

FINDINGS OF FACT

To: The Baltimore City Council's Ways & Means Committee
From: AB Associates, on behalf of Warrior Real Estate LLC
Date: September 27, 2024
Re: CCB 24-00572, for the residential conversion of 1730 North Broadway from a single-family dwelling to a multi-family dwelling with three dwelling units

The applicant submits to the Baltimore City Planning Commission these findings of facts regarding City Council Bill 24-0572, for the purpose of allowing the residential conversion of 1730 North Broadway from a single-family dwelling to a multi-family dwelling with three dwelling units. The applicant also seeks variances from the Zoning Code's minimum lot size requirements and the off-street parking requirements.

1. 1730 N. Broadway

1730 N. Broadway covers roughly 1500 square feet in the Oliver neighborhood and is improved by a vacant three-story rowhouse that provides 3,000 square feet of above-grade gross floor area. The property is zoned R-8. 1730 N. Broadway is unique in its vacancy; the neighboring homes are nearly all occupied or habitable, with recently procured permits that demonstrate a degree of rehabilitation and activity for each property.

The applicant proposes to convert the 1730 N. Broadway from single-family to multi-family to make a rehabilitation economically feasible. Doing so will allow for this property to come into alignment with the other properties on the 1700 block of North Broadway as useful, marketable housing. The applicant engaged in an extensive neighborhood outreach effort in pursuit of this conversion; and has earned the support of the Historic Oliver Community Association. A letter of support sent to Councilman Robert Stokes in June 2024 is attached to these findings.

2. ZC § 5-406: Conditional Use Approval Standards

As a guide to its decision on the facts of each case, the City Council must consider the following, where appropriate:

1. the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

The proposed site is a rowhouse in the middle of the 1700 block of North Broadway. It is roughly the same size as its neighboring lots. It is one of two vacant properties on the block. It is in the interest of the community to rehabilitate the property and bring it online as housing.

2. the resulting traffic patterns and adequacy of proposed off-street parking and loading;

Authorization of this conversion would not create more traffic or have any other type of impact on traffic in the area. An off-street parking variance is necessary to allow this conversion. This block of North Broadway has space for on-street parking.

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

There is no large-scale development in this part of the Oliver neighborhood. Rather, this proposed use will help to fortify this block and encourage the continued rehabilitation of other vacant homes within the Oliver neighborhood.

4. the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

There are no churches, schools, public structures, or other places of public gathering within close proximity of the subject property.

5. accessibility of the premises for emergency vehicles;

This conversion will not affect the accessibility of the premises for emergency vehicles.

6. accessibility of light and air to the premises and to the property in the vicinity;

This conversion will not affect the accessibility of light and air to the premises and to the 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;

The proposed use will have no impact on utilities, access roads, drainage, or other necessary facilities that have been or will be provided. Those utilities, roads, drainage system, and other facilities are currently adequate and will not be affected.

8. the preservation of cultural and historic landmarks and structures;

Authorization of this conversion will allow for the rehabilitation and subsequent preservation of a 110-year-old structure. However, the rehabilitation will not have any impact on any cultural or historical landmarks or structures.

9. the character of the neighborhood;

Oliver is a historic residential neighborhood comprised mostly of rowhouse blocks. The applicant met throughout the spring with the Historic Oliver Community Association and has earned support for this conversion.

10. the provisions of the City's Comprehensive Master Plan;

This conversion aligns with the Comprehensive Master Plan's goal of preserving and enhancing the value of structures, communities, and neighborhoods. This authorization aligns with both objectives by rehabilitating this vacant property with new housing, which will strengthen the Oliver neighborhood.

11. the provisions of any applicable Urban Renewal Plan;

1730 N. Broadway is identified as a property to be rehabilitated or redeveloped in the Oliver Urban Renewal Plan. This Plan permits the development of multi-family attached dwellings. The Plan endeavors to ensure that East Baltimore's distinct architectural character is upheld and strengthened through rehabilitation. The residential conversion of 1730 N. Broadway will meet that goal.

12. all applicable standards and requirements of this Code;

The conversion will meet all applicable standards and requirements of the Zoning Code with the exception of the bulk and yard and off-street parking regulations that require a variance as part of this ordinance.

13. the intent and purpose of this Code; and

The Code functions in part to advance the goals of the Comprehensive Master Plan. This conversion aligns with the Comprehensive Master Plan's goal of preserving and enhancing the value of structures, communities, and neighborhoods. This authorization aligns with both objectives by rehabilitating this vacant property with new housing, which will strengthen the Oliver neighborhood.

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

The Historic Oliver Community Association supports this conversion.

In addition, the City Council may not approve a conditional use or sign unless, after public notice and hearing and on consideration of the standards required by this subtitle, the Council finds that:

1. the establishment, location, construction, maintenance, or operation of the conditional use or sign would not be detrimental to or endanger the public health, safety, or welfare;

The proposed conversion will not be detrimental to or endanger the public health, safety, or welfare. The Historic Oliver Community Association supports this conversion.

2. the use or sign would not be precluded by any other law, including an applicable Urban Renewal Plan;

No law or applicable Urban Renewal Plan precludes this conversion.

3. the authorization would not be contrary to the public interest; and

The Historic Oliver Community Association supports this conversion.

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

The Code functions in part to advance the goals of the Comprehensive Master Plan. This conversion aligns with the Comprehensive Master Plan's goal of preserving and enhancing the value of structures, communities, and neighborhoods. This authorization aligns with both objectives by rehabilitating this vacant property with new housing, which will strengthen the Oliver neighborhood.

3. Variances Necessary for Conversion of 1730 N. Broadway

Plans for this conversion require variances from the requirements of ZC § Table 9-401: Rowhouse and Multi-Family Residential Districts—Bulk and Yard Regulations; § 9-703(c), concerning the gross floor area provisions for each unit; and §9-703(f), 16-203, and 16-602, concerning off-street parking.

a. ZC § 5-308: Variance Approval Standards

Granting a variance requires the City Council find in part that, because of the structure or property's physical surroundings, shape, or conditions, an unnecessary hardship or practical difficulty would result if the Zoning Code were strictly followed. This standard requires applicants establish: (1) uniqueness, (2) an unnecessary hardship or practical difficulty imposed by the Code, and (3) that the uniqueness is the proximate cause of that hardship. The Council must also find that the request meets the elements outlined § 5-308(b), addressed at the end of this memorandum.

1. Uniqueness

The 1700 block of North Broadway is comprised almost entirely of occupied, online housing. 1730 N. Broadway is unique because it is vacant. 1730 N. Broadway is also the only irregularly shaped lot on the block. Its rear-yard property line is angled; the others are straight.

2. Practical Difficulty

Rehabilitation will require a full interior demolition of the unusable remains, followed by a complete restoration. This is not economically feasible if the end result is a single-family rowhouse dwelling. A multi-family conversion is necessary to make the

rehabilitation work. Because the existing structure is three stories, it would present a practical difficulty to limit the number of units to two: with the basement and first floor combining to create one unit and the second and third floor creating the second. The upper unit would in that case be more than 1,300 square feet: larger than most people looking for an apartment prefer. It makes more sense to put one unit on each floor and have the two upper units be slightly smaller than the size required of them per ZC § 9-703(c) than to install one unit on floors two and three and market the property as two very large apartments.

Because of the restrictions imposed by the lot's dimensions and configuration—which limit the number of cars that can park on the premises and affects density measurements—an off-street parking variance is necessary to accommodate the proposed development. Only one car can fit on the property due to the existing structure.

3. Uniqueness as the Proximate Cause of Hardship or Difficulty

The property's odd configuration makes it challenging to meet the gross floor area requirements required by § 9-703(c). The building's present condition requires a variance from the minimum lot size requirements because the work necessary requires a conversion to make the project economically feasible.

4. ZC § 5-308(b)

Under ZC § 5-308(b), the City Council must also find that:

- 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;

The conditions on which the application is based are unique to the property for which the variance is sought because no other property on this block of North Broadway is vacant, and no redevelopment of those properties is necessary to make productive use of the lots.

- 2) the 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 practical difficulty is caused by the provisions of the Code, which would otherwise prevent the productive restoration of this vacant property. The property owner has not acted or declined to act in any way with respect to this property and its ability to conform to the applicable provisions of the Zoning Code.

- 3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;

The purpose of the variances is to allow for the restoration of a vacant rowhouse.

- 4) the variance will not:
 - a. be injurious to the use and enjoyment of other property in the immediate vicinity;
or
 - b. substantially diminish and impair property values in the neighborhood;

The variances will not be injurious to the use and enjoyment of other property in the immediate vicinity. Neighboring properties will not be affected by the variances or by the restoration of this property. The variances will not substantially diminish or impair properties values in the neighborhood. The redevelopment will remove a vacant rowhouse from the block, which should improve property values.

- 5) the variance is in harmony with the purpose and intent of this Code;

The Code functions in part to preserve the value of structures and improve the qualities of communities and neighborhoods. These variances will further that interest by allowing for one of the few vacant properties on this block to be restored as suitable housing.

- 6) the variance is not precluded by and will not adversely affect:
 - a. any Urban Renewal Plan;
 - b. the City's Comprehensive Master Plan; or
 - c. any Historical and Architectural Preservation District; and

This variances are not precluded by and will not adversely affect any Urban Renewal Plan; the Comprehensive Master Plan; or any Historical and Architectural Preservation District.

- 7) the variance will not otherwise:
 - a. be detrimental to or endanger the public health, safety, or welfare; or
 - b. be in any way contrary to the public interest.

The variances associated with this conditional use will not impact public health, safety, or welfare and is not in any way contrary to the public interest. The Historical Oliver Community Association met with and reviewed plans for this redevelopment and provided the Council with a letter of support.

5. Summary and Conclusion

This legislation will allow for the redevelopment of a long-vacant rowhouse in the Oliver neighborhood. The developer has earned support from the Historic Oliver Community Association for this conversion. Variances are necessary to successfully rehabilitate and convert the building from a single-family dwelling to a multi-family dwelling with three units. For these reasons, the legislation should be recommended for approval.



CARBALLO ARCHITECTURE

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BALTIMORE, MD 21231
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ADAM CARBALLO - ARCHITECT

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EXPIRATION DATE 3/27/2025.

CONSULTANTS:

MEP:

STRUCTURAL:

1730 N BROADWAY

OWNERSHIP INFO

Client

Author

Checker

Project Status

REV. NO.	DESCRIPTION	DATE
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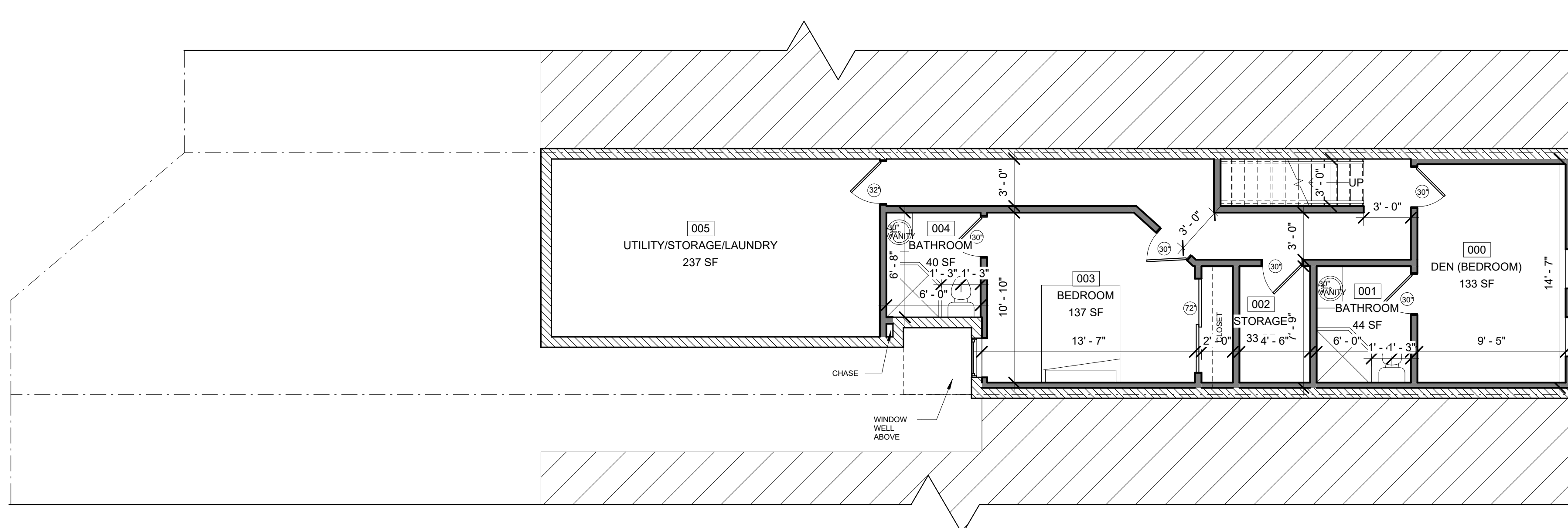
SHEET NAME

BASEMENT PLAN

SHEET NUMBER

0001-A-A1

3/16" = 1'-0"



B Basement Proposed
3/16" = 1'-0"

WALL LEGEND

	NEW PARTITION		DEMO PARTITION
	EXISTING PARTITION		FR. PARTITION
	NOT IN SCOPE		

GENERAL NOTES

- DO NOT SCALE DRAWINGS.
- CONTRACTOR IS RESPONSIBLE FOR PULLING ALL PERMITS AND PAYING ANY ASSOCIATIVE FEES.
- CONTRACTOR SHALL COMPLY WITH ALL HEALTH AND LIFE SAFETY REQUIREMENTS AS DIRECTED BY BALTIMORE COUNTY AND THE STATE OF MARYLAND.
- INTERIOR FINISHES ARE CLIENT'S CHOICE
- INTERIOR LIGHTING SELECTION ARE CLIENT'S CHOICE
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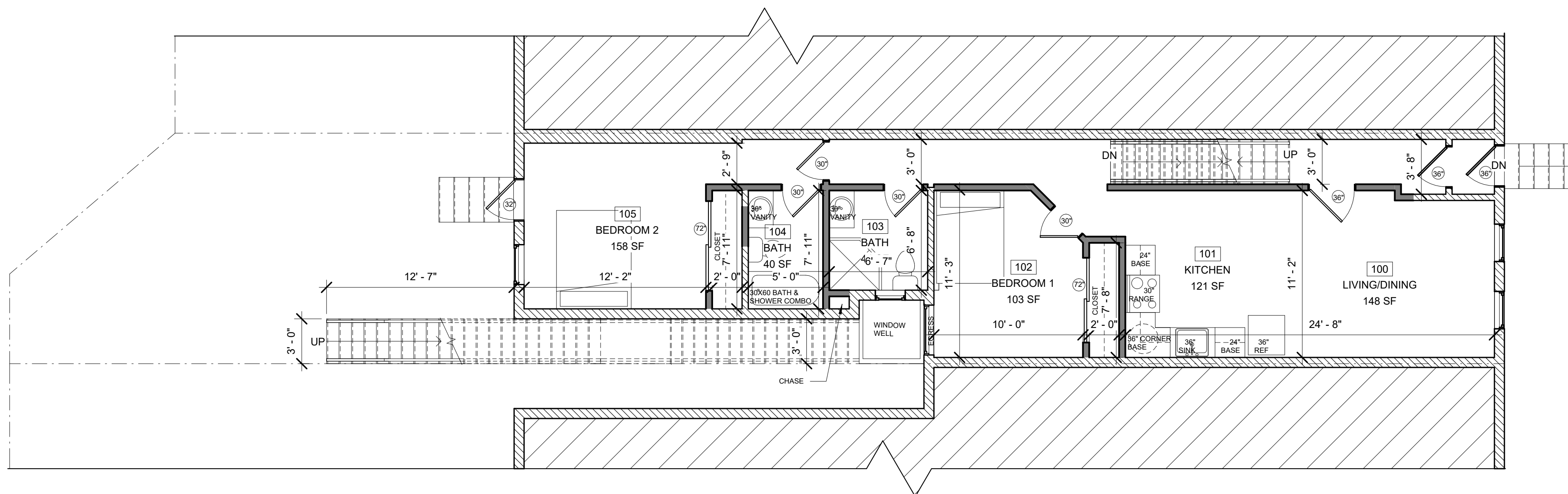
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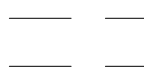
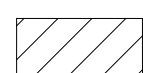


STRUCTURAL:

1730 N BROADWAY



1 First Floor Proposed
3/16" = 1'-0"

WALL LEGEND

	NEW PARTITION		DEMO PARTITION
	EXISTING PARTITION		FR. PARTITION
	NOT IN SCOPE		

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OWNERSHIP INFO

Client

Author

Checker

Project Status

REV No.	DESCRIPTION	DATE
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SHEET NAME

FIRST FLOOR

SHEET NUMBER

0002-A=A2

3/16" = 1'-0"



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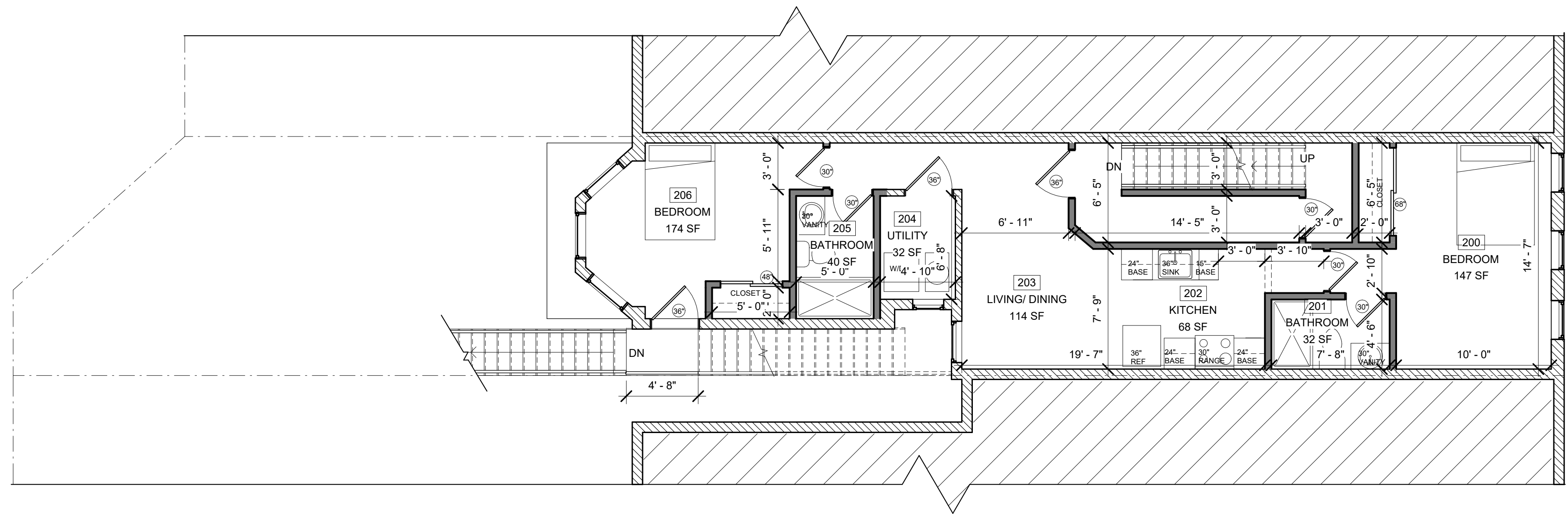
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CONSULTANTS:

MEP:

STRUCTURAL:

1730 N BROADWAY



② Second Floor Proposed
 3/16" = 1'-0"

WALL LEGEND

	NEW PARTITION		DEMO PARTITION
	EXISTING PARTITION		FR. PARTITION
	NOT IN SCOPE		

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OWNERSHIP INFO

Client _____
 Author _____
 Checker _____
 Project Status _____

REV. NO.	DESCRIPTION	DATE
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SHEET NAME

SECOND FLOOR PLAN

SHEET NUMBER

0003-A=A3



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CONSULTANT:

MEP:

STRUCTURAL:

1730 N BROADWAY

OWNERSHIP INFO

Client

Author

Checker

Project Status

REV No.	DESCRIPTION	DATE
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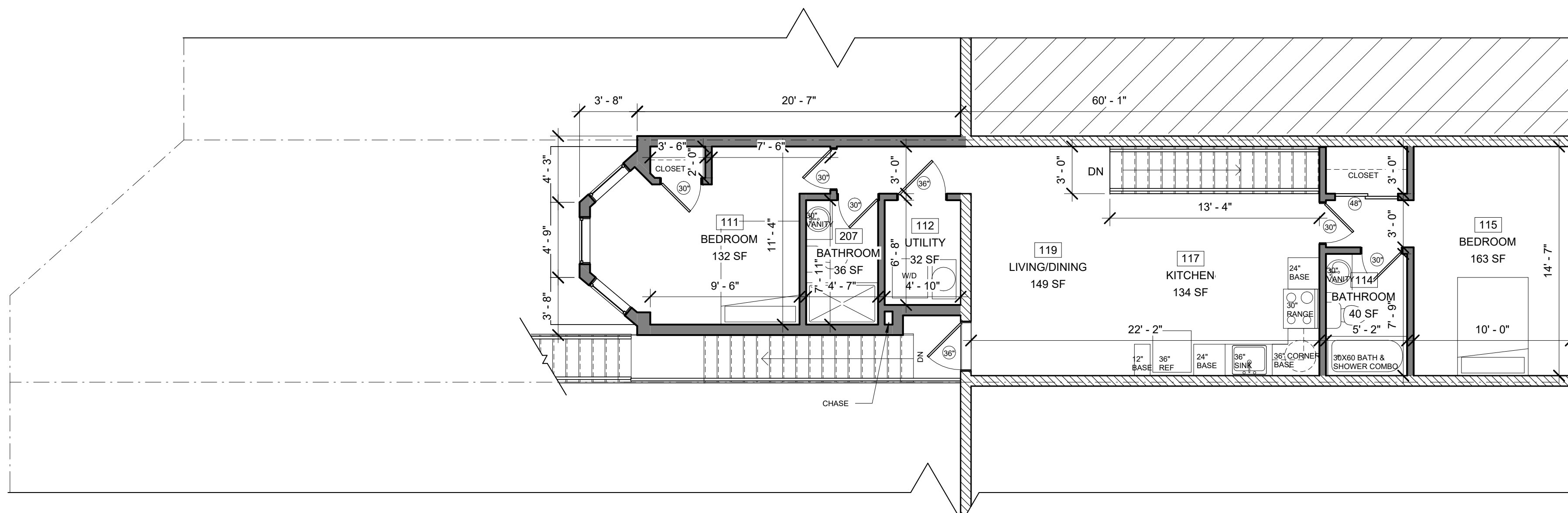
SHEET NAME

THIRD FLOOR
PLAN

SHEET NUMBER

0004-A=A4

3/16" = 1'-0"



③ Third Floor Proposed
3/16" = 1'-0"

WALL LEGEND

	NEW PARTITION		DEMO PARTITION
	EXISTING PARTITION		FR. PARTITION
	NOT IN SCOPE		

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CONSULTANTS:

MEP:

STRUCTURAL:

1730 N BROADWAY

OWNERSHIP INFO

Client

Author

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Project Status

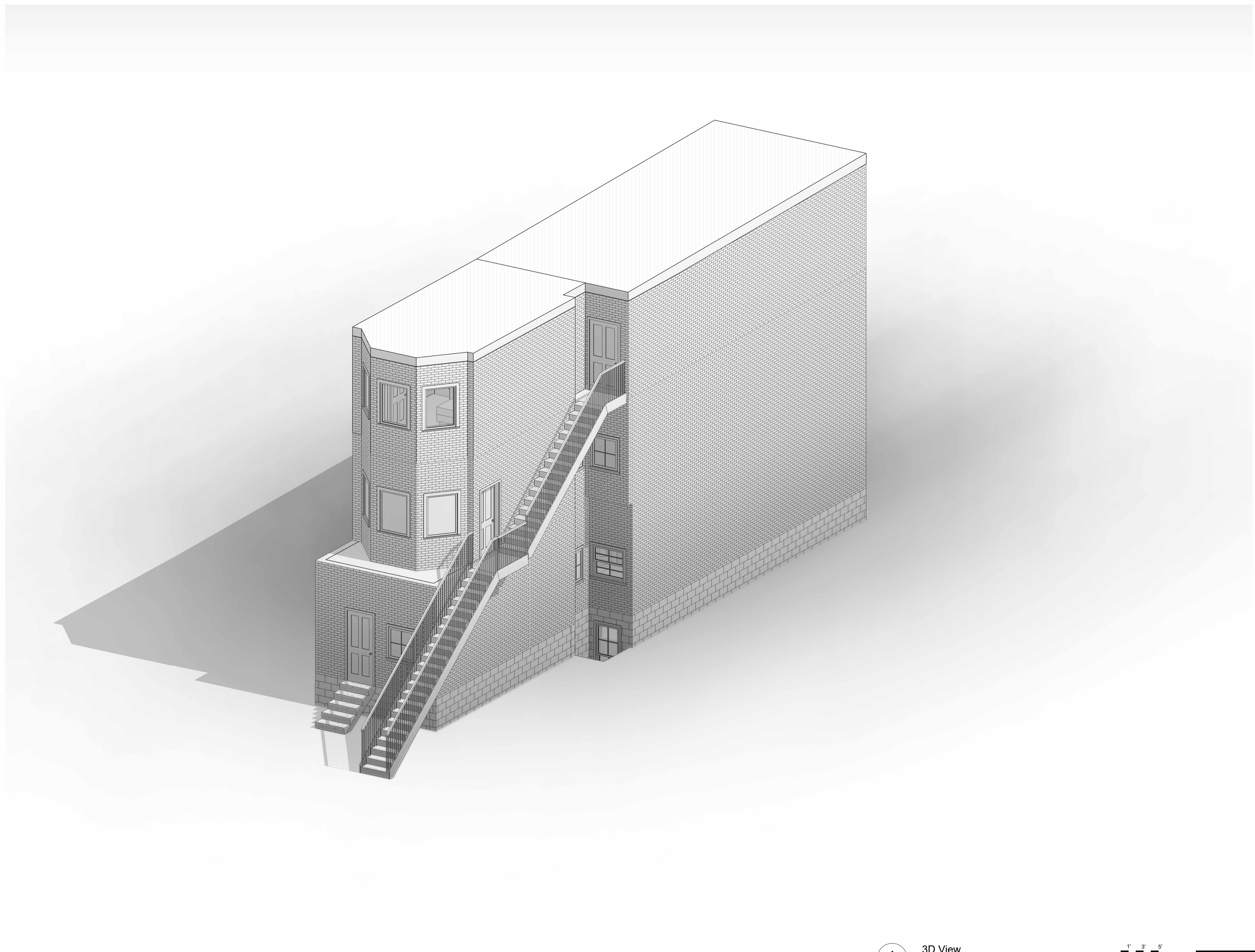
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SHEET NAME

3D View

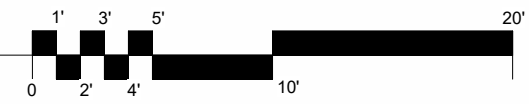
SHEET NUMBER

0000-G=G2



1

3D View





Chase Hoffberger <chase.hoffberger@gmail.com>

Letter of support for 1730 N. Broadway Avenue development

Pam Moore <pam.moore@baltimore-oliver.org>

Wed, Jun 26, 2024 at 2:08 PM

To: "Stokes, Robert (City Council)" <Robert.Stokes@baltimorecity.gov>

Cc: BOCA Development <development@baltimore-oliver.org>, "Messer, Nicole M. (City Council)" <nicole.messer@baltimorecity.gov>, Chase Hoffberger <chase.hoffberger@gmail.com>

Dear Councilman Stokes:

This email serves as our letter of support for Samson Kabreab and Alex Zemicheal's proposal to convert [1730 N. Broadway Avenue](#) from single-family status to a multi-family property, requiring an ordinance for conditional use authorization by the Mayor and City Council. Messrs. Kabreab and Zemicheal intend to redevelop this currently vacant property as three units. The Historic Oliver Community Association believes that this will be a positive development for the Oliver community.

Our review of proposals for these types of conversions are substantive. We meet with the prospective developer and require their population of a detailed intake form. Following delivery of that intake form, we review their company materials to determine whether a more thorough review is worthwhile. We meet with the developer onsite at one of their completed developed properties to review the quality of their work, and we require that the developer provide a reference of an individual that currently lives at a property that they have redeveloped. We also speak with the immediate neighbors of the prospective redevelopment to assess their perspective on the conversion. We then take our findings to our board for deliberation and a determination of whether we wish to support the project. The whole process can take two months.

In this instance, we were impressed with the work that this development team has already accomplished in East Baltimore and believe that they will do good work in the Oliver community on this redevelopment. They were very transparent about the project and willing to talk through any questions we posed. We are pleased to support their pursuit of a conversion bill.

Let me know if you have any questions or concerns.

Pam Moore

President

Historic Oliver Community Association

www.myOliver.org A National Register of Historic Places

Development@Baltimore-Oliver.org - Development Inquiries

Info@Baltimore-oliver.org - General Inquiries

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