

Introduced by: Councilmember Stokes, *Young*

At the request of: Derese Getnet

Address: c/o AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202
Telephone: 410-547-6900

Prepared by: Department of Legislative Reference

Date: May 30, 2018

Referred to: **LAND USE AND TRANSPORTATION** Committee

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

CITY COUNCIL *18-0258*

A BILL ENTITLED



AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District – Variance –
417 East Lafayette Avenue**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

BY authority of

Article 32 - Zoning

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

Required Off-Street Parking)

Baltimore City Revised Code

(Edition 2000)



NO. _____

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

Agencies

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

Boards and Commissions

CITY OF BALTIMORE
ORDINANCE **18-211**
Council Bill 18-0258

Introduced by: Councilmember Stokes, President Young
At the request of: Derese Getnet
Address: c/o AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202
Telephone: 410-547-6900
Introduced and read first time: June 4, 2018
Assigned to: Land Use and Transportation Committee

Committee Report: Favorable
Council action: Adopted
Read second time: October 29, 2018

AN ORDINANCE CONCERNING

1 Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 2 Dwelling Units in the R-8 Zoning District – Variance –
3 417 East Lafayette Avenue

4 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
5 dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417
6 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat;
7 and granting a variance from certain off-street parking requirements.

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

14 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That
15 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
16 the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot
17 024), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore
18 City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies
19 with all applicable federal, state, and local licensing and certification requirements.

20 SECTION 2. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-
21 201(a), 5-305(a), and 5-308, of Article 32 - Zoning, permission is granted for a variance from the
22 off-street parking requirements of §§ 9-703(f), 16-203, and 16-602, and Table 16-406: Required
23 Off-Street Parking.

24 SECTION 3. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the
25 accompanying plat and in order to give notice to the agencies that administer the City Zoning

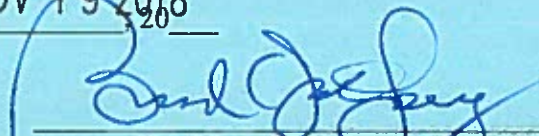
EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strikeout~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

Council Bill 18-0258

1 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
2 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
3 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
4 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
5 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
6 the Zoning Administrator.

7 SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
8 after the date it is enacted.

Certified as duly passed this _____ day of NOV 19 2018




President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of NOV 19 2018



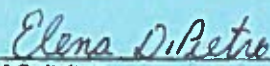
Chief Clerk

Approved this 13 day of December, 20 18



Mayor, Baltimore City

Approved For Form and Legal Sufficiency,
This 6th Day of December 2018

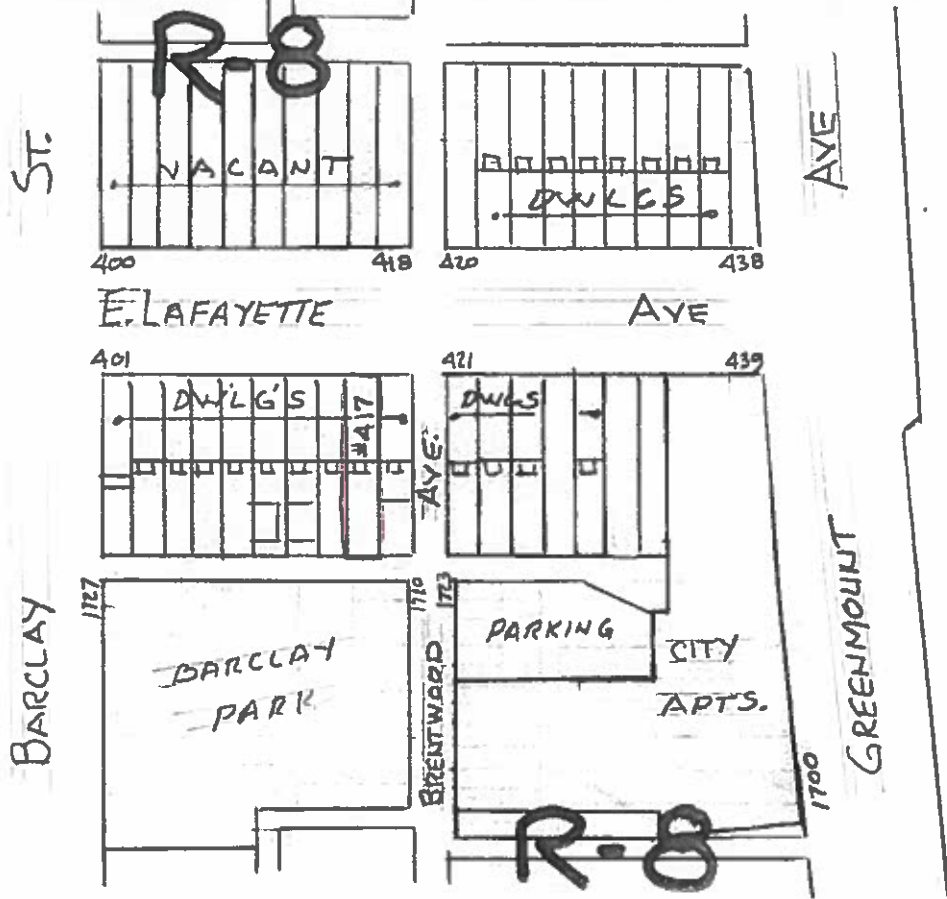


Chief Solicitor

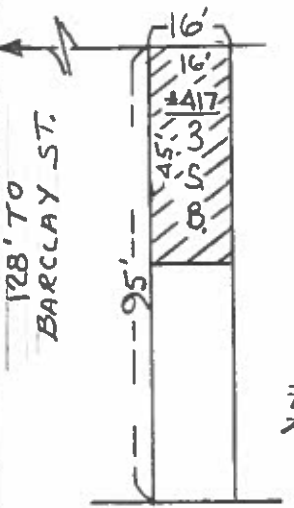
SHEET NO. 46 OF THE ZONING MAPS OF THE BALTIMORE CITY CODE



SCALE: 1"=100



E. LAFAYETTE AVE.



SCALE: 1"=40'

NOTE

IN CONNECTION WITH THE PROPERTY KNOWN AS 417 EAST LAFAYETTE AVENUE, THE APPLICANT WISHES TO REQUEST THE CONDITIONAL USE CONVERSION OF THE AFOREMENTIONED PROPERTY FROM A SINGLE DWELLING UNIT TO TWO DWELLING UNITS IN THE R-8 ZONING DISTRICT, AS OUTLINED IN RED ABOVE.

WARD 12
SECTION 11
BLOCK 1104
LOT 24

Carmell

MAYOR

Bob DeJoy

PRESIDENT CITY COUNCIL

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

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

ADOPTED

City Council Bill No. 18-0258

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 417 East Lafayette Avenue

- (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 the conditional use will not be detrimental to or endanger the public health, safety, or welfare because the proposed residential use is appropriate for the surrounding area within the Greenmount West neighborhood.

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

There is no applicable Urban Renewal Plan where this property is located.

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

If amended to authorize conversion of the single-family dwelling unit to two dwelling units, the proposed action would be 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.

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

The Planning Commission finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code

ADOLPH

requirements would be carried out; and therefore recommends that City Council Bill #18-0258 be passed by the City Council.

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;

According to Planning Department's oral staff report, the developer will provide the required off-street parking space, which is sufficient for the proposed development. Mr. Victor Tervalá, representing the Law Department emphasized that the existing unit does not have parking, but the new (future) unit will and will satisfy the off-street parking requirements.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. This property is not located on a block where the PABC administers on-street parking programs. Multiple site visits were conducted during the third week of June 2018. The PABC observed the on-street parking demand and determined that there is available inventory. In addition, the PABC investigated the alley and rear of the property and determined that the alley is wide enough for vehicular travel and there is sufficient room for at least 1 off-street parking space. The PABC suggests the property owner keeps this in mind as redevelopment continues in the Greenmount West neighborhood and demand for on-street parking may continue to rise. However, the property is not wide enough to accommodate more than 1 off-street parking space. A variance for off-street parking is therefore required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

The Department of Transportation supports passage of the bill.

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

The property is situated in a predominantly residential area known as Greenmount West and is surrounded by other rowhouse structures of similar scale.

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

There will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or 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;

Public utilities currently serve the area and would continue to do so.

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

As an alternative, adaptive re-use as a two-family attached dwelling would allow preservation of part of Greenmount West's traditional architectural fabric while offering a more affordable housing alternative.

- (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 action would be 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 applicable Urban Renewal Plan where this property is located.

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

This request is not inconsistent with applicable standards and requirements of the Code. The applicant has requested variances.

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

The proposed use meets the intent and purpose of the Code.

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

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report - The findings listed above have been transferred from the Planning Commission's report dated July 13, 2018 and the Department of Planning's report dated July 12, 2018.

[X] Testimony presented at the Committee hearing

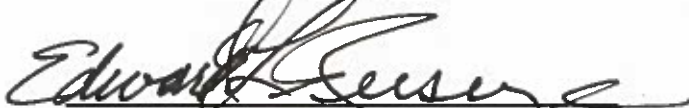



Oral – Witness Name:

- Ms. Christina Hartsfield, Department of Planning
- Ms. Victor Tervalá, Law Department

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

- Baltimore City Planning Commission, Agency Report – Dated: 7/13/2018
- Department of Planning, Staff report – Dated: 7/12/2018
- Department of Transportation, Agency Report – Dated: 6/19/2018
- Parking Authority of Baltimore City, Agency Report – Dated: 6/19/2018
- Department of Housing and Community Development, Agency Report – Dated: 9/26/2018
- Law Department Report – Agency Report – Dated: October 12, 2018

LAND USE AND TRANSPORTATION COMMITTEE:

 Chairman	_____	Member
 Member	_____	Member
 Member	_____	Member
 Member	_____	Member



100-100000

Handwritten notes in the bottom right corner, including a large number '100' and some illegible scribbles.

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE: AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO Article 32, Section 5-308 of the Baltimore City Code, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A VARIANCE FOR OFF-STREET PARKING.

ADOPTED

City Council Bill No. 18-0258

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 417 East Lafayette Avenue

(1) Uniqueness

The following characteristics of the land or structure are different than neighboring properties in the same zoning classification: *(Possible examples include: particular physical surroundings, topographical conditions, irregularity of shape, slope, grade, narrowness, shallowness, accessibility, subsurface conditions, obstructions, historical significance)*

The property measures approximately 16' by 95" and is currently improved with a three-story attached residential building measuring approximately 16' by 45". The property is unique by virtue of its original design and development.

(2) Unnecessary hardship or practical difficulty

- (i) Due to the characteristics described above, enforcing off-street parking restrictions would cause a disproportionate impact on the property as compared to other neighboring properties, resulting in an unnecessary hardship or practical difficulty because:

According to Planning Department's oral staff report, the developer will provide the required off-street parking space, which is sufficient for the proposed development. Mr. Victor Tervalá, representing the Law Department emphasized that the existing unit does not have parking, but the new (future) unit will and will satisfy the off-street parking requirements.

ADOLF HITLER

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. This property is not located on a block where the PABC administers on-street parking programs. Multiple site visits were conducted during the third week of June 2018. The PABC observed the on-street parking demand and determined that there is available inventory. In addition, the PABC investigated the alley and rear of the property and determined that the alley is wide enough for vehicular travel and there is sufficient room for at least 1 off-street parking space. The PABC suggests the property owner keeps this in mind as redevelopment continues in the Greenmount West neighborhood and demand for on-street parking may continue to rise. However, the property is not wide enough to accommodate more than 1 off-street parking space. A variance for off-street parking is therefore required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

The Department of Transportation supports passage of the bill.

- (ii) This impact would be unnecessarily burdensome OR would unreasonably prevent the applicant from using the property for a permitted purpose (describe):

The conditional use would allow for the productive reuse of this property and increase housing diversity in the neighborhood.

(3) The hardship/difficulty is not self-imposed

As described below, 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:

The Planning Commission finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0258 be passed by the City Council.

(4) Substantial justice to applicant and nearby owners

Granting the variance will do substantial justice to the applicant and nearby owners because:

Grant of the variance will protect the integrity of the residential zoning district by allowing the applicant to use the property for a permitted use and safeguard against uses that are not permitted in the zoning district. Granting of the variance,

therefore, will not negatively impact the abutting residential properties.

OR

The following lesser form of relief would ensure justice because:

(5) Impact of variance on profitability of the property

The purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property, rather, an additional purpose is to:

- Expand housing choices for all residents;
- Provide housing resources for families of all income levels through rehabilitation and new construction;
- Convert a dwelling to an adaptive reuse.

(6) Impact on neighboring properties

The variance will not be injurious to the use and enjoyment of other property in the immediate vicinity or substantially diminish and impair property values in the neighborhood for the following reasons:

The proposed 2-unit dwelling will be residential and is consistent with neighboring properties.

(7) Consistency with the Spirit of the Zoning Code

Granting the variance is in harmony with the purpose and intent of this Code in the following ways:

The proposed use as a 2-family dwelling would be consistent with residential use in the area and would not interrupt continuing use of a structure that is a contributing element in the Greenmount West community.

(8) Impact on other City Plans

The variance is not precluded by and will not adversely affect any Urban Renewal Plan, the City's Comprehensive Master Plan or any Historical and Architectural Preservation District.

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.

(9) Public Health, Safety, Welfare etc.

The variance **WILL NOT** adversely affect/endorse the public health, safety, or welfare; or be in any way contrary to the public interest.

SOURCE OF FINDINGS (Check all that apply):

- Planning Commission Report – Memoranda Dated July 13, 2018 and Department of Planning - Staff Report – Dated July 12, 2018
- Testimony presented at the Committee hearing:

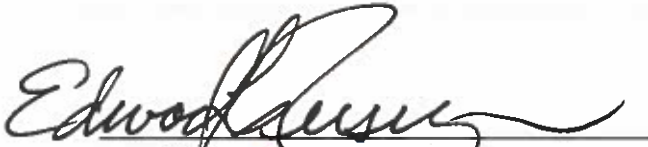
Oral – Witness Name:


- Mr. Christina Hartsfield, Staff, Department of Planning
- Mr. Victor Tervalá, Law Department


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

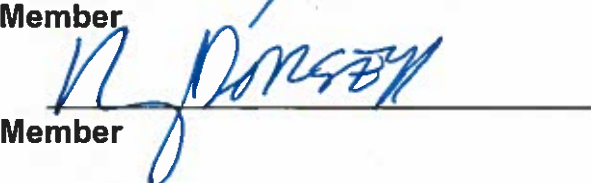
- Planning Commission – Agency Report – Dated 7/13/18
- Department of Planning – Staff Report – Dated 7/12/18
- Parking Authority of Baltimore City – Agency Report – Dated 6/19/18
- Department of Transportation – Agency Report – Dated 6/19/18
- Law Department – Agency Report – October 12, 2018
- Department of Housing and Community Development – Agency Report - September 26, 2018

LAND USE AND TRANSPORTATION COMMITTEE:


Chairman


Member


Member


Member

Member

Member

Member

Member

**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION
VOTING RECORD**

DATE: October 17, 2018

BILL#: 18-0258

BILL TITLE: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 417 East Lafayette Avenue

MOTION BY: Dorsey SECONDED BY: Costello

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

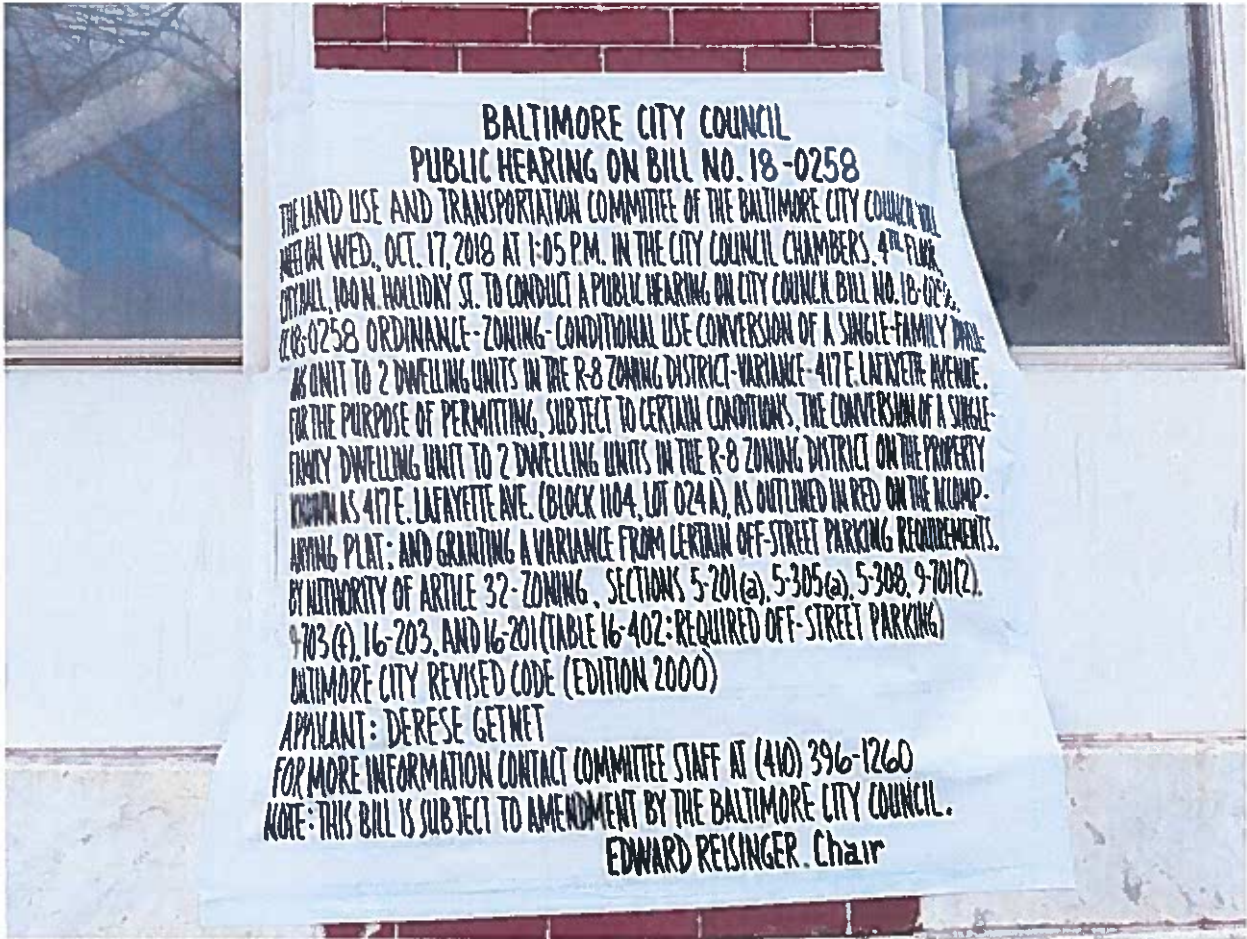
NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>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

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 18-0258

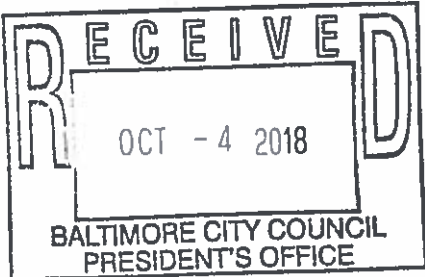
10/4/2018



Address: 417 E. Lafayette Avenue


Date Posted: September 26, 2018

Name: Alfred W. Barry, III
Address: 201 E. Baltimore Street – suite 1150
Baltimore, Md. 21202
Telephone: 410-547-5900



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

TJA

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0258/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 417 E. LAFAYETTE AVENUE		

DATE:

TO

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

July 13, 2018

At its regular meeting of July 12, 2018, the Planning Commission considered City Council Bill #18-0258, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 E. Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting variances from certain off-street parking requirements.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #18-0258, and adopted the following resolution, 9 members being present (9 in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-406(a) and §5-406(b) of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- would not be detrimental to or endanger the public health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest; and
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in §5-406(b) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

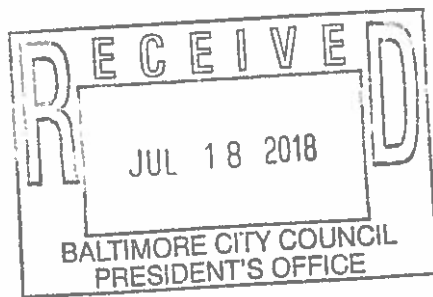
RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0258 passed by the City Council.

If you have any questions, please contact Mrs. Christina Hartsfield in the Land Use and Urban Design Division at 410-396-1651.

TJS/ch

Attachment

F





Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Thomas J. Stosur
Director

July 12, 2018

REQUEST: City Council Bill # 18-0258 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 417 East Lafayette Avenue

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

RECOMMENDATION: Approval

STAFF: Christina Hartsfield

PETITIONERS: Councilmember Stokes and President Young, at the request of Derese Getnet, c/o AB Associates

OWNER: Derese Getnet

SITE/GENERAL AREA

Site Conditions: 417 East Lafayette Avenue is located on the south side of the street, approximately 16' west of the intersection with Brentwood Avenue. This property measures approximately 16' by 95' and is currently improved with a three-story attached residential building measuring approximately 16' by 45'. This site is zoned R-8.

General Area: This residential property is located in the Greenmount West neighborhood in the North Planning District. It is surrounded by other rowhouse structures of similar scale. The City Arts II apartment building is located on the adjacent block to the east and the Barclay Street Park is located directly across the rear alley.

HISTORY

There are no previous Planning Commission actions for this property.

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

Project: This legislation would allow the petitioner to use the existing structure as two dwelling units. Adaptive re-use as a two-family attached dwelling would allow preservation of a piece of Greenmount West's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs.

Zoning Analysis: This property is a well-preserved rowhouse containing approximately 2,160 gross square feet of floor area. This bill would encourage re-use of a structure consistent with its current zoning.

- The Zoning Code requires, for conversion of a single-family property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §9-703.d., citing Table 9-401). A lot area of 1,500 square feet is thus required for the proposed use. This lot is 1,520 square feet and thus meets the lot area requirement for conversion.
- A rear yard setback of 20' is required (Table 9-401). This property has a rear yard of 50' and thus meets this requirement.
- The maximum lot coverage allowed is 80% (Table 9-401). This structure covers less than 50% of the lot.
- One additional off-street parking space is required to serve the newly-created dwelling unit (§9-703.f.), totaling two required spaces for the use. The property provides only one off-street parking space. A variance for off-street parking is therefore required, and has been included in this bill.

Conditional Use – Required findings: In accordance with §5-406 of Article 32 (the Zoning Code of Baltimore City), the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 5 {"Applications and Authorizations"}, subtitle 4 {"Conditional Uses"} of the Zoning Code:

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 in harmony with the purpose and intent of this article (§5-406).

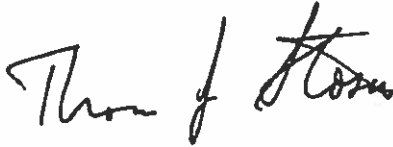
In addition, the Zoning Code requires review of these considerations:

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- there will be no negative impact to traffic patterns in the immediate area;
- the proposed use will not impair the present and future development of this lot or the surrounding area;


- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to emergency vehicles;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- the proposed use would not interfere with preservation of cultural and historic landmarks and structures;
- the proposed use would not alter the character of the neighborhood;
- the proposed use is consistent with provisions of the City's Comprehensive Master Plan; and
- the use of the property as two dwelling units meets all other applicable standards and requirements of this Code (§5-406).

The proposed use as a 2-family dwelling would be consistent with residential use in the area and would not interrupt continuing use of a structure that is a contributing element in the Greenmount West community.

Notification: The following community organizations have been notified of this action: the Greenmount West Community Association.



Thomas J. Stosur
Director

F R O M	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 18-0258		

TO Mayor Catherine E. Pugh

DATE: 6/19/18

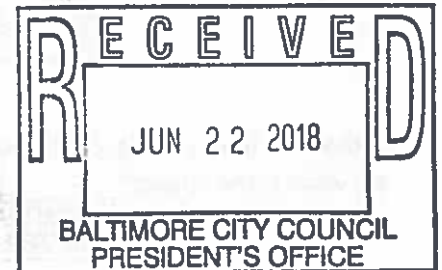
TO: Respective City Council Land Use and Transportation Committee
 FROM: Department of Transportation
 POSITION: Support
 RE: Council Bill – 18-0258 – Zoning – Conditional Use

INTRODUCTION – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 417 East Lafayette Avenue

PURPOSE/PLANS – For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.



Favorable



AGENCY/DEPARTMENT POSITION –

The Department of Transportation supports City Council 18-0258

If you have any questions, please do not hesitate to contact Josh Taylor at Josh.Taylor@baltimorecity.gov, 443-984-3394

Sincerely,

Michelle Pourciau
 Director



Department of Transportation
City Council Bill Response



Bill #

Do you Support? (Y/N)

Why/Why Not?

Is there a Financial Impact on your Division? If so, what is the impact?

Does the bill impact any existing programs? If so, what is the impact?

From(please include division):

CITY OF BALTIMORE

CATHERINE E. PUGH,
Mayor

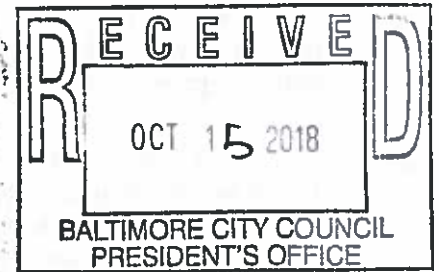


DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

October 12, 2018

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

favorable



Attn: Natawna B. Austin, Executive Secretary

Re: City Council Bill 18-0258 – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variance – 417 East Lafayette Avenue

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0258 for form and legal sufficiency. Subject to certain conditions, the bills permits the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue and granting a variance from certain off-street parking requirements.

Conditional Use Standards

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

- (1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; and
- (4) the authorization would be in harmony with the purpose and intent of this Code.

Baltimore City Code, Art. 32, § 5-406(a). In making these findings, the City Council must be guided by 14 “considerations” involving such things as the “nature of the surrounding area and the extent to which the proposed use might impair its present and future development,” “the character

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

Variance Standards

The bill also contains variances for off-street parking requirements. Off-street parking requirements provide that each dwelling unit must have an off-street parking space. Baltimore City Code, Art. 32, § 9-703(f). This bill, which provides for two dwelling units, requires two off-street parking spaces under the above provision. Since the property exists with merely a single off-street parking space, a variance must be sought from the two-space requirement.

To grant a variance, the City Council must find that, “because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out.” Baltimore City Code, Art. 32, § 5-308(a). The City Council must also make seven other findings:

- (1) the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification;
- (2) the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property;
- (3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;
- (4) the variance will not: (i) be injurious to the use and enjoyment of other property in the immediate vicinity; or (ii) substantially diminish and impair property values in the neighborhood;
- (5) the variance is in harmony with the purpose and intent of this Code;
- (6) the variance is not precluded by and will not adversely affect: (i) any Urban Renewal Plan; (ii) the City’s Comprehensive Master Plan; or (iii) any Historical and Architectural Preservation District; and
- (7) the variance will not otherwise: (i) be detrimental to or endanger the public health, safety, or welfare; or (ii) be in any way contrary to the public interest.

Baltimore City Code, Art. 32, § 5-308(b).

Hearing Requirements

The Land Use and Transportation Committee (the “Committee”) must consider the above law at the scheduled public hearing wherein it will hear and weigh the evidence as presented in: (1) the Planning Report and other agency reports; (2) testimony from the Planning Department and other City agency representatives; and (3) testimony from members of the public and interested persons. After weighing the evidence presented and submitted into the record before it, the Committee is required to make findings of fact with respect to the factors and considerations outlined above. If, after its investigation of the facts, the Committee makes findings which support

the conditional use and the variances sought, it may adopt these findings and the legal requirements will be met.

The Planning Staff Report ("Report") outlines the portions of the Zoning Article applicable to conditional uses and makes favorable conclusory findings concerning the conditional use standards. The Report also mentions certain facts involving the requested variances. The Report does not, however, supply facts to support granting the requested variances. While the Report notes that a practical difficulty would result if a variance was not granted, it does not provide any facts to support a conclusion that the condition is unique to this property; nor does it articulate any facts related to the other five elements that allow for the approval of an off-street parking variance. **If this bill is to be lawfully approved by the City Council, it must: (1) find facts that are identical or similar to those presented in the Report to approve the conditional use; and (2) establish the facts at the public hearing that are needed to grant the variances.**

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

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

Sincerely,




Victor K. Tervala
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant City Solicitor

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna B. Austin, Executive Secretary

FROM: William H. Cole, President and CEO 

DATE: July 12, 2018

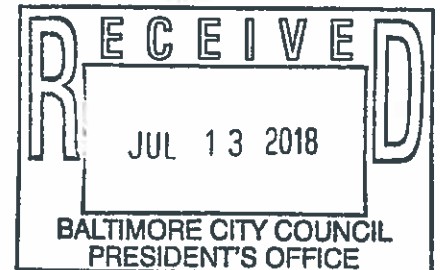
SUBJECT: City Council Bill No. 18-0258
Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2
Dwelling Units in the R-8 Zoning District – Variance – 417 East Lafayette Avenue

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0258, a bill for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue; and granting a variance from certain off-street parking requirements.

BDC has no objections to City Council Bill 18-0258.

cc: Kyron Banks

no objection



The 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 

Date: September 26, 2018

Re: City Council Bill 18-0258 - Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variance – 417 East Lafayette Avenue

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0258 for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024) and granting a variance from certain off-street parking requirements.

If enacted, this bill would allow a property in the Greenmount West neighborhood to be converted to 2 dwelling units for preservation and the addition of an affordable housing option in the community.

The Department of Housing and Community Development supports the passage of City Council Bill 18-0258.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*





1417 e fayette



codeMa

Focus Areas

Project COI

- Phase 1
- Phase 2
- Phase 3
- Phase 4

Comm De

- Major Rede
- Major R

Popplek

- Streamline
- Opportunil

CE Internal

- DHCD Acq
- Demolition
- Non-CC
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- No Ac
- Hold



4. 1. 1.

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: June 19, 2018
RE: Council Bill 18-0258



I am herein reporting on City Council Bill 18-0258 introduced by Councilmember Stokes and President Young at the request of Derese Getnet.

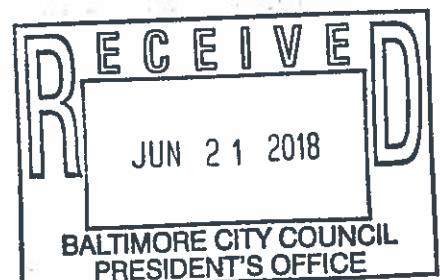
The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024).


According to Baltimore City Code Art. 32 § 9-701(2) the R-8 Zoning District allows for the conversion of a single-family dwelling to a multi-family dwelling through conditional-use approval by Ordinance of the Mayor and City Council. Conversion standards in Baltimore City Code Art. 32 § 9-703(f) require that at least 1 off-street parking space must be provided for each dwelling unit. This proposed legislation requests a variance for the off-street parking requirement.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. This property is not located on a block where the PABC administers on-street parking programs. Multiple site visits were conducted during the third week of June 2018. The PABC observed the on-street parking demand and determined that there is available inventory. In addition, the PABC investigated the alley and rear of the property and determined that the alley is wide enough for vehicular travel and there is sufficient room for at least 1 off-street parking space. The PABC suggests the property owner keeps this in mind as redevelopment continues in the Greenmount West neighborhood and demand for on-street parking may continue to rise. However, the property is not wide enough to accommodate more than 1 off-street parking space. A variance for off-street parking is therefore required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, the Parking Authority of Baltimore City does not oppose the passage of City Council Bill 18-0258.

no objection



FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>	CITY OF BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202		
	SUBJECT	City Council Bill #18-0258 Response to Zoning-Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Unit in the R-8 Zoning District-Variances 417 East Lafayette Avenue		

TO

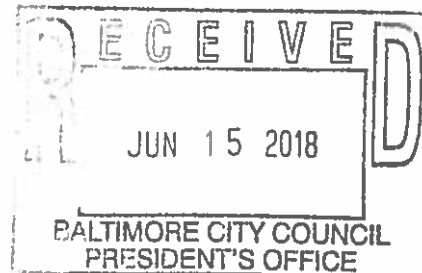
**The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408**

DATE. **June 11, 2018**

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue,(Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting variances from certain off-street parking requirements.

The Fire Department does not object to City Council Bill 18-0258 provided that all applicable sections of the Fire and Building codes are adhered. This may include a requirement for plans to be submitted to the Fire Department, an annual Fire Inspection, permit, automatic sprinkler system, and Fire Alarm system.

No objection



City of Baltimore

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

Meeting Minutes - Final

Land Use and Transportation Committee

Wednesday, October 17, 2018

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0258

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

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

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0258

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 417 East Lafayette Avenue

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

Sponsors: Robert Stokes, Sr., President Young

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

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

ADJOURNMENT

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

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

HEARING NOTES

Bill: 18-0258

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 417 East Lafayette Avenue

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

Hearing Date: October 17, 2018
Time (Beginning): 1:30 PM
Time (Ending): 1:38 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~25
Committee Members in Attendance:
Reisinger, Edward, Chairman
Middleton, Sharon, Vice Chair
Costello, Eric
Dorsey, Ryan
Pinkett, Leon

Bill Synopsis in the file? [X] yes [] no [] n/a
Attendance sheet in the file? [X] yes [] no [] n/a
Agency reports read? [X] yes [] no [] n/a
Hearing televised or audio-digitally recorded? [X] yes [] no [] n/a
Certification of advertising/posting notices in the file? [X] yes [] no [] n/a
Evidence of notification to property owners? [X] yes [] no [] n/a
Final vote taken at this hearing? [X] yes [] no [] n/a
Motioned by: Councilmember Dorsey
Seconded by: Councilmember Costello
Final Vote: Favorable

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

- Mr. Christina Hartsfields, Department of Planning
 - Mr. Kyron Banks, Office of the Mayor
 - Mr. Victor Tervalo, Department of Law
-

Major Issues Discussed

1. Councilman Reisinger read the bills number, title and purpose.
 2. Ms. Christina Hartsfields presented the Planning Commission's report in support of the bill and provided information from the Department of Planning's staff report. Ms. Hartsfield provided background information about the property. She indicated that there is ample space in the rear yard for off-street parking for the new dwelling unit being created which meets parking requirements. She provided findings of fact for the conditional use and variances.
 3. Agency representatives testified in support of their respective agency's position on the bill.
 4. Mr. Victor Tervalo presented the Law Department's report. He indicated that if parking is provided for the new dwelling then the parking requirement will be met.
 5. The committee approved finding of facts for the bill.
 6. The committee voted to recommend the bill favorable.
 7. The hearing was adjourned.
-

Further Study

Was further study requested?
If yes, describe.

Yes No

Committee Vote:

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

Jennifer L. Coates, Committee Staff



Date: October 18, 2018

cc: Bill File
OCS Chrono File



CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation

Chairperson: Edward Reisinger

Date: October 17, 2018

Time: 1:05 PM

Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 417 East Lafayette Avenue

CC Bill Number: 18-0258

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO	WHAT IS YOUR POSITION ON THIS BILL?	LOBBYIST: ARE YOU REGISTERED IN THE CITY
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mica	Feltz		BDC			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Josh	Taylor		DOT			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Tyrell	Dixon		HCD			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Shawn	Arbani		HAD			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
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(* NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730. FAX: 410-396-8483.

City of Baltimore

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

Meeting Agenda - Final

Land Use and Transportation Committee

Wednesday, October 17, 2018

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0258

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0258

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 417 East Lafayette Avenue

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

Sponsors:

Robert Stokes, Sr., President Young

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



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

Mission Statement

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

**The Honorable Edward Reisinger
Chairperson**

PUBLIC HEARING

**Wednesday, October 17, 2018
1:05 PM**

City Council Bill # 18-0258

***Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2
Dwelling Units in the R-8 Zoning District - Variance -
417 East Lafayette Avenue***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

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

EDUCATION AND YOUTH

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

EXECUTIVE APPOINTMENTS

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

HOUSING AND URBAN AFFAIRS

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

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

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

LABOR

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

LAND USE AND TRANSPORTATION

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

PUBLIC SAFETY

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

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

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



BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 18-0258

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 417 East Lafayette Avenue

Sponsor: Councilmember Stokes

Introduced: June 4, 2018

Purpose:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

Effective: 30th day after the date of enactment

Hearing Date/Time/Location: October 17, 2018 /1:05 p.m./Clarence "Du" Burns Chambers

Agency Reports

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

Analysis

Current Law

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

Background

If approved, Bill 18-0258 will authorize a conditional use conversion of a single-family dwelling unit to two dwelling units at the property located at 417 E. Lafayette Avenue. The bill would also grant a variance from the requirements for:

- off-street parking

The Zoning Administrator has determined that the variance is needed.

Derese Getnet owns the property. The applicant intends to use the property for two dwelling units.

Situated between row houses, the property lies on the south side of the 400 block of East Lafayette Avenue. Surrounded by residential properties the property is zoned R-8. The property is in the Greenmount West neighborhood. Barclay Park is across the rear alley. The City Arts II apartment building on Barclay Street is to the east and adjacent to the property.

Conversion Requirements for Existing Structure

The property measures approximately 16' x 95' and is currently improved with a three-story attached residential building. For conversion of a single-family dwelling in an R-8 Zoning District, the existing structure must have at least 1,500 square feet or more in gross floor area (excluding the basement area). The property has 2,160 square feet of gross floor area.

Variance - Lot Area

In the R-8 Zoning District, 750 feet of lot area is required for one dwelling unit. The property's lot area is only 1,520 square feet and meets the lot area requirement for conversion.

Variance – Off-street Parking

One off-street parking space is required for each newly-created dwelling unit. Two off-street parking spaces are required for the proposed use. The property has ample space for one off-street parking space. A variance for the off-street parking requirement is needed.

The applicant's request for the conditional use conversion and variance 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.

Companion Bills and Amendments

There is no companion bills or amendments.

Additional Information

Fiscal Note: Not Available

Information Source(s): Department of Planning

Analysis by: Jennifer L. Coates
Analysis Date: October 9, 2018



Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE
COUNCIL BILL 18-0258
(First Reader)**

Introduced by: Councilmember Stokes, President Young

At the request of: Derese Getnet

Address: c/o AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202

Telephone: 410-547-6900

Introduced and read first time: June 4, 2018

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**
3 **2 Dwelling Units in the R-8 Zoning District – Variance –**
4 **417 East Lafayette Avenue**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417
7 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat;
8 and granting a variance from certain off-street parking requirements.

9 BY authority of

10 Article 32 - Zoning

11 Sections 5-201(a), 5-305(a), 5-308, 9-701(2), 9-703(f), 16-203, and 16-602 (Table 16-406:
12 Required Off-Street Parking)

13 Baltimore City Revised Code
14 (Edition 2000)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
16 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
17 the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot
18 024), 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 off-street parking requirements of §§ 9-703(f), 16-203, and 16-602, and Table 16-406: Required
24 Off-Street Parking.

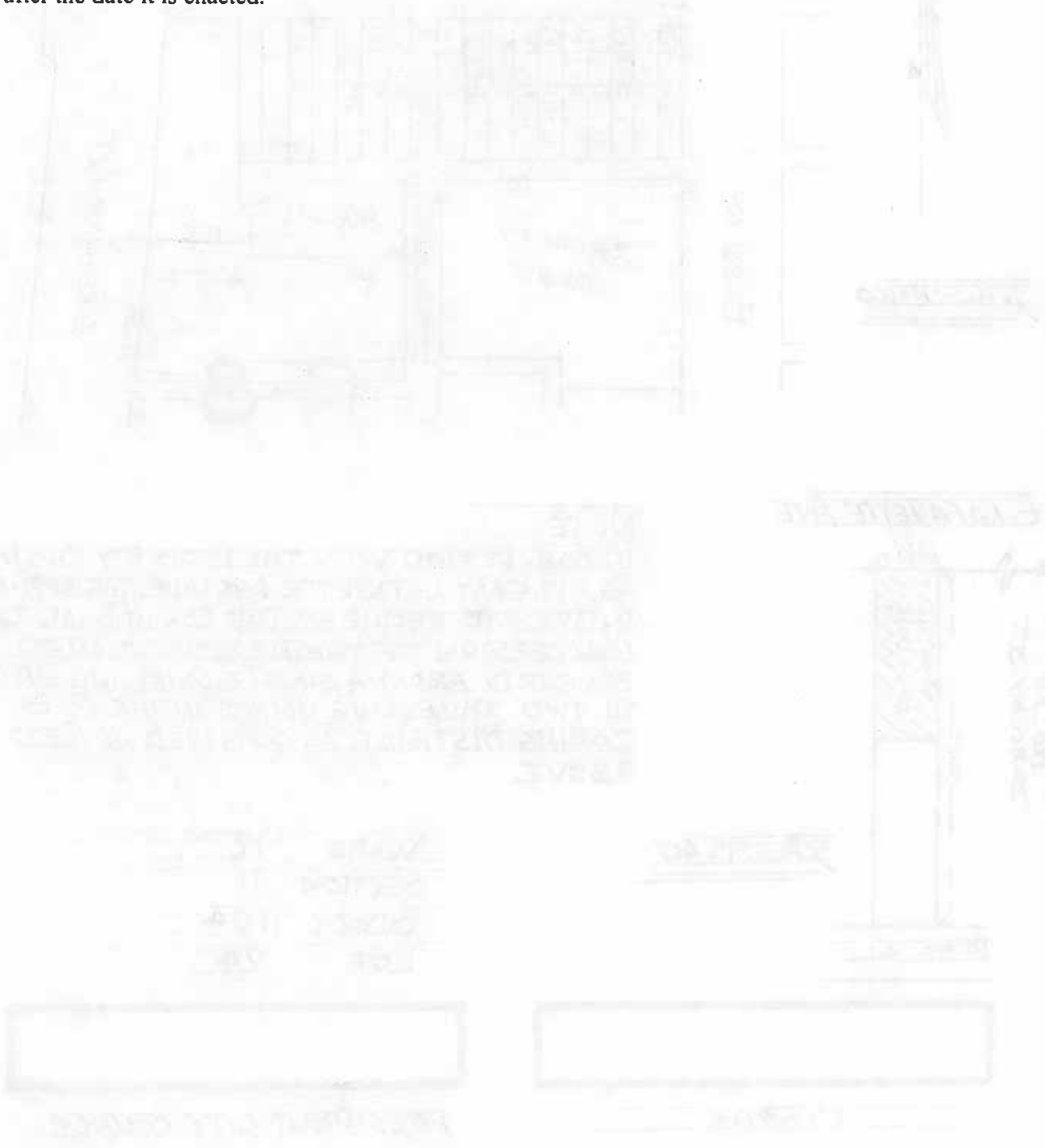
25 **SECTION 3. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
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EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 18-0258

1 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
2 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
3 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
4 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
5 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
6 the Zoning Administrator.

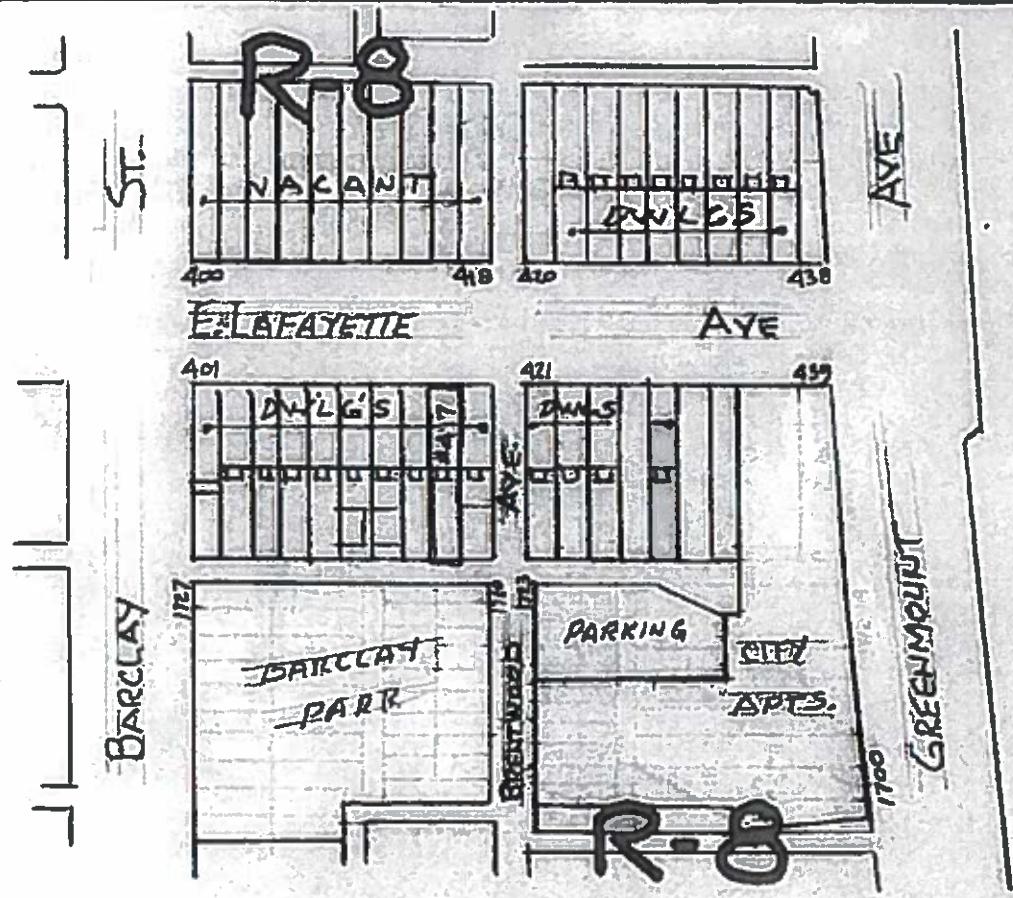
7 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
8 after the date it is enacted.



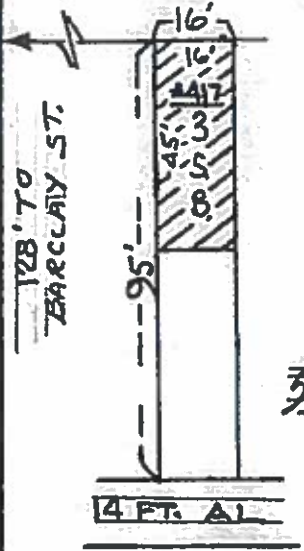
SHEET NO. 46 OF THE ZONING MAPS OF THE BALTIMORE CITY CODE



SCALE: 1"=100'



E. LAFAYETTE AVE.



SCALE: 1"=40'

NOTE

IN CONNECTION WITH THE PROPERTY KNOWN AS 417 EAST LAFAYETTE AVENUE, THE APPLICANT WISHES TO REQUEST THE CONDITIONAL USE CONVERSION OF THE AFOREMENTIONED PROPERTY FROM A SINGLE DWELLING UNIT TO TWO DWELLING UNITS IN THE R-8 ZONING DISTRICT, AS OUTLINED IN RED ABOVE.

WARD 12
SECTION 11
BLOCK 1104
LOT 24



MAYOR



PRESIDENT CITY COUNCIL

Coates, Jennifer

To: AB Associates
Cc: Stokes, Robert; Christian, Kathy; Austin, Natawna B.
Subject: Hearing on City Council Bill 18-0258
Attachments: PNI - Letter - 18-0258 - CU Conversion - Variance -417 E Lafayette Avenue.docx; Sign Posting Contacts.pdf; Sample - Certificate of Posting - Attachment C.docx

Good Afternoon Mr. Barry:

Attached is the information you will need to post a public hearing sign for the subject bill to be heard by the Land Use and Transportation Committee on **October 17, 2018 at 1:05 p.m.** at City Hall in the City Council Chamber. I have also attached a contact list for sign makers and a sample certification template.

Thank you and feel free to call 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

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596

Confidentiality Notice:

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

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

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

TO: Derese Getnet c/o Mr. Alfred W. Barry, III (AB Associates)

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

Date: September 18, 2018

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

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

Bill: City Council Bill No. 18-0258

Date: Wednesday, October 17, 2018

Time: 1:05 p.m.

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

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

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

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

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

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 from 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: ***September 26, 2018***
Certificate of Posting Due: ***October 12, 2018***

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

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

ATTACHMENT A

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY BY WEDNESDAY, SEPTEMBER 26, 2018, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

**BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 18-0258**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, October 17, 2018 at 1:05 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 18-0258.

CC 18-0258 Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 417 East Lafayette Avenue

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

BY authority of Article 32 - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-701(2),
9-703(f), 16-203, and 16-602 (Table 16-406:
Required Off-Street Parking)
Baltimore City Revised Code
(Edition 2000)

Applicant: Derese Getnet

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

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

EDWARD REISINGER

Chair

SEND CERTIFICATION OF PUBLICATION TO:

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

SEND BILL FOR THIS SIGN POSTING TO:

Mr. Alfred W. Barry, III
AB Associates
201 E. Baltimore Street, Suite 1150
Baltimore, MD 21202
410-547-5900

**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.)

ADVERTISING SIGNS MAY BE OBTAINED FROM THE FOLLOWING:

RICHARD HOFFMAN
AMERICAN DRAFTING SERVICE
904 DELLWOOD DRIVE
BALTIMORE, MARYLAND 21047

PHONE: (410) 879-3122
E-MAIL: DICK_E@COMCAST.NET

LA GRANDE VISION
JAMES EARL REID
408 E. EAGER STREET
BALTIMORE, MARYLAND 21202

PHONE: (410) 448-4913 or (410) 783-1555

FAX (410) 783-1559

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

OR ANY OTHER COMPANY OF YOUR CHOICE. THE SIGNS MUST BE MADE IN ACCORDANCE WITH THE RULES OF THE BOARD OF MUNICIPAL AND ZONING APPEALS.

THIS OFFICE IS NOT ASSOCIATED WITH ANY OF THE ABOVE DRAFTING COMPANIES, NOR DO WE RECOMMEND ANY SPECIFIC ONE.

Baltimore City Council
Certificate of Posting - Public Hearing Notice

City Council Bill No.:

Today's Date: [Insert Here]

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

Address:

Date Posted:

Name:

Address:

Telephone:

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

**CITY OF BALTIMORE
COUNCIL BILL 18-0258
(First Reader)**

Introduced by: Councilmember Stokes, President Young

At the request of: Derese Getnet

Address: c/o AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202

Telephone: 410-547-6900

Introduced and read first time: June 4, 2018

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**
3 **2 Dwelling Units in the R-8 Zoning District – Variance –**
4 **417 East Lafayette Avenue**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417
7 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat;
8 and granting a variance from certain off-street parking requirements.

9 BY authority of

10 Article 32 - Zoning

11 Sections 5-201(a), 5-305(a), 5-308, 9-701(2), 9-703(f), 16-203, and 16-602 (Table 16-406:
12 Required Off-Street Parking)

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14 (Edition 2000)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
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17 the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot
18 024), 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.

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25 **SECTION 3. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
26 accompanying plat and in order to give notice to the agencies that administer the City Zoning

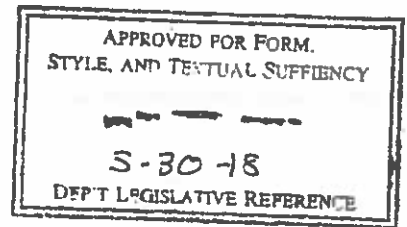
EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 18-0258

1 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
2 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
3 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
4 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
5 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
6 the Zoning Administrator.

7 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
8 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Stokes
At the request of: Derese Getnet
Address: c/o AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202
Telephone: 410-547-6900

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District – Variance –
417 East Lafayette Avenue**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

BY authority of

Article 32 - Zoning

Sections 5-201(a), 5-305(a), 5-308, 9-701(2), 9-703(f), 16-203, and 16-602 (Table 16-406:
Required Off-Street Parking)

Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 417 East Lafayette Avenue (Block 1104, Lot 024), 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 off-street parking requirements of §§ 9-703(f), 16-203, and 16-602, and Table 16-406: Required Off-Street Parking.

SECTION 3. 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;

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

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

STATEMENT OF INTENT

FOR

417 East Lafayette

{Address}

1. Applicant's Contact Information:

Name: Derese Getnet c/o AB Associates (Alfred W. Barry III)
Mailing Address: 201 E. Baltimore St #1150
Baltimore, MD 21202
Telephone Number: (410) 547-6900
Email Address: ababalt@yahoo.com

2. All Proposed Zoning Changes for the Property:

Conditional use conversion from single family to two dwelling units.

3. All Intended Uses of the Property:

Two dwelling units

4. Current Owner's Contact Information:

Name: Derese Getnet
Mailing Address: 250 Beverley Blvd E205
Darby, Pa 19802
Telephone Number: (610) 348-7104
Email Address: _____

5. Property Acquisition:

The property was acquired by the current owner on 10/5/17 by deed recorded in the
Land Records of Baltimore City in Liber 19563 Folio 0229.

6. Contract Contingency:

(a) There is _____ is not X a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties to the contract are as follows {use additional sheet if
necessary}: _____

(ii) The purpose, nature, and effect of the contract are: _____

7. Agency:

- (a) The applicant is _____ is not acting as an agent for another.
- (b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are as follows (use additional sheet if necessary): _____

AFFIDAVIT

I, Alfred W. Barry III, 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

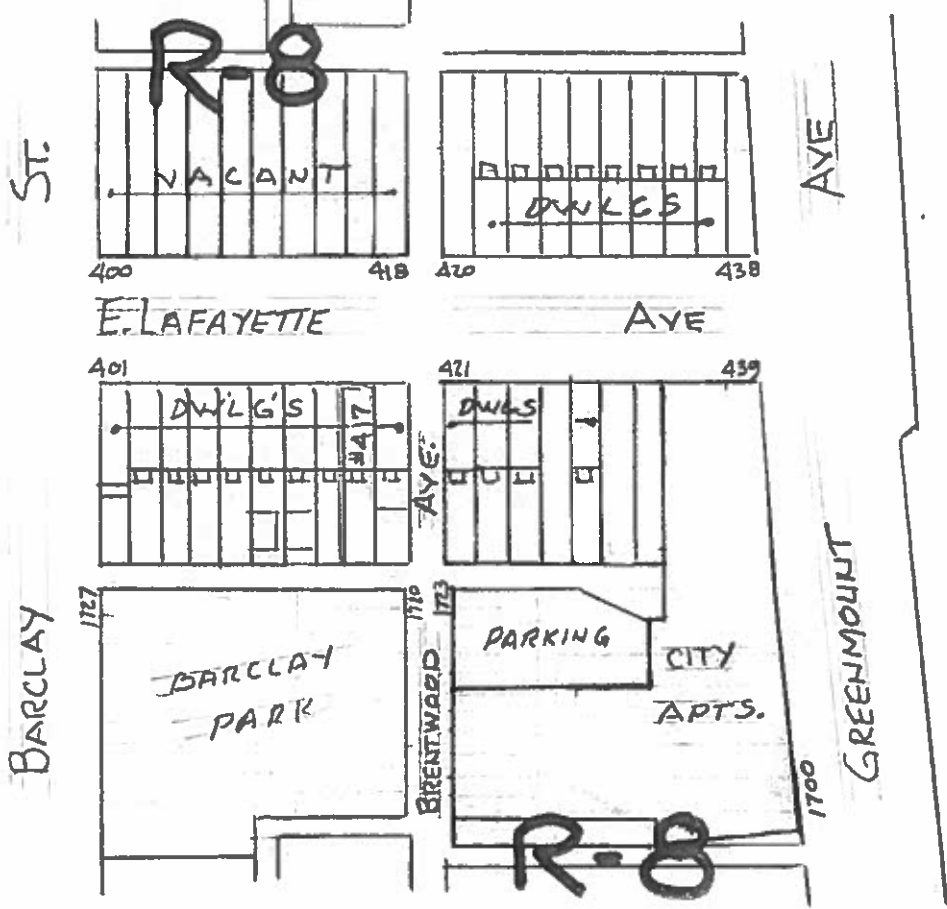
5/29/18

Date

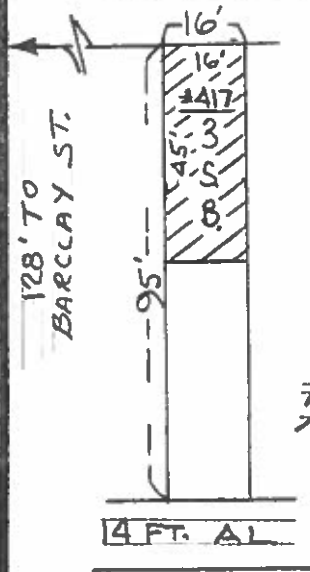
SHEET NO. 46 OF THE ZONING MAPS OF THE BALTIMORE CITY CODE



SCALE: 1"=100



E. LAFAYETTE AVE.



SCALE: 1"=40'

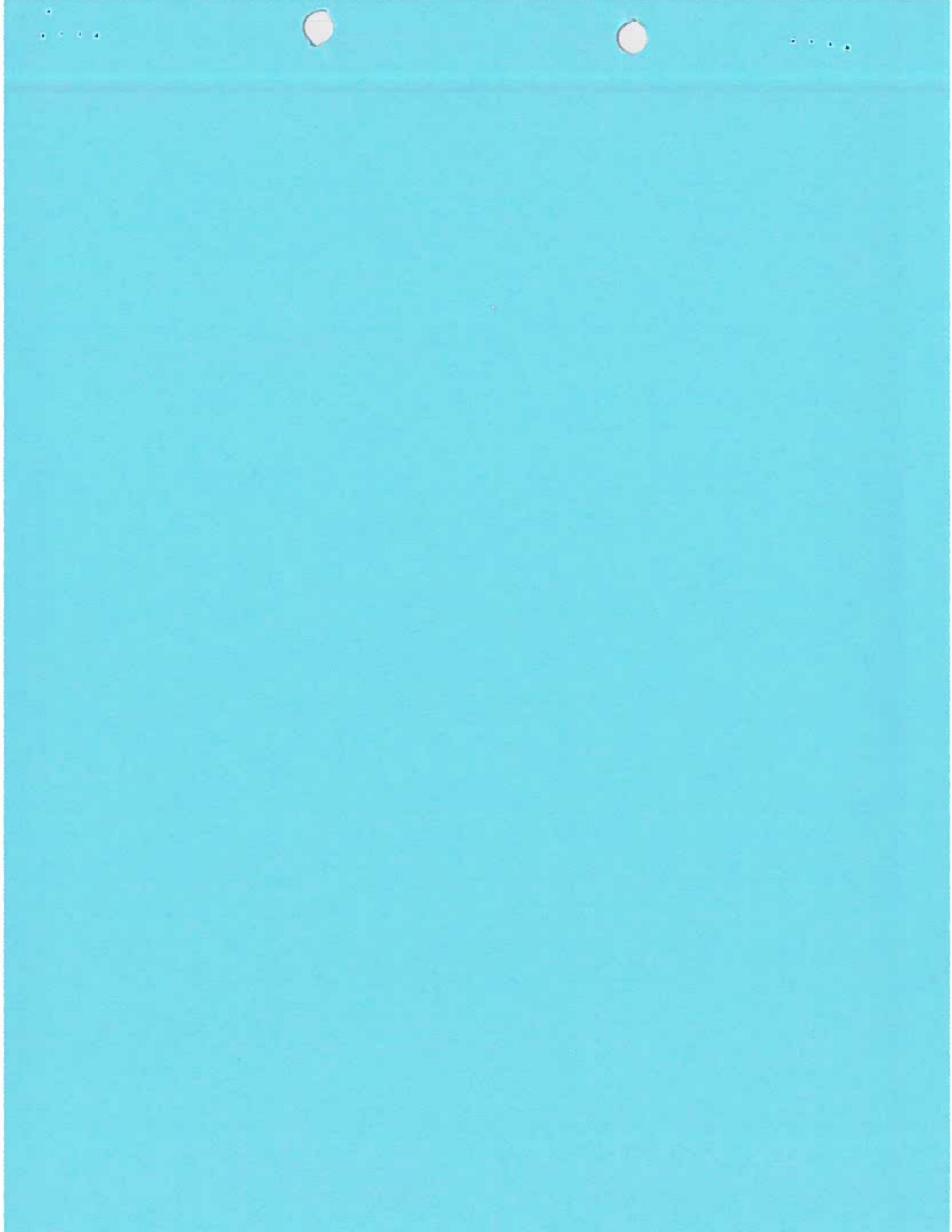
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WARD 12
SECTION 11
BLOCK 1104
LOT 24

MAYOR

PRESIDENT CITY COUNCIL



ACTION BY THE CITY COUNCIL

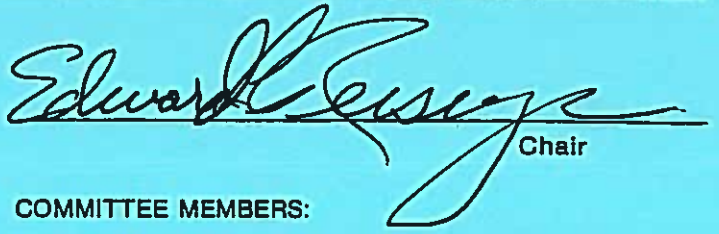
JUN 04 2018

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON October 17, 20 18

COMMITTEE REPORT AS OF October 29, 20 18

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION


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:

OCT 29 2018

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

THIRD READING _____ NOV 19 2018

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

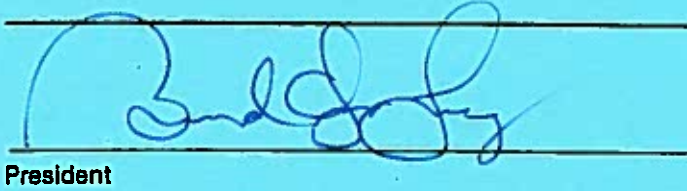
THIRD READING (ENROLLED) _____ 20 _____

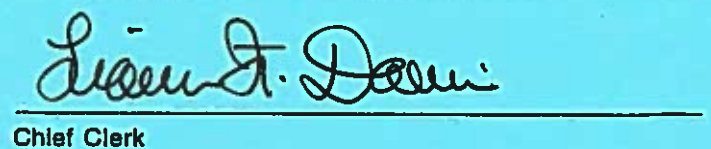
_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

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