



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Alice Kennedy, Commissioner, Housing and Community Development
CC	Mayor's Office of Government Relations
DATE	March 5 th , 2025
SUBJECT	25-0016 Zoning Code – Minor Variances – Modifications

Position: Favorable

BILL SYNOPSIS

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 25-0016 Zoning Code – Minor Variances – Modifications for the purpose of amending provisions of the Baltimore City Zoning Code relating to minor variances.

If enacted, Council Bill 25-0016 would redefine what constitutes a minor variance, expand the category to include single-family dwellings in residential districts, and allow the Board of Municipal and Zoning Appeals (BMZA) to grant them in addition to the Zoning Administrator. If approved, this Bill will take effect the day of its enactment.

SUMMARY OF POSITION

This Bill seeks to amend the Baltimore City Zoning Code to expand the conditions of what constitutes a minor variance and to allow those minor variances to be granted by either the Zoning Administrator or the BMZA. Specifically, the bill raises the maximum threshold for minor variances related to lot width, required yards, and setbacks from 10% to 15%. For required yards, the bill changes the maximum allowable minor variance from 2 feet or 10% (whichever is less) to 5 feet or 15% (whichever is less). The Bill also changes the rules for requesting variances related to bulk or yard regulations for a parcel with a nonconforming structure that has existed for at least 50 years. Within those instances, a variance for increasing bulk or density would be considered a minor variance if the increase is less than 15%, with the previous limit set at 10%. Finally, the Bill expands the category of minor variances to include applications for single-family dwellings in residential districts.

We appreciate the intent of this legislation to funnel more zoning variances away from the BMZA and towards the Zoning Administrator, thereby avoiding the need for full hearings and the delays that can come with them. DHCD's Office of the Zoning Administrator works closely

with the Department of Planning and the BMZA to periodically identify modifications to the Code that need to be made and make suggestions based on their hands-on application. Allowing the Zoning Administrator to process more variance requests could streamline the process, potentially saving the City, homeowners, and small developers both time and money.

FISCAL IMPACT

As drafted, this Bill may have a modest fiscal and administrative impact on DHCD with potentially more applications for minor variances being filed with the Zoning Administrator that would have previously required a hearing before the BMZA.

AMENDMENTS

DHCD supports the procedural amendment suggested by the Planning Commission to strike AND from Line 18 of Page 2.