
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



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October 28, 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 25-0076 – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District –
Variances – 3224 Auchentoroly Terrace

Dear President and City Council Members:

The Law Department reviewed City Council Bill 25-0076 for form and legal sufficiency. The bill would permit, subject to certain conditions, the conversion of a single-family dwelling unit into 2 dwelling units on the property known as 3224 Auchentoroly Terrace and granting variances regarding certain off-street parking requirements. The ordinance would take effect on the date of its enactment.

The bill identifies the property by address in line 15 on page 1 but does not reference the lot and block information. The information regarding the lot and block provided on the Statement of Intent form filed by the property owner does not match the lot and block numbers listed by the State Department of Assessments and Taxation for the property. The property is identified sufficiently by address for purposes of the conditional use ordinance.

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 agreed with the Planning Staff recommendation and recommended approval of this bill. The bill contains a variance for off-street parking requirements. The Planning Commission recommended that the bill be amended to remove the off-street parking variance. 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, no variance for off-street parking is required. The presence of the off-street parking variance will not prevent the bill from taking effect if it is approved by the City Council.

The subject property is located within the Auchentoroly Terrace CHAP Historic District and the Greater Rosemont and Mondawmin (GRAMA) Plan Area. The property is within the Auchentoroly-Parkwood Neighborhood Statistical Area. The subject property is not in an Urban Renewal Plan area. No other regulations would preclude the proposed conversion. The subject property is a three-story vacant rowhouse. It is the last remaining unoccupied structure on the block.

The subject property is designated Residential: Higher Density in the 2024 City Comprehensive Master Plan. The proposed development of the property would comply with that designation. All work involved in the conversion of the property is confined to the interior of the property and no exterior alterations are proposed. The proposed development will return the vacant property to productive use. An equity analysis is included in the Staff Report which notes that the “project helps expand housing options in an area using existing building stock and returns a blighted property to productive use.” The Zoning Administrator’s Opinion confirms that the lot square footage for this property meets the requirements of the Code for two dwelling units in the R-8 district.

The Staff Report finds that there is “no evidence that the proposed conversion would negatively affect public health, safety, or welfare” due primarily to returning a vacant structure to active residential use.

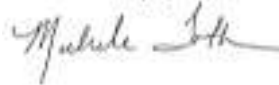
Hearing Requirements

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, the bill must have a committee hearing and 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, and all procedural requirements are satisfied, the Law Department can approve the bill for form and legal sufficiency.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Michele Toth", written in a cursive style.

Michele M. Toth
Assistant Solicitor

cc: Ebony Thompson
Ethan Hasiuk
Ty'lor Schnella
Shamoyia Gardiner
Hilary Ruley
Jeff Hochstetler
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