



**BALTIMORE CITY COUNCIL
ECONOMIC AND COMMUNITY DEVELOPMENT
COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the Committee on Economic and Community Development (ECD) is responsible for supporting strong thriving communities. ECD will review proposed zoning and land use changes, tackle issues related to economic development, oversee housing policy, and promote equitable economic opportunity for all Baltimore residents.

The Honorable Sharon Green Middleton

PUBLIC HEARING

February 27, 2024

2:02 PM

CLARENCE "DU" BURNS COUNCIL CHAMBERS

23-0437

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit
to 3 Dwelling Units in the R-8 Zoning District - 1600 South Charles
Street**

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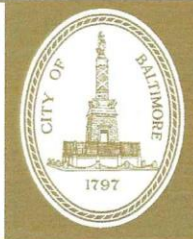
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BILL SYNOPSIS

Committee: Economic and Community Development

Bill: 23-0437

Title: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - 1600 South Charles Street

Sponsor: Council Member Costello

Introduced: October 2nd, 2023

Purpose: For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1600 South Charles Street (Block 1013, Lot 065), as outlined in red on the accompanying plat.

Effective: 30 days after enacted

Agency Reports

City Solicitor	Approve for form and sufficiency
Dept Housing & Community Development	Support
Planning Commission	Support with amendments
BMZA	Defers to Planning
BDC	No Objection
Dept Transportation	No Objection
Parking Authority	Supports
Fire Department	No Objection

Analysis

Current Law

Article 32 – Zoning, Sections 5-201(a) and Table 9-301 (R-6).

To approve a conditional use, the City Council must find, based on facts presented at a hearing on the bill:

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 the Baltimore City Zoning Code

Background

This bill if enacted would allow for the property originally a semidetached single dwelling to be converted into 3 dwelling units. Located at the intersection of South Charles Street and Randal Street the property has been used as a mix dwelling. The prior property owner lowered the basement floor 2 feet to allow it to be used as a dwelling. This work was not permitted and compromised the walls of the building. The current owner has begun work to make the property habitable again.

The building covers the entire lot and is 16'x80' located in the Riverside community of South Baltimore.

Amendments

As a part of their analysis, the staff of the Planning Department are recommending the following variances:

1. Add a lot area variance of 595 square feet or 31.73%
 2. Add an off street parking variance of two spaces
 3. Add a variance of gross floor area conversion standards for two of the three proposed dwelling units: authorize 816 sq feet and 869 sq feet in lieu of 1,000 sq feet.
 4. Add confirmation of continuing nonconforming structures status for the existing building based upon existing lot coverage and existing interior side yard and rear yard setbacks.
-
-

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports, 23-0437 1st reader,

Analysis by: Anthony Leva

Direct Inquiries to: 410-396-1091

Analysis Date: February 21, 2024

CITY OF BALTIMORE
COUNCIL BILL 23-0437
(First Reader)

Introduced by: Councilmember Costello

At the request of: Leon Batie Jr.

Address: c/o AB Associates, Chase Hoffberger

225 E. Redwood St., Suite 400G

Baltimore, Maryland 21202

Telephone: (512) 536-0763

Introduced and read first time: October 2, 2023

Assigned to: Economic and Community Development Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit**
3 **to 3 Dwelling Units in the R-8 Zoning District –**
4 **1600 South Charles Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1600
7 South Charles Street (Block 1013, Lot 065), as outlined in red on the accompanying plat.

8 BY authority of

9 Article - Zoning

10 Section(s) 5-201(a) and 9-701(2)

11 Baltimore City Revised Code

12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That
14 permission is granted for the conversion of a single-family dwelling unit to 3 dwelling units in
15 the R-8 Zoning District on the property known as 1600 South Charles Street (Block 1013,
16 Lot 065), as outlined in red on the plat accompanying this Ordinance, in accordance with
17 Baltimore City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building
18 complies with all applicable federal, state, and local licensing and certification requirements.

19 **SECTION 2. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the
20 accompanying plat and in order to give notice to the agencies that administer the City Zoning
21 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
22 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
23 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
24 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of

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

Council Bill 23-0437

1 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
2 the Zoning Administrator.

3 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
4 after the date it is enacted.

**ECONOMIC AND COMMUNITY
DEVELOPMENT COMMITTEE**

23-0437

AGENCY REPORTS

**ZONING - CONDITIONAL USE CONVERSION OF
A SINGLE-FAMILY DWELLING UNIT TO 3
DWELLING UNITS IN THE R-8 ZONING DISTRICT
- 1600 SOUTH CHARLES STREET**

CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
JAMES L. SHEA, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

January 17, 2024

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

Re: City Council Bill 23-0437 – Zoning – Conditional Use Conversion of Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – 1600 South Charles Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0437 for form and legal sufficiency. The bill would permit the conversion of a single-family dwelling unit into 3 dwelling units at 1600 South Charles Street (Block 1013, Lot 065), which is in an R-8 Zoning district. The ordinance would take effect on the 30th day after the enactment date.

In general, a conversion of a single-family to a multiple family dwelling can occur only in the R-7 through R-10 Districts and only if the structure was originally constructed as a single-family dwelling and has at least 1,500 square feet or more in gross floor area. Baltimore City Code, Art. 32, §§ 9-701; 9-703.

When a property is converted to multiple dwelling units, as is requested in this bill, each unit must have a certain amount of square feet of gross floor area depending on the number of bedrooms in the unit. Baltimore City Code, Art. 32, § 9-703(c). In this case, the conversion proposed is for three new dwellings. Each one-bedroom unit is required to have 750 square feet. Baltimore City Code, Art. 32, § 9-703(c)(1). Thus, a total of 1,875 square feet of space is required but the property has only 1,280 square feet, according to the Planning Report. Thus, a variance for floor area is required.

Additionally, at least one off-street parking space must be provided per dwelling unit. Baltimore City Code, Art. 32, § 9-703(f). Since there are not enough parking spaces for this property a two-space parking variance is needed.

The converted dwelling must continue to conform to the bulk and yard regulations, including minimum lot size, for the district in which the building is located. Baltimore City Code, Art. 32, § 9-703(d). The minimum lot size for a row house in an R-8 district is 750 square feet per dwelling unit. Baltimore City Code, Art. 32, Table 9-401. The maximum lot coverage allowed in an R-8 district for a multi-family dwelling is 80% of the total lot. City Code, Art. 32, § 9-401;

Tbl. 9-401. Since variances were not requested for these bulk regulations it is assumed that none are needed.

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, based on facts presented at the hearing on the bill:

- (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, §§ 5-404(a); 5-406(a). The Planning Report contains findings of fact on these matters.

Variance Standards

To grant any 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). The Planning Report finds facts to support these variances, noting that this is a triangular structure from the 19th Century on a triangular lot.

Hearing Requirements

The City Council committee assigned the bill must consider it at a scheduled public hearing wherein it will hear and weigh the evidence. Baltimore City Code, Art. 32, §§ 5-404(a); 5-406; 5-507; 5-602. 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.

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(c).

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.

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). The only properties eligible for conversions are those that were “originally constructed as a single-family dwelling” and contain “1,500 square feet or more in gross floor area” exclusive of any basement area. Baltimore City Code, Art. 32, § 9-703(b).

The Planning Commission Report (“Report”) notes that this property was originally constructed as a single-family dwelling and the building contains approximately 2,661 square feet, making it clearly eligible for the conversion. The Report further notes that because of its particular surroundings and shape of the building, a practical difficulty would result of the strict letter of the law applicable to the Zoning Code requirements were implemented.

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).

However, the Report further notes that the following amendments are necessary. All of the variances and conditions listed below would be legally sufficient. Baltimore City Code, Art. 32, § 5-405.

1. Add a lot variance of 595 square feet, or 31.73%;
2. Add an off-street parking variance of two spaces;
3. Add a variance of gross floor area conversion standards for two of the three proposed dwelling units and authorize 816 square feet and 869 square feet in lieu of 1,000 square feet; and
4. Add confirmation of continuing nonconforming structure status for the existing building based upon existing lot coverage and existing interior side yard and rear yard setbacks.

Procedural Requirements

Certain procedural requirements apply to this bill because conditional uses are considered “legislative authorizations.” Baltimore City Code, Art. 32, § 5-501(2). Specifically, notice requirements apply to the bill, and it must be referred to certain City agencies, which are obligated to review it in a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506, 5-602. The City Council must consider the above law at the scheduled public hearing wherein it will hear and weigh the evidence to make findings of fact as outlined above. Baltimore City Code, Art. 32, § 5-602. If the Committee makes findings that support the conditional use sought, it may adopt those findings and the legal requirements will be met. Finally, certain limitations on the City Council’s ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507.

This bill is the appropriate method to review the facts and make the determination as to whether the legal standards for a conditional use have been met. Assuming the required findings are made at the hearing, all procedural requirements are satisfied and Planning's recommended amendments to the bill are implemented, the Law Department can approve the bill for form and legal sufficiency.

Sincerely,

Teresa Cummings

Teresa Cummings
Assistant Solicitor



PARKING
OF BALTIMORE CITY
AUTHORITY

MEMORANDUM

To: Nick J. Mosby, President, Baltimore City Council

From: Peter Little, Executive Director

Date: January 23, 2024

Subject: City Council Bill 23-0437

I am herein reporting on City Council Bill 23-0437 introduced by Councilmember Costello at the request of Leon Batie Jr, c/o AB Associates, Chase Hoffberger.

The purpose of this bill is to permit, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1600 South Charles Street (Block 1013, Lot 065).

The Parking Authority of Baltimore City (PABC) has reviewed the proposed legislation and the Planning Staff report. Planning finds that the lot size of approximately 16' by 80' means the existing internal garage and curb cut cannot provide parking spaces meeting Zoning Code standards (9'x18'). As such, this conversion will require a two-space off-street parking variance.

This property is located within PABC-administered Residential Permit Parking (RPP) Area #30. City Council Bill 23-0441 (currently in committee) would exclude the converted 3 dwelling-unit building from the RPP Area #30 program (that is, residents of the building would not be able to purchase permits to park in Area #30 spaces).



PABC staff conducted site visits in November and December of 2023. PABC investigated the parking situation during daytime and evening hours on both RPP-restricted blocks and non-RPP restricted blocks in the area. There appear to be 2 or more parking spaces available during daytime hours on both types of blocks, but extremely limited on-street availability in the evening. There are off-street parking garages in the vicinity. Unfortunately, multi-family-building garages within ½ mile of the property are off-limits to non-residents. The public West Street Garage is within ½ mile and accepts monthly contracts, but currently has a one-year waiting list. Off-street monthly contract parking is

available for non-residents at the 414 Light garage, which is nearly 1 mile from the property. 1600 S Charles is located in a very walkable neighborhood (Walk Score of 93). The property is within walking distance of bus stops for MTA buses CityLink Silver, #94 and #67, and the Charm City Circulator, and within $\frac{3}{4}$ mile of a Light Rail stop.

The PABC would encourage the owner/property manager to inform prospective residents that they may not be able to participate in the RPP program.

This bill will have no or minimal fiscal impact on PABC programs.

Based on the comments above, the PABC respectfully requests a favorable report on City Council Bill 23-0437 including a variance for two off-street parking spaces.

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #23-0437// ZONING – CONDITIONAL USE CONVERSION TO 3 DWELLING UNITS – 1600 SOUTH CHARLES STREET		

TO

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

DATE: December 22, 2023

At its regular meeting of December 21, 2023, the Planning Commission considered City Council Bill #23-0437, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known 1600 South Charles Street (Block 1013, Lot 065), as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval as amended of City Council Bill #23-0437, and adopted the following resolution, with 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 and shape of the specific structure, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements were carried out; and therefore recommends that City Council Bill #23-0437 be **amended and approved** by the City Council.

If you have any questions, please contact Mr. Martin French in the Land Use and Urban Design Division at 410-396-1354.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Ms. Rebecca Witt, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services
Mr. Chase Hoffberger, AB Associates o.b.o. Leon Batie, Jr.



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

December 21, 2023

REQUEST: City Council Bill #23-0437/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – 1600 South Charles Street:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1600 South Charles Street (Block 1013, Lot 065), as outlined in red on the accompanying plat.

RECOMMENDATION: Amendment, and Approval as amended

Amendments:

1. Add a lot area variance of 595 square feet, or 31.73%
2. Add an off-street parking variance of two spaces
3. Add a variance of gross floor area conversion standards for two of the three proposed dwelling units: authorize 816 square feet and 869 square feet in lieu of 1,000 square feet
4. Add confirmation of continuing nonconforming structure status for the existing building based upon existing lot coverage and existing interior side yard and rear yard setbacks

STAFF: Martin French

PETITIONER: Councilmember Costello, at the request of Leon Batie, Jr.

OWNER: Leon Batie, Jr.

SITE/GENERAL AREA

Site Conditions: 1600 South Charles Street is located on the southwest corner of its intersection with Randall Street. This property measures approximately 16' by 80' and is currently improved with a three-story semi-detached residential mixed-use building covering the entire lot. Prior to 2014 this property was used as a multi-family dwelling and a gift and card shop. The previous owner of this property, during 19 years of ownership, had the original basement floor lowered by two feet in order to provide head clearance for occupation and use of the basement. As a result of this unfortunate work without permit and also without underpinning of the building's foundation, walls of the building were seriously compromised. The current owner has had underpinning completed and restoration and partial replacement of building walls initiated in order to make the premises habitable again.

This site is zoned R-8 and is located within the Riverside National Register Historic District and the South Baltimore community.

General Area: This is a primarily residential area with scattered non-residential uses such as religious institutions and small street-corner commercial uses located several blocks in either direction along Charles Street.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site. The area around this property retained its R-8 zoning during the comprehensive rezoning process associated with adoption of the current Zoning Code which became effective on June 5, 2017.

ANALYSIS

Zoning Analysis:

- The Zoning Code requires, for a property in the R-8 zoning district, 750 square feet of lot area per dwelling unit (BCZC Table 9-401). A lot area of 1,875 square feet is thus required for three dwelling units. As this lot has approximately 1,280 square feet, a 595 square feet lot area size variance, amounting to approximately 32%, is needed for approval. A lot area variance needs to be added to the bill.
- One off-street parking space is required to serve each newly created dwelling unit (BCZC §16-203 and Table 16-406). As photographs of this property show an existing garage door fronted by a curb cut on Randall Street, it can be acknowledged that small motor vehicles may be capable of being parked there on site. Since the property cannot provide parking spaces meeting Zoning Code standards, because the existing structure is on a lot that is only 16' wide, making the garage structure included in the existing building inadequate to provide off-street parking spaces meeting the Zoning Code standard of 9' wide by 18' deep (BCZC Table 16-402), a two-space parking variance needs to be added to the bill.
- Floor plans provided by the owner propose creation of a two-bedroom dwelling unit in the front portion of the first and second floor levels of the existing structure, which would incorporate the former commercial space; a two-bedroom dwelling unit in the rear portion of the first and second floor levels of the structure; and a two-bedroom dwelling unit on the third floor level of the structure, with a deck to be built above the roof over the rear of the second floor level. A two-bedroom dwelling unit requires 1,000 square feet of gross floor area (BCZC §9-703(c)). Both of the bi-level dwelling units will not provide at least 1,000 square feet of gross floor area to satisfy the conversion requirement for two-bedroom units: plans show 816 square feet and 869 square feet of floor area for these two proposed dwelling units. (The third floor dwelling unit would have approximately 1,027 square feet and would satisfy the residential conversion standard.) A variance of gross floor area per dwelling unit needs to be added to the bill.
- As a multi-family dwelling structure is allowed a maximum lot coverage of 80% and the last authorized use of the structure as a single-family dwelling allowed a maximum lot coverage of 35% (BCZC Table 9-401), while the existing structure fully covers the lot but has a history of approved use as a multi-family dwelling, the degree of nonconformity

would be reduced by residential conversion. The existing building would also be a nonconforming structure because upon conversion it should have an interior side yard setback of 10 feet and a rear yard setback of 20 feet (BCZC Table 9-401 and §15-403(a)). Confirmation of continuing nonconforming status of the existing building should be added to the bill.

Variances: Per §5-308 {"Approval standards"} of Article 32 – *Zoning*:

- *Required finding of unnecessary hardship or practical difficulty:* The existing building contains approximately 2,661 square feet of gross floor area, which creates an unusual ratio of floor area to lot area. The interior space of the building is larger than what would ordinarily be needed for a single-family dwelling, and so the lot area variance requested is reasonable. Likewise, the owner is not able to provide any off-street parking spaces due to the size of the property, and so a parking variance is more reasonable than strict compliance with the requirement.
- *Other required findings:* Planning staff conclude that the conditions on which this application is based are unique to the property for which the variances are sought and not generally applicable to other property within the same zoning classification, as this is a three-story 19th Century structure covering a lot representative of the historic area of which it is a part. Similarly, Planning staff conclude that unnecessary hardship or practical difficulty is not being created by the intentional action of a person with a present interest in the property; and that the purpose of the variances is not based exclusively on a desire to increase the value or income potential of the property, given its large floor area and that its existing structure is large in relation to the lot on which it is situated. Planning staff recommend that the Commission find that the variances would not be injurious to the use and enjoyment of other property in the immediate vicinity; nor substantially diminish and impair property values in the neighborhood; nor adversely affect the City's Comprehensive Master Plan or any Urban Renewal Plan; nor be detrimental to or endanger the public health, safety, or welfare, or be in any way contrary to the public interest.

Conditional Use: Per §5-406 {"Approval standards"} of Article 32 – *Zoning*:

(a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals, nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

- (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.

Establishment, location, construction, maintenance, and operation of a multi-family dwelling at 1600 South Charles Street would not be detrimental to or endanger public health, safety, or welfare. The proposed use is not precluded by any other law, including any Urban Renewal Plan. Use of this property for a multi-family dwelling is not otherwise in any way contrary to the public interest. The authorization would be in harmony with the purpose and intent of the Zoning Code.

Below is the staff's review of §5-406(b) {"Required considerations"} of Article 32 – Zoning:

(b) *Required considerations.*

As a further guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals 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;
- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;
- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
- (5) accessibility of the premises for emergency vehicles;
- (6) accessibility of light and air to the premises and to the property 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;
- (8) the preservation of cultural and historic landmarks and structures;
- (9) the character of the neighborhood;
- (10) the provisions of the City's Comprehensive Master Plan;
- (11) the provisions of any applicable Urban Renewal Plan;
- (12) all applicable standards and requirements of this Code;
- (13) the intent and purpose of this Code; and
- (14) any other matters considered to be in the interest of the general welfare.

Staff finds that the site, including its size and shape, is appropriate for the proposed use. There would be no change to traffic patterns if this use would be authorized. The surrounding area is one in which the predominant residential type was originally single-family owner-occupancy rowhousing but in which some conversions of single-family to multi-family dwellings occurred during the 20th Century. For this reason, it is unlikely that the proposed multi-family use would impair present or future development. There is reasonable proximity of other dwellings, churches and other places of worship, schools, public structures, and places of public gathering. There is adequate accessibility for emergency vehicles, and of light and air to the premises and to other properties in the vicinity. There are adequate utilities, roads, drainage, and other necessary facilities. The proposed use of the existing structure would not affect preservation of cultural and historic landmarks and structures. Approval of the proposed use as a multi-family dwelling would not affect the existing character of the neighborhood, as noted above. While consistent with provisions of the City's Comprehensive Master Plan, the proposed use is not prevented or limited by any Urban Renewal Plan. Multi-family use would meet all applicable standards and requirements of the Zoning Code upon granting of variances discussed previously, and would be consistent with the intent and purpose of the Zoning Code.

Equity considerations: This property is located within a part of Baltimore City that has strong real estate market values and a proportion of whites that is above the City-wide average. The South Baltimore community, as part of the larger Federal Hill – South Baltimore – Locust Point area, has benefitted from significant investment, combined with slight population changes, for several decades. While there would be no apparent or predictable changes to the quality of life in the South Baltimore community that would result from disapproval of this proposed action, there is a predictable, though limited, improvement that could result from completion of renovation and re-use of this property, reinforced by creation of additional housing options for residents. By itself, the proposed action would not change existing patterns of inequity that persist in Baltimore.

Engagement: The owner has worked with the South Baltimore Neighborhood Association and obtained their support for introduction of this bill.

Internal Operations: The proposed residential conversion would not affect the operations of the Department of Planning.

Notification: The South Baltimore Neighborhood Association and Councilman Costello have been notified of this action.



Chris Ryer
Director

**F
R
O
M**

Name & Title	James W. Wallace, Fire Chief 
Agency Name & Address	Baltimore City Fire Department 401 E. Fayette Street, Mezzanine
Subject	City Council Bill #23-0437 – Zoning – Conditional Use Conversion of Single-Family Unit to 3 Dwelling Units in the R-8 Zoning District – 1600 South Charles Street

CITY OF
BALTIMORE

MEMO



TO: The Honorable Nick J. Mosby, President
And All Members of the Baltimore City Council
City Hall, Room 408

DATE: January 10, 2024

The Baltimore City Fire Department (BCFD) has no opposition to Council Bill 23-0437. The location must comply with all applicable codes, ordinances, and laws and shall be required to obtain all required approvals. The location shall comply with the Building, Fire, and Related Codes of Baltimore City 2020 Edition (As enacted by Ord. 15-547, and last amended by Ord. 18-1830) and applicable Maryland laws.

The above does not negate any requirements for submission of plans to the Office of the Fire Marshal for review of construction, fire detection/notification/suppression systems, and automatic sprinkler installation. The location may be subject to an annual fire inspection and/or permits from the Office of the Fire Marshal.

JW/kw



MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Alice Kennedy, Housing Commissioner

Date: February 27th, 2024

Re: City Council Bill 23-0437 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - 1600 South Charles Street

Introduction

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 23-0437 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - 1600 South Charles Street for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1600 South Charles Street (Block 1013, Lot 065), as outlined in red on the accompanying plat.

If enacted, City Council Bill 23-0437 would allow for the conversion of the single-family dwelling unit located at 1600 South Charles Street to 3 dwelling units. The conversion will allow the applicant to provide 3 multi-family residential dwelling units with the creation of a two-bedroom dwelling unit in the front portion of the existing structure on the first and second floors, a two-bedroom dwelling unit in the rear of the first and second floors and a two-bedroom dwelling unit on the third floor.

DHCD Analysis

At its regular meeting of December 21st, 2023, the Planning Commission concurred with the recommendations of its Departmental staff and found that the conditional use conversion of 1600 South Charles Street would not endanger public health, safety or welfare. The Commission recommended that the Bill be amended and approved by the City Council. The suggested amendments pertained to the addition of a lot area variance, a variance for off street parking, gross floor area variances and continuation of the buildings nonconforming structure status.

Work without-a-permit undertaken by a previous property owner resulted in the structural integrity of this building being compromised. The current owner has active permits to undertake the demolition, stabilization and other work necessary to underpin the foundation walls which

will help ensure the continuation of this structure within a historic district. The stabilization of this building and the passage of this legislation may lead to the preservation and ongoing productive use of this building within the South Baltimore community.


This Bill does not have an operational or fiscal impact on DHCD. The property is not located within any of DHCD's Impact Investment Areas, Community Development Zones, or Streamlined Code Enforcement Areas. This conditional use conversion may expand residential rental opportunities for area residents.

Conclusion

DHCD respectfully requests a **favorable** report on the passage of City Council Bill 23-0437.

AK/sm

cc: Ms. Nina Themelis, Mayor's Office of Government Relations

FROM	NAME & TITLE	Corren Johnson, Interim Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Dept. of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 23-0437		

DATE: 2/8/2023

TO: Mayor Brandon Scott
TO: Economic and Community Development Committee
FROM: Department of Transportation
POSITION: **No Objection**
SUBJECT: Council Bill 23-0437

INTRODUCTION - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - 1600 South Charles Street

PURPOSE: For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1600 South Charles Street (Block 1013, Lot 065), as outlined in red on the accompanying plat.

COMMENTS: Council Bill 23-0437 seeks to permit the conversion of a single-family dwelling unit located at 1600 South Charles Street to 3 dwelling units. The R-8 Zoning District permits is intended for residential uses in moderately set back row homes. The conversion of 1600 South Charles Street would be permitted under this zoning district. The property is located in South Baltimore in the 11th Council District.

AGENCY POSTION: The Baltimore City Department of Transportation foresees no direct operational or fiscal impact resulting from the advancement of the legislation and has **no objection** towards Council Bill 23-0437.


If you have any questions, please do not hesitate to contact Liam Davis at LiamF.Davis@baltimorecity.gov or at 410-545-3207

Sincerely,

Corren Johnson,
Interim Director



MEMORANDUM

DATE: February 23, 2024
TO: Economic and Community Development Committee
FROM: Colin Tarbert, President and CEO 
POSITION: No Objection
SUBJECT: Council Bill #23-0437 – Zoning – Conditional use conversion of a single-family dwelling unit to 3 dwelling units in the R8 Zoning District – 1600 South Charles Street

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 23-0437 introduced by Councilmember Costello.

PURPOSE

The purpose of this bill is to permit the conversion of a single-family dwelling located in the R-8 Zoning District into a three-unit dwelling.

BRIEF HISTORY

This conditional use variance will allow for the creation of 3 apartment units at 1600 South Charles Street (Block 1013, Lot 065), a property which is currently a single-family home. The property is located in a residential neighborhood with ground floor corner retail businesses. This conversion will add housing density to the neighborhood without disrupting the aesthetic cohesion of the immediate surrounding area.

FISCAL IMPACT

None.

AGENCY POSITION

The Baltimore Development Corporation respectfully submits a report of **no objection** on City Council Bill 23-0437. If you have any questions, please contact Kim Clark at 410-837-9305 or KClark@baltimoredevelopment.com.

cc: Nina Themelis, Mayor's Office of Government Relations

[TW]

**ECONOMIC AND COMMUNITY
DEVELOPMENT COMMITTEE**

23-0437

ADDITIONAL DOCUMENTS

**ZONING - CONDITIONAL USE CONVERSION OF
A SINGLE-FAMILY DWELLING UNIT TO 3
DWELLING UNITS IN THE R-8 ZONING DISTRICT
- 1600 SOUTH CHARLES STREET**

ZONING ORDINANCE REQUEST

STATEMENT OF INTENT

FOR

{Property Address; Block 1013, Lot 065}

1. Applicant's Contact Information:

Name:

Mailing Address:

Telephone Number:

Email Address:

2. All Proposed Zoning Changes for the Property:

3. All Intended Uses of the Property:

4. Current Owner's Contact Information:

Name:

Mailing Address:

Telephone Number:

Email Address:

5. Property Acquisition:

The property was acquired by the current owner on _____ by deed recorded in the
Land Records of Baltimore City in Liber _____ Folio _____ .

6. Contract Contingency:

(a) There is _____ is not _____ 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 owners of any corporate entity are as follows {use additional sheet if necessary}:

AFFIDAVIT

I, _____, 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.

Charles Hoffberger

Applicant's signature

Date

MEMORANDUM TO SUPPORT THE RESIDENTIAL CONVERSION OF 1600 S. CHARLES STREET

The applicant submits to the Baltimore City Planning Commission this memorandum regarding City Council Bill #23-0437, for the purpose of permitting the conversion of a single-family dwelling unit to three dwelling units in an R-8 zoning district. The applicant also seeks a variance for the minimum lot size under Zoning Code § 9-703(d).

1600 S. Charles Street

1600 S. Charles Street is a corner lot in the South Baltimore neighborhood improved by a 2,660 square foot structure built in 1900. The 1,280 square foot property was originally designed to be two lots; the city consolidated the lots in 1955. Though the property has most recently been recognized as a single-family dwelling, it does have a history of commercial use on the first floor. Leon Batie, Jr. purchased the property in February 2023; the listing identified the property as “being sold as-is and needs refreshing.”

Indeed, 1600 S. Charles required significant improvements upon Batie’s acquisition due to serious structural issues. Batie expects those issues will cost \$350,000 to fix. In particular, the brick wall on the structure’s northside exterior had been compromised to the point of imminent collapse and has subsequently been removed. This deterioration was the byproduct of an unpermitted dig-out of the basement floor and foundation by a previous owner. *See* the attached affidavit from structural engineer Cyrus Mechanic.

To offset the costs of that restoration, and the costs necessary for significant interior renovations, Batie set out to convert the use of his single-family home to three dwelling units. Batie, a retired military veteran, intends to live in the third-floor unit with his wife, and rent the two other units. Plans call for one 1,027 square foot apartment, one 869 square foot apartment, and one 816 square foot apartment. These floor plans are consistent with market expectations for apartment dwellings in the South Baltimore neighborhood.

In addition to the conditional use approval by Ordinance of the Mayor and City Council required under Zoning Code § 9-701, a variance must be granted to allow implementation of the proposed floor plans. We address the conditional use first, followed by the variance.

ZC § 5-406: Conditional Use Approval Standards

The City Council must evaluate each request for a conditional use based on whether the use may have a negative effect on the surrounding community, taking into account a number of factors. ZC § 5-406. Those factors include:

1. Whether operation would be detrimental to or endanger the public health, safety, or welfare.

Operation of 1600 S. Charles Street as a three unit, multi-family dwelling will improve the condition of a compromised corner structure and bring new activity to the area. This conversion will not be detrimental to public health, safety, or welfare, and will not affect the property’s neighbors. The conversion will not impact public off-street parking. (The conversion will include the renovation of an existing two-car garage to fit three cars, one for each unit. Legislation has been introduced to restrict residents of 1600 S. Charles Street from parking on the street in Residential Parking Permit Area 30.) The conversion will also not impact neighbors’ access to light and air. There will be no additions to or modifications of the structure’s lot coverage.

2. Whether the use is precluded by any other law, including an applicable Urban Renewal Plan.

We recognize no law that precludes this conversion by conditional use. Conversions of a single-family dwelling to a multi-family dwelling are allowed in an R-8 zone through conditional-use approval by Ordinance of the Mayor and City Council. There is no Urban Renewal Plan that applies to the South Baltimore neighborhood or greater vicinity. In fact, the conversion of this single-family dwelling falls into direct accord with a primary goal of Baltimore City’s Comprehensive Master Plan, which is to build human and social capital by strengthening neighborhoods. That goal calls for development that will strengthen neighborhoods by increasing the population.

By converting this structurally compromised single-family home into a renovated multi-family dwelling with three units, this proposal accomplishes that goal.

3. Whether the authorization will be contrary to the public interest.

This conversion is consistent with the public interest. The applicant met twice with representatives from the South Baltimore Neighborhood Association. At a vote held during the September general meeting of that association, the applicant's proposal for the conversion of 1600 S. Charles Street received unanimous support.

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

Authorization of this conditional use is in harmony with the purpose and intent of this Code in three ways. It will promote and protect public health, welfare and quality of life for current and future generations by increasing the density and population in the South Baltimore neighborhood. It will ensure that the visions set forth in Baltimore City's Comprehensive Master Plan are implemented by land use regulations consistent with the goals set forth by building human and social capital and adding density and activity to South Baltimore. It will preserve and enhance the value of structures, communities and neighborhoods by replacing a structurally compromised house with appropriately sized living accommodations for three families, including the property owner.

Variance Necessary for Conversion of 1600 S. Charles Street

Plans for this conversion involve the fit-out of three dwelling units within the existing structure and the conversion of the existing built-in two-car garage to fit a third car on the 1,280 square foot lot. Those plans include two two-level apartments that will be split between the first and second floors and a third apartment that will occupy the structure's third floor. The two two-level apartments will be 816 square feet and 869 square feet, respectively. The owner's apartment measures 1,027 square feet.

Because the lot is 1,280 square feet and minimum lot area standards in an R-8 zone require 750 square feet per dwelling unit, a variance of 595 square feet is required to achieve a measurement of density great enough to allow three units under ZC § 15-302. This represents only a 30 percent reduction in the minimum lot area standards.

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 elements outlined § 5-308(b), addressed at the end of this memorandum.

Uniqueness

The rowhome on 1600 S. Charles Street is three stories. The six adjoining rowhomes to the immediate south on Charles Street are each only two stories. The property is a corner lot; the building covers the entire lot. No other lot on the west side of the block covers more than 70 percent of its lot. Most of the houses on this block have porches or patios out back; 1600 S. Charles is occupied entirely by the building. The lot is also wider (by four to five feet) than 24 of the 25 of the other lots on the west side of the block, and wider than all of the lots on the east side of the block. The lot size is 320 square feet larger than the neighboring lots on S. Charles Street.

In addition to the large lot, 1600 S. Charles Street is improved by a large structure that once had a mixed-use designation as split commercial and residential. Its 2,600 square feet means that the house is more than twice as large as most of its two-story neighbors and roughly 600 square feet larger than the three-story rowhomes further south on the block.

1600 S. Charles Street is also unique in its current condition. The applicant purchased the property when it had significant structural issues that will require investments that total 75 percent of the purchase price to repair. See the attached affidavit from structural engineer Cyrus Mechanic.

Unnecessary Hardship or Practical Difficulty

1600 S. Charles Street is zoned R-8. Bulk regulations require 750 square feet of lot space per dwelling unit. City plats mark the lot size at 1,280 square feet. The property's permitted density without a variance limits the property to only one unit despite any conditional use approval to convert this property to multi-family housing. Strict adherence to the code would require that the property owner rehabilitate the property to occupy it as one 2,600 square foot home. While the applicant could technically pursue a smaller minimum lot size variance and improve the property with two dwelling units, the existing interior stairwell, which is situated in the middle of the building, precludes a reasonable spatial allocation for only two units. The costs associated with rehabilitating a rowhome of this size with its existing structural issues are similar regardless of whether the applicant develops two or three units. No matter the number, the costs will be greater than the costs associated with renovating a more typically sized house in the area. The disparity requires that the property owner invest more capital to rehabilitate this structurally compromised structure.

Uniqueness as the Proximate Cause of Hardship or Difficulty

The applicant is not responsible for the current condition of 1600 S. Charles Street. Nevertheless, improvement of the lot to a livable condition will require that a property owner invest significant capital into its restoration. The applicant anticipates spending \$525,000 on necessary property improvements—\$50,000 more than the purchase price—and seeks to offset those expenses in a manner that is economically feasible and socially desirable by converting a particularly large residential dwelling into three appropriately sized residential apartments. The Board of Municipal and Zoning Appeals has recently accepted that the modern rental market is better suited for apartments that are closer to 750 square feet. *See* BMZ2022-359. In addition to his own dwelling, the applicant seeks to provide two similarly sized rental options to the housing market, rather than one apartment that is too big.

Summary and Conclusion

Conditional use approval of this conversion will improve public health, safety, and welfare of the South Baltimore neighborhood, whose neighborhood association has offered its unanimous support for three two-bedroom units on a property currently occupied by one structurally compromised single-family home. This use is not precluded by any law. The use is in harmony with Baltimore City's Comprehensive Master Plan and the tenets of the Zoning Code.

For all of the above reasons, this application meets the standards required for a conditional use conversion and the necessary area variances and should be approved by the Planning Commission.

ZC § 5-308(b) ADDENDUM

Under ZC § 5-308 (b), the Board 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;

This element is discussed in the variance section of this memorandum. The lot is larger than neighboring lots and has been improved by a structure that is larger than neighboring structures.

(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;

This element is discussed in the variance section of this memorandum. The property existed well before the current owner closed on the land.

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

The property owner would like to restore a structurally compromised structure with reasonably sized homes for himself and those who rent the units.

(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;

The variance will not diminish or impair property values in the neighborhood and will not be injurious to the use and enjoyment of other property in the immediate vicinity. The variance will result in one less undesirable property in south Baltimore and more residents and activity in the South Baltimore neighborhood. The South Baltimore Neighborhood Association has expressed its unanimous support for the project. The neighborhood association is aware of the variances necessary to achieve the project's desired results.

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

The Code is intended to ensure that the visions set forth in the City's Comprehensive Master Plan are implemented by land use regulations and to preserve and enhance the value of structures, communities, and neighborhoods. This variance aligns with both objectives by rehabilitating this structurally compromised property with new housing, which will strengthen the South Baltimore neighborhood.

(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;

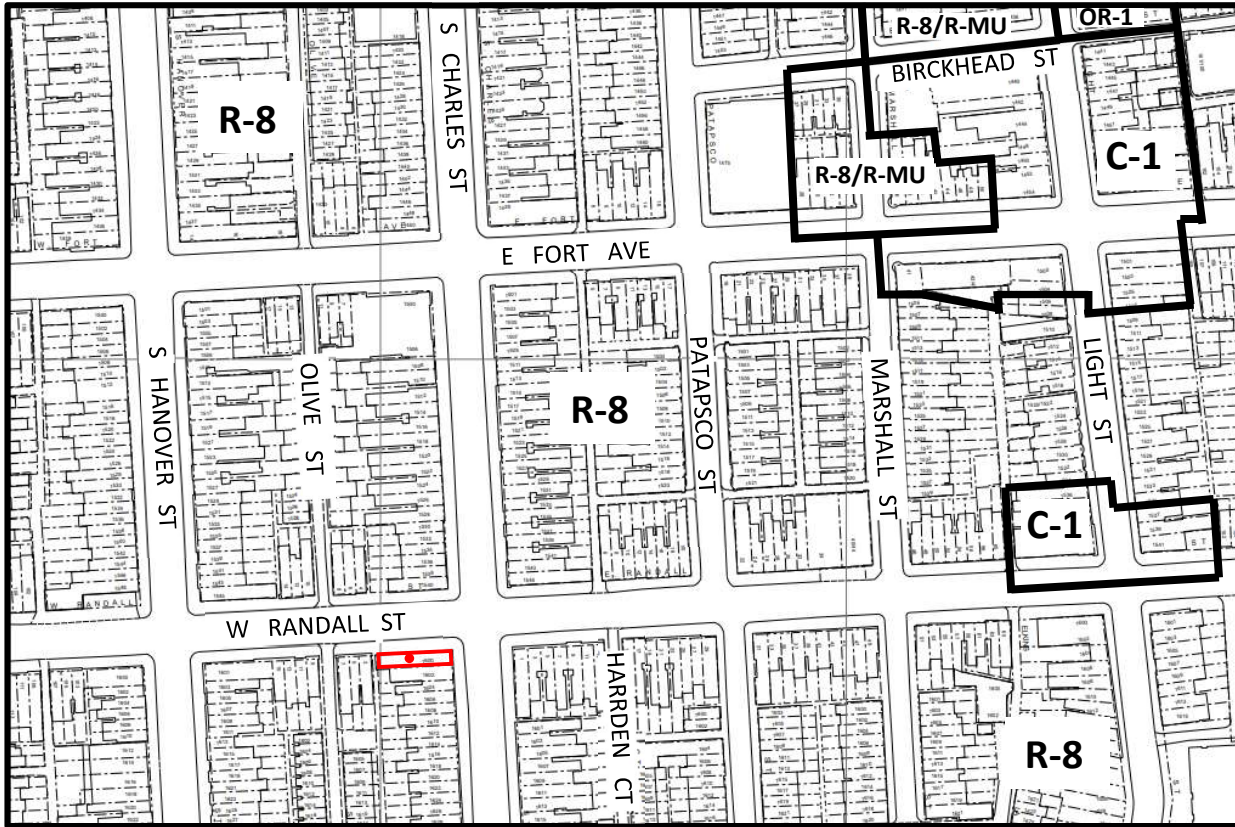
The variance will not be precluded by or adversely affect any Urban Renewal Plan, Comprehensive Master Plan, or existing Historical or Architectural District.

(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.

The South Baltimore Neighborhood Association supports this variance.

SHEET NO. 66 OF THE ZONING MAP OF THE ZONING CODE OF BALTIMORE CITY



Scale: 1" = 200'

Note:

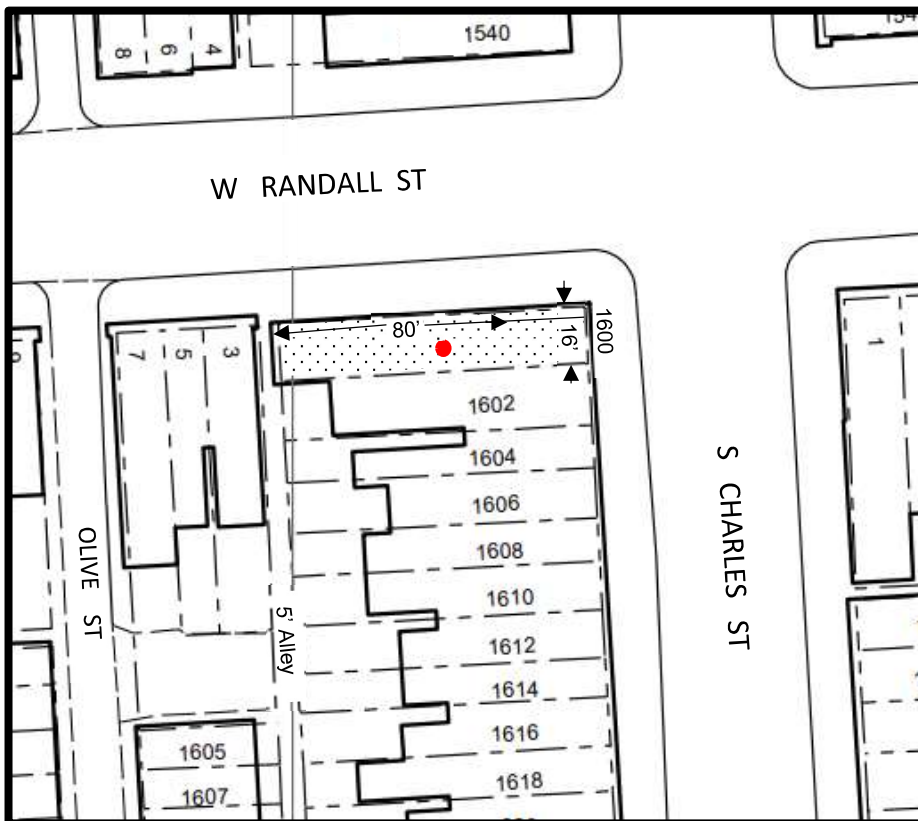
In Connection With The Property Known As No. 1600 SOUTH CHARLES STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 23 SECTION 8

BLOCK 1013 LOT 65

MAYOR

PRESIDENT CITY COUNCIL



Scale: 1" = 50'

October 26, 2023

Batie, Leon
1600 S Charles St.
Baltimore, MD 21230

RE: Planning Commission Report

To whom it may be a concern:

Mr. Batie has requested Structures R Us (SRU) to be the Engineer of the Record for the above property.

Background:

The 4-story property was inspected visually on 10/19/2022. SRU in a report (attached) concluded, that approximately 10 years ago, The basement floor was lowered approximately 2' to gain height in the basement level **without** underpinning (Extending down the foundation walls).

The absence of underpinning caused severe settlement of the walls which has caused most of the window frame to misalign, and the brick to crack and misalign There are areas of brick wall that are pushed out and displaced on all the exterior walls.

On April 2023, SRU was retained to prepare the plans to secure a Building Permit and to stabilize the building foundation wall.

Progress:

The building permit was secured, and the underpinning construction started. During the demolition of the interior finish, the north wall collapsed. Fortunately, the wall failure did not harm anyone. The fire marshal and the City of Baltimore required the building to be secured and the area to be fenced off to protect the public.

The building was shored temporarily, and a new Building Permit was secured to construct a new wall to replace the failed wall.

As of today, the new wall has been constructed at the basement level and the framing of the remaining wall will start next week. **The underpinning operation is completed. The building foundation is secured now.**

If there are any questions, please call, 410-371-2981



Kourosh Mechanic

Kourosh Mechanic



**Baltimore City Council
Certificate of Posting - Public Hearing Notice**

Today's Date: February 5, 2024

City Council Bill No.: 23-0437



I HEREBY CERTIFY, under penalty of perjury, that a sign was posted at:

Address: 1600 South Charles Street (2 of 2 – W. Randall Street side)

Date Posted: February 4, 2024

Name: AB Associates c/o Chase Hoffberger

Address: 225 E. Redwood Street, Suite 400G

Baltimore, Md. 21202

Telephone: 512-536-0763

- 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

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**Baltimore City Council
Certificate of Posting - Public Hearing Notice**

Today's Date: February 5, 2024

City Council Bill No.: 23-0437



I HEREBY CERTIFY, under penalty of perjury, that a sign was posted at:
Address: 1600 South Charles Street (1 of 2)

Date Posted: February 4, 2024

Name: AB Associates c/o Chase Hoffberger

Address: 225 E. Redwood Street

Baltimore, Md. 21202

Telephone: 512-536-0763

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