

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0290

Introduced by: Councilmember Stokes, President Young

At the request of: House of Freedom, Inc.

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South
Charles Street, Suite 21st Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: September 17, 2018

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable

Council action: Adopted

Read second time: January 14, 2019

AN ORDINANCE CONCERNING

**Zoning – Conditional Use Residential Care Facility – Variances –
1208, 1210-1222, and 1224-1226 East Baltimore Street**

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a residential care facility on the properties known as 1208, 1210-1222, and 1224-1226 East Baltimore Street, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

BY authority of

Article 32- Zoning

Sections 5-201(a), 5-305(a), 5-308, 10-301 (Table 10-301: Commercial Districts - Permitted and Conditional Uses), 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations), 14-334, 16-205, and 16-602 (Table 16-406: Required Off-Street Parking)

Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a residential care facility, with 260 beds, on the properties known as 1208, 1210-1222, and 1224-1226 East Baltimore Street, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-201(a), 10-301 (Table 10-301: Commercial Districts - Permitted and Conditional Uses) and 14-334, subject to the condition that the residential care facility complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 18-0290

1 requirements of § 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard
2 Regulations) for a rear yard setback of 5 feet, in lieu of the required 20 feet.

3 **SECTION 3. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by §§ 5-
4 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
5 maximum building height regulation of 60 feet as specified in § 10-401 (Table 10-401:
6 Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations) to permit a building height of
7 97.5 feet.

8 **SECTION 4. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by §§ 5-
9 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
10 off-street parking requirements of §§ 16-205 and 16-602 (Table 16-406: Required Off-Street
11 Parking) to allow off-street parking in excess of double the number of required spaces.

12 **SECTION 5. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the
13 accompanying plat and in order to give notice to the agencies that administer the City Zoning
14 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
15 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
16 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
17 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
18 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
19 the Zoning Administrator.

20 **SECTION 6. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th day
21 after the date it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City