

ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

FINDINGS OF FACT

City Council Bill No. 24-0549

MOTION OF THE CHAIR OF THE COMMITTEE ON WAYS & MEANS, 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:

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances 1002 West Lanvale Street

1. The establishment, location, construction, maintenance, or operation of the conditional use **will not** be detrimental to or endanger the public health, safety, or welfare **for the following reasons:**
 - Multi-family dwellings are permitted in the R-8 district and staff finds that this 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;
 - The use is permitted by the R-8 district and would not conflict with the Harlem Park Urban Renewal Plan.
3. the authorization **would not** be contrary to the public interest **for the following reasons:**
 - Use of this property as a multi-family dwelling is in the public interest because it will provide additional housing options in the community. The proposed use has support from the local community organization.
4. the authorization **would** be in harmony with the purpose and intent of this Code **for the following reasons:**
 - Use of this property as a multi-family dwelling will provide additional housing options in the community with no negative impact on public health, safety, or welfare.

After consideration of the following, **where applicable (fill out all that are relevant):**

1. the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
 - 1002 Lanvale Street is located on the northwest corner of the street. The lot is irregular and contains approximately 4,400 square feet of space. The lot has an 18' X 52' three-story rowhome which would be the structure converted into two dwelling units.
2. the resulting traffic patterns and adequacy of proposed off-street parking and loading;
 - Staff find that there would be no change in traffic patterns and the Parking Authority finds that there is sufficient on-street parking to accommodate demand.
3. the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
 - This property is in the eastern Harlem Park neighborhood, which is predominantly residential, with the housing stock largely comprised of row homes. There were no concerns about future or current development presented in the hearing.
4. the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
 - There is reasonable proximity to other dwellings, churches, and other places of worship, schools, public structures, and places of public gathering.
5. accessibility of the premises for emergency vehicles;
 - There is adequate accessibility for emergency vehicles,
6. accessibility of light and air to the premises and to the property in the vicinity;
 - There is adequate accessibility of light and air to the premises.
7. the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;
 - There are adequate utilities, roads, drainage, and other necessary facilities.
8. the preservation of cultural and historical landmarks and structures;
 - The proposed use of the existing structure would not affect the preservation of cultural and historical landmarks and structures.
9. the character of the neighborhood;

- This property is in the Harlem Park neighborhood, which is predominantly residential in nature, with the housing stock largely comprised of row homes. The Committee has received a letter of support from the Harlem Park Neighborhood Council.

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

- While consistent with provisions of the City's Comprehensive Master Plan, the proposed use is not prevented or limited by any Urban Renewal Plan.

11. the provisions of any applicable Urban Renewal Plan;

- The proposed use is not prevented or limited by the Harlem Park Urban Renewal Plan which applies to the property.

12. all applicable standards and requirements of this Code;

- The proposed use requires a variance from the off-street parking requirements. With the variance, the use meets all applicable standards and requirements of the Zoning Code. The Parking Authority has noted that the rear of the lot does not currently support any parking and does not seem accessible via a public right of way.

13. the intent and purpose of this Code; and

- The proposed use is consistent with the intent and purpose of the Zoning Code.

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

- The proposed use is consistent with any other matters considered to be in the interest of the general welfare.

FINDINGS OF FACT FOR VARIANCE

City Council Bill No. 24-0549

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

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances 1002 West Lanvale Street

OFF-STREET PARKING REQUIREMENTS

(Use a separate Variance form for each Variance sought in the bill)

THRESHOLD QUESTION:

- ☒ *In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

HARDSHIP OR PRACTICAL DIFFICULTY:

The City Council has considered at least one of the following:
(check all that apply to evidence consideration)

- ☒ The physical surroundings around the **STRUCTURE / LAND** involved;
(underline one)
- ☒ The shape of the **STRUCTURE / LAND** involved;
(underline one)
- ☐ The topographical conditions of the **STRUCTURE / LAND** involved.
(underline one)

*and finds **either** that:*

- (1) An unnecessary hardship **WOULD / WOULD NOT** (underline one) exist if the strict letter of the applicable requirement from which the variance is sought were applied because:
- a. The Parking Authority has noted that the rear of the lot does not currently support any parking and does not seem accessible via a public right of way. The Parking Authority also finds that there is sufficient on-street parking to meet demand

or that:

(2) Practical difficulty **WOULD / WOULD NOT** (*underline one*) exist if the strict letter of the applicable requirement from which the variance is sought were applied because:

Conditions on which this variance is based are unique to this property and are not generally applicable to other property within the same zoning classification. The purpose of the variance needed is not based exclusively on a desire to increase the value or income potential of the property. The variance would not be injurious to the use and enjoyment of other property in the immediate vicinity and not substantially diminish or impair property values in the neighborhood. The variance requested is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Commission's report, dated August 2, 2024, including the Department of Planning Staff Report, dated July 11, 2024.

[X] Testimony presented at the Committee hearing.

Oral – Witness:

- Michele Toth, Law Department
- Hillary Ruley, Dept of Law
- Eric Tiso, Planning Commission
- Christian McNeill, Department of Transportation
- Jason Wright, Department of Housing and Community Development
- Kris Misage, Parking Authority
- Ty'lor Schnella – Mayor's Office of Government Relations

Written:

- Department of Transportation, Agency Report – Dated August 2, 2024
- Board of Municipal and Zoning Appeals, Agency Report – Dated June 17, 2024
- Law Department, Agency Report – Dated August 27, 2024
- Department of Housing and Community Development, Agency Report – July 23, 2024
- Baltimore Development Corporation, Agency Report – Dated July 15, 2024
- Fire Department, Agency Report – June 28, 2024
- Parking Authority, Agency Report – Dated July 22, 2024

COMMITTEE MEMBERS VOTING IN FAVOR

Eric Costello, Chair
Danielle McCray
Sharon Green Middleton
Robert Stokes