
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



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

August 25, 2025

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

Re: City Council Bill 25-0072 – Zoning – Conditional Use Conversion of Single-Family Dwelling Units to 2 Dwelling Units Each in the R-8 Zoning District – 1703 and 1709 Edmondson Avenue

Dear President and City Council Members:

The Law Department reviewed City Council Bill 25-0072 for form and legal sufficiency. The bill would permit, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1703 Edmondson Avenue (Block 0121, Lot 017) and a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1709 Edmondson Avenue (Block 0121, Lot 020). The ordinance would take effect on the date of its enactment.

The title of the bill does not mention a request for a variance. However, in Section 2 of Council Bill 25-0072 a variance is requested at both properties for off-street parking. Newly amended Section 16-601(b)(1) of Article 32 (Zoning Code) provides “[a]ll residential uses in any zoning district with up to and including 3 dwelling units are exempt from off-street parking requirements.” Therefore Section 2 of the bill, lines 23 through 26 on page 1, should be removed, and Section 3, beginning on line 1 of page 2, should be renumbered. Similarly, the Code provisions cited as authority for requesting a variance should be deleted from line 12 on page 1.

Conditional Use Standards

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

1. the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
2. the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization would not be contrary to the public interest; and

4. the authorization would be in harmony with the purpose and intent of this Code.

Baltimore City Code, Art. 32, § 5-406(b). In making these findings, the City Council must be guided by fourteen “considerations” involving such things as the “nature of the surrounding area and the extent to which the proposed use might impair its present and future development,” “the character of the neighborhood,” and “the resulting traffic patterns and adequacy of proposed off-street parking.” Baltimore City Code, Art. 32, § 5-406(a).

Planning Commission Recommendations

The Planning Commission accepted the Planning Staff recommendation and recommended approval of this bill. The Planning Report recommends, as required above, that the variance for off-street parking be amended out of the bill.

The Planning Report notes that these properties are designated residential: higher density in the current Comprehensive Master Plan so that this conditional use conversion conforms to the land use plan for the area. The subject properties are located in the West Baltimore MARC Station Transit-Oriented Development (TOD) Plan area. Planning notes that the conversion of these two properties into multi-dwelling units aligns with the TOD Plan for increased density close to the MARC station and a diversity of housing types for residents. The subject properties are also in the Harlem Park II Urban Renewal Plan (Harlem Park II URP) area. The Council should elicit testimony during the hearing of CB 25-0072 regarding whether the proposed conversion of these properties to two dwelling units would be precluded by the Harlem Park II URP.

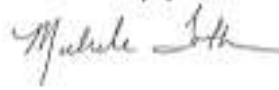
The Harlem Park neighborhood is predominantly residential comprised largely of rowhouses. The structures at both properties on Edmondson Avenue are vacant and in need of significant repairs. The Planning Report states that the subject lots measure 16 feet by 98 feet. The lot square footage for these properties meets the requirements of the Code for two dwelling units in the R-8 district. The Planning Report finds facts supporting the conditional use conversions, primarily that “[r]ehabilitating these long-vacant structures and returning them to active residential use would benefit the community.” An equity analysis is included in the Planning Report.

Hearing Requirements

Certain procedural requirements apply to this bill beyond those discussed above because an ordinance that authorizes a conditional use is considered a “legislative authorization.” Baltimore City Code, Art. 32, § 5-501(2)(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 a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506, 5-602. Finally, certain limitations on the City Council’s ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507.

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 has been met. Assuming the required findings are made at the hearing, all procedural requirements are satisfied, and the required amendments are made the Law Department can approve the bill for form and legal sufficiency.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Michele Toth".

Michele M. Toth
Assistant Solicitor

cc: Ebony Thompson
Ethan Hasiuk
Ty'lor Schnella
Shamoyia Gardiner
Hilary Ruley
Jeff Hochstetler
Ashlea Brown
Desiree Luckey
Ahleah Knapp