

Introduced by: Councilmember Bullock

At the request of: Priscilla Oldham

Address: 5 Holly Branch Court, Glen Arm, Maryland 21057

Telephone: 410-480-0805

Prepared by: Department of Legislative Reference

Date: May 7, 2018

Referred to LAND USE AND TRANSPORTATION Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 18 - 039

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District – Variances –
1613 West Pratt Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements.

BY authority of

Article 32 - Zoning

Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(d), 9-703(f),
16-203, and 16-602 (Table 16-406)

Baltimore City Revised Code
(Edition 2000)

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

_____	Baltimore City Public School System
_____	Baltimore Development Corporation
_____	City Solicitor
_____	Comptroller's Office
_____	Department of Audits
_____	Department of Finance
_____	Department of General Services
_____	Department of Housing and Community Development
_____	Department of Human Resources
_____	Department of Planning
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Department of Public Works
_____	Department of Real Estate
_____	Department of Recreation and Parks
_____	Department of Transportation
_____	Fire Department
_____	Health Department
_____	Mayor's Office of Employment Development
_____	Mayor's Office of Human Services
_____	Mayor's Office of Information Technology
_____	Office of the Mayor
_____	Police Department
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Environmental Control Board
_____	Fire & Police Employees' Retirement System
_____	Labor Commissioner
_____	Parking Authority Board
_____	Planning Commission
_____	Wage Commission
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Board of Estimates
_____	Board of Ethics
_____	Board of Municipal and Zoning Appeals
_____	Comm. for Historical and Architectural Preservation
_____	Commission on Sustainability
_____	Employees' Retirement System
_____	Other: _____
_____	Other: _____
_____	Other: _____

Boards and Commissions

_____	Board of Estimates
_____	Board of Ethics
_____	Board of Municipal and Zoning Appeals
_____	Comm. for Historical and Architectural Preservation
_____	Commission on Sustainability
_____	Employees' Retirement System
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Environmental Control Board
_____	Fire & Police Employees' Retirement System
_____	Labor Commissioner
_____	Parking Authority Board
_____	Planning Commission
_____	Wage Commission
_____	Other: _____
_____	Other: _____
_____	Other: _____

CITY OF BALTIMORE
ORDINANCE **18-178**
Council Bill 18-0239

Introduced by: Councilmember Bullock
At the request of: Priscilla Oldham
Address: 5 Holly Branch Court, Glen Arm, Maryland 21057
Telephone: 410-480-0805
Introduced and read first time: May 14, 2018
Assigned to: Land Use and Transportation Committee

Committee Report: Favorable
Council action: Adopted
Read second time: August 6, 2018

AN ORDINANCE CONCERNING

1 **Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to**
2 **2 Dwelling Units in the R-8 Zoning District – Variances –**
3 **1613 West Pratt Street**

4 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
5 dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613
6 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and
7 granting variances from certain bulk (lot area size) and off-street parking requirements.

8 BY authority of
9 Article 32 - Zoning
10 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(d), 9-703(f),
11 16-203, and 16-602 (Table 16-406)
12 Baltimore City Revised Code
13 (Edition 2000)

14 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
15 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
16 the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007),
17 as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City
18 Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies with
19 all applicable federal, state, and local licensing and certification requirements.

20 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
21 201(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
22 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk
23 and Yard Regulations), as a lot area of 1,500 square feet is required for 2 dwelling units, and the
24 lot is only 1,020 square feet.

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.

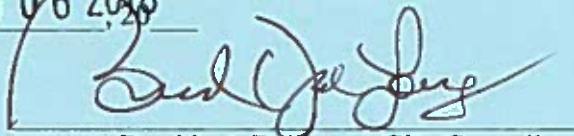
Council Bill 18-0239

1 SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-
2 201(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the off-street
3 parking requirements of §§ 9-703(f), 16-203, 16-602, and Table 16-406: Required Off-Street
4 Parking.

5 SECTION 4. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the
6 accompanying plat and in order to give notice to the agencies that administer the City Zoning
7 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
8 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
9 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
10 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
11 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
12 the Zoning Administrator.

13 SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
14 after the date it is enacted.

Certified as duly passed this _____ day of AUG 06 2018



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of AUG 06 2018



Chief Clerk


Approved this _____ day of _____, 20__

Mayor, Baltimore City

Pursuant to City Charter Article IV, Section 5(c), this bill became law on October 29, 2018, without the Mayor's Signature.

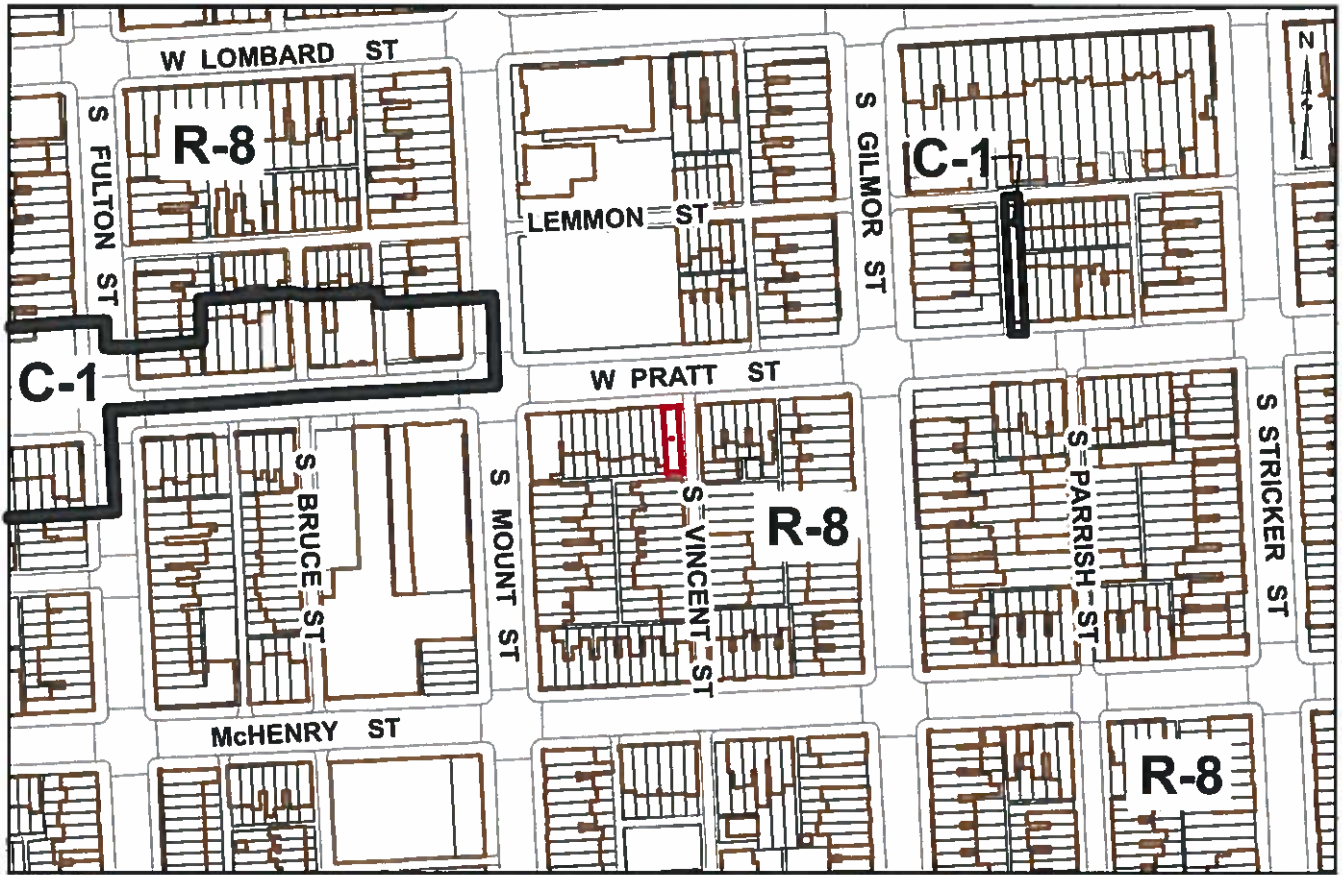
Approved For Form and Legal Sufficiency

This 8th Day of August 2018.

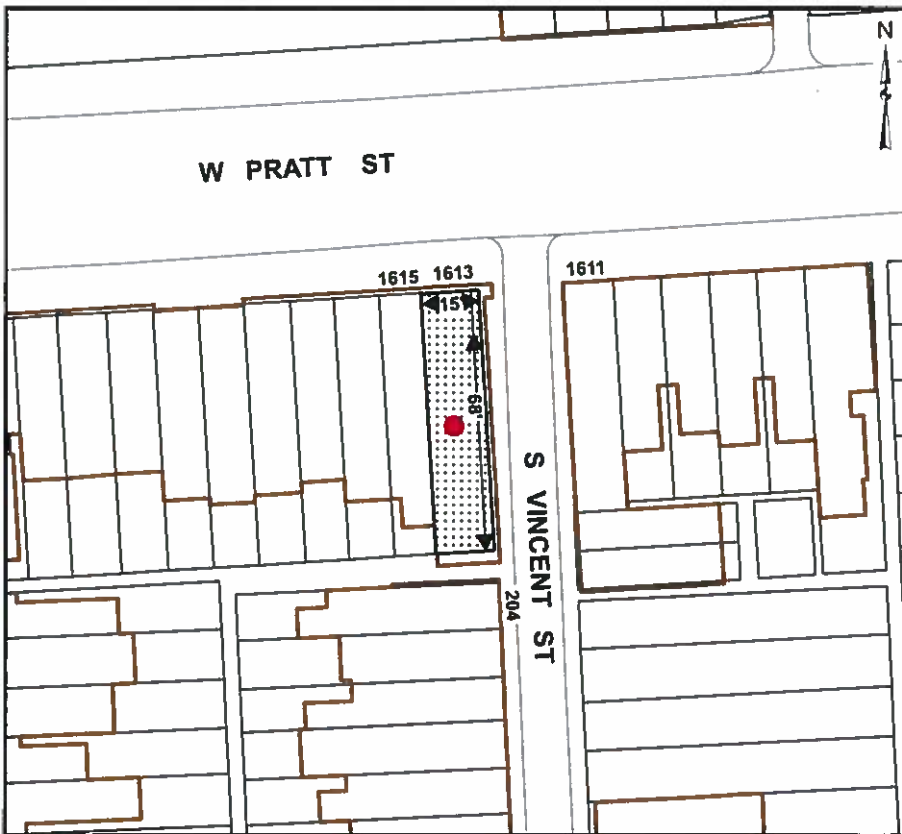


Chief Solicitor

**SHEET NO. 54 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Note:

In Connection With The Property Known As No. 1613 WEST PRATT STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Family Dwelling Unit To Two Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 19 SECTION 12
BLOCK 262 LOT 7

MAYOR
[Signature]
PRESIDENT CITY COUNCIL

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE, 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:

ADOPTED

City Council Bill No. 18-0239

**Zoning - Conditional Use Conversion of a Single Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District - Variances –
1613 West Pratt 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:**

The establishment, location, construction, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or welfare because the proposed residential use as a two-family dwelling would be consistent with residential use in the area and would allow continuing use of a structure that is a contributing element in the Union Square historic district.

This area is in the southwest corner of the Union Square Historic District, established in 1970 by Ordinance no. 821 dated June 2, 1970, and last enlarged by Ordinance no. 580 dated November 17, 1977. The Union Square Historic District was certified to the National Register of Historic Places on September 15, 1983. This area is characterized by a mix of town-houses and row-houses built in the 19th Century with numerous religious, institutional, commercial and low-intensity industrial uses along traditional commercial corridors such as Pratt, Lombard, and Baltimore Streets. The use is compatible with the zoning uses in the area.

- (2) the use **would not** be precluded by any other law, including an applicable Urban Renewal Plan;

The use is not precluded by any other law. There is no applicable Urban Renewal Plan for this property.

- (3) the authorization **would not** be contrary to the public interest **for the following reasons:**

CERTIFIED

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods. Objective 1: Expand Housing Choices for all Residents.

- (4) the authorization would be in harmony with the purpose and intent of this Code for the following reasons:

The legislation would allow the petitioner to use the existing structure as two dwelling units. Adaptive re-use as a two-family semi-detached dwelling would allow preservation of a piece of Union Square's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown for residents of the two dwelling units.

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

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

The nature of the site, including its size and shape, are appropriate for the proposed use. While the lot area requirement is not satisfied without a variance, this is in part offset by the fact that the building covers 100% of the lot and as such provides a larger gross square footage total floor area that meets conversion standards.

The Zoning Administrator has determined that grants of certain variances (lot coverage and off-street parking) are needed. The variances are part of the applicant's request put forth by Bill 18-0239.

- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

One additional off-street parking space is required to serve the newly-created dwelling unit (§9-703.f.), totaling two required spaces for the use. The property can provide no off-street parking spaces. A variance for off-street parking is therefore required, and has been included in this bill.

While no off-street parking can be provided because the existing building covers the entire lot, the site is located in a dense, walkable neighborhood that is well-served by numerous bus lines and is in close proximity to various amenities.

A site visit was conducted by the Parking Authority of Baltimore City (PABC) on May 31, 2018. The PABC observed the on-street parking demand and determined that there is available inventory. In addition, the PABC investigated the alley and rear of the property and determined that there is not sufficient room for any off-street parking spaces. The alley is too narrow for vehicle access and the building occupies the entire parcel of land. A variance for off-street parking is therefore required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area. The property is not located on a block where the PABC administers on-street parking programs.

The Baltimore City Department of Transportation supports the proposed use.

- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

The property is situated in a predominantly residential area known as the Union Square Historic District, which has scattered non-residential uses such as religious institutions and a few small commercial uses. Returning this property to productive full occupancy would actually help to improve property values in the southwestern portion of the Union Square Historic District.

- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

There will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering.

- (5) accessibility of the premises for emergency vehicles;

There is adequate accessibility of the premises to emergency vehicles.

- (6) accessibility of light and air to the premises and to the property in the vicinity;

There is adequate light and air to the premises and properties 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;

Adequate utilities, roads, drainage, and other necessary facilities have been or will be provided.

- (8) the preservation of cultural and historic landmarks and structures;

The proposed use would not interfere with preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

The proposed use would not alter the character of the neighborhood.

- (10) the provisions of the City's Comprehensive Master Plan;

The proposed action would be consistent with provisions of the Baltimore City Comprehensive Master Plan LIVE EARN PLAY LEARN's LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

- (11) the provisions of any applicable Urban Renewal Plan;

The use is not precluded by any other law. There is no applicable Urban Renewal Plan for this property.

- (12) all applicable standards and requirements of this Code;

The use of the property as two dwelling units meets all other applicable standards and requirements of Article 32 (Section 5-406).

- (13) the intent and purpose of this Code; and

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

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Department – Memoranda Dated July 27, 2018

[X] Testimony presented at the Committee hearing on August 1, 2018

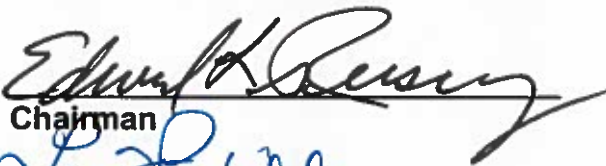
Oral – Witness Name:

- Mr. Martin French, Department of Planning
- Mr. Taylor LaFave, Department of Transportation

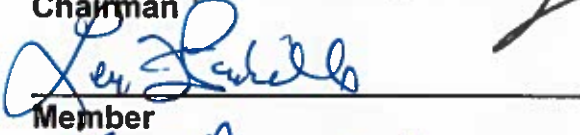
Written – Submitted by: (Include documents that have relevant facts only)

- Department of Planning – Memorandum – Dated 7/27/18
- Baltimore City Department of Housing – Zoning Administrator – Dated: 4/20/18
- Department of Transportation – Agency Report – Dated 7/31/18
- Parking Authority of Baltimore City – Agency Report – Dated 6/4/18

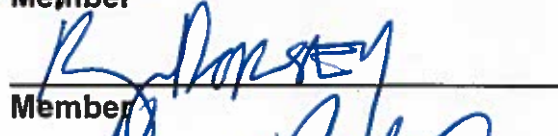
LAND USE AND TRANSPORTATION COMMITTEE:


Chairman

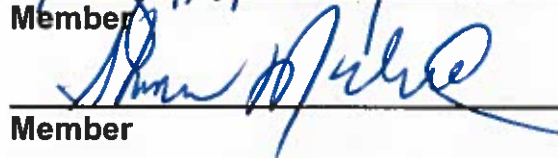
Member


Member

Member


Member

Member


Member

Member



John Brown

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE: AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO Article 32, Section 5-308 of the Baltimore City Code, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A VARIANCE FOR LOT COVERAGE AND OFF-STREET PARKING.

City Council Bill No. 18-0239

Zoning - Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 1613 West Pratt Street

(1) Uniqueness

The following characteristics of the land or structure are different than neighboring properties in the same zoning classification: *(Possible examples include: particular physical surroundings, topographical conditions, irregularity of shape, slope, grade, narrowness, shallowness, accessibility, subsurface conditions, obstructions, historical significance)*

The maximum lot coverage allowed is 80% in the R-8 zoning district (Table 9-401). This structure covers all of the lot, pursuant to an approval granted in 1956. The amount of lot coverage on this property is essentially unique to the property and is not generally applicable to other property within the R-8 zoning classification (others in this area and in R-8 districts generally have rear yards meeting Zoning Code bulk standards).

The nature of the site, including its size and shape, however, are appropriate for the proposed use. While the lot area requirement is not satisfied without a variance, this is in part offset by the fact that the building covers 100% of the lot and as such provides a larger gross square footage total floor area that meets conversion standards.

(2) Unnecessary hardship or practical difficulty

- (i) Due to the characteristics described above, enforcing the lot area size, and off-street parking restrictions would cause a disproportionate impact

on the property as compared to other neighboring properties, resulting in an unnecessary hardship or practical difficulty because:

There is a practical difficulty with complying with the bulk and yard requirements and the conversion standards in the Zoning Code. The Parking Authority of Baltimore City investigated the alley and rear of the property and determined that there is not sufficient room for any off-street parking spaces. The alley is too narrow for vehicle access and the building occupies the entire parcel of land.

One additional off-street parking space is required to serve the newly-created dwelling unit (§9-703.f.), totaling two required spaces for the use. The property can provide no off-street parking spaces due to lot coverage and accessibility to the rear yard. A variance for off-street parking is therefore required, and has been included in this bill.

The Zoning Code requires, for conversion of a single-family property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §9-703.d., citing Table 9- 401). A lot area of 1,500 square feet is thus required for the proposed use. This lot has 1,020 square feet and thus does not meet the lot area requirement for conversion. A variance of this requirement is therefore included in this bill.

- (ii) This impact would be unnecessarily burdensome OR would unreasonably prevent the applicant from using the property for a permitted purpose (describe):

The proposed use as a 2-family dwelling would be consistent with residential use in the area and would allow continuing use of a structure that is a contributing element in the Union Square historic district.

(3) The hardship/difficulty is not self-imposed

As described below, 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:

There is a practical difficulty with complying with the bulk and yard requirements and the conversion standards in the Zoning Code that has not been caused by

action or inaction of any person with a present interest in this property.

(4) Substantial justice to applicant and nearby owners

Granting the variance will do substantial justice to the applicant and nearby owners because:

Granting the variance will protect the integrity of the residential zoning district by allowing the applicant to use the property for a permitted use and safeguard against uses that are not permitted in the zoning district. The community supports the proposed use and variance. Granting of the variance, therefore, will not negatively impact the abutting residential properties. The Parking Authority of Baltimore City is not opposed to the proposed use or variance. The Department of Transportation supports the proposed use and variance.

OR

The following lesser form of relief would ensure justice because:

(5) Impact of variance on profitability of the property

The purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property, rather, an additional purpose is to:

- Convert a structure which has been vacant for 10 years to an adaptive reuse, which the community supports
- Create alternative housing in Baltimore City

(6) Impact on neighboring properties

The variance will not be injurious to the use and enjoyment of other property in the immediate vicinity or substantially diminish and impair property values in the neighborhood for the following reasons:

The variances would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. The proposed 2-unit dwelling will be residential and is consistent with neighboring properties. Returning this property to productive full occupancy would actually help to improve property values in the southwestern portion of the Union Square Historic District.

(7) Consistency with the Spirit of the Zoning Code

Granting the variance is in harmony with the purpose and intent of this Code in the following ways:

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

(8) Impact on other City Plans

The variance is **not** precluded by and **will not** adversely affect any Urban Renewal Plan, the City's Comprehensive Master Plan or any Historical and Architectural Preservation District.

Finally, the variances are in harmony with the purpose and intent of the Zoning Code, and are in harmony with the Comprehensive Master Plan, the Union Square Historic District, and related considerations of public health, safety, and general welfare. There is no applicable Urban Renewal Plan for this property.

(9) Public Health, Safety, Welfare etc.

The variance **WILL NOT** adversely affect/endanger the public health, safety, or welfare; or be in any way contrary to the public interest.

SOURCE OF FINDINGS (Check all that apply):

Department of Planning Memoranda – Dated 7/27/2018

Testimony presented at the Committee hearing:

Oral – Witness Name:

- Mr. Martin French, Department of Planning Staff
- Ms. Taylor LaFave, Parking Authority for Baltimore City
- Ms. Sharon DaBoin, Department of Housing and Community Development

Written – Submitted by: (Include documents that have relevant facts only)

- Department of Planning – Memoranda – Dated 7/27/18
- Department of Transportation – Agency Report – Dated 7/31/18
- Parking Authority of Baltimore City – Agency Report – Dated 6/1/2018
- Office of the Zoning Administrator – Letter – Dated 4/20/2018

LAND USE AND TRANSPORTATION COMMITTEE:



Chairman

Member



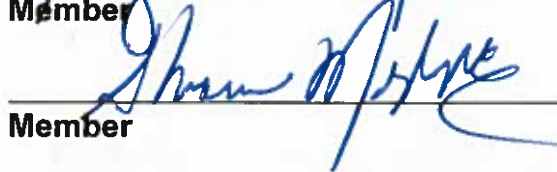
Member

Member



Member

Member



Member

Member



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BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION VOTING RECORD

DATE: August 1, 2018

BILL#: 18-0239

BILL TITLE: Zoning - Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 1613 West Pratt Street

MOTION BY: Worsy SECONDED BY: Clar

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>6</u>	<u>1</u>	<u>1</u>	<u> </u>

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

CERTIFICATE OF POSTING

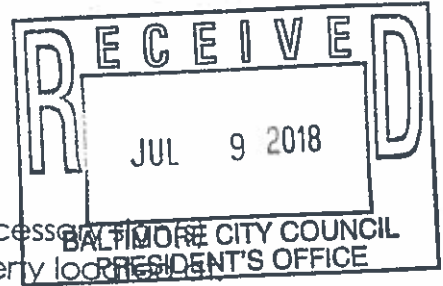
ATTENTION: NATAWNA AUSTIN

DATE: 6/14/2018

Bill Number: 18-0239

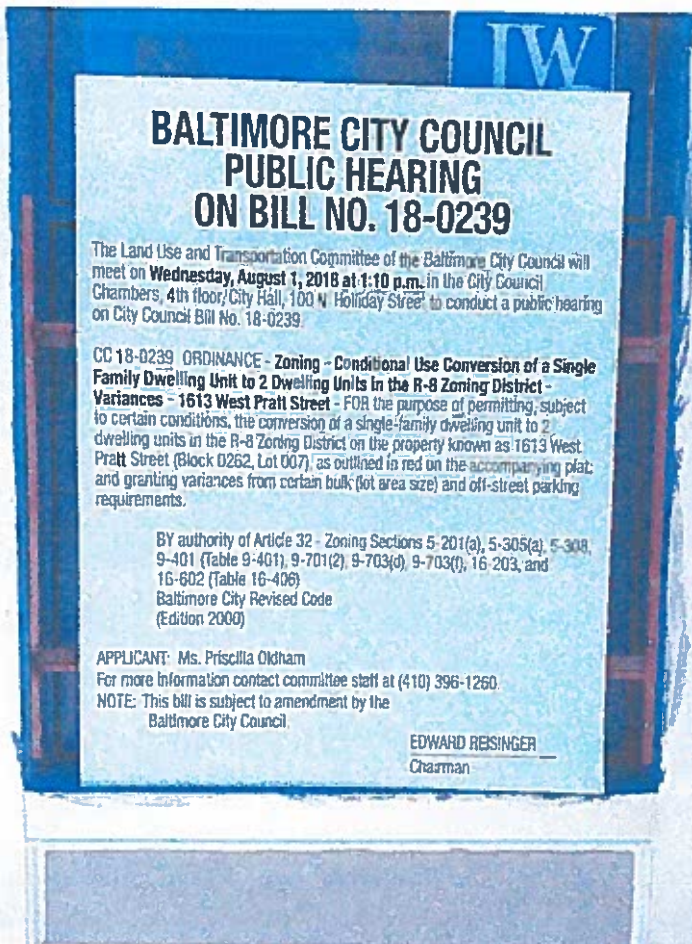
Petitioner / Developer: PRISCILLA OLDHAM

Date of Hearing: AUGUST 1, 2018



This is to certify under the penalties of perjury that the notices required by law were posted conspicuously on the property located at 1613 WEST PRATT STREET

The sign(s) were posted on: JULY, 7, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

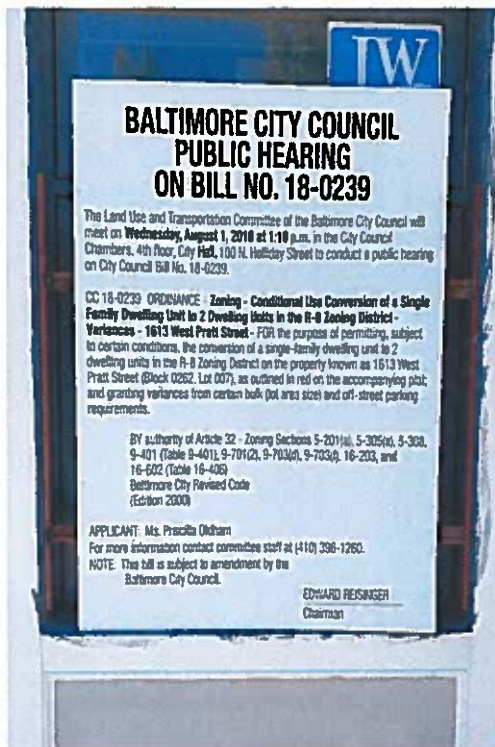
523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.:
Today's Date:7/8/2018]

(Place a picture of the posted sign in the picture box below.)



Address: 1613 West Pratt Street

Date Posted: 7/7/2018

Name: Linda O'Keefe

Address: 523 Penny Lane ~ Hunt Valley, MD 21030

Telephone: 410-666-5366

- **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



**BACKGROUND PHOTO OF BILL NO. 18-0239 POSTED
7/7/2018 @ 1613 WEST PRATT STREET**

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

TO: Ms. Priscilla Oldham

FROM: Jennifer L. Coates, Committee Staff, Land Use and Transportation Committee,
Baltimore City Council

Date: June 26, 2018

RE: INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING –CONDITIONAL USE AND
VARIANCES

The Land Use and Transportation Committee has scheduled the following City Council Bill for a public hearing:

Bill: City Council Bill No. 18-0239

Date: Wednesday, August 1, 2018

Time: 1:10 p.m.

Place: City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

Article 32. Zoning § 5-602 – Major variances: Conditional uses.

For helpful information about the public notice requirements under Article 32 - Zoning (*pages 129 – 130*) - see *Attachment B*. You can access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

Disclaimer. The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising from accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers



Wording for the Sign to be Posted

The information that must be posted on a sign, at least 21 days before the public hearing, appears between the double lines on the attached page (*see Attachment A*). The deadline date is indicated in **BOLD** characters at the top of Attachment A. Instructions for posting the sign can be found in Article 32. Zoning § 5-602 – Major variances: Conditional uses

Certification of Postings

Certification of the sign posting, in duplicate, must be received four (4) days prior to the hearing to:

Ms. Natawna Austin, Executive Secretary
Baltimore City Council
100 N. Holliday Street, Fourth Floor, Room 400
Baltimore, MD 21202

If the required certification is not received as specified above, the public hearing will be cancelled without notice to the applicant. The deadline dates are as follows:

Sign Posting Deadline: July 11, 2018

Certificate of Posting Deadline: July 27, 2018

Please note that **ALL** of these requirement **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your notice requirements please contact:

Ms. Jennifer L. Coates, Committee Staff
Baltimore City Council
Land Use and Transportation Committee
410-396-1260
Jennifer.Coates@baltimorecity.gov.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY **BY WEDNESDAY, JULY 11, 2018**, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 18-0239

The Land Use and Transportation Committee of the Baltimore City Council will meet on **Wednesday, August 1, 2018 at 1:10 p.m.** in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 18-0239.

CC 18-0239 ORDINANCE - Zoning - Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 1613 West Pratt Street - For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements.

By authority of Article 32 - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(d),
9-703(f), 16-203, and 16-602 (Table 16-406)
Baltimore City Revised Code
(Edition 2000)

Applicant: Ms. Priscilla Oldham

For more information contact committee staff at (410) 396-1260.

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER

Chair

SEND CERTIFICATION OF PUBLICATION TO:

SEND BILL FOR THIS SIGN POSTING TO:

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202

Ms. Priscilla Oldham
5 Holly Branch Court
Glen Arm, MD 21057
410-480-0805

**ZONING
SUBTITLE 6 – NOTICES**

ARTICLE 32, § 5-602

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

§ 5-602. Major variances; Conditional uses.

(a) *Hearing required.*

For major variances and conditional uses, the Board of Municipal and Zoning Appeals or the City Council, as the case may be, must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be read.

(b) *Notice of hearing required.*

Notice of the hearing must be given by posting in a conspicuous place on the subject property.

(c) *Contents of notice.*

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed variance or conditional use;
- (3) the name of the applicant; and
- (4) how additional information on the matter can be obtained.

(d) *Number and manner of posted notices.*

(1) The number and manner of posting is as follows:

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;
- (iii) a window-mounted sign must be mounted inside the window glass and

placed so that it is clearly visible to passing pedestrians and motorists; and

(iv) each sign must be at least 3 feet by 4 feet in size.

(2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

(e) *Timing of notice.*

The posted notice must be:

(1) posted at least 21 days before the public hearing; and

(2) removed within 48 hours after conclusion of the public hearing.

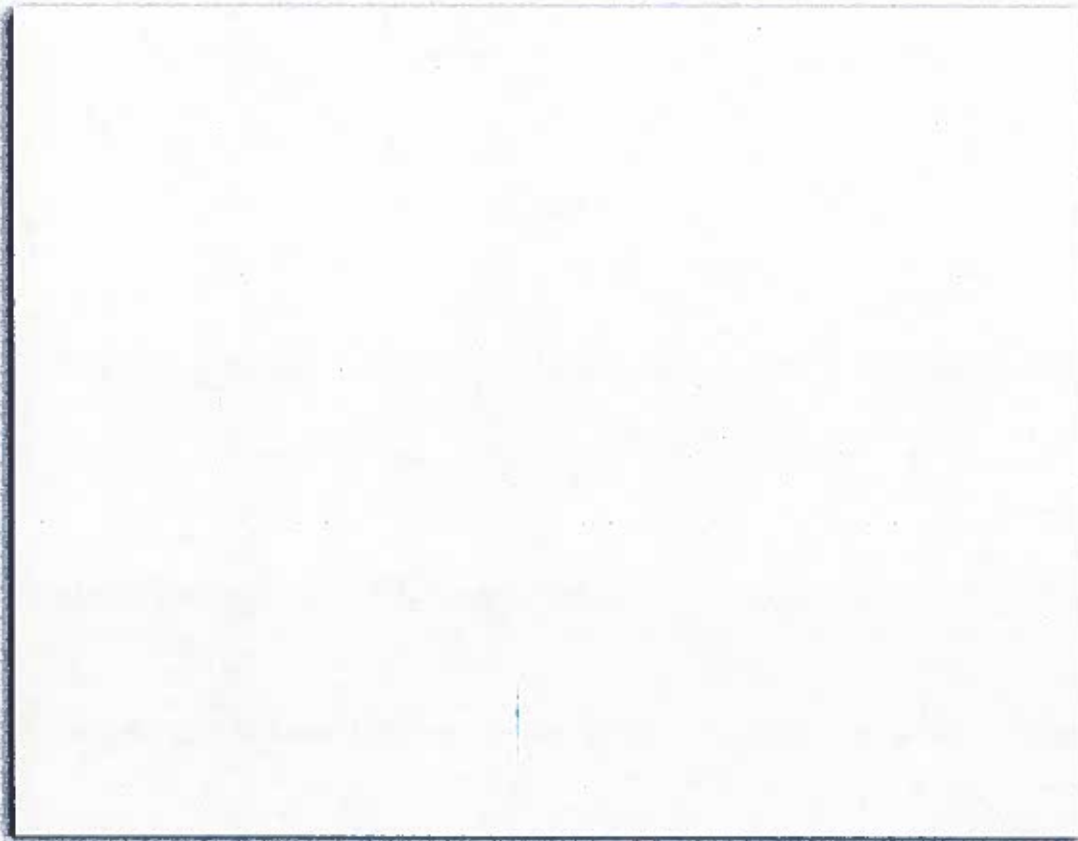
(Ord. 16-581; Ord. 17-015.)

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

City Council Bill No.:

Today's Date: [Insert Here]

(Place a picture of the posted sign in the picture box below.)



Address:

Date Posted:

Name:

Address:

Telephone:

- 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

ADVERTISING SIGNS MAY BE OBTAINED FROM THE FOLLOWING:

RICHARD HOFFMAN
AMERICAN DRAFTING SERVICE
904 DELLWOOD DRIVE
BALTIMORE, MARYLAND 21047

PHONE: (410) 879-3122
E-MAIL: DICK_E@COMCAST.NET

LA GRANDE VISION
JAMES EARL REID
408 E. EAGER STREET
BALTIMORE, MARYLAND 21202

PHONE: (410) 448-4913 or (410) 783-1555

FAX (410) 783-1559

SIGNS BY ANTHONY
ANTHONY L. GREENE
2815 TODKILL TRACE
EDGEWOOD, MD 21040

PHONE: 443-866-8717
FAX: 410-676-5446
E-MAIL: bones_malone@comcast.net

LINDA O'KEEFE
523 PENNY LANE
HUNT VALLEY, MD 21030
PHONE: 410-666-5366
CELL: 443-604-6431
E-MAIL: LUCKYLINDA1954@YAHOO.COM

OR ANY OTHER COMPANY OF YOUR CHOICE. THE SIGNS MUST BE MADE IN ACCORDANCE WITH THE RULES OF THE BOARD OF MUNICIPAL AND ZONING APPEALS.

THIS OFFICE IS NOT ASSOCIATED WITH ANY OF THE ABOVE DRAFTING COMPANIES, NOR DO WE RECOMMEND ANY SPECIFIC ONE.

The Baltimore City Department of
HOUSING & COMMUNITY
DEVELOPMENT

MEMORANDUM

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

From: Michael Braverman, Housing Commissioner 

Date: July 31, 2018

Re: **City Council Bill 18-0239 - Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 1613 West Pratt Street**

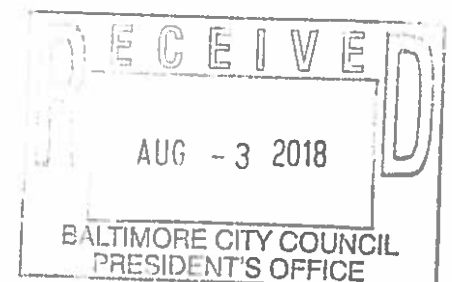
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0239, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007) and granting variances from certain bulk (lot area size) and off-street parking requirements.

If enacted, this bill would allow a property with a vacant building notice since June 2010 to be converted to a two dwelling unit and returned to productive reuse.

The Department of Housing and Community Development supports the passage of City Council Bill 18-0239.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR
	SUBJECT	CITY COUNCIL BILL 18-0239/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 1613 WEST PRATT STREET

CITY of
BALTIMORE
MEMO



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

DATE: July 27, 2018

The Zoning Code specifies, in its Title 5, subsection 5-506.(e) that the City Council may proceed to consider a zoning bill without a report and recommendations from an agency. As the Planning Commission, to which this bill was referred, has not held a public hearing of this bill prior to the scheduled August 1, 2018 date of the City Council hearing of this bill, the Planning Department is providing to the City Council for its consideration this report of its recommendations concerning this bill.

REQUEST

City Council Bill #18-0239/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 1613 West Pratt Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007) as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements.

RECOMMENDATION: Approval

PETITIONERS: Councilmember Bullock, at the request of Priscilla Oldham

OWNERS: Thomas Oldham and Priscilla D. Oldham

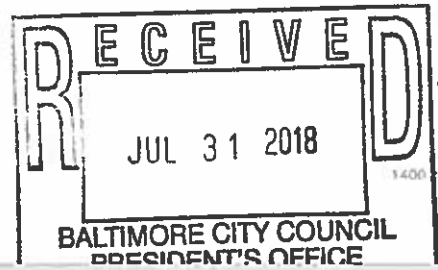
SITE

1613 West Pratt Street is located at the southwest corner of the intersection with Vincent Street. This property measures approximately 15' by 68' and is currently improved with a two-story semi-detached residential building covering the entire lot. The site is zoned R-8.

GENERAL AREA

This area is in the southwest corner of the Union Square Historic District, established in 1970 by Ordinance no. 821 dated June 2, 1970, and last enlarged by Ordinance no. 580 dated November 17, 1977. The Union Square Historic District was certified to the National Register of Historic Places on September 15, 1983. This area is characterized by a mix of town-houses and row-houses built in the 19th Century with numerous religious, institutional, commercial and low-intensity industrial uses along traditional commercial corridors such as Pratt, Lombard, and Baltimore Streets.

Fav w/ comments



CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

ANALYSIS

This legislation would allow the petitioner to use the existing structure as two dwelling units. Adaptive re-use as a two-family semi-detached dwelling would allow preservation of a piece of Union Square's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown for residents of the two dwelling units.

Zoning Analysis: This property is a semi-detached structure containing approximately 2,000 gross square feet of floor area. This bill would encourage re-use of a structure consistent with its current zoning.

- The Zoning Code requires, for conversion of a single-family property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §9-703.d., citing Table 9-401). A lot area of 1,500 square feet is thus required for the proposed use. This lot has 1,020 square feet and thus does not meet the lot area requirement for conversion. A variance of this requirement is therefore included in this bill.
- A rear yard setback of 20' is required (Table 9-401). This property has a rear yard of 0' and thus does not meet this requirement.
- The maximum lot coverage allowed is 80% in the R-8 zoning district (Table 9-401). This structure covers all of the lot, pursuant to an approval granted in 1956.
- One additional off-street parking space is required to serve the newly-created dwelling unit (§9-703.f.), totaling two required spaces for the use. The property can provide no off-street parking spaces. A variance for off-street parking is therefore required, and has been included in this bill.

Conditional Use – Required findings: In accordance with §5-406 of Article 32 (the Zoning Code of Baltimore City), the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 5 {"Applications and Authorizations"}, subtitle 4 {"Conditional Uses"} of the Zoning Code:

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 article (§5-406).

In addition, the Zoning Code requires review of these considerations:

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;

- there will be no negative impact to traffic patterns in the immediate area;
- the proposed use will not impair the present and future development of this lot or the surrounding area;
- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to emergency vehicles;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- the proposed use would not interfere with preservation of cultural and historic landmarks and structures;
- the proposed use would not alter the character of the neighborhood;
- the proposed use is consistent with provisions of the City's Comprehensive Master Plan; and
- the use of the property as two dwelling units meets all other applicable standards and requirements of this Code (§5-406).

It is the conclusion of the Planning Department that the use to be authorized by this bill would comply with the requirements and standards listed above. Therefore, the Department considers that this bill can be found to meet Findings (1), (2), (3), and (4) cited under subsection 5-406 of Article 32 above. (Finding (2) does not extend to an Urban Renewal Plan, as there is no applicable Urban Renewal Plan for this property.)

The proposed use as a 2-family dwelling would be consistent with residential use in the area and would allow continuing use of a structure that is a contributing element in the Union Square historic district. While the lot area requirement is not satisfied without a variance, this is in part offset by the fact that the building covers 100% of the lot and as such provides a larger gross square footage total floor area that meets conversion standards. While no off-street parking can be provided because the existing building covers the entire lot, the site is located in a dense, walkable neighborhood that is well-served by numerous bus lines and is in close proximity to various amenities. The amount of lot coverage on this property is essentially unique to the property and is not generally applicable to other property within the R-8 zoning classification (others in this area and in R-8 districts generally have rear yards meeting Zoning Code bulk standards). There is a practical difficulty with complying with the bulk and yard requirements and the conversion standards in the Zoning Code that has not been caused by action or inaction of any person with a present interest in this property. The purpose of the variances requested is not based exclusively on a desire to increase the value or income potential of the property. Each of the variances would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. Returning this property to productive full occupancy would actually help to improve property values in the southwestern portion of the Union Square Historic District. Finally, the variances are in harmony with the purpose and intent of the Zoning Code, and are in harmony with the Comprehensive Master Plan, the Union Square Historic District, and related considerations of public health, safety, and general welfare.

CITY OF BALTIMORE

CATHERINE E PUGH, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

DEREK J. BAUMGARDNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

July 31, 2018

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

RE: CC Bill #18-0239 Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 1613 West Pratt Street

Ladies and Gentlemen:

City Council Bill No. 18-0239 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

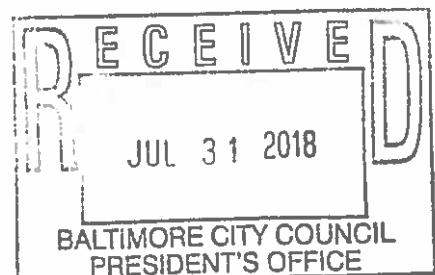
The purpose of City Council Bill No. 18-0239 is to permit, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007); and grant variances from certain bulk (lot area size) and off-street parking regulations


The BMZA has reviewed the legislation and recommends approval of CC Bill #18-239.

Sincerely,

Derek J. Baumgardner
Executive Director

CC: Mayors Office of Council Relations
City Council President
Legislative Reference



F R O M	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 18-0239		

TO Mayor Catherine E. Pugh

DATE: 7/31/18

TO: Respective City Council Land Use and Transportation Committee
 FROM: Department of Transportation
 POSITION: Support
 RE: Council Bill – 18-0239 – Zoning – Conditional Use

INTRODUCTION – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 1613 West Pratt Street.

PURPOSE/PLANS – For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements.



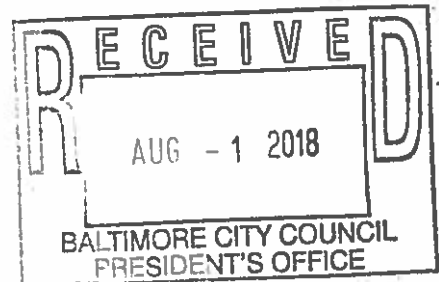
AGENCY/DEPARTMENT POSITION –

The Department of Transportation supports City Council 18-0239.

If you have any questions, please do not hesitate to contact Josh Taylor at Josh.Taylor@baltimorecity.gov, 443-984-3394

Sincerely,

Michelle Pourciau
 Director



7

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

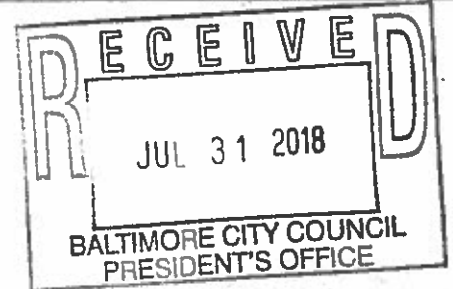


July 31, 2018

DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor
101 City Hall
Baltimore, Maryland 21202

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 18-0239 – Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 1613 West Pratt Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0239 for form and legal sufficiency. The bill would permit the conversion of a single-family dwelling unit to a 2-family dwelling at 1613 West Pratt Street, which is in an R-8 Zoning district. The bill would also grant variances for lot area and off-street parking requirements.

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:

- (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). In making these findings, the City Council must be guided by 14 "considerations" involving such things as the "nature of the surrounding area and the extent to which the proposed use might impair its present and future development," "the character of the neighborhood," and "the resulting traffic patterns and adequacy of proposed off-street parking." Baltimore City Code, Art. 32, § 5-406(b).

Fav w/ comments

Variance Standards

The bill also contains variances for lot area and off-street parking requirements. In general, dwellings in an R-8 must have 750 square feet and one off-street parking space per dwelling unit. Baltimore City Code, Art. 32, §§ 9-401; 9-703(f); 16-203, 16-602. In addition, to qualify for this type of conversion, the existing dwelling must have at least 1,500 square feet in gross floor area total and the converted dwelling must have at least 1,000 square feet per dwelling unit. Baltimore City Code, Art. 32, § 9-703(c). The lot is only 1,020 square feet. There is no off-street parking space for this lot. Since the property does not meet the applicable requirements, the bill seeks a variance from them.

To grant a 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).

Hearing Requirements

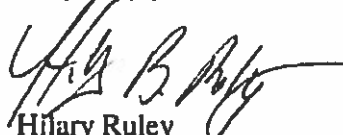
The Land Use and Transportation Committee (the "Committee") must consider the above law at the scheduled public hearing wherein it will hear and weigh the evidence as presented in: (1) the Planning Report and other agency reports; (2) testimony from the Planning Department and other City agency representatives; and (3) testimony from members of the public and interested persons. 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.

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.

Very truly yours,


Hilary Ruley
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Ashlea Brown, Assistant Solicitor
Avery Aisenstark



MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna B. Austin, Executive Secretary

FROM: William H. Cole, President and CEO *[Signature]*

DATE: May 30, 2018

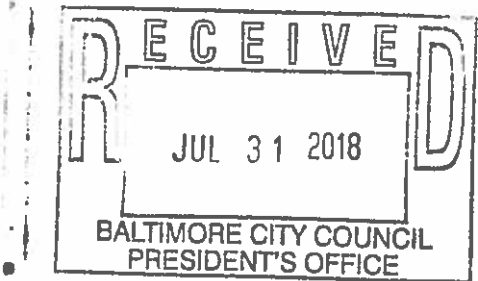
SUBJECT: City Council Bill 18-0239
Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District - Variances – 1613 W Pratt Street

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill 18-0239, for the purpose of allowing the property known as 1613 West Pratt Street to be converted from a single-family dwelling unit to two (2) dwelling units in the R-8 zoning district.

The proposed conditional use is necessary to allow for the additional dwelling unit in the R-8 Zoning District.

The BDC has no objection to City Council Bill No. 18-0239.

cc: Kyron Banks



No obj

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: June 1, 2018
RE: Council Bill 18-0239



I am herein reporting on City Council Bill 18-0239 introduced by Councilmember Bullock at the request of Priscilla Oldham.

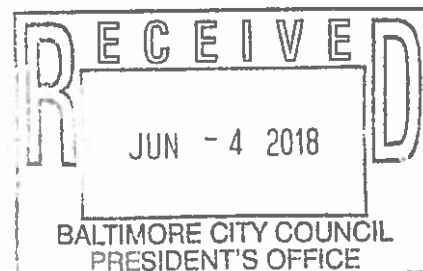
The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007).


According to Baltimore City Code Art. 32 § 9-701(2) the R-8 Zoning District allows for the conversion of a single-family dwelling to a multi-family dwelling through conditional-use approval by Ordinance of the Mayor and City Council. Conversion standards in Baltimore City Code Art. 32 § 9-703(f) and 16-203 require that at least 1 off-street parking space must be provided for each dwelling unit. This proposed legislation requests a variance for the off-street parking requirement.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. This property is not located on a block where the PABC administers on-street parking programs. A site visit was conducted on May 31, 2018. The PABC observed the on-street parking demand and determined that there is available inventory. In addition, the PABC investigated the alley and rear of the property and determined that there is not sufficient room for any off-street parking spaces. The alley is too narrow for vehicle access and the building occupies the entire parcel of land. A variance for off-street parking is therefore required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, the Parking Authority of Baltimore City does not oppose the passage of City Council Bill 18-0239.

*Not
opposed*



FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department	CITY OF BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. 21202		
	SUBJECT	City Council Bill #18-0239 Response to Zoning-Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District-Variations-1613 W. Pratt St.		

TO **The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408**

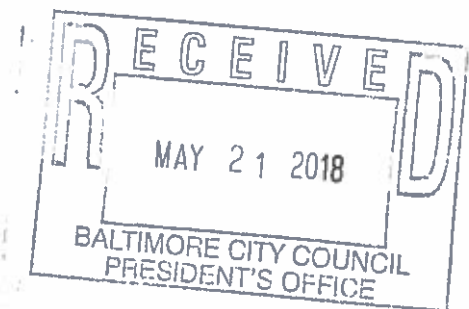
DATE **May 21, 2018**

For the purpose of permitting, subject to certain conditions, the conversion of a single family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements.

The proposed legislation would provide for- permitting, subject to certain conditions, the conversion of a single-family dwelling unit to two dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), and granting variances from certain bulk, lot area per dwelling unit, gross floor area, gross floor area per unit type, and off-street parking requirements.

The Fire Department does not object to City Council Bill 18-0239 provided that all applicable sections of the Fire and Building codes are adhered. This may include a requirement for plans to be submitted to the Fire Department, an annual Fire Inspection, permit, automatic sprinkler system, and Fire Alarm system.

No objection





Baltimore City Department of
HOUSING & COMMUNITY
DEVELOPMENT

Office of the Zoning Administrator
417 E. Fayette Street
Benton Bldg., Room 147
Baltimore MD. 21202

Ref: 1613 W. Pratt Street

Date: April 20, 2018

This memo is submitted to confirm the review of a request from the owner and/or representative of the property (or properties) referenced above for authorization to:

Convert existing premises into two dwelling units

Please be advised that the Office of the Zoning Administrator has determined that the authorization requested above (in whole or in part) requires approval by Ordinance of the Mayor and City Council of Baltimore. In the furtherance of said Ordinance approval, the Zoning Administrator has determined that the following variances per the Zoning Code of Baltimore City are required and should be incorporated in the bill for approval of the Mayor and City Council:

- 9-401 & 9-703(d): Bulk regulations (lot area) in the R-8 District. A lot area of 1,500 square feet is required for two dwelling units. Lot is only 1,020 square feet (per attached Block Plat).
- Subsections 9-703(f), 16-203 & 16-602: Off-street parking in the R-7 District (Table 16-406). One off-street parking space would be required. None are provided.

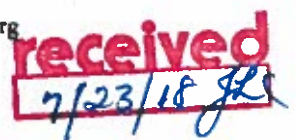
This memo is being submitted in accordance with Subsections 5-201 and 5-303 of the Zoning Code for Baltimore City.

Respectfully,

Geoffrey M. Veale
Zoning Administrator

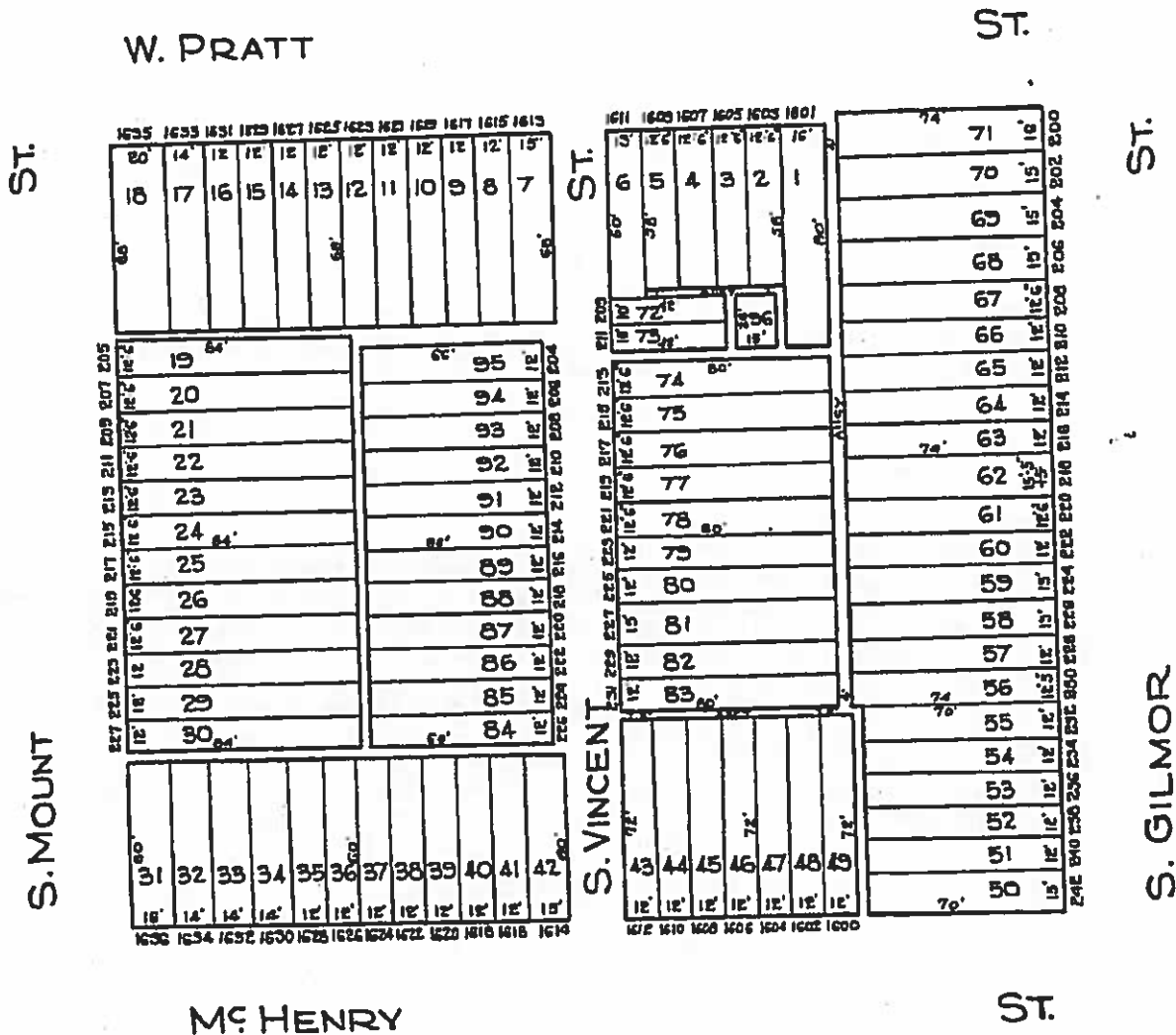
cc: Department of Legislative Reference

Ms. Priscilla Oldham, Owner
Councilman John Bullock
Department of Planning






REVISIONS
Dim. Lot, 62 per Bauerafeld, C. & H. 1492P.



TRACED BY G Moorehead
LETTERED BY G Moorehead
CHECKED BY:

NOTICE
THIS IS A REAL PROPERTY PLAT AS PROVIDED FOR UNDER ARTICLE 70M OF THE CITY CHARTER IT IS COMPILED FROM TITLE AND OTHER SOURCES AND IS NOT AN AUTHENTIC SURVEY

CITY OF BALTIMORE
DEPARTMENT OF PUBLIC WORKS
-BUREAU OF SURVEYS
PROPERTY LOCATION DIVISION
WARD 19, SECTION 12
BLOCK 262
SCALE: 1 INCH = 40 FT. DATE: July 1929.

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	CITY COUNCIL BILL 18-0239/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 1613 WEST PRATT STREET		

TO

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

DATE:

July 27, 2018

The Zoning Code specifies, in its Title 5, subsection 5-506.(e) that the City Council may proceed to consider a zoning bill without a report and recommendations from an agency. As the Planning Commission, to which this bill was referred, has not held a public hearing of this bill prior to the scheduled August 1, 2018 date of the City Council hearing of this bill, the Planning Department is providing to the City Council for its consideration this report of its recommendations concerning this bill.

REQUEST

City Council Bill #18-0239/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 1613 West Pratt Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007) as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements.

RECOMMENDATION: Approval

PETITIONERS: Councilmember Bullock, at the request of Priscilla Oldham

OWNERS: Thomas Oldham and Priscilla D. Oldham

SITE

1613 West Pratt Street is located at the southwest corner of the intersection with Vincent Street. This property measures approximately 15' by 68' and is currently improved with a two-story semi-detached residential building covering the entire lot. The site is zoned R-8.

GENERAL AREA

This area is in the southwest corner of the Union Square Historic District, established in 1970 by Ordinance no. 821 dated June 2, 1970, and last enlarged by Ordinance no. 580 dated November 17, 1977. The Union Square Historic District was certified to the National Register of Historic Places on September 15, 1983. This area is characterized by a mix of town-houses and row-houses built in the 19th Century with numerous religious, institutional, commercial and low-intensity industrial uses along traditional commercial corridors such as Pratt, Lombard, and Baltimore Streets.

received
 7/30/18 [Signature]

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

ANALYSIS

This legislation would allow the petitioner to use the existing structure as two dwelling units. Adaptive re-use as a two-family semi-detached dwelling would allow preservation of a piece of Union Square's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown for residents of the two dwelling units.

Zoning Analysis: This property is a semi-detached structure containing approximately 2,000 gross square feet of floor area. This bill would encourage re-use of a structure consistent with its current zoning.

- The Zoning Code requires, for conversion of a single-family property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §9-703.d., citing Table 9-401). A lot area of 1,500 square feet is thus required for the proposed use. This lot has 1,020 square feet and thus does not meet the lot area requirement for conversion. A variance of this requirement is therefore included in this bill.
- A rear yard setback of 20' is required (Table 9-401). This property has a rear yard of 0' and thus does not meet this requirement.
- The maximum lot coverage allowed is 80% in the R-8 zoning district (Table 9-401). This structure covers all of the lot, pursuant to an approval granted in 1956.
- One additional off-street parking space is required to serve the newly-created dwelling unit (§9-703.f.), totaling two required spaces for the use. The property can provide no off-street parking spaces. A variance for off-street parking is therefore required, and has been included in this bill.

Conditional Use – Required findings: In accordance with §5-406 of Article 32 (the Zoning Code of Baltimore City), the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 5 {"Applications and Authorizations"}, subtitle 4 {"Conditional Uses"} of the Zoning Code:

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 in harmony with the purpose and intent of this article (§5-406).

In addition, the Zoning Code requires review of these considerations:

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;

- there will be no negative impact to traffic patterns in the immediate area;
- the proposed use will not impair the present and future development of this lot or the surrounding area;
- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to emergency vehicles;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- the proposed use would not interfere with preservation of cultural and historic landmarks and structures;
- the proposed use would not alter the character of the neighborhood;
- the proposed use is consistent with provisions of the City's Comprehensive Master Plan; and
- the use of the property as two dwelling units meets all other applicable standards and requirements of this Code (§5-406).

It is the conclusion of the Planning Department that the use to be authorized by this bill would comply with the requirements and standards listed above. Therefore, the Department considers that this bill can be found to meet Findings (1), (2), (3), and (4) cited under subsection 5-406 of Article 32 above. (Finding (2) does not extend to an Urban Renewal Plan, as there is no applicable Urban Renewal Plan for this property.)

The proposed use as a 2-family dwelling would be consistent with residential use in the area and would allow continuing use of a structure that is a contributing element in the Union Square historic district. While the lot area requirement is not satisfied without a variance, this is in part offset by the fact that the building covers 100% of the lot and as such provides a larger gross square footage total floor area that meets conversion standards. While no off-street parking can be provided because the existing building covers the entire lot, the site is located in a dense, walkable neighborhood that is well-served by numerous bus lines and is in close proximity to various amenities. The amount of lot coverage on this property is essentially unique to the property and is not generally applicable to other property within the R-8 zoning classification (others in this area and in R-8 districts generally have rear yards meeting Zoning Code bulk standards). There is a practical difficulty with complying with the bulk and yard requirements and the conversion standards in the Zoning Code that has not been caused by action or inaction of any person with a present interest in this property. The purpose of the variances requested is not based exclusively on a desire to increase the value or income potential of the property. Each of the variances would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. Returning this property to productive full occupancy would actually help to improve property values in the southwestern portion of the Union Square Historic District. Finally, the variances are in harmony with the purpose and intent of the Zoning Code, and are in harmony with the Comprehensive Master Plan, the Union Square Historic District, and related considerations of public health, safety, and general welfare.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Land Use and Transportation Committee

Wednesday, August 1, 2018

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0239

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 6 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Ryan Dorsey, Member Leon F. Pinkett III, and Member Robert Stokes Sr.

Absent 1 - Member Eric T. Costello

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0239

Zoning - Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 1613 West Pratt Street
For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements.

Sponsors: John T. Bullock

A motion was made by Member Dorsey, seconded by Member Stokes, that the bill be recommended favorably. The motion carried by the following vote:

Yes: 6 - Member Reisinger, Member Middleton, Member Clarke, Member Dorsey, Member Pinkett III, and Member Stokes Sr.

Absent: 1 - Member Costello

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 18-0239

Zoning - Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 1613 West Pratt Street

Committee: Land Use and Transportation
Chaired By: Councilmember Edward Reisinger

Hearing Date: August 1, 2018
Time (Beginning): 1:20 PM
Time (Ending): 1:30 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~20
Committee Members in Attendance:
Reisinger, Edward, Chairman
Middleton, Sharon, Vice Chair
Clarke, Mary Pat
Dorsey, Ryan
Pinkett, Leon
Stokes, Robert

Bill Synopsis in the file? [X] yes [] no [] n/a
Attendance sheet in the file? [X] yes [] no [] n/a
Agency reports read? [X] yes [] no [] n/a
Hearing televised or audio-digitally recorded? [X] yes [] no [] n/a
Certification of advertising/posting notices in the file? [X] yes [] no [] n/a
Evidence of notification to property owners? [X] yes [] no [] n/a
Final vote taken at this hearing? [X] yes [] no [] n/a
Motioned by: Councilmember Dorsey, Ryan
Seconded by: Councilmember Stokes, Robert
Final Vote: Favorable

Major Speakers
(This is not an attendance record.)

- The Honorable John Bullock, Sponsor
 - Mr. Martin French, Planning Department
 - Ms. Hilary Ruley, Law Department
 - Ms. Taylor LaFave, Parking Authority of Baltimore City
 - Mr. Josh Taylor, Department of Transportation
 - Mr. Derrick Baumgardner, Board of Municipal Zoning Appeals
 - Ms. Sharon, DaBoin, Department of Housing and Community Development
 - Mr. Kyron Banks, Office of the Mayor
-

Major Issues Discussed

1. Councilman Reisinger read the bill's number, title and purpose. He stated that the record indicated that public notice requirements for the hearing had been met.
 2. Councilmember Bullock provided background information about the bill. He indicated the owner has community support and that the project would help revitalize the area of southwest Baltimore.
 3. Mr. Martin French presented information from the Department of Planning's memorandum. He provided additional information about use of the property. He indicated that the property had been vacant for many years. The property covers the entire lot and therefore does not have enough space for off-street parking. Planning believes the property would qualify for the variances due to practical difficulties. He provided additional information to satisfy the approval standards for the conditional use and variances outlined in Article 32 – Zoning.
 4. Councilwoman Clarke asked about the storefront on the property. Mr. French explained that the property was once used as a grocery store. The storefront would remain.
 5. Councilman Reisinger indicated that the hearing for the bill was moving forward without Planning Commission recommendations, due to that agency's non-compliance with agency referral requirements outlined in Article 32.
 6. Ms. Sharon DaBoin stated that the Department of Housing and Community Development was very happy to see the site being developed as it had been vacant for about 10 years.
 7. Agency representatives testified in support of their agency's report.
 8. The hearing was adjourned.
-

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

Reisinger, Edward, Chairman..... **Yea**
Middleton, Sharon, Vice Chair..... **Yea**
Clarke, Mary Pat..... **Yea**
Costello, Eric **Absent**
Dorsey, Ryan **Yea**
Pinkett, Leon..... **Yea**
Stokes, Robert:..... **Yea**

Jennifer L. Coates, Committee Staff



Date: August 1, 2018

cc: Bill File
OCS Chrono File



**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

Committee: Land Use and Transportation Chairperson: Edward Reisinger
 Date: August 1, 2018 Time: 1:10 PM Place: Clarence "Du" Burns Chambers
 Subject: Ordinance - Zoning - Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8
 Zoning District - Variances - 1613 West Pratt Street CC Bill Number: 18-0239

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PRISCILLA	OLDHAM	1613	W. PRATT ST	21223	priscilla.oldham@verizon.net	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Josh	Taylor		Dist	21202	josh.taylor@baltimore.gov	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Martin	French		Planning			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shawn	Debo		ATC/D			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(* NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Land Use and Transportation Committee

Wednesday, August 1, 2018

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0239

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0239

Zoning - Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 1613 West Pratt Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements.

Sponsors:

John T. Bullock

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward Reisinger
Chairperson**

PUBLIC HEARING

Wednesday, August 1, 2018

1:10 PM

Clarence "Du" Burns Council Chambers

City Council Bill # 18-0239

***Zoning - Conditional Use Conversion of a Single Family Dwelling Unit
to 2 Dwelling Units in the R-8 Zoning District -
Variances - 1613 West Pratt Street***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac “Yitzy” Schleifer
Shannon Sneed
Staff: Marguerite Currin

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: Matthew Peters

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac “Yitzy” Schleifer
Staff: Marguerite Currin

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac “Yitzy” Schleifer – Vice Chair
Kristerfer Burnett
Bill Henry
Shannon Sneed
Zeke Cohen
Ryan Dorsey
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

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Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: Matthew Peters

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Samuel Johnson

LAND USE AND TRANSPORTATION

Edward Reisinger – Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac “Yitzy” Schleifer
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Samuel Johnson
- Larry Greene (pension only)

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 18-0239

Zoning - Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 1613 West Pratt Street

Sponsor: Councilmember Bullock

Introduced: May 14, 2018

Purpose:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements..

Effective: 30th day after enactment

Hearing Date/Time/Location: August 1, 2018 /1:10 p.m./Clarence "Du" Burns Chambers

Agency Reports

Planning Commission

Board of Municipal and Zoning Appeals

Department of Transportation

Department of Law

Department of Housing and Community Development

Baltimore Development Corporation

Fire Department

Parking Authority of Baltimore City

No Objection

Not Opposed



Analysis

Current Law

Article 32 – Zoning; Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(d), 9-703(f), 16-203, and 16-602 (Table 16-406); Baltimore City Revised Code; (Edition 2000))

Background

If approved, Bill 18-0239 will authorize a conditional use conversion of a single-family dwelling unit to two dwelling units at the property located at 1613 West Pratt Street. The bill would also grant variances from certain bulk (lot area size) and off-street parking regulations. The Zoning Administrator has determined that variances for lot area and off-street parking are needed.

Mr. Thomas and Mrs. Priscilla Oldham are the owners of the property. The property is zoned R-8 and is situated on the southern border of the Union Square Historic District, a locally designated Baltimore City historic district (1970) and is certified to the National Register of Historic Places (1983). Situated on the south side of West Pratt Street, the property is surrounded by residential properties. Pratt Street is an historic residential corridor leading to the Mount Clare Shops of the B&O Railroad Roundhouse and Museum, six blocks east of this property. There are residential mixed-use structures, most dating from the mid or late 19th Century. The residential character of the neighborhood includes some school, religious and institutional buildings.

The end-of-row property measures approximately 15' x 68' and is currently improved with a two-story store front building. In the R-8 Zoning District a lot area of 1,500 square feet is required for two dwelling units. The lot is only 1,020 feet. Bill 18-0269 requests a variance for the lot area.

In the R-8 District, one off-street parking space is required. Bill 18-0269 is requests a variance for off-street parking. The Parking Authority of Baltimore City (PABC) determined that the building on the property occupies the entire parcel of land. In addition, the alley in the rear of the property is too narrow for vehicle access. Consequently, there is not sufficient room for any off-street parking spaces. The property is not located on a block where the (PABC) administers any on-street parking programs. PABC determined that there is available on-street parking inventory available. PABC supports granting of a variance for off-street parking.

The proposed action would be consistent with provisions of the Baltimore City Master Plan LIVE EARN PLAY LEARN's LIVE Goal 1: Build Human and Social Capital by Strengthening

Neighborhoods, Objective 1: Expand Housing Choices for all Residents; and Objective 2: Strategically Redevelop Vacant Properties throughout the City.

Additional Information

Fiscal Note: Not Available

Information Source(s): Zoning Administrator and Agency Reports

Analysis by: Jennifer L. Coates *JLC* Direct Inquiries to: (410) 396-1260
Analysis Date: July 27, 2018

**CITY OF BALTIMORE
COUNCIL BILL 18-0239
(First Reader)**

Introduced by: Councilmember Bullock

At the request of: Priscilla Oldham

Address: 5 Holly Branch Court, Glen Arm, Maryland 21057

Telephone: 410-480-0805

Introduced and read first time: May 14, 2018

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to**
3 **2 Dwelling Units in the R-8 Zoning District – Variances –**
4 **1613 West Pratt Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613
7 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and
8 granting variances from certain bulk (lot area size) and off-street parking requirements.

9 BY authority of

10 Article 32 - Zoning

11 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(d), 9-703(f),
12 16-203, and 16-602 (Table 16-406)

13 Baltimore City Revised Code
14 (Edition 2000)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
16 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
17 the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007),
18 as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City
19 Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies with
20 all applicable federal, state, and local licensing and certification requirements.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
22 201(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
23 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk
24 and Yard Regulations), as a lot area of 1,500 square feet is required for 2 dwelling units, and the
25 lot is only 1,020 square feet.

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

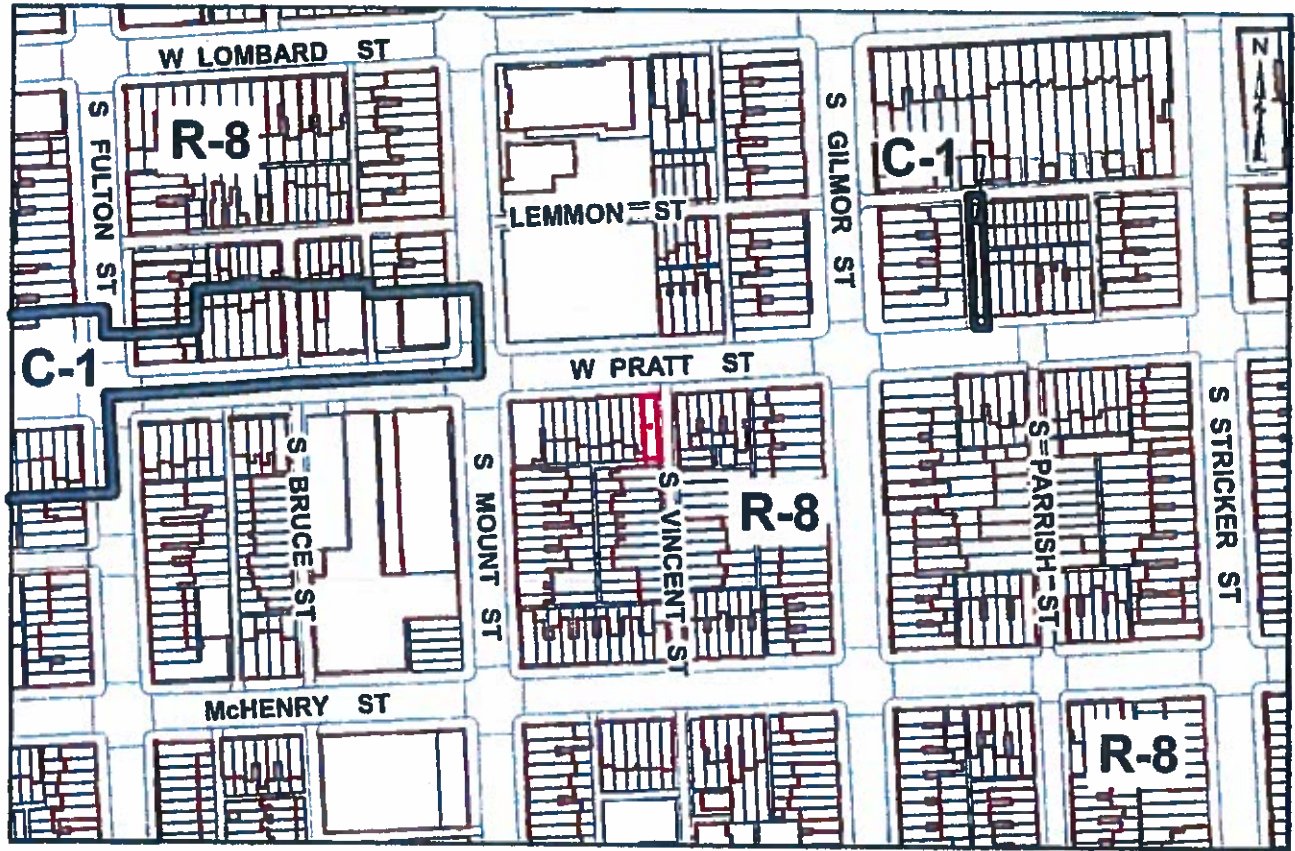
Council Bill 18-0239

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
2 201(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the off-street
3 parking requirements of §§ 9-703(f), 16-203, 16-602, and Table 16-406: Required Off-Street
4 Parking.

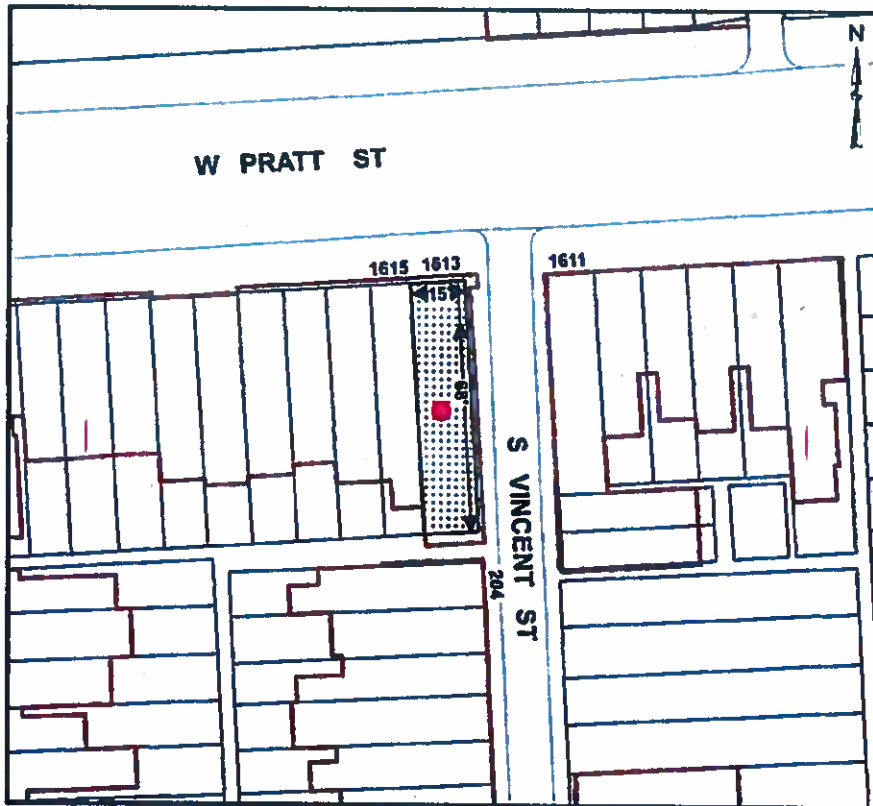
5 **SECTION 4. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
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8 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
9 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
10 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
11 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
12 the Zoning Administrator.

13 **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
14 after the date it is enacted.

**SHEET NO. 54 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Note:

In Connection With The Property Known As No. 1613 WEST PRATT STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Family Dwelling Unit To Two Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 19 SECTION 12
BLOCK 262 LOT 7

MAYOR

PRESIDENT CITY COUNCIL

LAND USE AND TRANSPORTATION COMMITTEE

BILL 18-0239

AGENCY REPORTS

Planning Commission	
Board of Municipal Zoning Appeals	
Department of Transportation	
Department of Law	
Department of Housing and Community Development	
Baltimore Development Corporation	
Parking Authority Board of Baltimore City	Not Opposed
Fire Department	No Objection

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: June 1, 2018
RE: Council Bill 18-0239




I am herein reporting on City Council Bill 18-0239 introduced by Councilmember Bullock at the request of Priscilla Oldham.

The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007).

According to Baltimore City Code Art. 32 § 9-701(2) the R-8 Zoning District allows for the conversion of a single-family dwelling to a multi-family dwelling through conditional-use approval by Ordinance of the Mayor and City Council. Conversion standards in Baltimore City Code Art. 32 § 9-703(f) and 16-203 require that at least 1 off-street parking space must be provided for each dwelling unit. This proposed legislation requests a variance for the off-street parking requirement.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. This property is not located on a block where the PABC administers on-street parking programs. A site visit was conducted on May 31, 2018. The PABC observed the on-street parking demand and determined that there is available inventory. In addition, the PABC investigated the alley and rear of the property and determined that there is not sufficient room for any off-street parking spaces. The alley is too narrow for vehicle access and the building occupies the entire parcel of land. A variance for off-street parking is therefore required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, the Parking Authority of Baltimore City does not oppose the passage of City Council Bill 18-0239.

FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department	CITY OF BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202		
	SUBJECT	City Council Bill #18-0239 Response to Zoning-Conditional Use Conversion of a Single Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District-Variations-1613 W. Pratt St.		

TO **The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408**

DATE **May 21, 2018**

For the purpose of permitting, subject to certain conditions, the conversation of a single family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements.

The proposed legislation would provide for- permitting, subject to certain conditions, the conversion of a single-family dwelling unit to two dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), and granting variances from certain bulk, lot area per dwelling unit, gross floor area, gross floor area per unit type, and off-street parking requirements.

The Fire Department does not object to City Council Bill 18-0239 provided that all applicable sections of the Fire and Building codes are adhered. This may include a requirement for plans to be submitted to the Fire Department, an annual Fire Inspection, permit, automatic sprinkler system, and Fire Alarm system.

**CITY OF BALTIMORE
COUNCIL BILL 18-0239
(First Reader)**

Introduced by: Councilmember Bullock

At the request of: Priscilla Oldham

Address: 5 Holly Branch Court, Glen Arm, Maryland 21057

Telephone: 410-480-0805

Introduced and read first time: May 14, 2018

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to**
3 **2 Dwelling Units in the R-8 Zoning District – Variances –**
4 **1613 West Pratt Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613
7 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and
8 granting variances from certain bulk (lot area size) and off-street parking requirements.

9 BY authority of

10 Article 32 - Zoning

11 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(d), 9-703(f),
12 16-203, and 16-602 (Table 16-406)

13 Baltimore City Revised Code
14 (Edition 2000)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
16 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
17 the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007),
18 as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City
19 Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies with
20 all applicable federal, state, and local licensing and certification requirements.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
22 201(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
23 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk
24 and Yard Regulations), as a lot area of 1,500 square feet is required for 2 dwelling units, and the
25 lot is only 1,020 square feet.

EXPLANATION: CAPITALS indicate matter added to existing law.
{Brackets} indicate matter deleted from existing law.

Council Bill 18-0239

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
2 201(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the off-street
3 parking requirements of §§ 9-703(f), 16-203, 16-602, and Table 16-406: Required Off-Street
4 Parking.

5 **SECTION 4. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
6 accompanying plat and in order to give notice to the agencies that administer the City Zoning
7 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
8 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
9 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
10 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
11 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
12 the Zoning Administrator.

13 **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
14 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

APPROVED FOR FORM
STYLE, AND TENTIAL SUFFIENCY

5-7-18
DEPT LEGISLATIVE REFERENCE

Introduced by: Councilmember Bullock
At the request of: Priscilla Oldham
Address: 5 Holly Branch Court, Glen Arm, Maryland 21057
Telephone: 410-480-0805

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District – Variances –
1613 West Pratt Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size) and off-street parking requirements.

BY authority of

Article 32 - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(d), 9-703(f),
16-203, and 16-602 (Table 16-406)
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 conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 West Pratt Street (Block 0262, Lot 007), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building 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) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk and Yard Regulations), as a lot area of 1,500 square feet is required for 2 dwelling units, and the lot is only 1,020 square feet.

SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-201(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the off-street parking requirements of §§ 9-703(f), 16-203, 16-602, and Table 16-406: Required Off-Street Parking.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

SECTION 4. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

STATEMENT OF INTENT

FOR

1613 W. PRATT ST
{Address}

1. Applicant's Contact Information:

Name: THOMAS & PRISCILLA OLDHAN
Mailing Address: 5 HOLLY BRANCH CT. GLEN ARM, MD 21057
Telephone Number: (410) 480-0805, C. 443-742-5402
Email Address: _____

2. All Proposed Zoning Changes for the Property: CONVERSION OF A SINGLE-FAMILY DWELLING UNIT, TO TWO DWELLING UNITS IN THE R-8 ZONING DISTRICT FOR THE PROPERTY 1613 W. PRATT ST.

3. All Intended Uses of the Property: TO RENT OR SALE

4. Current Owner's Contact Information:

Name: THOMAS & PRISCILLA OLDHAN
Mailing Address: 5 HOLLY BRANCH CT. GLEN ARM, MD 21057
Telephone Number: 410 480-0805
Email Address: 443-742-5402

5. Property Acquisition:

The property was acquired by the current owner on MARCH 30, 2007 by deed recorded in the Land Records of Baltimore City in Liber FMC 2413 Folio 490.

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}: _____

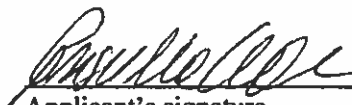
(ii) The purpose, nature, and effect of the contract are: _____

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 stockholders of any corporation, are as follows {use additional sheet if necessary}: _____

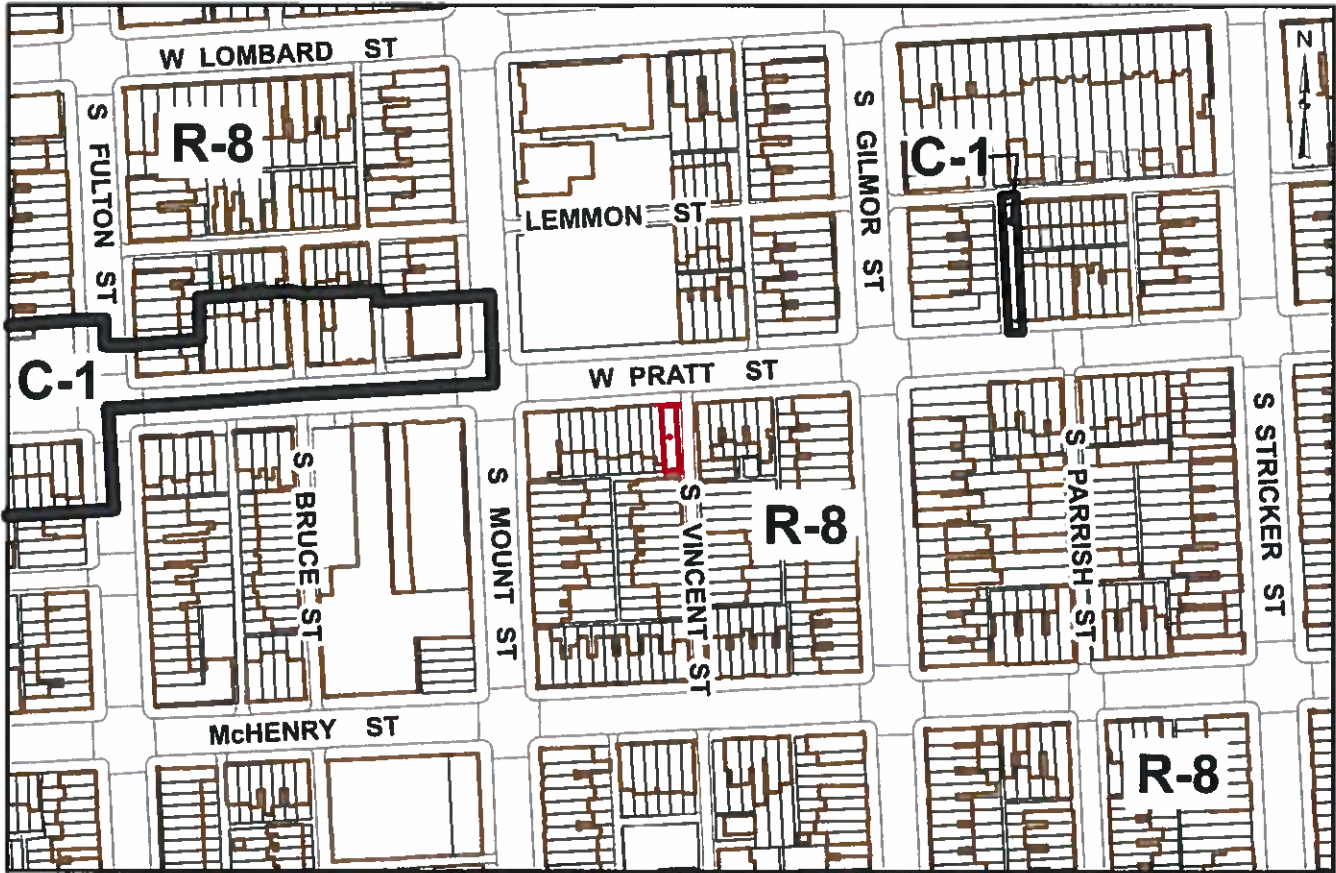
AFFIDAVIT

I, PRISCILLA OLDHAM, 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.

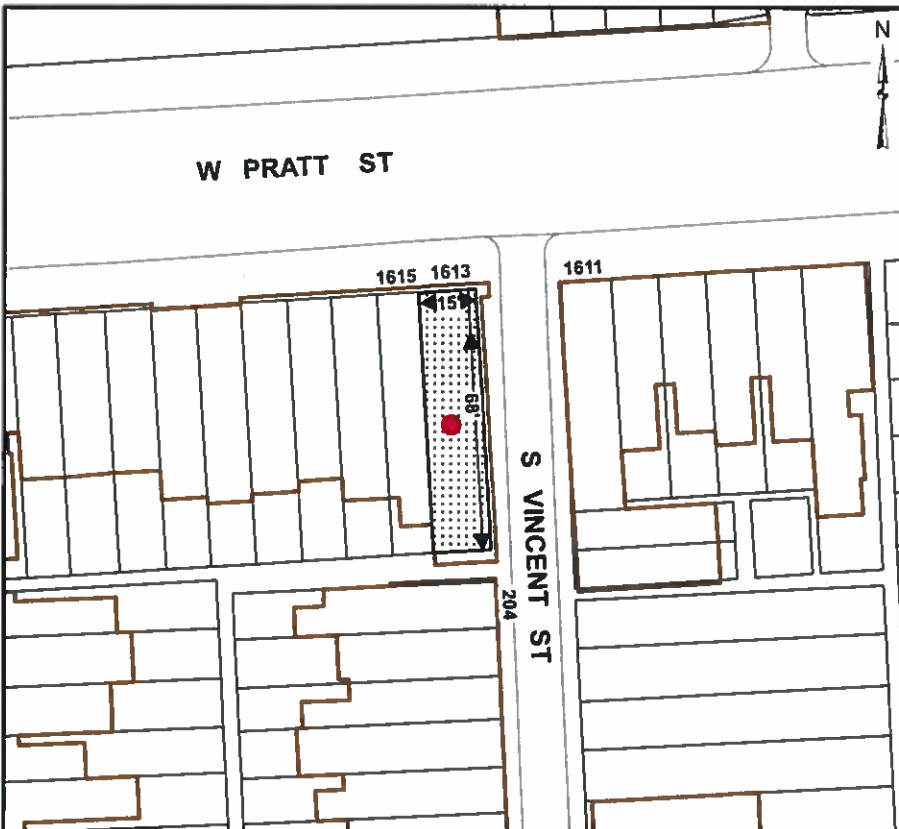

Applicant's signature

MAY 4, 2018
Date

**SHEET NO. 54 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



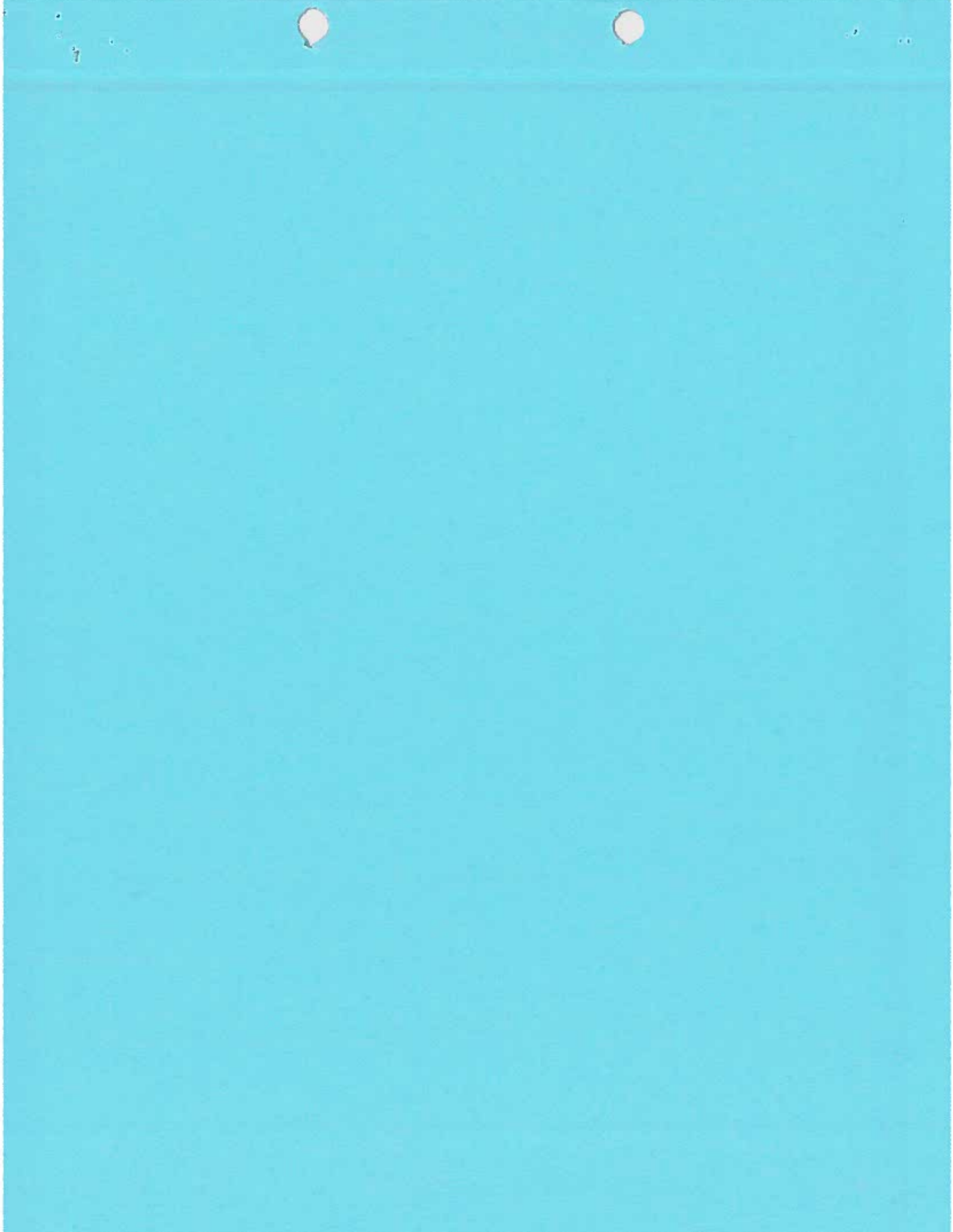
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WARD 19 SECTION 12
BLOCK 262 LOT 7

MAYOR

PRESIDENT CITY COUNCIL



ACTION BY THE CITY COUNCIL

MAY 14 2018

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON August 1, _____ 20 18

COMMITTEE REPORT AS OF August 6, _____ 20 18

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

Edward H. Jensen
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

AUG 06 2018

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ AUG 09 2018

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

Bud DeJoy

President

Liam J. Lane

Chief Clerk