


MEMORANDUM

TO: Honorable President and Members of the City Council  
Attention: Karen Randle, Executive Secretary

FROM: M. J. Brodie, President 

DATE: April 8, 2009

SUBJECT: City Council Bill No. 09-0307  
Zoning – Administrative Appeals – Planned Unit Developments - Enforcement

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The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill # 09-0307; Zoning – Administrative Appeals – Planned Unit Developments – Enforcement. The Bill provides that violations of a Planned Unit Development Plan are enforceable as violations of the Zoning Code; clarifies that cancellation of a Development or Development Plan for noncompliance may be in whole or in part; and clarifies that aggrieved persons may appeal a failure of the Zoning Administrator to act in a timely manner.

BDC supports the general intent of the Bill to strengthen enforcement of Planned Unit Development (PUD) agreements to ensure compliance, and to clarify that violation of such agreements is a violation of the Zoning Code, subject to cancellation of the PUD and Development Plan in whole or in part, should compliance not be achieved after proper notification of owner and developer, by authority of the Zoning Administrator to order such sanctions.

Regarding the specifics of the process for administrative appeals, BDC defers to the Department of Housing and Community Development, Board of Municipal and Zoning Appeals and the City Solicitor to clarify and provide for efficient and effective procedures to address any and all appeals regarding noncompliance and/or failure to act in response to verified noncompliance. It is suggested that the Bill be amended as needed to address any perceived issues regarding knowledge of and notice to the Zoning Administrator of noncompliance, appeals by aggrieved persons or departments, or other such matters.

cc: Andrew Frank  
Angela Gibson

sandra.gladden/ccbill09/0307

