

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR <i>Chris Ruer</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #24-0579 / ZONING – CONDITIONAL USE CONVERSION OF A SINGLE-FAMILY DWELLING UNIT TO 2 DWELLING UNITS IN THE R-8 ZONING DISTRICT – VARIANCES – 523 NORTH CALHOUN STREET		

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

DATE: September 13, 2024

At its regular meeting of September 13, 2024, the Planning Commission considered City Council Bill #24-0579, 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 523 North Calhoun Street (Block 0125, Lot 043), as outlined in red on the accompanying plat; and granting variances from off-street parking requirements; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #24-0579 and adopted the following resolution:

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #24-0579 be **approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Ms. Rebecca Witt, 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



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

September 12, 2024

REQUEST: City Council Bill #24-0579/ Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 523 North Calhoun 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 523 North Calhoun Street (Block 0125, Lot 043), as outlined in red on the accompanying plat; and granting variances from off-street parking requirements; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Eric Tiso

PETITIONER: There's No Place Like Home Enterprises LLC, c/o Angelia Johnson and Willie Johnson, Jr.

OWNER: There's No Place Like Home Enterprises LLC

SITE/GENERAL AREA

Site Conditions: 523 North Calhoun Street is located on the east side of the street, approximately 183'7" north of the intersection with West Franklin Street. This property measures approximately 16'9" by 108' and is currently improved with a three-story rowhome measuring approximately 16'9" by 60'. This site is zoned R-8 and is located within the Harlem Park II Urban Renewal Plan (URP) area.

General Area: This property is located in the Harlem Park neighborhood, which is primarily residential in nature, with the majority of its housing stock comprised of rowhomes. There are scattered institutional and commercial uses throughout the neighborhood. The Harlem Park Recreation Center is located two blocks to the north.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

ANALYSIS

Use: In this Rowhouse and Multi-Family Residential zoning district, multi-family dwellings are listed as a permitted use, and so are generally allowed (Table 9-301). In this case, the property was last authorized for use as three dwelling units, which is a permitted use in this R-8 District. Staff notes that there is a Vacant Housing Notice on the property.

Insufficient Lot Area and Variance: In this zoning district, multi-family dwellings require 750 square feet of lot area per dwelling unit (Table 9-401). In this case, for two dwelling units, 1,500 square feet of lot area is required. The lot contains 1,809 square feet of land, which meets this requirement.

Off-Street Parking and Variance: In this zoning district, multi-family dwellings require one off-street parking space per dwelling unit (Table 16-406). For two dwelling units, two parking spaces would normally be required. In this case, the property never provided parking and prior requirements were waived. Given that this property has been previously approved for three units, there will be no increase in density, and so no parking should be required (§16-203.a). A variance for parking is included in the bill, but may not be needed.

Residential Conversions: In the Residence Districts, the conversion of a single-family dwelling to a multi-family dwelling is allowed only in the R-7, R-8, R-9, and R-10 Districts, subject to: (1) the requirements of this subtitle; and (2) in the R-7 and R-8 Districts, conditional-use approval by Ordinance of the Mayor and City Council (§9-701).

Conditional Use Approval Standards: *Limited criteria for denying.* The Board of Municipal and Zoning Appeals or the City Council, may not approve a conditional use or sign unless, after public notice and hearing and on consideration of the standards required by this subtitle, the Board or Council finds that: (1) the establishment, location, construction, maintenance, or operation of the conditional use or sign would not be detrimental to or endanger the public health, safety, or welfare; (2) the use or sign 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. (§5-406 (b))

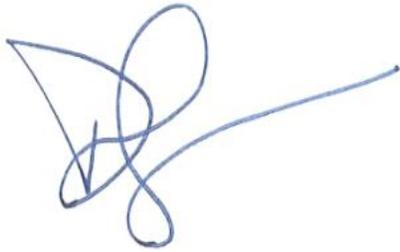
Staff believes that there will not be any detrimental impact to the surrounding community as a result of this request, given its prior use as three units being reduced to two dwelling units. We are not aware of any other law or plan that would preclude this application, and there are no additional requirements in the Harlem Park II Urban Renewal Plan (URP). The public interest is served by encouraging the renovation and productive use of this vacant building. For these reasons, staff believes that the conditional use should be approved.

Conversion standards: The existing dwelling must be: (i) a structure originally constructed as a single-family dwelling; and (ii) 1,500 square feet or more in gross floor area, not including any basement area (§9-703.b.). The existing structure contains approximately 3,000 square feet in gross floor area, which meets this requirement.

The converted dwelling must meet the following gross floor area per unit type: (1) 1-bedroom unit: 750 square feet; (2) 2-bedroom unit: 1,000 square feet; (3) 3- or more bedroom unit: 1,250 square feet (§9-703.c.). For this proposal, the unit on the first floor and basement will have three bedrooms. The second dwelling unit on the second and third floors will have three bedrooms. Both units will have a gross floor area of about 1,874 sqft each based on estimates staff made from the provided floor plans, which will exceed each unit's gross square footage requirement.

Equity: This project will provide for the renovation of this vacant building, returning it to productive use. Given its history of use as three units, there will be no impacts to the surrounding community since this is a reduction from its last authorized use. Staff does not anticipate any impact to staff time or resources devoted to this project beyond routine requirements of development review.

Notification: The Harlem Park Neighborhood Council has been notified of this action.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Chris Ryer
Director