

# LAND USE & TRANSPORTATION COMMITTEE

## FINDINGS OF FACT

### City Council Bill No. 25-0020

MOTION OF THE CHAIR OF THE COMMITTEE LAND USE & TRANSPORTATION, 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 Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 2001 West Baltimore 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:**
  - Multiunit 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 any Urban Renewal Plan
3. the authorization **would not** be contrary to the public interest **for the following reasons:**
  - Use of this property as a multiunit dwelling is in the public interest because it will provide additional housing options in the community.
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 single dwelling will not create a negative impact on public health, safety, or welfare in the community.

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;
  - a. The proposed site is a single-family rowhouse into three dwelling units. The property measures 15 feet by 90 feet with a total lot area of 1,350 square feet.

2. The resulting traffic patterns and adequacy of proposed off-street parking and loading;
  - a. There is no additional parking required. According to the PABC the location is not located within any PBC – administered parking programs the staff conducted a site visit and came to the conclusion that there is sufficient 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;
  - a. This property is located in Boyd-Booth neighborhood that is predominantly residential area consisting of historic rowhomes. Approval of this conditional use will have no adverse impact on present or future development.
4. the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
  - There is reasonable proximity of other dwellings 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 historic landmarks and structures;
  - The proposed use of the existing structure would not affect preservation of cultural and historic landmarks and structures.
9. the character of the neighborhood;
  - This property is located in the Boyd-Booth neighborhood, which is predominantly residential in nature, with the housing stock largely comprised of row homes.
10. the provisions of the City's Comprehensive Master Plan;
  - a. The conditional use does not conflict with the provisions of the City's Comprehensive Master Plan. The Comprehensive Master Plan articulates an interest in restoring vacant properties. This conditional use will assist in objectives related to affordable housing, adaptive reuse of historic structures, and neighborhood stabilization in Boyd-Booth.

11. the provisions of any applicable Urban Renewal Plan;
  - The proposed use is not prevented or limited by the Washington Village Urban Renewal Plan which is applicable to the property.
12. all applicable standards and requirements of this Code;
  - N/A
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. 22-0020

MOTION OF THE CHAIR OF THE COMMITTEE ON LAND USE AND TRANSPORTATION 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 Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 2001 West Baltimore Street**

#### **VARIANCE FROM YARD 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:*

*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:

The property at 2001 West Baltimore Street proposes to convert the single-family dwelling into three dwellings. Each converted dwelling must meet the following floor area per unit type: 1. 1-bedroom unit need be 750 square feet. 2. 2-bedroom unit nee be 1,000 square feet. 3. 3 or more bedroom unit need be 1,250 square feet. Two of the proposed one bedroom dwelling units would only be 600 square feet in gross floor space, therefore a 20% variance is required.

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 March 17, 2025, including the Department of Planning Staff Report, dated March 13, 2025.

[X] Testimony presented at the Committee hearing.

[X] Findings of the applicant – adopted by committee on April 24, 2025

Oral – Witness:

- Michele Toth, Law Department
- Eric Tiso, Planning Commission
- Luciano Diaz, Department of Transportation
- Jason Wright, Department of Housing and Community Development
- Tom Wellington, Baltimore Development Corporation

Written:

- Law Department, Agency Report – Dated April 8, 2025
- Department of Housing and Community Development, Agency Report – January 24, 2025
- Baltimore Development Corporation, Agency Report – Dated March 6, 2023

#### **COMMITTEE MEMBERS VOTING IN FAVOR**

Ryan Dorsey – Chair

Sharon Middleton

Mark Parker

Paris Gray

John Bullock

Phylicia Porter

Zac Blanchard