

**AB ASSOCIATES**  
**201 E. Baltimore Street, #1150**  
**Baltimore, Maryland 21202**  
**410-456-9179**

The Honorable President and Members  
of the City Council  
City Hall, Room 400  
100 N. Holliday Street  
Baltimore, Maryland 21202

July 19, 2021

Re: City Council Bill 21-0012 / Rezoning 1214-20 Hull Street

Dear Chairperson Middleton, and Members of the Committee,

As a representative of the applicant, I am writing to give you background on the subject Bill and also provide Findings of Fact for the Committee to consider as part of its approval. I am providing these findings as a recognized expert in Planning and Zoning matters by numerous hearing bodies and courts throughout Maryland. The Law Department's report of July 14, 2021 recommends that the Council independently identify the required Findings of Fact if the Committee is to vote favorably on the rezoning. The following will attempt to provide such guidance for the Committee's consideration.

**Background of subject property**

The property at 1214-20 Hull Street is comprised of two combined buildings of which the main building (2016-20 Hull Street) was originally built as a union office building. The building at 1214 Hull Street was a mixed use row building used up until the 1960's as a grocery store. Both would be non-conforming uses under the existing residential zoning. The applicant is the Kovacs Whitney engineering firm that purchased the former union building in 1986 and received Zoning Board approval to change the non-conforming use to their offices. The company subsequently purchased the adjacent 2014 building the following year and combined both buildings and their interiors for their office use. The properties are in the final stages of being consolidated this year into one parcel.

The principals of the engineering firm became aware of the non-conforming status of both buildings in 2019 while investigating potential refinancing options and began to discuss rezoning options with the Locust Point Civic Association in January of 2020. These discussions

were placed on hold during the past year but recently concluded this spring with an agreement with the Association that will restrict the height of any future addition.

**Arguments in support of the rezoning**

The Planning Commission correctly recognized that the residential zoning was clearly in error in that it did not recognize the 35 year historical use of the buildings as a combined office use. This error conflicted with one of the principles of the Transform Baltimore comprehensive zoning process to minimize non-conforming uses, particularly for significant buildings. While this alone does not provide sufficient justification for rezoning, the Council is required to consider the recommendations of the Planning Commission and Zoning Board, both of which recommended approval along with the Baltimore Development Corporation. This proposed rezoning also has the full support of the neighborhood association with a separate agreement with the owner over future development restrictions.

Attached are suggested Findings of Fact as required that support the conclusion that the existing R-8 zoning under Transform Baltimore was a mistake and therefore meets the legal criteria for rezoning to the O-R-1 classification.

Sincerely,

Alfred W. Barry III  
on behalf of the applicant

cc: Councilman Eric Costello