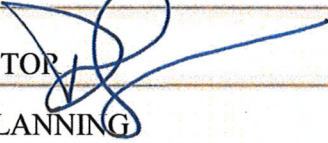



<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #22-0203/ ZONING – CONDITIONAL USE CONVERSION TO 2 DWELLING UNITS – 2223 CALLOW AVENUE		

**TO**

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

DATE:

April 29, 2022

At its regular meeting of April 28, 2022, the Planning Commission considered City Council Bill #22-0203, 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 2223 Callow Avenue (Block 3446, Lot 64), as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #22-0203, and adopted the following resolution, with eight members being present (eight in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-406(a) and §5-406(b) of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- would not be detrimental to or endanger the public health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest; and
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in §5-406(b) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and adopt the findings of fact outlined in the attached staff report and its equity findings, with consideration for testimony and facts presented at this meeting; and therefore recommends that City Council Bill #22-0203 be approved by the City Council.

If you have any questions, please contact Mr. Martin French in the Land Use and Urban Design Division at 410-396-1354.

CR/ewt

attachment

cc: Ms. Natasha Mehu, Mayor's Office  
Ms. Nina Themelis, Mayor's Office  
Mr. Ethan Cohen, Mayor's Office  
The Honorable Eric Costello, Council Rep. to Planning Commission  
Mr. Matthew Stegman, City Council President's Office  
Ms. Nikki Thompson, City Council President's Office  
Mr. Colin Tarbert, BDC  
Ms. Kathleen Byrne, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Stephanie Murdock, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Liam Davis, DOT  
Ms. Natawna Austin, Council Services  
Mr. Sean Pennie



Brandon M. Scott  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chairman

### STAFF REPORT



Chris Ryer  
Director

April 28, 2022

**REQUEST:** City Council Bill #22-0203/ Zoning – Conditional Use Conversion of a Single-Family Dwelling to 2 Dwelling Units in the R-8 Zoning District – 2223 Callow Avenue

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 2223 Callow Avenue (Block 3446, Lot 64), as outlined in red on the accompanying plat.

**RECOMMENDATION:** Approval

**STAFF:** Martin French

**INTRODUCED BY:** Councilmember Torrence, at the request of Sean Pennie

**OWNER:** Sean Pennie

#### **SITE/GENERAL AREA**

**Site Conditions:** 2223 Callow Avenue is located on the east side of the street, south of the intersection with Newington Avenue. This property measures approximately 18' by 120' and is currently improved with a three-story attached residential building measuring approximately 18' by 66' that was constructed in 1905. After having been abandoned and left vacant, the building was renovated using historic property tax credits and sold to its current owner in 2016. This site is zoned R-8 and is located within the Reservoir Hill National Register Historic District and the Reservoir Hill community.

**General Area:** This property is in the northeastern portion of the predominantly residential community known as Reservoir Hill that is between North Avenue and Druid Hill Park. This area was developed in the final decade of the 19<sup>th</sup> Century and first three decades of the 20<sup>th</sup> Century, and its architecture reflects some dramatic changes in consumer choices of housing that happened in that span of time. During the mid-20<sup>th</sup> Century there was much conversion of single-family dwellings to multi-family dwellings in Reservoir Hill. There are scattered religious, institutional, and small-scale commercial uses in the area, and residential uses range from single-family attached housing of various sizes to small and large apartment houses, including twin high-rise public housing buildings for the elderly and disabled on the north edge of Reservoir Hill along Druid Park Lake Drive. In the southeast of the community is the redevelopment site known as Madison Park North, where new townhouses are now being planned. Some vacant land in Reservoir Hill is being used for urban farming.

## **HISTORY**

The Reservoir Hill Historic District was certified to the National Register of Historic Places on December 23, 2004. This portion of Reservoir Hill retained its R-8 zoning during the comprehensive rezoning mapping process associated with the effective date of the current Zoning Code on June 5, 2017.

## **ANALYSIS**

Background: This legislation would allow the petitioner to use the existing structure as two dwelling units: a four-bedroom unit consisting of the entire first, second and third floors of the original rowhouse; and a one-bedroom unit in the basement of the original rowhouse.

Zoning analysis: This property is a mid-group residential structure containing approximately 3,663 square feet of habitable floor area currently. This bill would allow re-use of the structure consistent with its current zoning.

- The Zoning Code requires, for conversion of a single-family dwelling in the R-8 zoning 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 approximately 2,160 square feet and thus meets this requirement for conversion.
- The Zoning Code requires, for conversion of a single-family dwelling in the R-8 district, 1,500 square feet of floor area in the structure (BCZC §9-703.b.). The existing structure contains over 3,600 square feet of floor area above ground level, thus meeting this requirement.
- The Zoning Code requires, for conversion of a single-family dwelling in the R-8 district, 750 square feet of floor area for each one-bedroom dwelling unit and 1,250 square feet of floor area for each three-bedroom or larger dwelling unit (BCZC §9-703.c.). The preliminary floor plan for this conversion shows approximately 3,663 square feet for the four-bedroom dwelling unit on the three upper floor levels of the premises, and approximately 1,000 square feet in the proposed basement-level one-bedroom dwelling unit. No variance of these standards is required.
- The maximum lot coverage allowed for a multi-family dwelling structure in the R-8 district is 80% (BCZC, Table 9-401). The existing structure covers approximately 55% of the lot and is not being enlarged. No variance of this requirement is needed.
- One additional off-street parking space is required to serve the newly-created dwelling unit (BCZC §9-703.f.). This property can provide the necessary off-street parking space, as the lot is 18' wide, has a rear yard approximately 30' deep, and has a public alley behind it. No variance of this requirement would be needed as the owner provides a paved parking area in the rear yard that can accommodate two motor vehicles.

Basement conversion: The existing basement is accessible from inside the house by way of an interior stairway descending from the kitchen area. This stairway would be retained, with appropriate fire separation added around it. However, since this stairway does not lead directly

to the exterior of the building, it would not qualify as an emergency egress for the new basement dwelling unit. For fire separation of the two dwelling units, a fire-rated enclosure of the stairway with fire-rated doors would be needed. To provide one of two direct exits to the exterior in case of fire or other emergency, an existing window under the front façade would be enlarged and a new semi-circular pit would be dug immediately outside it, fitted with an emergency escape ladder allowing one to reach the front paved yard that is level with the sidewalk along Callow Avenue. The existing rear door leading from the basement to the rear yard, which would become the primary emergency egress for the new dwelling unit, would be replaced with a larger and taller door meeting Building Code standards for exterior access to a dwelling unit. All work would be pursuant to plans approved by the City of Baltimore in order to preserve the eligibility of the property for continuance of the property tax credit for historic renovation and restoration.

The appearance of the existing structure as seen from the front sidewalk along Callow Avenue would not appear changed significantly, as the only readily observable change would be a replacement window at the lowest level of the front façade, the bottom portion of which would not be visible as it would be below the plane of the paved front yard. From the alley at the rear of the property, the only readily observable change would be a new and slightly larger basement door leading into the new dwelling unit.

Equity considerations: This property is located within a part of Baltimore City that has stable real estate market values and a proportion of non-whites that is similar to the City-wide average. The Reservoir Hill community, as part of the larger West Baltimore area, did in the past suffer from significant net disinvestment, combined with population losses, for several decades at the end of the 20<sup>th</sup> Century and beginning of the 21<sup>st</sup> Century. Since then this real estate submarket has rebounded. There would be no apparent or predictable changes to the quality of life in the Reservoir Hill community that would result from approval or disapproval of this proposed action. The applicant has stated that he has discussed the proposed residential conversion and the limited exterior changes to the building with neighboring residents. By itself, the proposed action would not change existing patterns of inequity that persist in Baltimore. However, the proposed action should be considered in the context of other actions generating both investment in and re-activation of significant parts of this portion of Baltimore. Southeast of this property is the Madison Park North revitalization project, which is bringing 120 planned townhouses with homeownership opportunities to a now-vacant tract of land on the north side of North Avenue. There would be no effect on internal operations of the Department of Planning that would result from approval of the proposed action.

Notification: The Friends of Reservoir Hill, Reservoir Hill Association, Reservoir Hill Improvement Council, St. Francis Neighborhood Center, Reservoir Hill Housing and Development Committee, and Councilman Torrence have been notified of this action.

  
**Chris Ryer**  
**Director**

