13, 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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations

The Fire Department does not object to City Council Bill 19-0327 provided that all applicable sections of the Fire and Building codes are adhered. This may include a requirement for plans to be submitted to the Fire Department, an annual Fire Inspection, permit, automatic sprinkler system, and Fire Alarm system

Does not obj.



TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director *P. Little*
DATE: February 26, 2019
RE: Council Bill 19-0327



I am herein reporting on City Council Bill 19-0327 introduced by Councilmember Stokes at the request of Jabari Jackson.

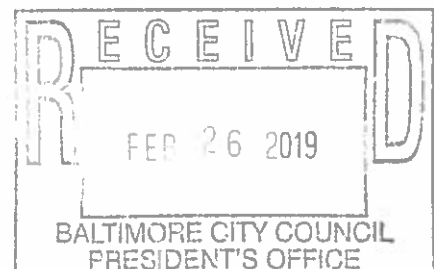
The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2323 North Calvert Street.

According to Baltimore City Code Art. 32 § 9-701(2), the R-8 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 PABC administers on-street parking programs. A site visit was conducted during the third week of February 2019. PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, PABC investigated the alley and rear of the property and determined that there is not sufficient access or property for any off-street parking spaces. Therefore, a variance for off-street parking is required, and PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, PABC does not oppose the passage of City Council Bill 19-0327.

Does not oppose



MEMORANDUM

DATE: February 26, 2019
TO: Land Use and Transportation Committee
FROM: William H. Cole, President and CEO *W. Cole*
POSITION: No Objection
SUBJECT: 19-0327 Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2323 N. Calvert Street

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 19-0327, the purpose of which is to permit, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

PURPOSE

The applicant's intention is to convert the property to two dwelling units. It is currently a single dwelling unit.

BRIEF HISTORY

The property is currently being used as a single-family dwelling rental property.

FISCAL IMPACT

NONE

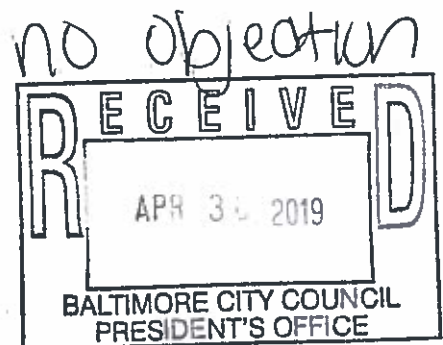
AGENCY POSITION

The BDC has no objection to City Council Bill 19-0372.

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

cc: Jeffrey Amoros

[MJF]



**CITY OF BALTIMORE
COUNCIL BILL 19-0327
(First Reader)**

Introduced by: Councilmember Stokes

At the request of: Jabari Jackson

Address: c/o Ameenah Jackson, 25209 Bunting Circle, Land O Lakes, Florida 34639

Telephone: 443-676-9461

Introduced and read first time: January 28, 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-8 Zoning District – Variances –**
4 **2323 North Calvert 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-8 Zoning District on the property known as 2323
7 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and
8 granting variances from certain bulk regulations (lot area) and certain off-street parking
9 regulations.

10 BY authority of

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

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
17 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
18 the R-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot
19 012), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore
20 City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies
21 with all applicable federal, state, and local licensing and certification requirements.

22 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
23 305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
24 requirements of §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-8 Zoning District.

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

Council Bill 19-0327

1 **SECTION 3. 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 §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-8 Zoning District
4 (Table 16-406).

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

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

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

THE NOTICE OF HEARING SIGN(S) MUST BE POSTED IN ACCORDANCE WITH ARTICLE 32; SECTION 5-602 (See Attachment B), WHICH CAN ALSO BE OBTAINED FROM THE FOLLOWING WEBSITE:

<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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(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.)

**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;

ATTACHMENT A

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY BY APRIL 10, 2019, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

**BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 19-0327**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, May 1, 2019 at 1:05 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. 19-0327.

CC 19-0327 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2323 North Calvert 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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain 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(b), 9-703(f), 16-203, and 16-602 (Table 16-406)
Baltimore City Revised Code
(Edition 2000)

Applicant: Jabari Jackson c/o Ameenah Jackson

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:

Jabari Jackson
c/o Ameenah Jackson
25209 Bunting Circle
Land O Lakes, Florida 34639
443-676-9461

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 10, 2019**
Certificate of Posting Due By: **April 28, 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.

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: Jabari Jackson c/o Ameenah Jackson

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. 19-0327

Date: Wednesday, May 1, 2019

Time: 1:05 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>

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CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation

Chairperson: Edward Reisinger

Date: May 1, 2019

Time: 1:05 p.m.

Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units

CC Bill Number: 19-0327

in the R-8 Zoning District - Variances - 2323 North Calvert Street

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"/>
JABARI	Jackson	2323	NORTH CALVERT	21213	jebari.jackson@gmail.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MECA	Frank		BDC Planning		meat2@baltimoredevelopment.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Martin						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<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"/>
						<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.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

APPROVED FOR FORM STYLE, AND TEXTUAL SUFFICIENCY
1-22-19
DEPT LEGISLATIVE REFERENCE

Introduced by: Councilmember Stokes
At the request of: Jabari Jackson
Address: c/o Ameenah Jackson, 25209 Bunting Circle, Land O Lakes, Florida 34639
Telephone: 443-676-9461

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District – Variances –
2323 North Calvert 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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain 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(b), 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-8 Zoning District on the property known as 2323 North Calvert Street (Block 3822, Lot 012), 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 §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-8 Zoning District.

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-8 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

2323 N. Calvert St Baltimore MD 21218
{Address}

1. Applicant's Contact Information:

Name: Jabari Jackson
Mailing Address: 25209 Bunting Circle
Land O Lakes, Florida 34639
Telephone Number: 443-676-4051
Email Address: jabari.jackson@gmail.com

2. All Proposed Zoning Changes for the Property: There are no zoning
changes proposed for this property. (Remains R-8)

3. All Intended Uses of the Property: 2 Dwelling units (currently single
dwelling unit)

4. Current Owner's Contact Information:

Name: Jabari Jackson
Mailing Address: 25209 Bunting Circle
Land O Lakes, Florida 34639
Telephone Number: 443-676-4051
Email Address: jabari.jackson@gmail.com

5. Property Acquisition:

The property was acquired by the current owner on January 22, 2007 by deed recorded in the
Land Records of Baltimore City in Liber 08983 Folio 107.

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, Jabari Jackson, 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.

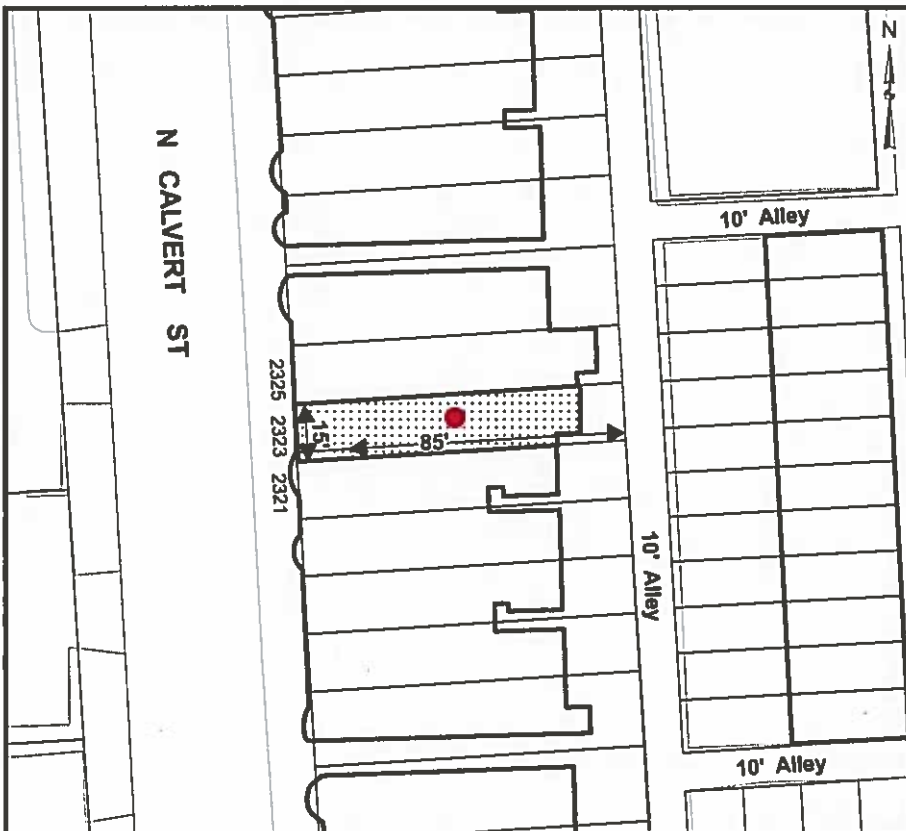
Jabari Jackson
Applicant's signature

January 20, 2019
Date

**SHEET NO. 36 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. 2323 NORTH CALVERT 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-8 Zoning District, As Outlined In Red Above.

WARD 12 SECTION 14
BLOCK 3822 LOT 12

MAYOR

PRESIDENT CITY COUNCIL

ACTION BY THE CITY COUNCIL

JAN 28 2019

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON _____ *May 1,* _____ 20 *19*

COMMITTEE REPORT AS OF _____ *May 6,* _____ 20 *19*

_____ FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

Edward P. Jensen
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:

MAY 06 2019

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

THIRD READING _____ **JUN 11 2019**

_____ 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