

**Introduced by:** Councilmember Bullock

**At the request of:** Kevin Jean-Pierre

Address: 10660 Green Mountain Circle, Columbia, Maryland 21044

Telephone: 240-205-1916

**Prepared by:** Department of Legislative Reference

**Date:** July 16, 2019

**Referred to:** ~~LAND USE AND ZONING~~ Committee

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

CITY COUNCIL 19-0116

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to  
3 Dwelling Units in the R-8 Zoning District – Variances –  
2005 West Baltimore Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

BY authority of

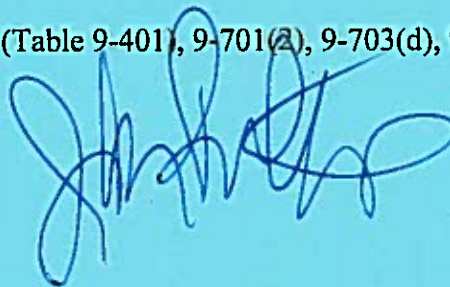
Article 32 - Zoning

Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(a), 9-703(d), 9-703(f)

16-203, and 16-602 (Table 16-406)

Baltimore City Revised Code

(Edition 2000)



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

**Agencies**

_____	Baltimore City Public School System	_____	Department of Public Works
_____	Baltimore Development Corporation	_____	Department of Real Estate
_____	City Solicitor	_____	Department of Recreation and Parks
_____	Comptroller's Office	_____	Department of Transportation
_____	Department of Audits	_____	Fire Department
_____	Department of Finance	_____	Health Department
_____	Department of General Services	_____	Mayor's Office of Employment Development
_____	Department of Housing and Community Development	_____	Mayor's Office of Human Services
_____	Department of Human Resources	_____	Mayor's Office of Information Technology
_____	Department of Planning	_____	Office of the Mayor
_____	Other: _____	_____	Police Department
_____	Other: _____	_____	Other: _____
_____	Other: _____	_____	Other: _____
_____	Board of Estimates	_____	Environmental Control Board
_____	Board of Ethics	_____	Fire & Police Employees' Retirement System
_____	Board of Municipal and Zoning Appeals	_____	Labor Commissioner
_____	Comm. for Historical and Architectural Preservation	_____	Parking Authority Board
_____	Commission on Sustainability	_____	Planning Commission
_____	Employees' Retirement System	_____	Wage Commission
_____	Other: _____	_____	Other: _____
_____	Other: _____	_____	Other: _____
_____	Other: _____	_____	Other: _____

**Boards and Commissions**

_____	Board of Estimates	_____	Environmental Control Board
_____	Board of Ethics	_____	Fire & Police Employees' Retirement System
_____	Board of Municipal and Zoning Appeals	_____	Labor Commissioner
_____	Comm. for Historical and Architectural Preservation	_____	Parking Authority Board
_____	Commission on Sustainability	_____	Planning Commission
_____	Employees' Retirement System	_____	Wage Commission
_____	Other: _____	_____	Other: _____
_____	Other: _____	_____	Other: _____
_____	Other: _____	_____	Other: _____

CITY OF BALTIMORE  
ORDINANCE **19.326**  
Council Bill 19-0416

---

Introduced by: Councilmember Bullock  
At the request of: Kevin Jean-Pierre  
Address: 10660 Green Mountain Circle, Columbia, Maryland 21044  
Telephone: 240-205-1916  
Introduced and read first time: July 22, 2019  
Assigned to: Land Use Committee

---

Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: December 2, 2019

---

AN ORDINANCE CONCERNING

1                   **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**  
2                   **3 Dwelling Units in the R-8 Zoning District – Variances –**  
3                   **2005 West Baltimore Street**

4       FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family  
5       dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005  
6       West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat;  
7       and granting variances from certain gross floor area per unit type, bulk (lot area), and off-  
8       street parking regulations requirements.

9       BY authority of

10       Article 32 - Zoning  
11       Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c), 9-703(d),  
12       9-703(f), 16-203, and 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 3 dwelling units in  
17       the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot  
18       043), 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

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 19-0416

1 requirements of § 9-703(c) for gross floor area per unit type, as 750 square feet are required for  
2 each 1-bedroom unit. The existing structure contains approximately 1,500 square feet on its 2  
3 lower levels, thus meeting the requirement for the lower 2 dwelling units to be created, but the  
4 top floor, being shorter in depth, has only approximately 500 square feet of floor area.

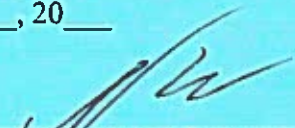
5 SECTION 3.3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§  
6 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from  
7 the requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts -  
8 Bulk and Yard Regulations) for the lack of the required lot area size.

9 SECTION 3.4. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§  
10 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from  
11 the off-street parking requirements of §§ 9-703(f), 16-203, and 16-602 (Table 16-406: Required  
12 Off-Street Parking.

13 SECTION 4.5. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the  
14 accompanying plat and in order to give notice to the agencies that administer the City Zoning  
15 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council  
16 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;  
17 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the  
18 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of  
19 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and  
20 the Zoning Administrator.

21 SECTION 5.6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30<sup>th</sup>  
22 day after the date it is enacted.


Certified as duly passed this DEC 05 2019 day of \_\_\_\_\_, 20\_\_

  
\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,  
this \_\_\_\_\_ day of DEC 05 2019, 20\_\_

  
\_\_\_\_\_  
Chief Clerk

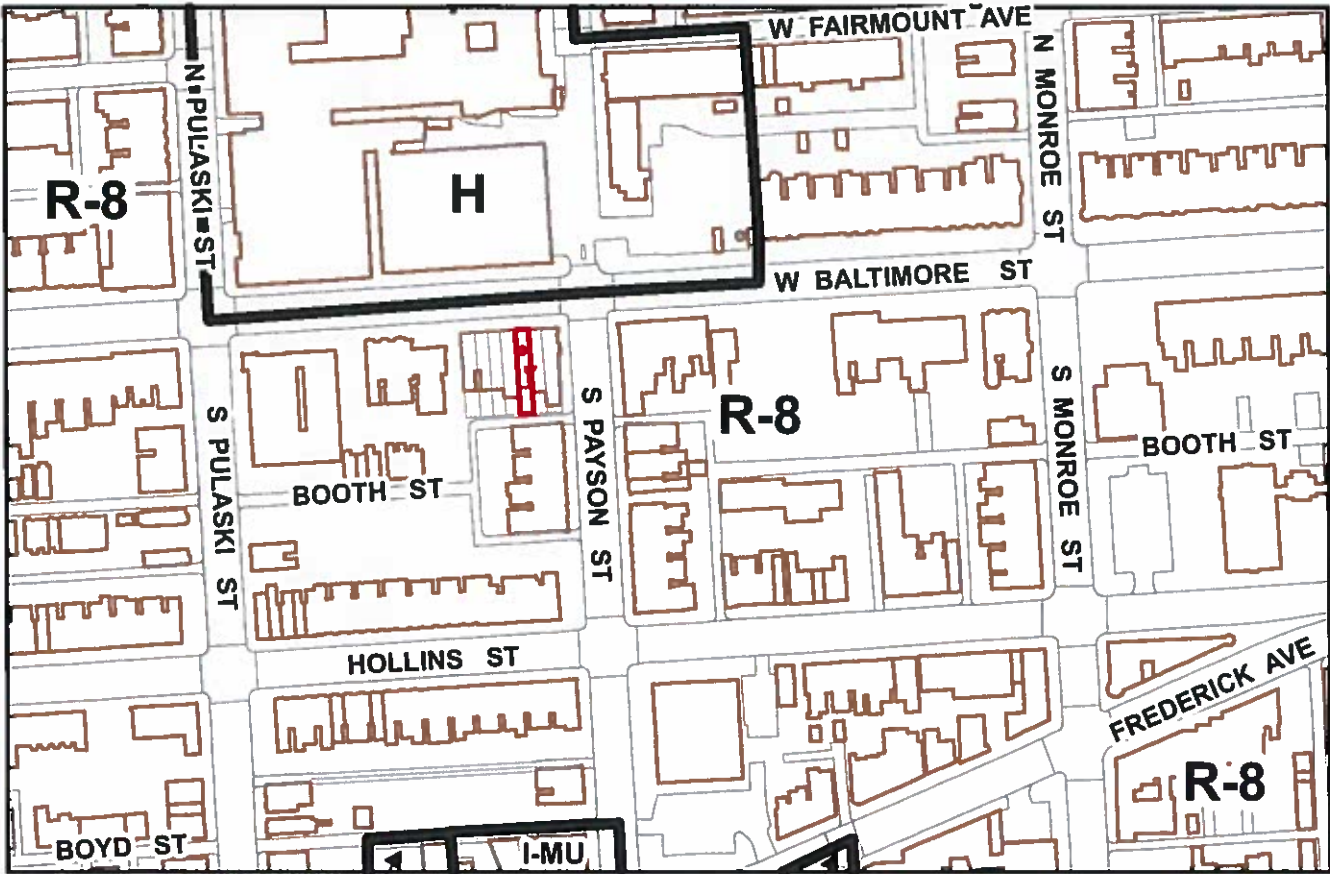
Approved this 10<sup>th</sup> day of Dec., 20 19

  
\_\_\_\_\_  
Mayor, Baltimore City

Approved For Form and Legal Sufficiency  
This 12<sup>th</sup> Day of December 2019

  
\_\_\_\_\_  
Chief Solicitor

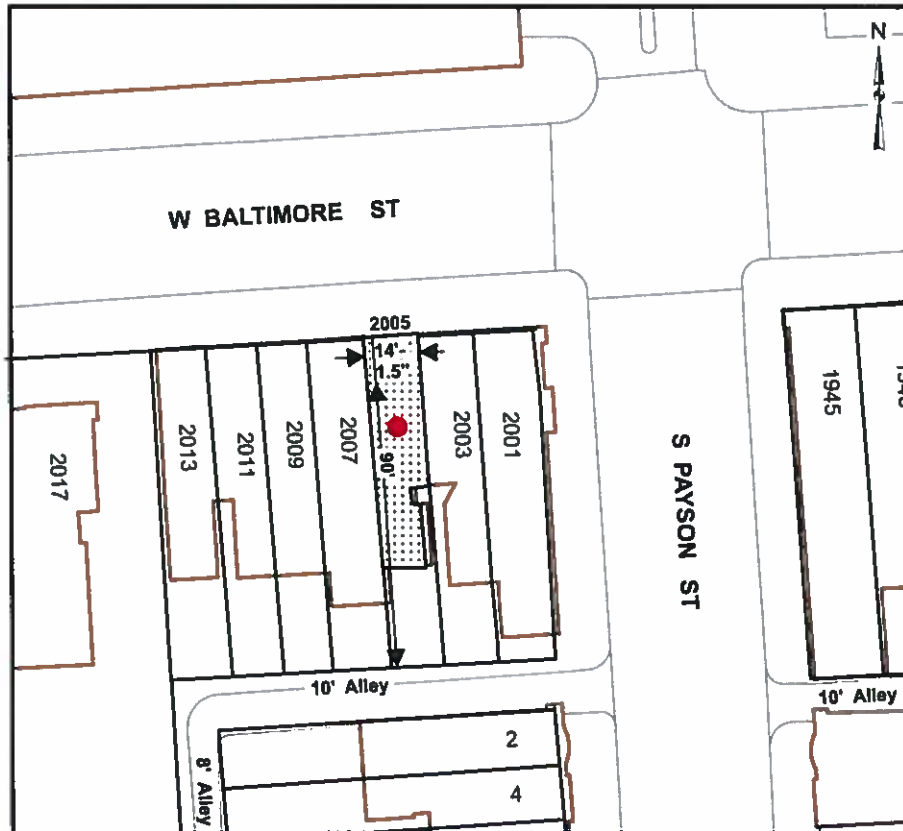
**SHEET NO. 54 OF THE ZONING MAP OF  
THE ZONING CODE OF BALTIMORE CITY**



C-2

I-MU

Scale: 1" = 200'



**Note:**

In Connection With The Property Known As No. 2005 WEST BALTIMORE STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

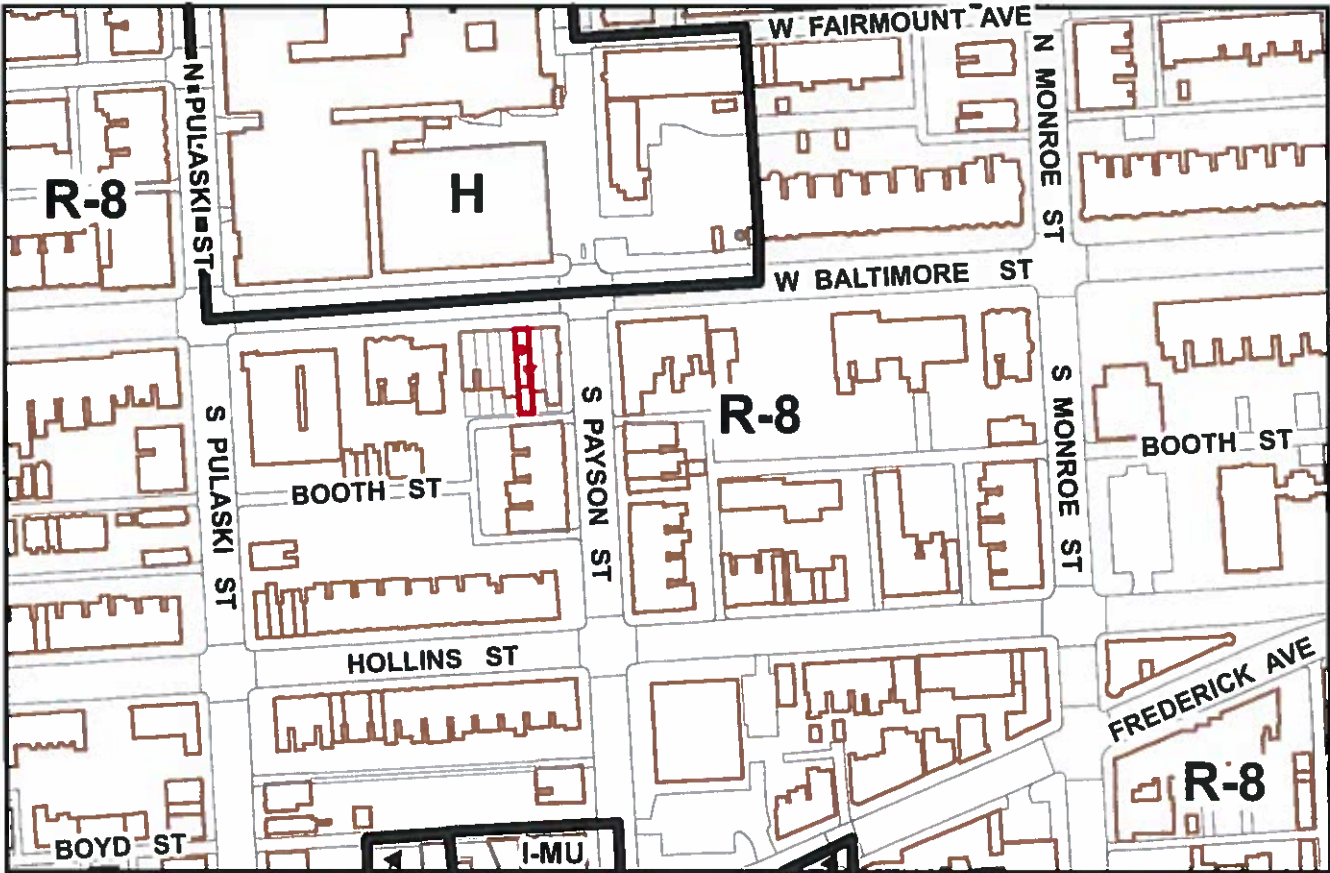
WARD 20 SECTION 13  
BLOCK 206 LOT 43

*[Signature]*  
MAYOR

*[Signature]*  
PRESIDENT CITY COUNCIL



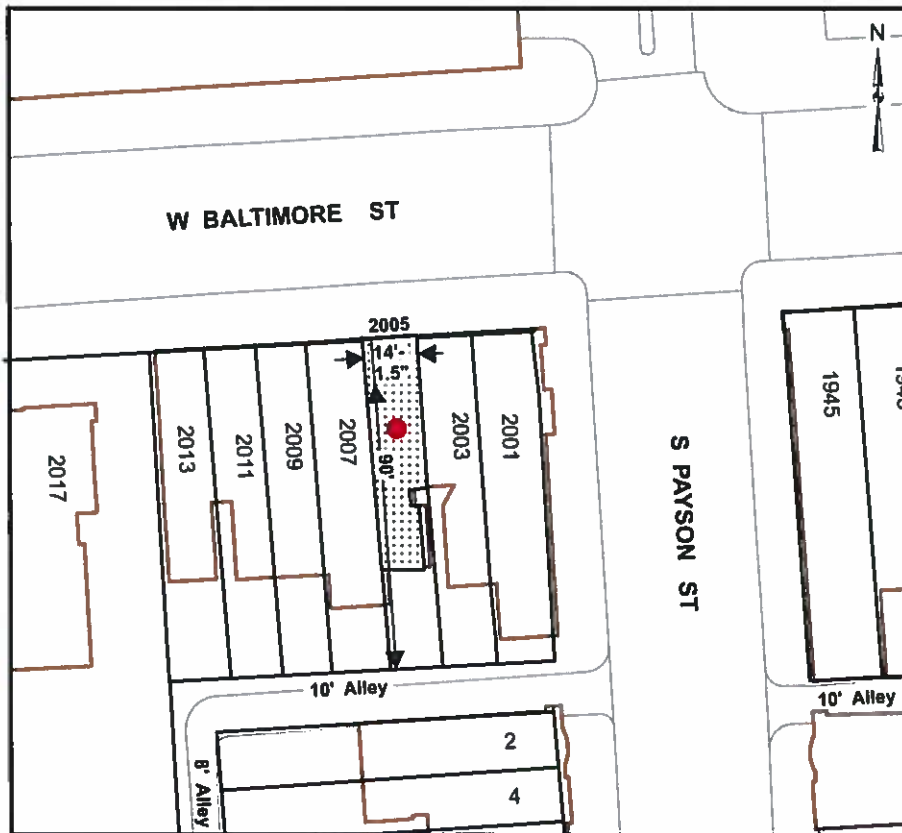
**SHEET NO. 54 OF THE ZONING MAP OF  
THE ZONING CODE OF BALTIMORE CITY**



C-2

I-MU

Scale: 1" = 200'



**Note:**

In Connection With The Property Known As No. 2005 WEST BALTIMORE STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 20

SECTION 13

BLOCK 206

LOT 43

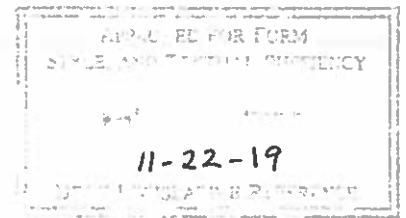
*[Signature]*  
MAYOR

\_\_\_\_\_  
PRESIDENT CITY COUNCIL





AMENDMENTS TO COUNCIL BILL 19-0416  
(1" Reader Copy)



By: Land Use Committee

**Amendment No. 1**

On page 1, in line 8, after “certain”, insert “gross floor area per unit type.”; in the same line, before “and”, insert a comma; in the same line, before the period, strike “regulations” and substitute “requirements”; on the same page, in line 11, before “9-703(d)”, insert “9-703(c).”; and, in the same line, after “9-703(f)”, insert a comma.

**Amendment No. 2**

On page 1, after line 20, insert

**“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(c) for gross floor area per unit type, as 750 square feet are required for each 1-bedroom unit. The existing structure contains approximately 1,500 square feet on its 2 lower levels, thus meeting the requirement for the lower 2 dwelling units to be created, but the top floor, being shorter in depth, has only approximately 500 square feet of floor area.”.**

**Amendment No. 3**

On page 1, in line 21, and on page 2, in lines 1, 5, and 13, strike “2”, “3”, “4”, and “5”, respectively, and substitute “3”, “4”, “5”, and “6”, respectively.

**ADOPTED**



# BALTIMORE CITY COUNCIL LAND USE COMMITTEE VOTING RECORD

DATE: November 20, 2019

**BILL#: 19-0416**

**BILL TITLE: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street**

MOTION BY: Sneed SECONDED BY: Pinkett

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"/>
Sneed, Shannon - Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Middleton, Sharon	<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"/>
<b>TOTALS</b>	<u>7</u>		<u>1</u>	

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC



# LAND USE COMMITTEE

## FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE 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.19-0416

#### **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore 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, construction, maintenance, or operation of this property as a multi-family dwelling containing three dwelling units 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;

The proposed use is not precluded by any other law and there is no Urban Renewal Plan for this area.

- (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 could advance the public interest by creating 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:**

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. A site visit was conducted during the second week of August 2019. This property is not located on a block where the PABC currently administers on-street parking programs. The PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC investigated the alley and rear of the property and determined that there is not sufficient access for any off-street parking spaces. Therefore, the PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, the PABC does not oppose the passage of City Council Bill 19-0416.

The Department of Transportation has no objection to Bill 19-0416.

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

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

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

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

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

There is adequate accessibility of the premises to emergency vehicles.





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

There is adequate light and air to the premises and to properties in the vicinity.

- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

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

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

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

This legislation would allow the petitioner to use the existing structure as three dwelling units, each a 1-bedroom unit on each floor level of the structure. Approving use as a three-family multi-family dwelling would allow preservation of a piece of the community'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 three dwelling units.

- (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 provisions of the City's Comprehensive Master Plan.

According to the Planning Department, the proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

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

There is no Urban Renewal Plan for the area.

- (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.

Is consistent with any other matters that may be considered to be in the interest of the general welfare.



**LAND USE COMMITTEE**

**FINDINGS OF FACT FOR VARIANCE**

**City Council Bill No. 19-0416**

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

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling  
Units in the R-8 Zoning District - Variances - 2005 West Baltimore 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  
*(underline one)*  
applicable 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  
(underline one)  
applicable requirement from which the variance is sought were applied because:

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

Based on the comments above, the PABC does not oppose the passage of City Council Bill 19-0416.

According to the Department of Planning staff report, two additional off-street parking spaces are required to serve the two newly-created dwelling units (BCZC subsection 9-703. f.). This property can only provide one off-street parking space meeting Zoning Code standards for accessibility, as the lot width is 14' and the rear alley is 10' wide, and therefore a variance of this requirement is included in Bill 19-0416.

There is a practical difficulty with complying with the bulk standards in the Zoning Code that has not been caused by the action or inaction of any person with a present interest in this property. Conditions on which this bill is based are unique to this property and are not generally applicable to other property within the same zoning classification, while practical difficulty has not been created by intentional action or inaction of a person with a present interest in the property. The purpose of the variance requested is not based exclusively on a desire to increase the value or income potential of the property.

The variance 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. The variance is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

---





**LAND USE COMMITTEE**

**FINDINGS OF FACT FOR VARIANCE**

**City Council Bill No. 19-0416**

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

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling  
Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street**

**VARIANCE FOR: 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  
*(underline one)*  
applicable 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  
(*underline one*)  
applicable requirement from which the variance is sought were applied because:

According to the Department of Planning staff report, the Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC subsection 9-703. d., citing Table 9-401). A lot area of 1,875 square feet is thus required for the proposed use. This lot has 1,275square feet and thus does not meet the lot area requirement for conversion. A variance of this requirement is therefore included in this bill. The variance amounts to approximately 32% of the Zoning Code requirement.

There is a practical difficulty with complying with the bulk standards in the Zoning Code that has not been caused by the action or inaction of any person with a present interest in this property. Conditions on which this bill is based are unique to this property and are not generally applicable to other property within the same zoning classification, while practical difficulty has not been created by intentional action or inaction of a person with a present interest in the property. The purpose of the variance requested is not based exclusively on a desire to increase the value or income potential of the property.

The variance 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. The variance is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

---



**LAND USE COMMITTEE**

**FINDINGS OF FACT FOR VARIANCE**

**City Council Bill No. 19-0416**

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

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling  
Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street**

**VARIANCE FOR: GROSS FLOOR 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  
*(underline one)*  
applicable 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  
(*underline one*)  
applicable requirement from which the variance is sought were applied because:

According to the Department of Planning staff report, the Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 750 square feet of floor area per 1-bedroom dwelling unit (BCZC subsection 9-703. c.). The existing structure contains approximately 1,500 square feet of floor area on its lower two levels, thus meeting this requirement for the lower two dwelling units to be created; the top floor, being shorter in depth, only has approximately 500 square feet of floor area. A variance of this floor area requirement should therefore be added to this bill in order to authorize all three -bedroom dwelling units.

There is a practical difficulty with complying with the bulk standards in the Zoning Code that has not been caused by the action or inaction of any person with a present interest in this property. Conditions on which this bill is based are unique to this property and are not generally applicable to other property within the same zoning classification, while practical difficulty has not been created by intentional action or inaction of a person with a present interest in the property. The purpose of the variance requested is not based exclusively on a desire to increase the value or income potential of the property.

The variance 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. The variance is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

---





**SOURCE OF FINDINGS** (Check all that apply):

Planning Report

- o Planning Commission, Chris Ryer, Director – Memorandum Dated September 13, 2019
- o Department of Planning, Staff Report – Dated September 12, 2019

Testimony presented at the Committee hearing

Oral – Witness Name:

- Planning Commission representative
- Department of Law representative
- Agency Representatives

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

- Mr. Chris Ryer, Director, Department of Planning, Memorandum Dated September 13, 2019
- Mr. Martin French, Staff, Department of Planning, Report Dated September 12, 2019
- Ms. Hilary Ruley, Chief Solicitor, Department of Law; Report Dated November 6, 2019
- Mr. Peter Little, Executive Director, Parking Authority of Baltimore City, Memorandum Dated August 13, 2019
- Mr. Derek J. Baumgardner, Executive Director, Board of Municipal Zoning Appeals, Memorandum Dated November 15, 2019
- Mr. Steve Sharkey, Director, Department of Transportation, Memorandum Dated September 9, 2019.

**LAND USE COMMITTEE**

  
Chairman

Chairman

  
Member


Member

  
Member

Member

  
Member

Member

  
Member

Member

Member

Member

Member



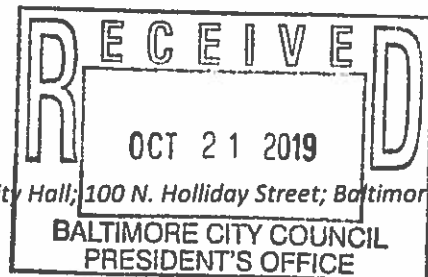
**Baltimore City Council  
Certificate of Posting - Public Hearing Notice**

**City Council Bill No.: 19-0416**

*Today's Date: October 20, 2019*



- Email to: [Natawnab.Austin@baltimorecity.gov](mailto: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





**Address: 2005 W. Baltimore Street, Baltimore, MD 21223**

**Date Posted: October 20, 2019**

---

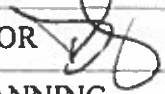
**Name:** Kevin Jean-Pierre

**Address:** 10660 Green Mountain Circle, Columbia, MD 21044

**Telephone:** 240-205-1916

- *Email to: [Natawnab.Austin@baltimorecity.gov](mailto: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*



<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR 
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #19-0416/ ZONING – CONDITIONAL USE CONVERSION TO 3 DWELLING UNITS IN THE R-8 ZONING DISTRICT – VARIANCES – 2005 WEST BALTIMORE STREET

CITY of  
BALTIMORE  
**MEMO**



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

DATE: September 13, 2019

At its regular meeting of September 12, 2019, the Planning Commission considered City Council Bill #19-0416, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on an accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval of City Council Bill #19-0416 and adopted the following resolution, five members being present (five in favor):

**RESOLVED**, That the Planning Commission finds, in accordance with subsections 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;
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in subsection 5-406(b) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

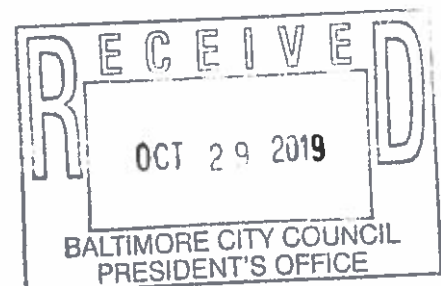
**RESOLVED**, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #19-0416 be amended and passed passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/mf

attachment

*Fav w/ Amends*







cc: Mr. Nicholas Blendy, Mayor's Office  
Mr. Matthew Stegman, Mayor's Office  
Ms. Nina Themelis, Mayor's Office  
The Honorable Edward Reisinger, Council Rep. to Planning Commission  
Mr. Colin Tarbert, BDC  
Mr. Derek Baumgardner, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Mr. Bob Pipik, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Liam Davis, DOT  
Ms. Natawna Austin, Council Services  
Mr. Dominic McAlily, Council Services  
Mr. Kevin Jean-Pierre, Applicant





Bernard C. "Jack" Young  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chairman

### STAFF REPORT



Chris Ryer  
Director

September 12, 2019

**REQUEST: City Council Bill #19-0416/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 2005 West Baltimore Street**

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

**RECOMMENDATION:** Amendment, and Approval as amended

Amendment: Add a variance of floor area standards for conversion of a single-family dwelling to a multi-family dwelling.

**STAFF:** Martin French

**PETITIONER:** Councilmember Bullock, at the request of Kevin Jean-Pierre

**OWNER:** Kira Kashima Jean-Pierre

#### **SITE/GENERAL AREA**

Site Conditions: 2005 West Baltimore Street is located on the south side of the street, approximately 30' west of the intersection with Payson Street. This property measures approximately 14'2" by 90' and is currently improved with a three-story attached residential building measuring approximately 14'2" by 57'. The site is zoned R-8 and is located in the Fayette Street Outreach community.

General Area: Most of the housing in this area was originally developed in the mid-19<sup>th</sup> Century. There are also nonresidential uses such as offices, churches and small businesses in the area. Directly opposite this property is the Bon Secours Hospital site, an anchor institution in this community. During the 20<sup>th</sup> Century there was much conversion of single-family dwellings to multi-family or residential mixed-use structures. This site is an example of that former trend.

#### **HISTORY**

There is no legislative action of record concerning this property specifically. This block retained its R-8 zoning during the comprehensive rezoning mapping process associated with the effective date of the current Zoning Code on June 5, 2017.



## CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

## ANALYSIS:

Background: This legislation would allow the petitioner to use the existing structure as three dwelling units, each a 1-bedroom unit on each floor level of the structure. Approving use as a three-family multi-family dwelling would allow preservation of a piece of the community'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 three dwelling units.

Zoning Analysis: This property is a middle-of-group residential structure containing approximately 2,000 square feet of gross floor area. This bill would encourage re-use (or continuing use) of a structure consistent with its current zoning.

- The Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC subsection 9-703.d., citing Table 9-401). A lot area of 1,875 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. The variance amounts to approximately 32% of the Zoning Code requirement.
- The Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 750 square feet of floor area per 1-bedroom dwelling unit (BCZC subsection 9-703.c.). The existing structure contains approximately 1,500 square feet of floor area on its lower two levels, thus meeting this requirement for the lower two dwelling units to be created; the top floor, being shorter in depth, only has approximately 500 square feet of floor area. A variance of this floor area requirement should therefore be added to this bill, in order to authorize all three 1-bedroom dwelling units.
- The maximum lot coverage allowed is 80% (Zoning Code Table 9-401). This structure covers approximately 65% of the lot. No variance of this requirement is needed.
- Two additional off-street parking spaces are required to serve the two newly-created dwelling units (BCZC subsection 9-703.f.). This property can only provide one off-street parking space meeting Zoning Code standards for accessibility, as the lot width is 14' and the rear alley is 10' wide, and therefore a variance of this requirement is included in this bill.

Conditional Use: Per subsection 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 three dwelling units would not be detrimental to or endanger public health, safety, or welfare. The proposed use is not precluded by any other law, and there is no Urban Renewal Plan for this area. The proposed authorization would not be contrary to the public interest (in fact, it could advance the public interest by creating 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 subsection 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 will 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 applicable 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 three-family dwelling would be consistent with other residential use in the area.
- While only one off-street parking space meeting Zoning Code standards can be provided on this property, the site is located in a dense, walkable neighborhood that is served by public transportation.
- There is a practical difficulty with complying with the bulk standards in the Zoning Code that has not been caused by the action or inaction of any person with a present interest in this property. Conditions on which this bill is based are unique to this property and are not generally applicable to other property within the same zoning classification, while practical difficulty has not been created by intentional action or inaction of a person with a present interest in the 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. The variances are in harmony with the Comprehensive Master Plan and related considerations of public health, safety, and general welfare.

Notification: Fayette Street Outreach and Councilman Bullock have been notified of this matter.



**Chris Ryer**  
**Director**



FROM	NAME & TITLE	Steve Sharkey, Director	CITY of BALTIMORE  MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0416		

TO: Mayor Bernard C. "Jack" Young  
TO: Land Use Committee  
FROM: Department of Transportation  
POSITION: No Objection  
RE: Council Bill – 19-0416

DATE: 9/9/19

**INTRODUCTION** – Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street

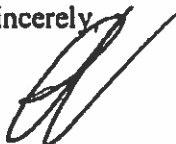
**PURPOSE/PLANS** – For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

**COMMENTS** – Council Bill 19-0416 looks to convert 2005 West Baltimore Street, located in the R-8 Zoning District, from a one dwelling unit property to a three dwelling unit property. The Department of Transportation does not foresee any direct fiscal or operational impacts as a result of the passage of Council Bill 19-0416.

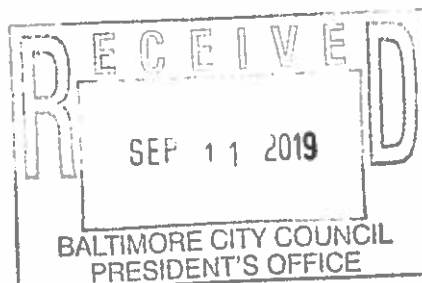
**AGENCY/DEPARTMENT POSITION** – The Department of Transportation has no objection to City Council Bill 19-0416.

If you have any questions, please do not hesitate to contact Liam Davis via email at [Liam.Davis@baltimorecity.gov](mailto:Liam.Davis@baltimorecity.gov) or by phone (410) 545-3207.

Sincerely,



Steve Sharkey  
Director



*nu dhj*



CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



BOARD OF MUNICIPAL AND  
ZONING APPEALS

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

November <sup>15</sup> 8, 2019

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

Re: **CC Bill #19-0416 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street**

Ladies and Gentlemen:

City Council Bill No. 19-0416 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

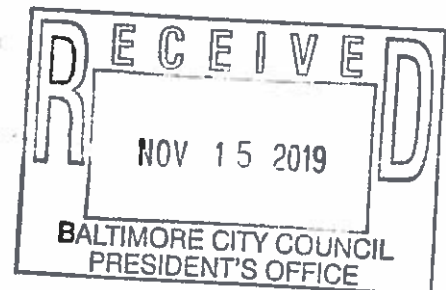
The purpose of City Council Bill No. 19-0416 is to permit, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043); and granting variances from certain bulk (lot area) and off-street parking regulations.

The BMZA has reviewed the legislation and has no objection to City Council Bill No. 19-0416 with the amendments currently proposed by the Planning Department.

Sincerely,

Derek J. Baumgardner  
Executive Director

CC: Mayor's Office of Council Relations  
City Council President  
Legislative Reference



*No Objection*



CITY OF BALTIMORE

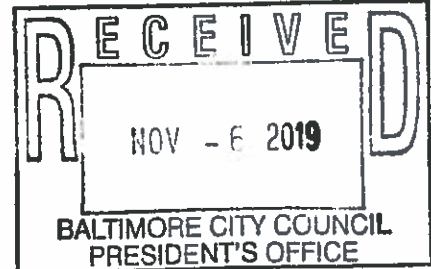
BERNARD C. "JACK" YOUNG  
Mayor



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

November 6, 2019

The Honorable President and Members  
of the Baltimore City Council  
Attn: Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202



Re: City Council Bill 19-0416 – Zoning– Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 2005 West Baltimore Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0416 for form and legal sufficiency. The bill would permit the conversion of a single-family dwelling unit in the rowhouse located at 2005 West Baltimore Street to become 3 dwelling units. The bill would also authorize required variances.

In general, a conversion of a single-family to a multiple family dwelling can occur only in the R-7 through R-10 Districts and only if the structure was originally constructed as a single-family dwelling and has at least 1,500 square feet or more in gross floor area. Baltimore City Code, Art. 32, §§ 9-701; 9-703. When a property is converted to three dwelling units, as is requested in this bill, each unit must have 1,250 square feet. Baltimore City Code, Art. 32, § 9-703(c). The converted dwelling must continue to conform to the bulk and yard regulations, including lot area, for the district in which the building is located. Baltimore City Code, Art. 32, § 9-703(d). At least one off-street parking space must be provided per dwelling unit. Baltimore City Code, Art. 32, § 9-703(f).

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;

*Fav w/ comments*



1. The first part of the document is a list of names and addresses, which is followed by a table of data. The table has four columns and several rows of data. The names and addresses are listed in the first column, and the data is listed in the other three columns. The data appears to be numerical values, possibly representing some kind of measurement or count. The table is organized in a clear and concise manner, making it easy to read and understand. The overall layout of the document is professional and well-organized.



- (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).

### Variance Standards

The bill also contains variances for lot area and off-street parking requirements. In general, rowhouse dwellings in an R-8 district must have 750 square feet minimum lot area and one off-street parking space per dwelling unit. Baltimore City Code, Art. 32, §§ 9-401; Tbl. 9-401; 9-703(f); 16- 203; 16-602; Tbl. 16-406. In addition, to qualify for this type of conversion, the existing dwelling must have at least 1,500 square feet in gross floor area total and the converted dwelling must have at least 1,250 square feet per dwelling unit. Baltimore City Code, Art. 32, § 9-703(c). 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 City Council committee assigned the bill must consider it at a scheduled public hearing wherein it will hear and weigh the evidence. Baltimore City Code, Art. 32, §§ 5-404; 5-406; 5-507; 5-602. 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(c).

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,



Hilary Ruley  
Chief Solicitor

cc: Andre M. Davis, City Solicitor  
Nicholas Blendy, Mayor’s Office of Government Relations  
Elena DiPietro, Chief Solicitor  
Victor Tervalá, Chief Solicitor  
Ashlea Brown, Assistant Solicitor





BALTIMORE CITY  
DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT

## MEMORANDUM

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

From: Michael Braverman, Housing Commissioner *MFB*

Date: November 6, 2019

Re: **City Council Bill 19-0416 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street**

---

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0416 for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

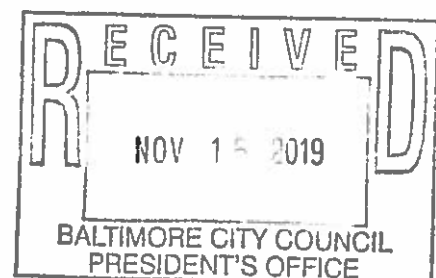
If enacted, this Bill will allow the property at 2005 West Baltimore Street to be converted from a single-family dwelling to 3 dwelling units. At its regular meeting of September 12, 2019, the Planning Commission concurred with the Department of Planning Staff recommendation of an amendment for inclusion of a variance for floor area standards for conversion of a single-family dwelling to a multi-family dwelling, and approval of this Bill.

Planning departmental staff determined that the conversion could advance the public interest by creating housing affordable to moderate-income families, as well as preserving a piece of the community's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs. DHCD does not foresee any direct fiscal or operational impacts as a result of the passage of Council Bill 19-0416.

DHCD has reviewed City Council Bill 19-0416 and **supports** Planning's amendment as well as passage of the Bill.

MB:sm

cc: Mr. Nicholas Blendy, *Mayor's Office of Government Relations*



←



TRANSMITTAL MEMO

TO: Council President Brandon M. Scott  
FROM: Peter Little, Executive Director  
DATE: August 13, 2019  
RE: Council Bill 19-0416



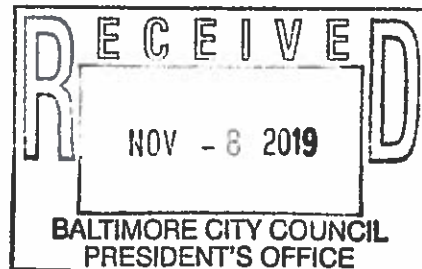
I am herein reporting on City Council Bill 19-0416 introduced by Councilmember Bullock at the request of Kevin Jean-Pierre.

The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street; and granting a variance from certain bulk (lot area) and off-street parking regulations.

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 be provided for each dwelling unit. This proposed legislation requests a variance for the off-street parking requirements.

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

Based on the comments above, the PABC does not oppose the passage of City Council Bill 19-0416.



*Does not oppose*







**MEMORANDUM**

DATE: September 13, 2019  
TO: Land Use Committee  
FROM: Colin Tarbert, President and CEO *Colin Tarbert*  
POSITION: No Objection  
SUBJECT: Council Bill 19-0416 -Zoning- Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District-Variance- 2005 West Baltimore Street

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 19-0416 introduced by Councilmember Bullock, at the request of Kevin Jean-Pierre.

PURPOSE

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), and granting variances from a certain bulk (lot area) and off street parking regulations.

BRIEF HISTORY

The property is located in the Boyd- Booth neighborhood where a conversion of this dwelling unit can expand the housing choices and attract additional residents to the neighborhood.

FISCAL IMPACT

None.

AGENCY POSITION

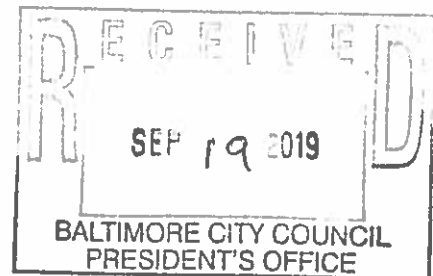
The Baltimore Development Corporation has **No Objection** City Council Bill 19-0416.

If you have any questions, please do not hesitate to contact Kim Clark at 410-837-9305.


cc: Nicholas Blendy

[NAD]

*No obj.*





<b>FROM</b>	<b>NAME &amp; TITLE</b>	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>	CITY of <b>BALTIMORE</b> <b>MEMO</b>	
	<b>AGENCY NAME &amp; ADDRESS</b>	Baltimore City Fire Department 401 East Fayette St. 21202		
	<b>SUBJECT</b>	City Council Bill #19-0416 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street		

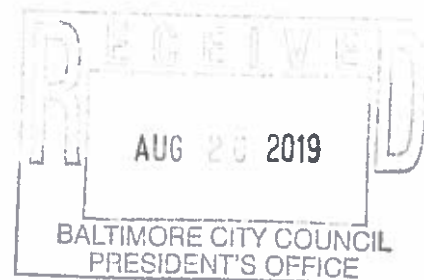
**TO** The Honorable Brandon M. Scott, President  
And All Members of the Baltimore City Council  
City Hall, Room 408

DATE: August 19, 2019

**FOR** the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

The Baltimore City Fire Department has no objections for Council Bill 19-0416 - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances -for the property located at 2005 West Baltimore Street. All rental locations must comply with all applicable codes, ordinances, and laws and shall be required to obtain all required approvals. The rental locations shall comply with the Building, Fire, and Related Codes of Baltimore City 2015 Edition (As Enacted by Ord. 15-547, and Last Amended by Ord. 18-1830) and applicable Maryland laws.

The above does not negate any requirements for submission of plans to the Office of the Fire Marshal for review of construction, Fire Detection/Notification/Suppression Systems, and Automatic Sprinkler installation. Locations may be subject to an annual fire inspection and/or permits from the Office of the Fire Marshal.



*N' 042*



# City of Baltimore

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

## Meeting Minutes - Final

### Land Use Committee

---

Wednesday, November 20, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

---

19-0416

(CHARM TV 25 Recorded, not live)

#### CALL TO ORDER

#### INTRODUCTIONS

#### ATTENDANCE

Present 7 - Edward Reisinger, Shannon Sneed, Mary Pat Clarke, Ryan Dorsey, Leon F. Pinkett III, Robert Stokes Sr., and Eric T. Costello  
Absent 1 - Sharon Green Middleton

#### ITEMS SCHEDULED FOR PUBLIC HEARING

##### 19-0416

##### **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street**

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

**Sponsors:** John T. Bullock

**A motion was made by Member Sneed, seconded by Member Pinkett, that the bill be recommended favorably with amendment. The motion carried by the following vote:**

**Yes:** 7 - Reisinger, Sneed, Clarke, Dorsey, Pinkett III, Stokes Sr., and Costello

**Absent:** 1 - Middleton

#### ADJOURNMENT



CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG,  
Ex Officio Mayor



OFFICE OF COUNCIL SERVICES

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

HEARING NOTES

Bill: 19-0416

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street

Committee: Land Use

Chaired By: Councilmember Edward Reisinger

Hearing Date: November 20, 2019  
Time (Beginning): 1:00 PM  
Time (Ending): 1:08 PM  
Location: Clarence "Du" Burns Chamber  
Total Attendance: ~30  
Committee Members in Attendance:  
Reisinger, Edward - Chairman  
Sneed, Shannon - Vice Chair  
Clarke, Mary Pat  
Costello, Eric  
Dorsey, Ryan  
Pinkett, Leon  
Stokes, Robert

Bill Synopsis in the file? .....  yes  no  n/a  
Attendance sheet in the file? .....  yes  no  n/a  
Agency reports read? .....  yes  no  n/a  
Hearing televised (Charm TV) or audio-digitally recorded? .....  yes  no  n/a  
Certification of advertising/posting notices in the file? .....  yes  no  n/a  
Evidence of notification to property owners? .....  yes  no  n/a  
Final vote taken at this hearing? .....  yes  no  n/a  
Motioned by:..... Councilmember Sneed  
Seconded by:..... Councilmember Pinkett  
Final Vote: ..... Favorable with Amendment

**Major Speakers**  
*(This is not an attendance record.)*

- Mr. Martin French, Department of Planning
- Mr. Liam Davis, Department of Transportation
- Ms. Livhu Ndou, Board of Municipal Zoning Appeals
- Ms. Hilary Ruley, Department of Law
- Ms. Stephanie Murdock, Department of Housing and Community Development
- Ms. Nikky Davis, Baltimore Development Corporation
- Mr. Taylor LaFave, Parking Authority for Baltimore City
- Mr. Matthew Stegman, Office of the Mayor

**Major Issues Discussed**

1. Councilmember Reisinger chaired the hearing. He introduced councilmembers and read the bill's number, title and purpose.
2. Councilmember Bullock provided background information and commented in support of the bill.
3. Mr. Martin French presented the Planning Commission's recommendation of favorable with amendment. He presented the Department of Planning's staff report and findings of fact for the conditional use and variances being requested.
4. Agency representatives confirmed their respective agency's position on the bill.
5. Councilmember Clarke asked the Planning Department representative to explain the variance request.
6. The committee approved findings of fact and the Planning Department's proposed amendments for the bill.
7. The committee approved a motion to recommend the bill favorable with amendment.

---

**Further Study**

Was further study requested?

Yes  No

If yes, describe.

---

**Committee Vote:**

Reisinger, Edward, Chairman.....	Yea
Sneed, Shannon, Vice Chair .....	Yea
Clarke, Mary Pat .....	Yea
Costello, Eric .....	Yea
Dorsey, Ryan .....	Yea
Middleton, Sharon .....	Absent
Pinkett, Leon.....	Yea



Stokes, Robert:..... Yea

---

Jennifer L. Coates, Committee Staff *JLC*

Date: November 21, 2019

cc: Bill File;  
OCS Chrono File





## Baltimore City Council Committee Hearing Attendance Record

<b>Subject:</b> Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street	<b>Bill #:</b> 19-0416
<b>Committee:</b> Land Use	<b>Chair:</b> Edward Reisinger
<b>Date:</b> Wednesday, November 20, 2019	<b>Time:</b> 1:00 PM
<b>Location:</b> Clarence "Du" Burns Council Chamber	

PLEASE PRINT CLEARLY

CHECK HERE TO TESTIFY



PLEASE PRINT CLEARLY			What is your position on this bill?	Lobbyist: Are you registered in the City?*			
First Name	Last Name	Address / Organization / Email	Testify	For	Against	Yes	No
John	Doe	400 N. Holliday St. Johndoenbmore@yahoo.com	✓	✓	✓	✓	✓
Kevin	Jean-Pierre	2005 W. Baltimore St, Baltimore MD 21223		✓			✓
Ln Martin	French	Planning Deptz	✓	✓			

\*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 AS A LOBBYIST. REGISTRATION CAN BE DONE ONLINE AND IS A SIMPLE PROCESS. FOR INFORMATION VISIT: [HTTPS://ETHICS.BALTIMORECITY.GOV/](https://ethics.baltimorecity.gov/) OR CALL: 410-396-4730



# City of Baltimore

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

## Meeting Agenda - Final

### Land Use Committee

---

Wednesday, November 20, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

---

19-0416

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

19-0416

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street**

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

**Sponsors:**

John T. Bullock

#### **ADJOURNMENT**

**THIS MEETING IS OPEN TO THE PUBLIC**





## BALTIMORE CITY COUNCIL LAND USE COMMITTEE

### Mission Statement

*On behalf of the Citizens of Baltimore City, the mission of the Land Use 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, November 20, 2019**

**1:00 PM**

**Clarence "Du" Burns Council Chambers**

***City Council Bill # 19-0416***

***Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit  
to 3 Dwelling Units in the R-8 Zoning District -  
Variances - 2005 West Baltimore Street***

## CITY COUNCIL COMMITTEES

### BUDGET AND APPROPRIATIONS

Eric Costello – Chair  
Leon Pinkett – Vice Chair  
Bill Henry  
Sharon Green Middleton  
Isaac "Yitzy" Schleifer  
Shannon Sneed  
Danielle McCray  
*Staff: Marguerite Currin*

### CYBERSECURITY AND EMERGENCY PREPAREDNESS

Eric Costello – Co-chair  
Isaac "Yitzy" Schleifer – Co-  
chair  
Sharon Green Middleton  
*Staff: Samuel Johnson*

### EDUCATION AND YOUTH

Zeke Cohen – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Kristofer Burnett  
Leon Pinkett  
*Staff: Matthew Peters*

### EXECUTIVE APPOINTMENTS

Robert Stokes – Chair  
Kristofer Burnett – Vice Chair  
Mary Pat Clarke  
Zeke Cohen  
Isaac "Yitzy" Schleifer  
*Staff: Marguerite Currin*

### HEALTH

Kristofer Burnett – Chair  
Bill Henry - Vice Chair  
Mary Pat Clarke  
Edward Reisinger  
Isaac "Yitzy" Schleifer  
*Staff: Marguerite Currin*

### HOUSING AND URBAN AFFAIRS

John Bullock – Chair  
Isaac "Yitzy" Schleifer – Vice  
Chair  
Kristofer Burnett  
Zeke Cohen  
Ryan Dorsey  
Bill Henry  
Shannon Sneed  
*Staff: Richard Krummerich*

### JUDICIARY

Eric Costello – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Leon Pinkett  
Edward Reisinger  
Shannon Sneed  
Robert Stokes  
*Staff: Matthew Peters*

### LABOR

Shannon Sneed – Chair  
Robert Stokes – Vice Chair  
Mary Pat Clarke  
Bill Henry  
Danielle McCray  
*Staff: Samuel Johnson*

### LEGISLATIVE INVESTIGATIONS

Kristofer Burnett – Chair  
Danielle McCray – Vice Chair  
Ryan Dorsey  
Isaac "Yitzy" Schleifer  
Shannon Sneed  
*Staff: Matthew Peters*

### LAND USE

Edward Reisinger - Chair  
Shannon Sneed – Vice Chair  
Mary Pat Clarke  
Eric Costello  
Ryan Dorsey  
Sharon Green Middleton  
Leon Pinkett  
Robert Stokes  
*Staff: Jennifer Coates*

### PUBLIC SAFETY

Isaac "Yitzy" Schleifer – Chair  
Kristofer Burnett – Vice Chair  
Zeke Cohen  
Danielle McCray  
Leon Pinkett  
Shannon Sneed  
*Staff: Richard Krummerich*

### TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

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

### TRANSPORTATION

Ryan Dorsey – Chair  
Leon Pinkett – Vice Chair  
John Bullock  
*Staff: Jennifer Coates*



**CITY OF BALTIMORE**

BERNARD C. "JACK" YOUNG, 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**

**Bill 19-0416**

---

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street**

---

**Sponsor:** Councilmember Bullock

**Introduced:** July 22, 2019

**Purpose:**

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

**Effective:** On the 30<sup>th</sup> day after date of enactment

**Hearing Date/Time/Location:** November 20, 2019 / 1:00 p.m. / City Council Chambers

---

**Agency Reports**

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

## Analysis

### Current Law

Article 32 – Zoning; Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(d), 9-703(f); 16-203, and 16-602 (Table 16-406); Baltimore City Revised Code (Edition 2000)

### Background

If approved, Bill 19-0416 would permit the conversion of a single-family dwelling unit to 3 dwelling units on the property known as 2005 West Baltimore Street. The property is currently zoned residential R-8 and is located in the Fayette Street Outreach neighborhood. The property is situated on the south side of the block between North Payson Street and North Pulaski Street. Bon Secours Hospital is located directly across from the property on the north side of the 2000 block of Baltimore Street.

The applicant and owner of the property, Kira Kashima Jean-Pierre, acquired the property on August 24, 2018. The 14'-2" by 90' property is improved with a three-story, attached residential building which measures 14'2" x 57'.

Prior to the passage of Transform Baltimore, the City's comprehensive rezoning legislation, the property was zoned Residential R-8. The zoning designation did not change upon passage of Transform Baltimore. The area is generally residential with some scattered institutional (churches, schools, offices and small businesses) uses. During the 20th century many of the single-family dwellings in the area were converted to multi-family dwellings or residential mixed-use structures.

Property	Zoning	
	Prior to Transform	Current
2005 West Baltimore Street	R-8	R-8

The applicant is requesting two variances from:

- Lot Area (Included in Section 2 of the bill)
- Off-street parking requirements (included in Section 3 of the bill)

### Variance – Lot Area

According to Article 32, 9-703d Residential Conversion Standards; Table 9-401, the lot area required for conversion is 1,875 square feet for 3 dwelling units. The property has only 1,275 square feet of lot area. A variance for the lot area has been requested via Section 2 of the bill.



**CITY OF BALTIMORE  
COUNCIL BILL 19-0416  
(First Reader)**

---

Introduced by: Councilmember Bullock  
At the request of: Kevin Jean-Pierre  
Address: 10660 Green Mountain Circle, Columbia, Maryland 21044  
Telephone: 240-205-1916  
Introduced and read first time: July 22, 2019  
Assigned to: Land Use 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 **3 Dwelling Units in the R-8 Zoning District – Variances –**  
4 **2005 West Baltimore Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family  
6 dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005  
7 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat;  
8 and granting variances from certain bulk (lot area) and off-street parking regulations.

9 BY authority of

10 Article 32 - Zoning  
11 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(d), 9-703(f)  
12 16-203, and 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 3 dwelling units in  
17 the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot  
18 043), 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-  
22 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the  
23 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk  
24 and Yard Regulations) for the lack of the required lot area size.

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

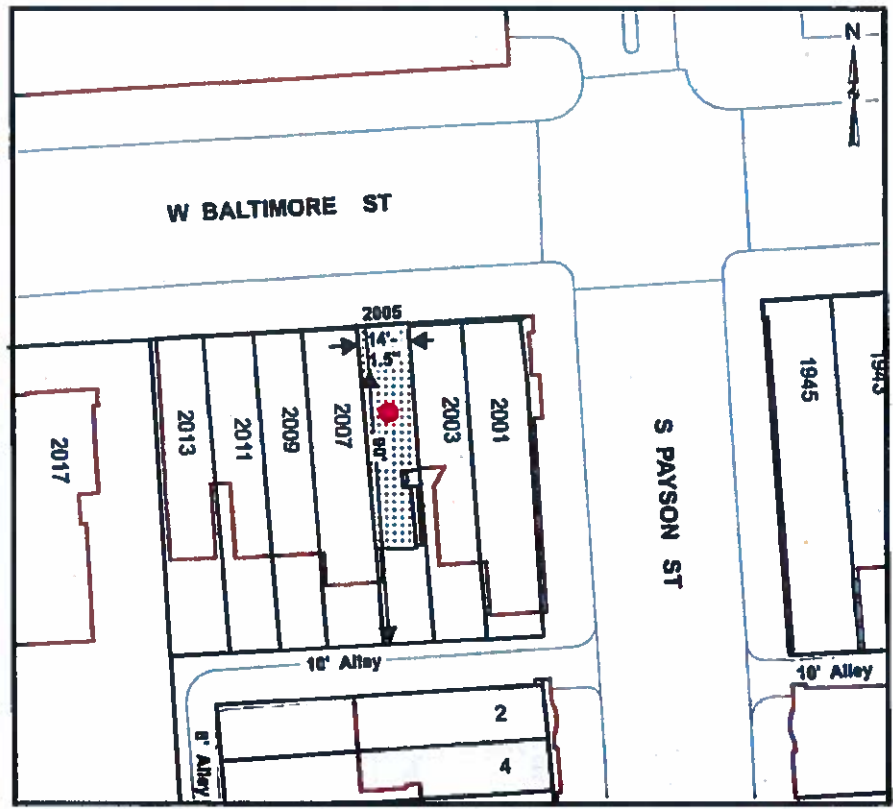
**Council Bill 19-0416**

1       **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-  
2 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the  
3 off-street parking requirements of §§ 9-703(f), 16-203, and 16-602 (Table 16-406: Required Off-  
4 Street Parking.

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 30<sup>th</sup> day  
14 after the date it is enacted.

**SHEET NO. 54 OF THE ZONING MAP OF  
THE ZONING CODE OF BALTIMORE CITY**



**Note:**  
In Connection With The Property Known As No. 2005 WEST BALTIMORE STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 20                      SECTION 13  
BLOCK 206                      LOT 43

\_\_\_\_\_  
MAYOR  
  
\_\_\_\_\_  
PRESIDENT CITY COUNCIL

## Coates, Jennifer

---

**From:** Coates, Jennifer  
**Sent:** Tuesday, October 8, 2019 9:57 AM  
**To:** 'JP Investments'  
**Cc:** Bullock, John; Austin, Natawna B.  
**Subject:** FW: Public Notice Instructions for Bill 19-0416  
**Attachments:** PNI - Letter -19-0416 - CU - 2005 West Baltimore St.docx; Sample - Certificate of Posting - Attachment C.DOCX; LU Form - Contacts for Sign Posting RZ PUD.DOCX

Mr. Jean-Pierre:

Please let me know if you receive this email and attachments.

Jennifer Coates

---

**From:** Coates, Jennifer  
**Sent:** Tuesday, October 8, 2019 9:51 AM  
**Subject:** Public Notice Instructions for Bill 19-0416

Mr. Kevin Jean-Pierre:

Attached is the information you will need to post a public hearing notice for the subject bill to be heard by the Baltimore City Council's Land Use Committee on **November 20, 2019 at 1:00 PM.**

I have also attached a contact list of sign-makers and a sample certification form.

Feel free to contact me if you need more information.

**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](mailto:jennifer.coates@baltimorecity.gov)

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596





CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, 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:** Mr. Kevin Jean-Pierre

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

**Date:** October 8, 2019

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

---

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

**Bill:** City Council Bill No. 19-0416

**Date:** Wednesday, November 20, 2019

**Time:** 1:00 p.m.

**Place:** City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street

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

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

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

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

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

## Wording for the Sign to be Posted

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

## Certification of Postings

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

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

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

***Sign Posting Deadline:*** ***October 30, 2019***  
***Submit Certificate of Posting By:*** ***November 15, 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 Committee  
410-396-1260  
[Jennifer.Coates@baltimorecity.gov](mailto:Jennifer.Coates@baltimorecity.gov)

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY **BY OCTOBER 30, 2019**, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

---

---

**BALTIMORE CITY COUNCIL**

**PUBLIC HEARING ON BILL NO. 19-0416**

The Land Use Committee of the Baltimore City Council will meet on Wednesday, November 20, 2019 at 1:00 p.m. in the City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0416.

**CC 19-0416 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 2005 West Baltimore Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

BY authority of

Article 32 - Zoning

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

Baltimore City Revised Code  
(Edition 2000)

Applicant: Mr. Kevin Jean-Pierre

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:

SEND BILL FOR THIS SIGN POSTING TO:

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

Mr. Kevin Jean-Pierre  
10660 Green Mountain Circle  
Columbia, MD 21044  
(240) 205-1916

**ZONING  
SUBTITLE 6 – NOTICES**

**ARTICLE 32, § 5-602**

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

**§ 5-602. Major variances; Conditional uses.**

*(a) Hearing required.*

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

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

*(b) Notice of hearing required.*

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

*(c) Contents of notice.*

The notice must include:

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

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

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

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;

(ii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;

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

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

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

(e) *Timing of notice.*

The posted notice must be:

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

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

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



**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](mailto: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 5-601 (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](mailto:JamesEarlReid@aol.com) or [JamesEarlReid@aim.com](mailto: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

---

**This office is not associated with any of the above drafting companies, nor do we recommend any specific one.**

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



**CITY OF BALTIMORE  
COUNCIL BILL 19-0416  
(First Reader)**

---

Introduced by: Councilmember Bullock  
At the request of: Kevin Jean-Pierre  
Address: 10660 Green Mountain Circle, Columbia, Maryland 21044  
Telephone: 240-205-1916

Introduced and read first time: July 22, 2019

Assigned to: Land Use 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                   **3 Dwelling Units in the R-8 Zoning District – Variances –**  
4                   **2005 West Baltimore Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family  
6 dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005  
7 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat;  
8 and granting variances from certain bulk (lot area) and off-street parking regulations.

9 BY authority of

10 Article 32 - Zoning  
11 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(d), 9-703(f)  
12 16-203, and 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 3 dwelling units in  
17 the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot  
18 043), 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-  
22 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the  
23 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk  
24 and Yard Regulations) for the lack of the required lot area size.

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

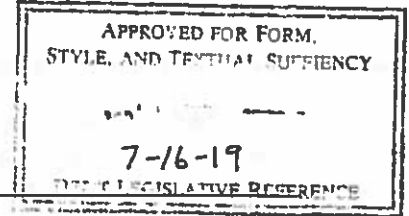
**Council Bill 19-0416**

1       **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-  
2 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the  
3 off-street parking requirements of §§ 9-703(f), 16-203, and 16-602 (Table 16-406: Required Off-  
4 Street Parking.

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 30<sup>th</sup> day  
14 after the date it is enacted.

**INTRODUCTORY\***  
**CITY OF BALTIMORE**  
**COUNCIL BILL \_\_\_\_\_**



---

Introduced by: Councilmember Bullock  
At the request of: Kevin Jean-Pierre  
Address: 10660 Green Mountain Circle, Columbia, Maryland 21044  
Telephone: 240-205-1916

---

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to  
3 Dwelling Units in the R-8 Zoning District – Variances –  
2005 West Baltimore Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area) and off-street parking regulations.

BY authority of

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

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That permission is granted for the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2005 West Baltimore Street (Block 0206, Lot 043), 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 §§ 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk and Yard Regulations) for the lack of the required lot area size.

**SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the off-street parking requirements of §§ 9-703(f), 16-203, and 16-602 (Table 16-406: Required Off-Street Parking).

\* 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 30<sup>th</sup> day after the date it is enacted.

STATEMENT OF INTENT

FOR

2005 W Baltimore Street, Baltimore MD 21223  
{Address}

1. Applicant's Contact Information:

Name: Kevin Jean-Pierre

Mailing Address: 10660 Green Mountain Circle  
Columbia, MD 21044

Telephone Number: 240-205-1916

Email Address: jp@nicoseema.com

2. All Proposed Zoning Changes for the Property: changing from single family to a 3 unit multi-family units

3. All Intended Uses of the Property: Residential

4. Current Owner's Contact Information:

Name: Kevin Jean-Pierre

Mailing Address: 10660 Green Mountain Circle  
Columbia, MD 21044

Telephone Number: 240-205-1916

Email Address: jp@nicoseema.com

5. Property Acquisition:

The property was acquired by the current owner on 8/24/2018 by deed recorded in the Land Records of Baltimore City in Liber 20441 Folio 478.

6. Contract Contingency:

(a) There is \_\_\_ is not  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, Kevin Jean-Pierre, 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.

  
Applicant's signature

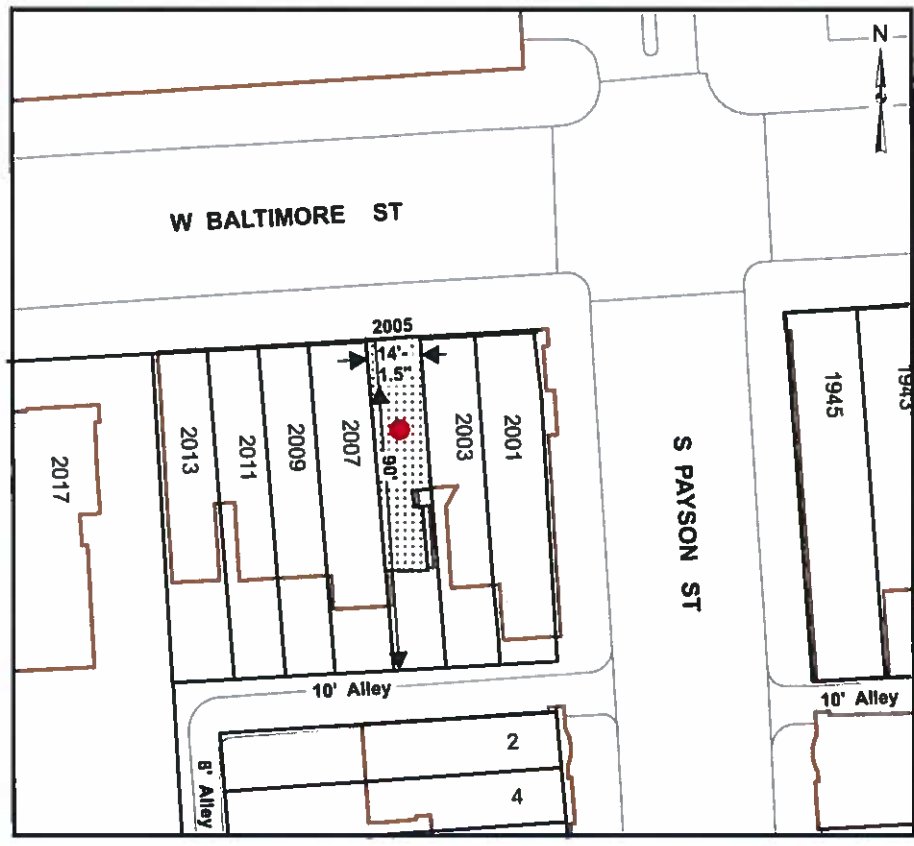
7/2/2019  
Date



**SHEET NO. 54 OF THE ZONING MAP OF  
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



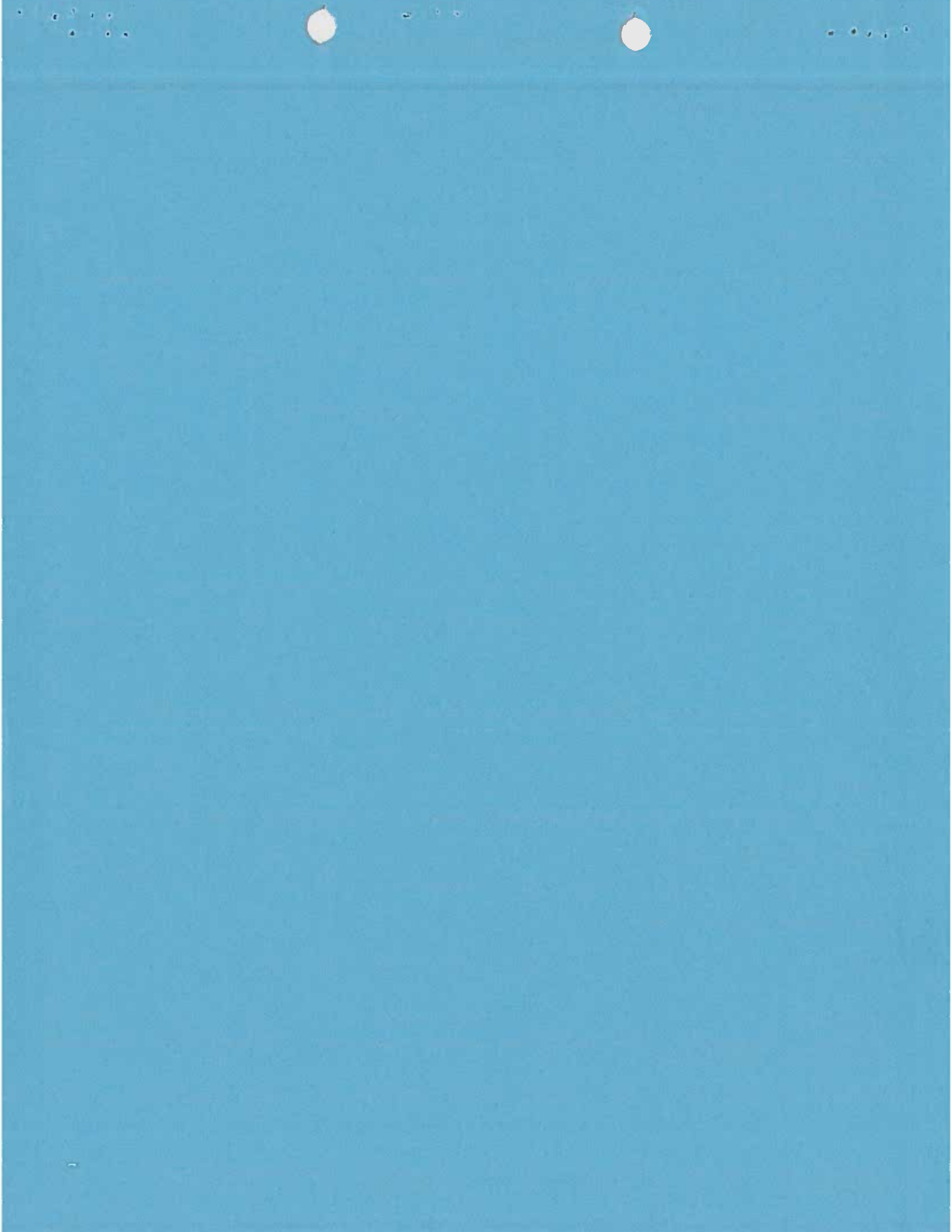
Scale: 1" = 50'

**Note:**  
In Connection With The Property Known As No. 2005 WEST BALTIMORE STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 20 SECTION 13  
BLOCK 206 LOT 43

\_\_\_\_\_  
MAYOR  
\_\_\_\_\_  
PRESIDENT CITY COUNCIL





ACTION BY THE CITY COUNCIL

JUL 22 2019

FIRST READING (INTRODUCTION) \_\_\_\_\_ 20 \_\_\_\_\_

PUBLIC HEARING HELD ON \_\_\_\_\_ November 20, 2019 \_\_\_\_\_ 20 19

COMMITTEE REPORT AS OF \_\_\_\_\_ December 2, \_\_\_\_\_ 20 19

\_\_\_\_\_ FAVORABLE \_\_\_\_\_ UNFAVORABLE  FAVORABLE AS AMENDED \_\_\_\_\_ WITHOUT RECOMMENDATION

*[Signature]*  
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:

DEC 02 2019

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

THIRD READING \_\_\_\_\_ DEC 05 2019 \_\_\_\_\_ 20 \_\_\_\_\_

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

THIRD READING (ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

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

THIRD READING (RE-ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

WITHDRAWAL \_\_\_\_\_ 20 \_\_\_\_\_

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

\_\_\_\_\_  
President

\_\_\_\_\_  
Chief Clerk