

Introduced by: Councilmember Stokes, *Stokes*

At the request of: Station Arts Apartments, LLC
Address: c/o AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202
Telephone: 410-547-6900

Prepared by: Department of Legislative Reference Date: May 30, 2018

Referred to: LAND USE AND TRANSPORTATION Committee

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

CITY COUNCIL 18-0257

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
4 Dwelling Units in the R-8 Zoning District – Variances –
310 East Lanvale Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050), as outlined in red on the accompanying plat; and granting variances from certain bulk and yard 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)

Robert Stokes *Robert Stokes*

****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.**

NO.

Agencies

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

CITY OF BALTIMORE
ORDINANCE **18-210**
Council Bill 18-0257

Introduced by: Councilmember Stokes, President Young

At the request of: Station Arts Apartments, LLC

Address: c/o AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202

Telephone: 410-547-6900

Introduced and read first time: June 4, 2018

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: October 29, 2018

AN ORDINANCE CONCERNING

1 Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 4 3 Dwelling Units in the R-8 Zoning District – Variances –
3 310 East Lanvale Street

4 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
5 dwelling unit to 4 3 dwelling units in the R-8 Zoning District on the property known as 310
6 East Lanvale Street (Block 1103, Lot 050), as outlined in red on the accompanying plat; and
7 granting variances from certain bulk and yard, gross floor area per unit type, and off-street
8 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(b), 9-703(c),
12 9-703(d), 9-703(f), 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 4 3 dwelling units in
17 the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050),
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), 5-305(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 there is a lack of required lot area size.

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 18-0257


1 SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-
2 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
3 gross floor area requirements of § 9-703(b) and § 9-703(c), as there is a lack of gross floor area
4 per dwelling unit.

5 SECTION 3 4. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§
6 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from
7 the off-street parking requirements of §§ 9-703(f), 16-203, 16-602, and Table 16-406: Required
8 Off-Street Parking.

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

17 SECTION 5 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th
18 day after the date it is enacted.

Certified as duly passed this _____ day of NOV 19 2018



President, Baltimore City Council

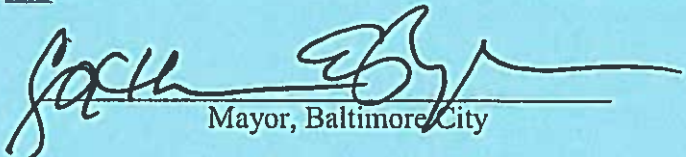
Certified as duly delivered to Her Honor, the Mayor,

this _____ day of NOV 19 2018



Chief Clerk


Approved this 13 day of December, 20 18



Mayor, Baltimore City

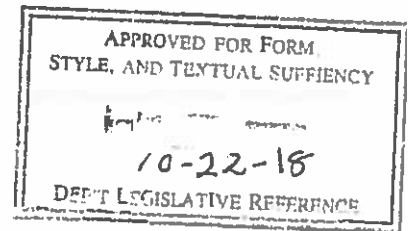
Approved For Form and Legal Sufficiency

This 6th Day of December 2018.



Chief Solicitor

AMENDMENTS TO COUNCIL BILL 18-0257
(1st Reader Copy)



By: Land Use and Transportation Committee

Amendment No. 1

ADOPTED

On page 1, in line 3, strike “4” and substitute “3”; and, on page 1, in lines 6 and 16, in each instance, strike “4” and substitute “3”.

Amendment No. 2

On page 1, in line 11, after “9-701(2),” insert “9-703(b). 9-703(c).”; and, on page 1, in line 8, after “yard”, insert “, gross floor area per unit type.”.

Amendment No. 3.

On page 1, after line 24, insert

“SECTION 3. AND BE IT FURTHER ORDAINED. That pursuant to the authority granted by §§ 5-201(a). 5-305(a). and 5-308 of Article 32 - Zoning, permission is granted for a variance from the gross floor area requirements of § 9-703(b) and § 9-703(c), as there is a lack of gross floor area per dwelling unit.”;

and, on page 2, in lines 1, 5, and 13, strike “3”, “4”, and “5”, respectively, and substitute “4”, “5”, and “6”, respectively.

ADDITION

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. 18-0257

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District – Variances - 310 East Lanvale 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 is appropriate for the surrounding area within the Greenmount West neighborhood.

According to Department of Planning staff, the two-bedroom configuration of these units are suitable for the rental market and adds housing diversity to the neighborhood without compromising general health, safety or welfare of the residents.

- (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.

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

The redevelopment of this vacant property is aligned with the public interest. 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:

ADONIS

The Planning Commission finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0257 be amended and passed by the City Council.

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. The Zoning Administrator has determined that grants of certain variances are needed. The variances are part of the applicant's request put forth by Bill 18-0257.

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

Baltimore City Department of Transportation supports passage of Bill 18-0257.

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. Multiple site visits were conducted during the third week of June 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 the alley is wide enough for vehicular travel and there is sufficient room for at least 1 off-street parking space. The PABC suggests the property owner keeps this in mind as redevelopment continues in the Greenmount West neighborhood and demand for on-street parking may continue to rise. However, the property is not wide enough to accommodate more than 1 off-street parking space. 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. PABC does not oppose passage of the bill.

- (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 Greenmount West and is surrounded by other rowhouse structures of similar scale. The applicant has redeveloped many properties on this block as a part of the Station Arts Homes project.

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

The proposed dwelling units would be close to other dwellings, churches, schools, other public structures, and places of public gatherings.

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

The premise is accessible 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 provided.

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

Adaptive re-use as a multi-family attached dwelling would allow preservation of part of Greenmount West's traditional architectural fabric.

- (9) the character of the neighborhood;

There are residential uses in the Greenmount West 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 site is not governed by any Urban Renewal Plan.

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

The proposed use meets all applicable standards and requirements of the Code. Variances have been requested by City Council Bill 18-0257.

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

According to the Planning Commission, the use meets all criteria for approval specified in Section 5-406 of the Zoning Code of Baltimore City, as described in the Departmental staff report.

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

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Memoranda Dated August 8, 2018

[X] Testimony presented at the Committee hearing

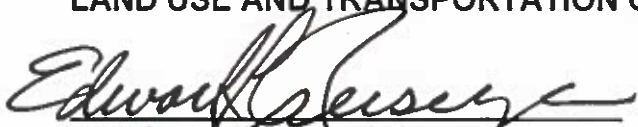
Oral – Witness Name:

- Ms. Christina Hartfields, Department of Planning
- Mr. Hilary Ruley, Parking Authority of Baltimore City

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

- Baltimore City Planning Commission – Agency Report – Dated 8/8/18
- Department of Planning – Staff Report – Dated 8/2/18
- Department of Transportation – Agency Report – Dated 6/21/18
- Parking Authority of Baltimore City – Agency Report – Dated 6/19/18
- Law Department – Agency Report – Dated 10/4/18
- Department of Housing and Community Development – Agency Report – 9/26/18

LAND USE AND TRANSPORTATION COMMITTEE:


Chairman


Member


Member


Member

Member

Member

Member

Member

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

ADOPTED

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 GROSS FLOOR AREA PER UNIT TYPE, LOT AREA AND OFF-STREET PARKING.

City Council Bill No. 18-0257

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District – Variances - 310 East Lanvale 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 property measures approximately 17' x 88' and is currently improved with a three-story attached residential structure which measures approximately 17' x 64'. The land and structure are unique by virtue of its original design and development.

(2) Unnecessary hardship or practical difficulty

- (i) Due to the characteristics described above, enforcing 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:

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. Multiple site visits were conducted during the third week of June 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 the alley is wide enough for vehicular travel and

ADDITION

there is sufficient room for at least 1 off-street parking space. The PABC suggests the property owner keeps this in mind as redevelopment continues in the Greenmount West neighborhood and demand for on-street parking may continue to rise. However, the property is not wide enough to accommodate more than 1 off-street parking space. 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 Department of Transportation supports passage of the bill.

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

The conditional use would allow for the productive reuse of this property and increase housing diversity in the neighborhood.

(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:

The Planning Commission finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0257 be amended and passed by the City Council.

(4) Substantial justice to applicant and nearby owners

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

Grant of 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. Granting of the variance, therefore, will not negatively impact the abutting residential properties.

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:

- Expand housing choices for all residents;
- Provide housing resources for families of all income levels through rehabilitation and new construction;
- Convert a vacant house to an adaptive reuse.

(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 property would be used for residential purposes. The applicant has redeveloped many properties on this block as a part of the Station Arts Homes project.

(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 two-bedroom configuration of these units are suitable for the rental market and adds housing diversity to the neighborhood without compromising general health, safety or welfare of the 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.

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. There is no urban Renewal Plan for the area.

(9) Public Health, Safety, Welfare etc.

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

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Memoranda Dated August 8, 2018

[X] Testimony presented at the Committee hearing:

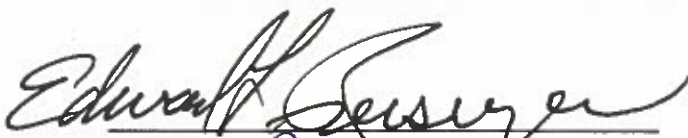
Oral – Witness Name:

- Ms. Christina Hartsfields, Department of Planning
- Mr. Hilary Ruley, Parking Authority of Baltimore City

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

- Baltimore City Planning Commission – Agency Report – Dated 8/8/18
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- Department of Transportation – Agency Report – Dated 6/21/18
- Parking Authority of Baltimore City – Agency Report – Dated 6/19/18
- Law Department – Agency Report – Dated 10/4/18
- Department of Housing and Community Development – Agency Report – 9/26/18

LAND USE AND TRANSPORTATION COMMITTEE:



Chairman

Member



Member

Member



Member

Member



Member

Member

BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION VOTING RECORD

DATE: October 17, 2018

BILL#: 18-0257

BILL TITLE: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 310 East Lanvale Street

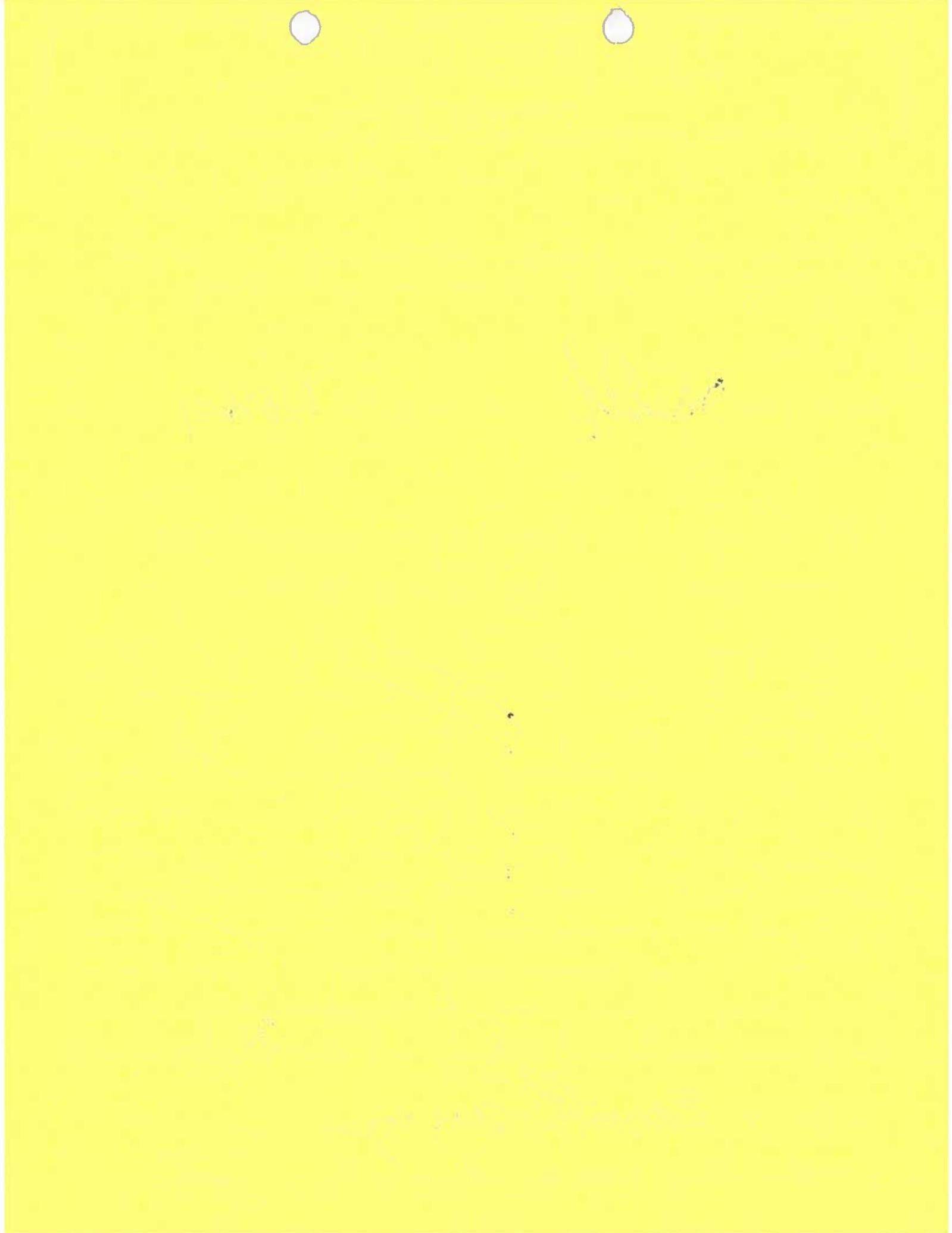
MOTION BY: Middif SECONDED BY: Dorsey

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>5</u>		<u>2</u>	

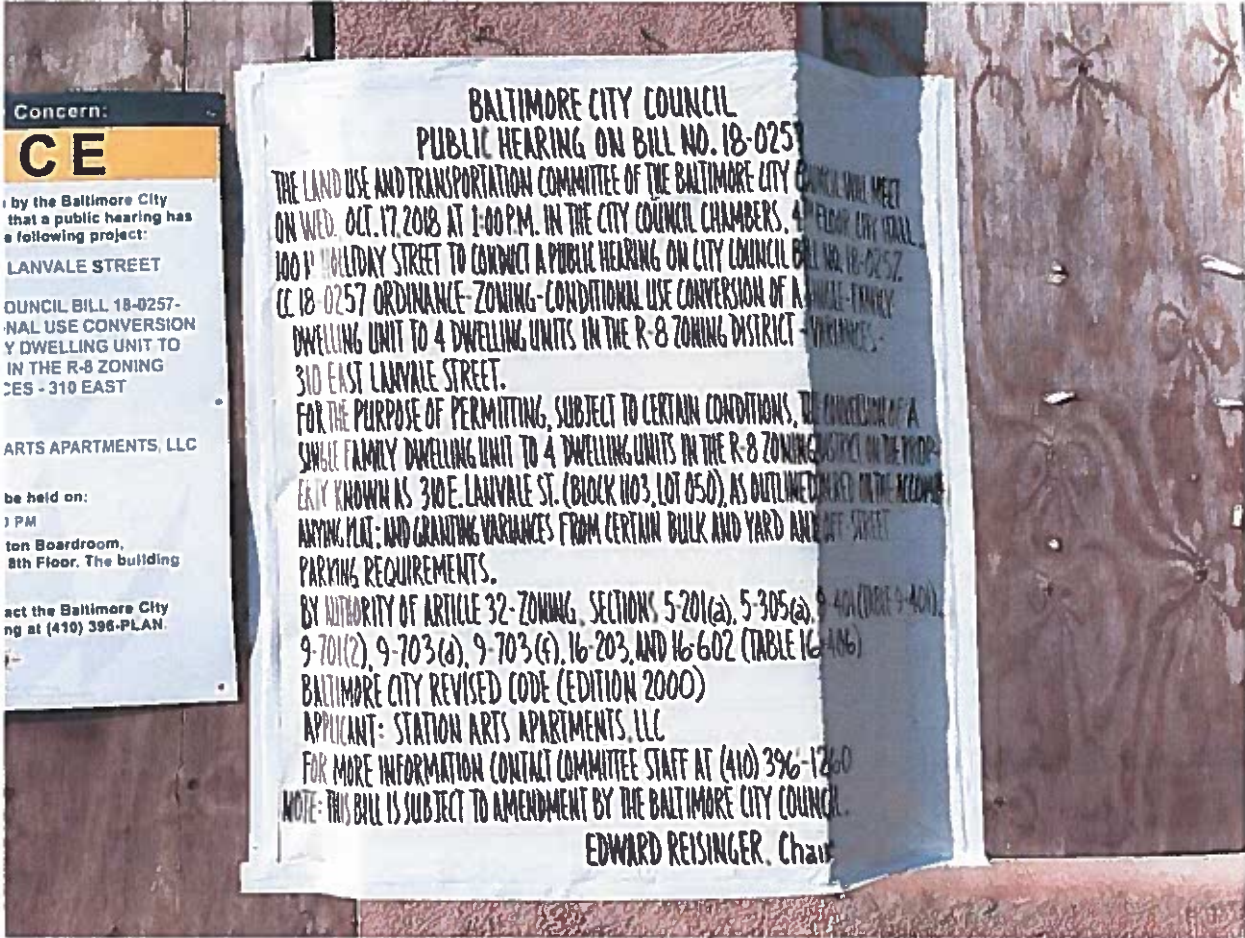
CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC



Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 18-0257

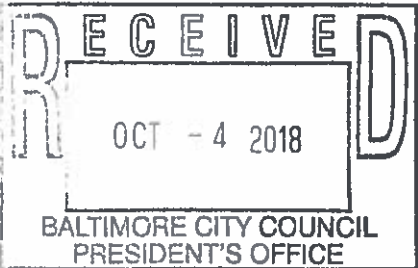
10/4/2018




Address: 310 E. Lanvale Street

Date Posted: September 26, 2018

Name: Alfred W. Barry, III
Address: 201 E. Baltimore Street – suite 1150
Baltimore, Md. 21202
Telephone: 410-547-5900



- 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

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>TJS</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0257/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 310 EAST LANVALE STREET		

TO

DATE:

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

August 8, 2018

At its regular meeting of August 2, 2018, the Planning Commission considered City Council Bill #18-0257, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050); and granting variances from certain bulk and yard and off-street parking requirements.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #18-0257 with amendments. The Commission voted in favor of only one amendment, which is to include variances for gross floor areas for the two-bedroom apartments. The Commission adopted the following resolution, 9 members being present (9 in favor):

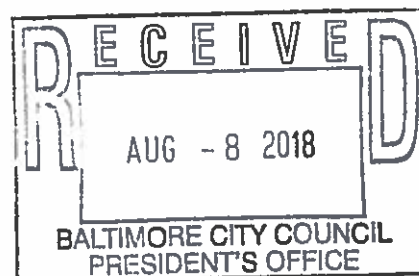
RESOLVED, That the Planning Commission finds, in accordance with §5-406(a) and §5-406(b) of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- 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 finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0257 be amended and passed by the City Council.

If you have any questions, please contact Mrs. Christina Hartsfield in the Land Use and Urban Design Division at 410-396-1651.

TJS/ch
Attachment



Fav w/Amend S

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Ms. Katelyn McCauley, DoT
Ms. Natawna Austin, Council Services
Mr. Ervin Bishop, Council Services
Mr. Nate Pretl, AB Associates (owner's representative)



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Thomas J. Stosur
Director

August 2, 2018

REQUEST: City Council Bill # 18-0257 / Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 310 East Lanvale Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050); and granting variances from certain bulk and yard and off-street parking requirements.

RECOMMENDATION: Approval, with Amendments

STAFF: Christina Hartsfield

PETITIONERS: Councilmember Stokes and President Young, at the request of Station Arts Apartments, LLC, c/o AB Associates

OWNER: Station Arts Apartments, LLC

SITE/GENERAL AREA

Site Conditions: The property known as 310 East Lanvale Street is located at the northeast corner of the intersection of Latrobe Street and Lanvale Street. This property measures approximately 17' by 88' and is currently improved with a three-story attached residential building measuring approximately 17' by 64'. This site is zoned R-8.

General Area: This residential property is located in the Greenmount West neighborhood in the North Planning District. It is surrounded by other rowhouse structures of similar scale. The applicant has redeveloped many properties on this block as a part of the Station Arts Homes project.

HISTORY

There are no previous Planning Commission actions for this property.

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 conversion of the subject property from a single-family dwelling to a multi-family dwelling, containing four dwelling units. The existing structure is three stories tall with a basement and has a gross square footage of 2,680 SF (basement excluded). The proposal is for three two-bedroom dwelling units, one on each floor, and a one-bedroom unit in the basement. A third-floor rear addition is proposed, however there will be no expansion of the structure beyond its existing footprint. All of the units will have primary access from the front of the structure except for the basement unit. This unit is mostly below grade and will have walk-up access from the rear. Two parking spaces are proposed in the rear yard.

Zoning:

- **Lot Area:** Per Table 9-401 of the Zoning Code, 750 SF of lot area per dwelling unit is required for a multi-family dwelling. For the conversion of the subject property to four dwelling units, a lot area of 3,000 SF is required. At 1,496 SF, this property is less than half of the required size and thus does not meet this requirement of the Code. For this reason, a 50% variance or reduction of 1504 SF of the lot area is included in the legislation.

Staff finds that this degree of variance and resulting density would be excessive for this site, especially considering that the basement unit would be mostly below grade. However, for the productive reuse of this property and to increase housing diversity in the neighborhood, staff finds it reasonable for this bill to grant a 25% variance or 750 SF reduction of the lot area to permit 3 dwelling units, one on each level.

- **Off-street Parking:** Four off-street parking spaces are required for the proposed use. The property provides only two off-street parking spaces. A 50% variance or reduction of two parking spaces is therefore requested, and has been included in this legislation.

Since the property cannot physically accommodate additional parking on this site, staff supports the variance request. However, staff recommends the reduction in density to reduce parking demand of this property.

- **Gross Floor Area:** One-bedroom units must provide 750 SF GFA and two-bedroom units must provide 1,000 SF GFA. The proposed two-bedroom units range from 750 – 900 SF, which do not meet the minimum GFA requirement. The one-bedroom basement unit meets the requirement with 850 SF.

Staff recommends that the following variance of GFA be included in the legislation.

- 1st Floor, 2-bedroom unit: A reduction of 250 SF or 25% variance
- 2nd Floor, 2-bedroom unit: A reduction of 150 SF or 15% variance
- 3rd Floor, 2-bedroom unit: A reduction of 100 SF or 10% variance

Staff finds that the two-bedroom configuration of these units are suitable for the rental market and adds housing diversity to the neighborhood without comprising general health, safety or welfare of the residents.

- **Rear Yard Setback:** 20' are required (Table 9-401). 24' are provided.
- **Maximum Lot Coverage:** 80% lot coverage is the maximum (Table 9-401). This site's coverage is 73%.

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).

Upon review of these criteria, staff finds that the proposed conditional use conversion will not endanger public health, safety or welfare and that the redevelopment of this vacant property is aligned with the public interest. Conversion of this property will not be precluded by any other law; however, the proposed density is not in harmony with the lot area and parking standards of the Code. To remedy this, staff recommends reducing the density from four to three dwelling units.

In review of the "*Required Considerations*" (§5-406 (b)), staff finds that:

1. The nature of the proposed site, including its size and shape, is inadequate for the 4 dwelling units and therefore recommends amending the bill to reduce the density;
2. The conversion will cause no negative impact to traffic patterns in the immediate area;
3. The conversion will not impair the present and future development of this lot or the surrounding area;
4. There will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
5. There is adequate accessibility of the premises to emergency vehicles;
6. There is adequate light and air to the premises and to properties in the vicinity;
7. Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
8. The conditional use would not interfere with preservation of cultural and historic landmarks and structures;
9. The conditional use would not alter the character of the neighborhood;
10. The conditional use is consistent with provisions of the City's Comprehensive Master Plan and is not governed by any Urban Renewal Plan; and

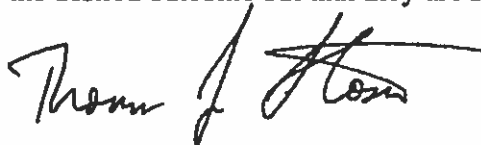
The applicable standards, requirements, intent, and purpose of the Zoning Code have also been considered and are reflected in staff's recommendation.

RECOMMENDED AMENDMENTS


1. Due to the large degree of lot area variance required to accommodate four dwelling units, Planning staff recommends that City Council Bill #18-0257 be amended to authorize a conversion of the subject property to three dwelling units instead of four. It is customary for larger three-story rowhouses to convert to a multi-family structure with a unit on each floor above grade. The basement is often reserved for amenities such as a laundry room and storage. The applicant proposes a basement unit, which adds an excessive amount of density to the property, unlike many of the other properties that have been redeveloped in the neighborhood. By reducing the proposed density, this redevelopment can still meet the comprehensive goal of reducing vacancy and adding housing diversity to the neighborhood, but be more aligned to the regulatory intent of Code.
2. Staff recommends including the variances of GFA as detailed above.

COMMUNITY INPUT

The Greenmount West Community Association was notified of the Planning Commission action and submitted a letter of support. The letter mentions that a dense rental development was not the desired outcome but that they are supportive of the redevelopment to deter crime.



Thomas J. Stosur
Director

F R O M	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 18-0257		

TO Mayor Catherine E. Pugh

DATE: 6/21/18

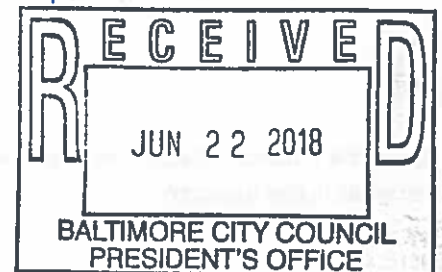
TO: Respective City Council Land Use and Transportation Committee
 FROM: Department of Transportation
 POSITION: Support
 RE: Council Bill - 18-0257 - Zoning - Conditional Use

INTRODUCTION - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 310 East Lanvale Street

PURPOSE/PLANS - The proposed legislation, as written, is to allow the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050), as outlined in red on the accompanying plat; and granting variances from certain bulk and yard and off-street parking requirements.



favorable



AGENCY/DEPARTMENT POSITION -

The Department of Transportation supports City Council 18-0257

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



Department of Transportation
City Council Bill Response



Bill #

18-0257

Do you Support? (Y/N)

Y

Why/Why Not?

Not applicable to our division

Is there a Financial Impact on your Division? If so, what is the impact?

N/A

Does the bill impact any existing programs? If so, what is the impact?

N/A

From (please include division):

ROW

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

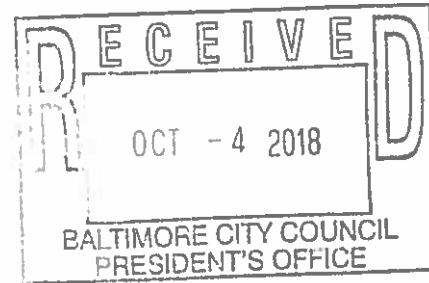


DEPARTMENT OF LAW

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

October 4, 2018

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 18-0257 – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District – Variances – 310 East Lanvale Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0257 for form and legal sufficiency. The bill would permit the conversion of a single-family dwelling unit to 4 dwelling units at 310 East Lanvale 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

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). The Planning report contains information on these required findings.

Fav w/ Amendments

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 per dwelling unit and one off-street parking space per dwelling unit. Baltimore City Code, Art. 32, §§ 9-401; Tbl 9-401; 9-703(f); 16- 203, 16-602. Since the property does not meet these requirements, it needs a variance from them.

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 1,250 square feet per dwelling unit since the applicant seeks conversion to 4 dwelling units. Baltimore City Code, Art. 32, §§ 9-703(b), (c). Since the property does not meet these requirements, it needs a variance from them. The bill does not contain the language necessary to grant this type of variance although Planning's report addresses it. Thus, the Law Department recommends the bill be amended to contain this variance. A suggested amendment is attached.

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) (emphasis added). It is important to note that ALL seven of these criteria must be found, in addition to the finding of unnecessary hardship or practical difficulty, as noted above. Baltimore City Code, Art. 32, § 5-308(a). The variance will not be legal if the conditions requiring this variance are generally applicable to other properties in the same zoning classification. **As an end of group rowhome, next to approximately ten other similar structures on similar lots with similar parking, it is critical for the City Council to find that this property is, in fact, unique.**

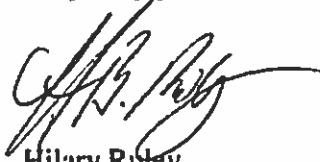
The Planning Staff Report ("Report") outlines the portions of the Zoning Article applicable to conditional uses and makes favorable conclusions. The Report also states the facts which are the basis for the variances requested. However, **the Report does not address any of the considerations for the variances required. The Report makes no mention of how the property is unique or different from other properties in the same zoning classification, such that a variance is permissible. The City Council must address how this property is unique in its findings of fact for the bill to be legally sufficient.**

Hearing Requirements

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 Rutey
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

**AMENDMENTS TO COUNCIL BILL 18-0257
(1st Reader Copy)**

Proposed by: Law Dep't
(To be offered to the Land Use and Transportation Committee)

Amendment No. 1

On page 2, after line 4, insert:

SECTION 4. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 5-308 of Article 32 – Zoning, permission is granted for a variance from the gross floor area requirements of § 9-703(b) and § 9-703(c), as there is a lack of required gross floor area per dwelling unit.

On page 2, in lines 5 and 13, strike "4" and "5", respectively, and substitute "5" and "6" respectively.



MEMORANDUM

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

FROM: William H. Cole, President and CEO *WHC*

DATE: July 12, 2018

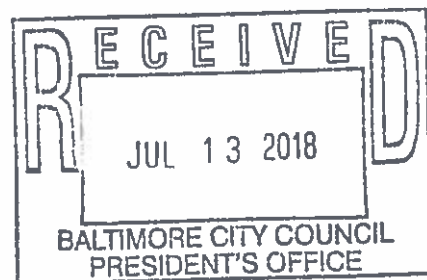
SUBJECT: City Council Bill No. 18-0257
Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 4
Dwelling Units in the R-8 Zoning District – Variances – 310 East Lanvale Street

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0257, a bill for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street; and granting variances from certain bulk and yard and off-street parking requirements.

BDC has no objections to City Council Bill 18-0257.

cc: Kyron Banks

no objection



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 *mbm*

Date: September 26, 2018

Re: **City Council Bill 18-0257 - Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District – Variances – 310 East Lanvale Street**

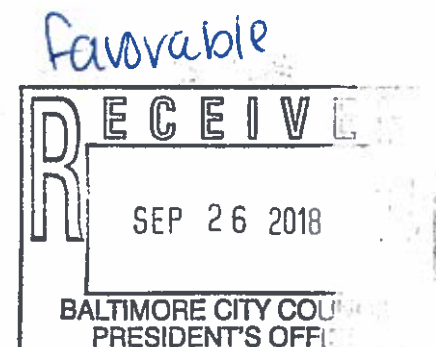
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0257, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050), and granting variances from certain bulk and yard and off-street parking requirements.

If enacted, this bill would allow a large blighted property in the Greenmount West Neighborhood to be converted to 4 dwelling units and restored to productive reuse as affordable housing options in the community.

The Department of Housing and Community Development supports the passage of City Council Bill 18-0257.

MB:sd

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

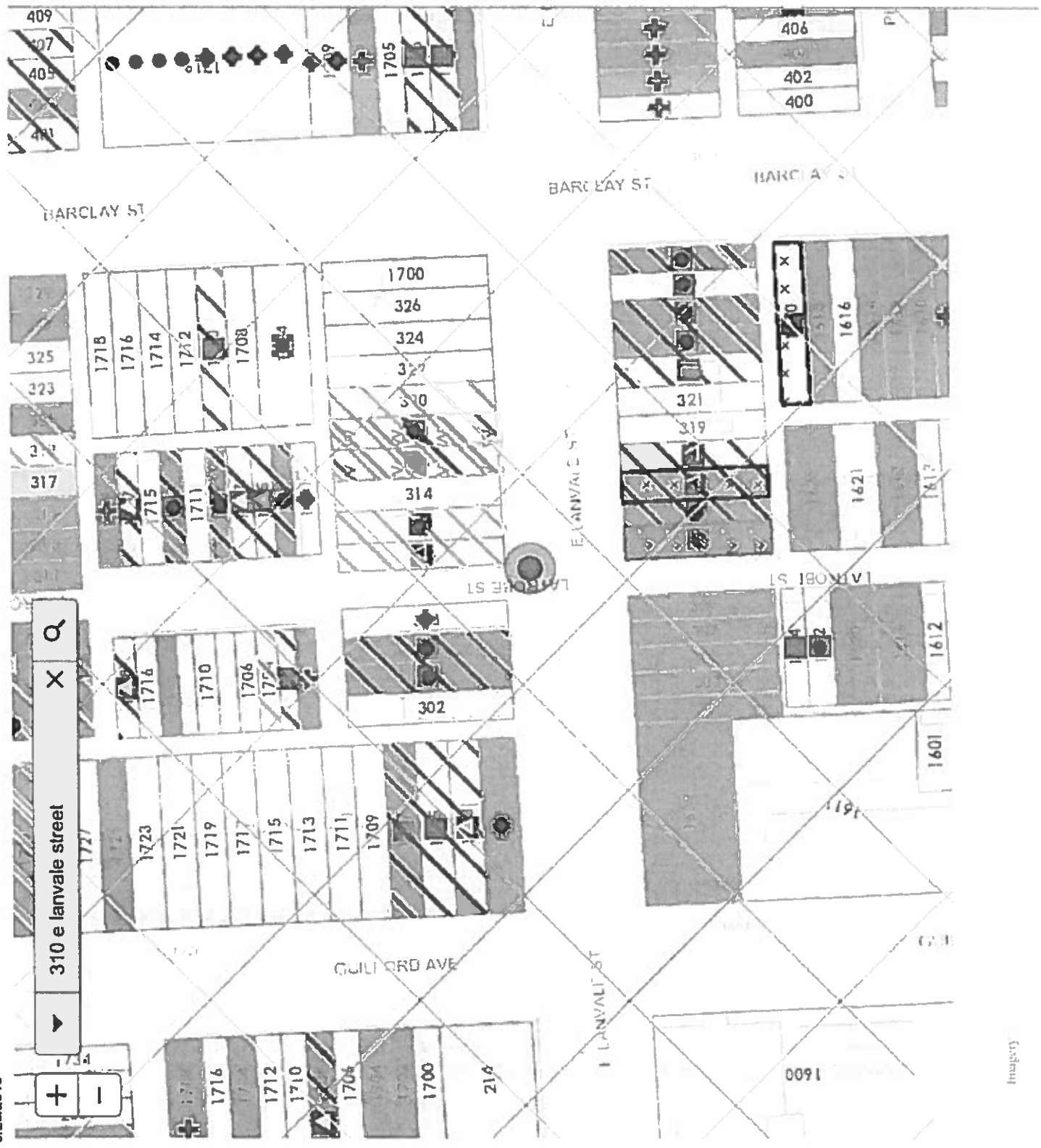


310 e lanvale street



codeMa

- Focus Areas
- Project COI
 - Phase 1
 - Phase 2
 - Phase 3
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 - Comm De
 - Major Rede
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 - No Ac
 - Hold



TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: June 19, 2018
RE: Council Bill 18-0257



I am herein reporting on City Council Bill 18-0257 introduced by Councilmember Stokes and President Young at the request of Station Arts Apartments, LLC.

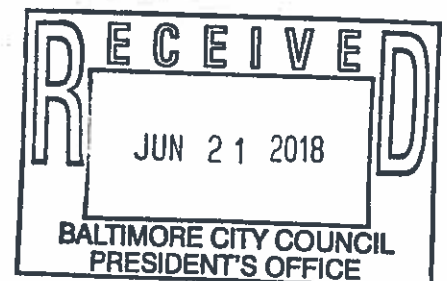
The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050).


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) 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. Multiple site visits were conducted during the third week of June 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 the alley is wide enough for vehicular travel and there is sufficient room for at least 1 off-street parking space. The PABC suggests the property owner keeps this in mind as redevelopment continues in the Greenmount West neighborhood and demand for on-street parking may continue to rise. However, the property is not wide enough to accommodate more than 1 off-street parking space. 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 18-0257.

no objection



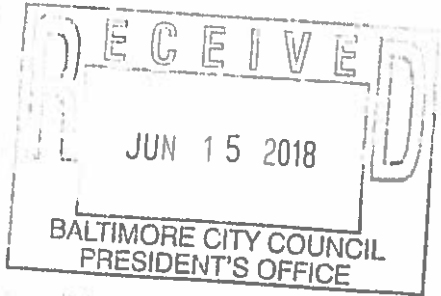
FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>1167</i>	CITY OF BALTIMORE MEMO DATE: June 11, 2018	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202		
	SUBJECT	City Council Bill #18-0257 Response to Zoning-Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Unit in the R-8 Zoning District-Variances 310 East Lanvale Street		

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

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street, (Block 1103, Lot 050), as outlined in red on the accompanying plat; and granting variances from certain bulk and yard and off-street parking requirements.

The Fire Department does not object to City Council Bill 18-0257 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 obj



**CITY OF BALTIMORE
COUNCIL BILL 18-0257
(First Reader)**

Introduced by: Councilmember Stokes, President Young

At the request of: Station Arts Apartments, LLC

Address: c/o AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202

Telephone: 410-547-6900

Introduced and read first time: June 4, 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 **4 Dwelling Units in the R-8 Zoning District – Variances –**
4 **310 East Lanvale Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310
7 East Lanvale Street (Block 1103, Lot 050), as outlined in red on the accompanying plat; and
8 granting variances from certain bulk and yard 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 4 dwelling units in
17 the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050),
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), 5-305(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 there is a lack of required lot area size.

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

Council Bill 18-0257

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
2 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
3 off-street parking requirements of §§ 9-703(f), 16-203, 16-602, and Table 16-406: Required Off-
4 Street 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.

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, October 17, 2018

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0257

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

- Present** 5 - Member Edward Reisinger, Member Sharon Green Middleton, Member Eric T. Costello, Member Ryan Dorsey, and Member Leon F. Pinkett III
- Absent** 2 - Member Mary Pat Clarke, and Member Robert Stokes Sr.

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0257

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 310 East Lanvale Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050), as outlined in red on the accompanying plat; and granting variances from certain bulk and yard and off-street parking requirements.

Sponsors: Robert Stokes, Sr., President Young

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

- Yes:** 5 - Member Reisinger, Member Middleton, Member Costello, Member Dorsey, and Member Pinkett III
- Absent:** 2 - Member Clarke, and Member Stokes Sr.

ADJOURNMENT

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: 18-0257

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 310 East Lanvale Street

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

Hearing Date: October 17, 2018
Time (Beginning): 1:38 PM
Time (Ending): 1:55 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~25
Committee Members in Attendance:
Reisinger, Edward, Chairman
Middleton, Sharon, Vice Chair
Costello, Eric
Dorsey, Ryan
Pinkett, Leon

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 Middleton
Seconded by: Councilmember Dorsey
Final Vote: Favorable/Amend

Major Speakers
(This is not an attendance record.)

- Mr. Christina Hartsfields, Department of Planning
 - Mr. Kyron Banks, Office of the Mayor
 - Ms. Hilary Ruley, Department of Law
 - Mr. Josh Taylor, Department of Transportation
 - Ms. Sharon DaBoin, Department of Housing and Community Development
 - Mr. Taylor LeFav, Parking Authority of Baltimore City
 - Mr. Mica Fetz, Baltimore Development Corporation
-

Major Issues Discussed

1. Councilman Reisinger read the bills number, title and purpose.
 2. Ms. Christina Hartsfields presented the Planning Commission's report which supports the bill with an amendment. The Planning Commission voted to only amend the bill to include a variance for gross floor area square footage. The Planning Commission did not accept the Planning Department's staff recommendations to reduce the number of dwelling units. Ms. Hartsfields also provided information from the Department of Planning's staff report which included findings of fact for the conditional use (three dwelling units) and variances.
 3. Agency representatives testified in support of their respective agency's position on the bill.
 4. Mr. Hilary Ruley presented the Law Department's report. She indicated that the bill should be amended to include a variance for the gross floor area.
 5. The committee discussed the bill.
 6. The committee approved finding of facts for the bill.
 7. The committee voted to recommend the bill favorable with an amendment.
 8. The hearing was adjourned.
-

Further Study

Was further study requested?
If yes, describe.

Yes No

Committee Vote:

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

Jennifer L. Coates, Committee Staff



Date: October 18, 2018

cc: Bill File
OCS Chrono File



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

Committee: Land Use and Transportation

Chairperson: Edward Reisinger

Date: October 17, 2018

Time: 1:00 PM

Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 310 East Lanvale Street

CC Bill Number: 18-0257

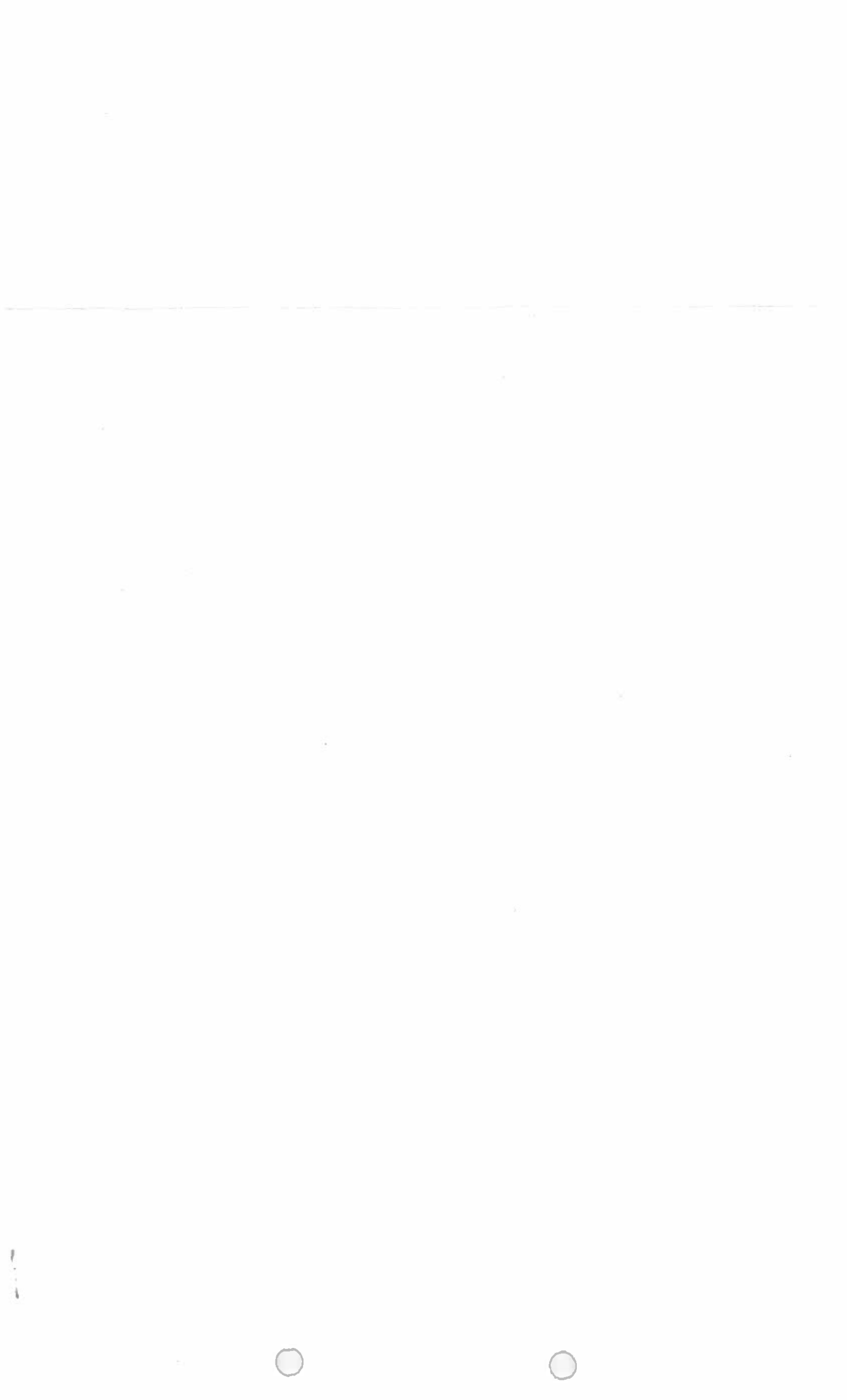
PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO	WHAT IS YOUR POSITION ON THIS BILL?	(*) LOBBYIST: ARE YOU REGISTERED IN THE CITY
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Sharon	Deboin		HND									
Mica	Edgar Taylor		BDC									
Josh			D.O.T									
Tyrell	Dixen		HCD									

(*) 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, October 17, 2018

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0257

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0257

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 310 East Lanvale Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050), as outlined in red on the accompanying plat; and granting variances from certain bulk and yard and off-street parking requirements.

Sponsors:

Robert Stokes, Sr., President Young

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, October 17, 2018
1:00 PM**

City Council Bill # 18-0257

***Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4
Dwelling Units in the R-8 Zoning District - Variances -
310 East Lanvale 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

Eric Costello – Chair
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*)



BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 18-0257

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units
in the R-8 Zoning District - Variances - 310 East Lanvale Street**

Sponsor: Councilmember Stokes

Introduced: June 4, 2018

Purpose:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050), as outlined in red on the accompanying plat; and granting variances from certain bulk and yard and off-street parking requirements.

Effective: 30th day after the date of enactment

Hearing Date/Time/Location: October 17, 2018 /1:00 p.m./Clarence "Du" Burns Chambers

Agency Reports

Planning Commission	Favorable/Amend
Board of Municipal and Zoning Appeals	
Department of Transportation	Favorable
Department of Law	
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	No Objection
Fire Department	No Objection
Parking Authority of Baltimore City	No Objection

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 18-0257 will authorize a conditional use conversion of a single-family dwelling unit to four dwelling units at the property located at 310 E. Lanvale Street. The bill would also grant variances from the requirements for:

- lot area size
- off-street parking

The Zoning Administrator has determined that the variances are needed.

Station Arts Apartment, LLC owns the property. The property is part of the Station Arts Homes project. The owner intends to construct four two-bedroom dwelling units, one on each floor and a one bedroom unit in the basement. Access for the three units will be from the front door. Access for the basement unit will be from the rear yard.

Situated at the intersection of Latrobe Street and Lanvale Street, the property lies on the northeast side of the 300 block of East Lanvale Street. The property is surrounded by other rowhouse structures and is zoned R-8. The property is in the Greenmount West neighborhood. Greenmount Avenue lies east of the site.

Conversion Requirement for Existing Structure

The property measures approximately 17' x 64' and is currently improved with a three-story attached residential building. For conversion of a single-family dwelling in an R-8 Zoning District, the existing structure must have at least 1,500 square feet or more in gross floor area (excluding the basement area). The property has 2,680 square feet of gross floor area (excluding the basement).

Variance - Lot Area

In the R-8 Zoning District, 750 feet of lot area is required for one dwelling unit. The required lot area needed for four dwelling units is 3,000 square feet. The property's lot area is only 1,496 square feet (only 50% of what is needed), not enough to comply with Article 32, Table 9-401

Bulk and Yard Regulations. A variance of 50% for the lot area requirement is needed. If the conversion is amended to allow for three dwelling units, then a lot area of 2,250 square feet. Amending the bill would reduce the lot area variance from 50% to 25%. The Planning Commission recommends amending the bill to allow for three dwelling units.

Variance – Off-street Parking

One off-street parking space is required for each newly-created dwelling unit. Four off-street parking spaces are required for the proposed use. The property has ample space for two off-street parking spaces, and would consequently require a 50% variance. The Planning Commission is recommending a reduction in density (3 dwelling units instead of 4) in order to reduce the parking demands which would be created by the property.

Variance – “Gross Floor Area Per Dwelling Unit”

The property has a total of 2,680 square feet of gross floor area (excluding the basement). According to Article 32, Title 9-701, the “Gross Floor Area Per Dwelling Unit” required is as follows:

- 1 – bedroom unit requires 750 SF of Gross Floor Area Per Dwelling Unit
- 2 – bedroom unit requires 1,000 SF of Gross Floor Area Per Dwelling Unit
- 3 – bedroom unit requires 1,250 SF of Gross Floor Area Per Dwelling Unit

The four dwelling units, which will have two bedrooms, as proposed by Bill 18-0257, range from 750 – 900 SF each. Three of the dwellings do not meet the minimum “Gross Floor Area Per Dwelling Unit” requirement. Variances are needed. The basement unit meets the requirement with 850 SF. The Planning Commission and Law Department recommend amending the bill to include language which would allow for the variances.

The applicant’s request for the conditional use conversion and variance 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.

Companion Bills and Amendments

There is no companion bill.

The Law Department recommends amending the bill to include language which would allow for a variance for the Gross Floor Area Per Dwelling Unit.

The Planning Commission recommended amending the bill:

- to allow for three dwelling units due to insufficient lot area and
- to include language which allows for variances for the "*Gross Floor Area Per Dwelling Unit*" due to insufficient floor area for each dwelling unit.

Additional Information

Fiscal Note: Not Available

Information Source(s): Department of Planning

Analysis by: Jennifer L. Coates
Analysis Date: October 11, 2018



Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE
COUNCIL BILL 18-0257
(First Reader)**

Introduced by: Councilmember Stokes, President Young

At the request of: Station Arts Apartments, LLC

Address: c/o AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202

Telephone: 410-547-6900

Introduced and read first time: June 4, 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 **4 Dwelling Units in the R-8 Zoning District – Variances –**
4 **310 East Lanvale Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310
7 East Lanvale Street (Block 1103, Lot 050), as outlined in red on the accompanying plat; and
8 granting variances from certain bulk and yard 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 4 dwelling units in
17 the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050),
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), 5-305(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 there is a lack of required lot area size.

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

Council Bill 18-0257

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
2 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
3 off-street parking requirements of §§ 9-703(f), 16-203, 16-602, and Table 16-406: Required Off-
4 Street 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.

LAND USE AND TRANSPORTATION COMMITTEE

BILL 18-0257

AGENCY REPORTS

Planning Commission	Favorable/Amend
Board of Municipal Zoning Appeals	
Department of Transportation	Favorable
Department of Law	Favorable /Amend
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	No Objection
Parking Authority of Baltimore City	No Objection
Fire Department	No Objection

Coates, Jennifer

From: Coates, Jennifer
Sent: Tuesday, September 18, 2018 11:09 AM
To: 'AB Associates'
Cc: Stokes, Robert; Christian, Kathy; Reisinger, Edward; Austin, Natawna B.
Subject: Hearing on City Council Bill 18-0257
Attachments: PNI - Letter - 18-0257 - CU Conversion - Variance -310 E Lanvale St.docx; Sign Posting Contacts.pdf; Sample - Certificate of Posting - Attachment C.docx

Good Afternoon Mr. Barry:

Attached is the information you will need to post a public hearing sign for the subject bill to be heard by the Land Use and Transportation Committee on **October 17, 2018 at 1:00 p.m.** at City Hall in the City Council Chamber. I have also attached a contact list for sign makers and a sample certification template.

Thank you and feel free to call me if you need more information.

PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL



Jennifer L. Coates

*Senior Legislative Policy Analyst
Office of Council Services*

100 N. Holliday Street, Room 415
Baltimore, MD 21202

jennifer.coates@baltimorecity.gov

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596

Confidentiality Notice:

This e-mail, including any attachment(s), is intended for receipt and use by the intended addressee(s), and may contain legal or other confidential and privileged information. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail is strictly prohibited, and requested to delete this communication and its attachment(s) without making any copies thereof and to contact the sender of this e-mail immediately. Nothing contained in the body and/or header of this e-mail is intended as a signature or intended to bind the addressor or any person represented by the addressor to the terms of any agreement that may be the subject of this e-mail or its attachment(s), except where such intent is expressly indicated.

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: Station Arts Apartments, LLC c/o Mr. Alfred W. Barry, III (AB Associates)

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

Date: September 18, 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. 18-0257

Date: Wednesday, October 17, 2018

Time: 1:00 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 your 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 (*see example on Attachment C*), 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: September 26, 2018
Certificate of Posting Due: October 12, 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.

ATTACHMENT A

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY BY WEDNESDAY, SEPTEMBER 26, 2018, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

**BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 18-0257**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, October 17, 2018 at 1:00 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. 18-0257.

CC 18-0257 Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 310 East Lanvale Street

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050), as outlined in red on the accompanying plat; and granting variances from certain bulk and yard 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: Station Arts Apartments, LLC

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:

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

SEND BILL FOR THIS SIGN POSTING TO:

Mr. Alfred W. Barry, III
C/o AB Associates
201 E. Baltimore Street, Suite 1150
Baltimore, MD 21202
410-547-5900

**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.)

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.

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 space below.)

Address:

Date Posted:

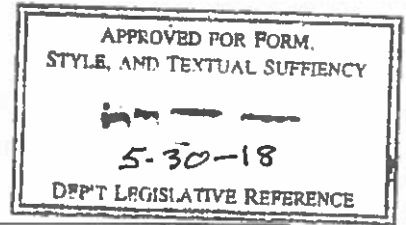
Name:

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

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Stokes
At the request of: Station Arts Apartments, LLC
Address: c/o AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202
Telephone: 410-547-6900

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
4 Dwelling Units in the R-8 Zoning District – Variances –
310 East Lanvale Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050), as outlined in red on the accompanying plat; and granting variances from certain bulk and yard 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 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050), 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), 5-305(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 there is a lack of required lot area size.

SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the off-street parking requirements of §§ 9-703(f), 16-203, 16-602, and Table 16-406: Required Off-Street Parking.

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

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

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

310 East Lanvale Street

{Address}

1. Applicant's Contact Information:

Name: Station Arts Apartments, LLC c/o AB Associates (Alfred W. Barry III)
Mailing Address: 201 E. Baltimore St #1150
Baltimore, MD 21202
Telephone Number: (410) 547-6900
Email Address: ababall@yahoo.com

2. All Proposed Zoning Changes for the Property:

Conditional use conversion from single family to four dwelling units.

3. All Intended Uses of the Property:

Four dwelling units

4. Current Owner's Contact Information:

Name: Station Arts Apartments, LLC
Mailing Address: 2303 North Charles Street, 1st Floor
Baltimore, MD 21218
Telephone Number: (443) 839-0395
Email Address: _____

5. Property Acquisition:

The property was acquired by the current owner on 5/10/18 by deed recorded in the
Land Records of Baltimore City in Liber 20177 Folio 483.

6. Contract Contingency:

(a) There is _____ is not X 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, Alfred W. Barry III, 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.

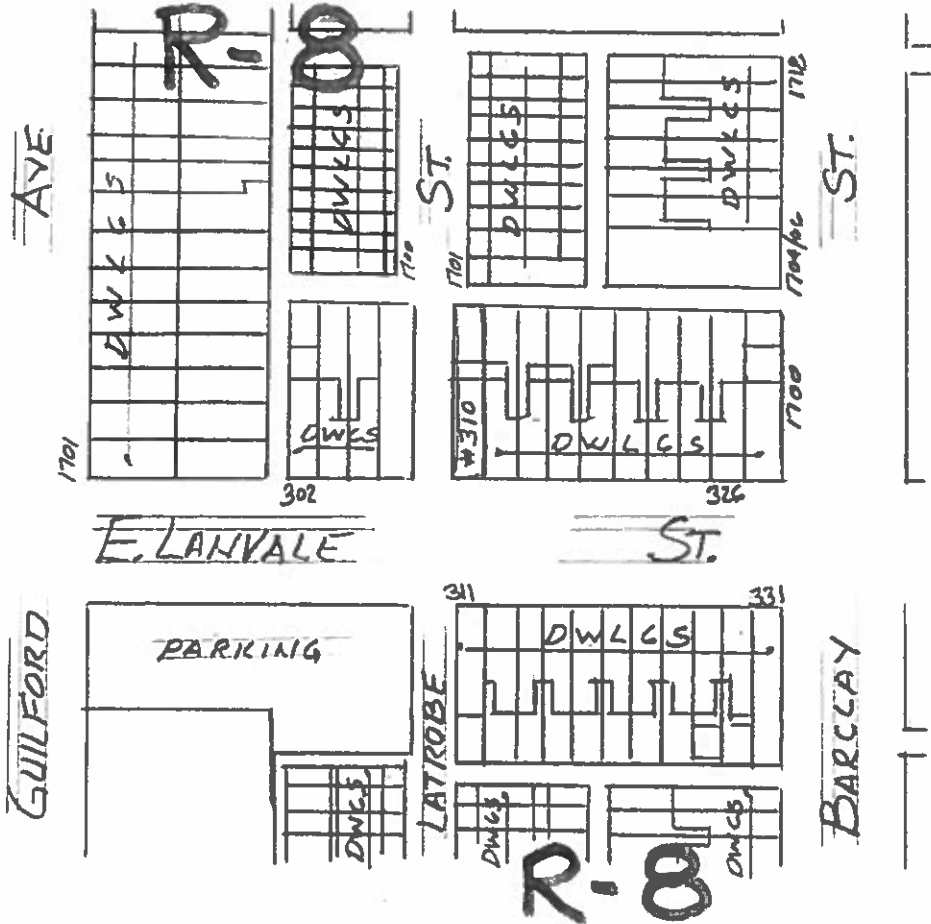
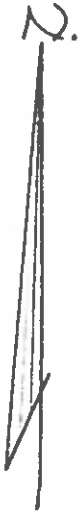


Applicant's signature

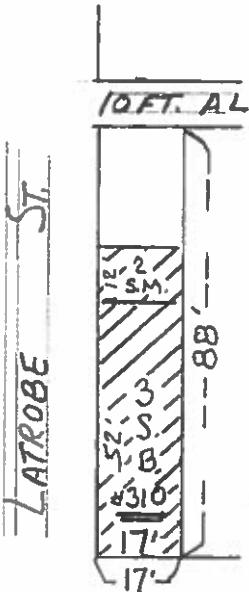
5/29/18

Date

SHEET NO. 46 OF THE ZONING MAPS OF THE BALTIMORE CITY CODE



SCALE: 1" = 100'



SCALE: 1" = 40'

NOTE:
 IN CONNECTION WITH THE PROPERTY KNOW AS 310 E. LANVALE STREET, THE APPLICANT WISHES TO REQUEST THE CONDITIONAL USE CONVERSION OF THE AFOREMENTIONED PROPERTY FROM A SINGLE DWELLING UNIT TO FOUR DWELLING UNITS IN THE R-8 ZONING DISTRICT, AS OUTLINED IN RED ABOVE.

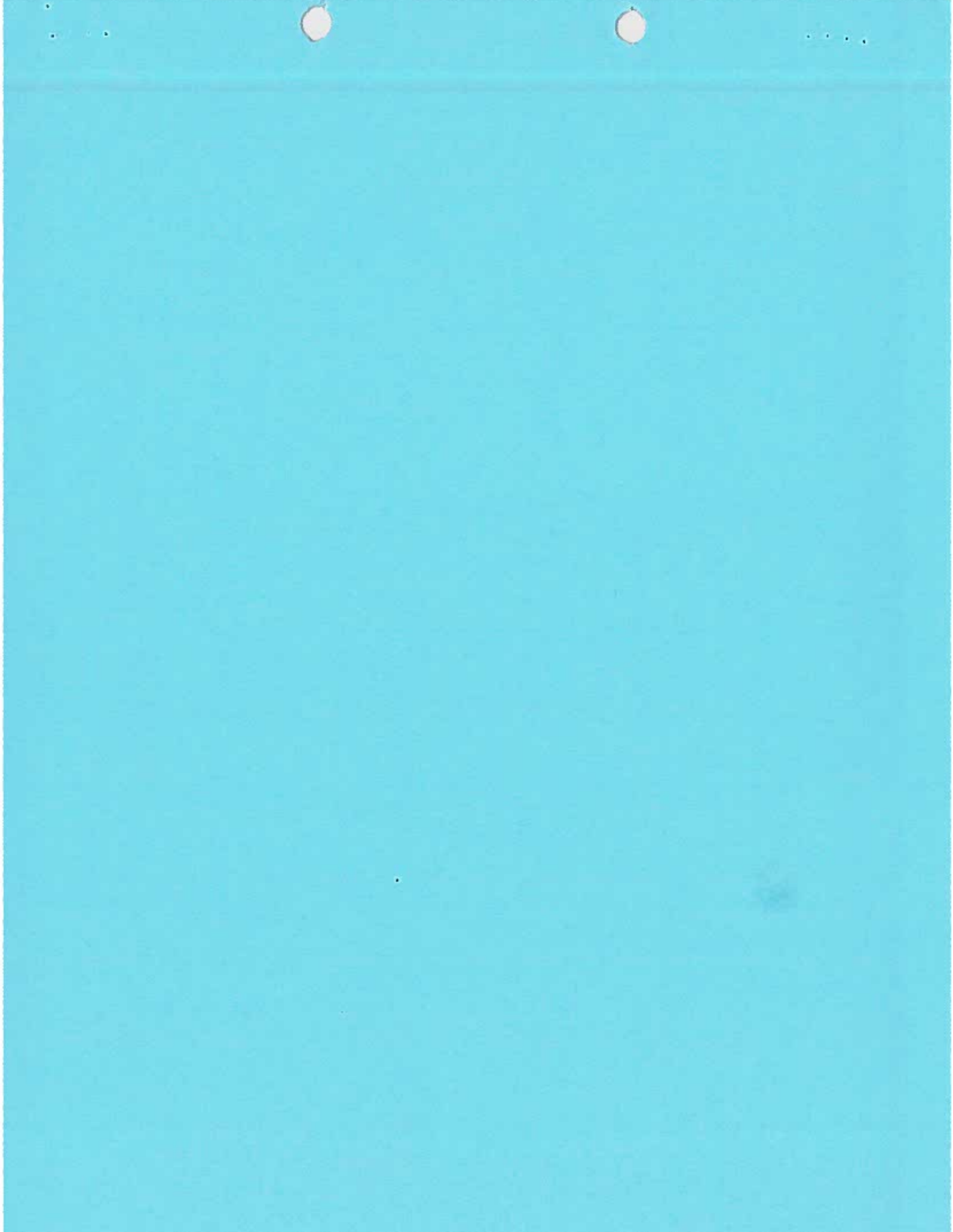
WARD 12
 SECTION 11
 BLOCK 1103
 LOT 50



MAYOR



PRESIDENT CITY COUNCIL



ACTION BY THE CITY COUNCIL

JUN 04 2018

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON October 17, _____ 20 18

COMMITTEE REPORT AS OF October 29, _____ 20 18

_____ FAVORABLE _____ UNFAVORABLE FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION


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:

OCT 29 2018

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

NOV 19 2018

THIRD READING _____ 20 _____

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

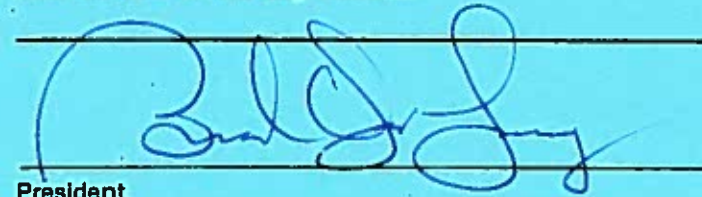
THIRD READING (ENROLLED) _____ 20 _____

_____ 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.


President


Chief Clerk