

Introduced by: Councilmember Bullock

At the request of: Lynwood McMurray

Address: c/o Andi Toney, 875 North Howard Street, Baltimore, Maryland 21201

Telephone: 410-805-2472

Prepared by: Department of Legislative Reference

Date: September 11, 2018

Referred to: LAND USE AND TRANSPORTATION Committee

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

CITY COUNCIL 18-0287

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning -- Conditional Use Conversion of a Single-Family Dwelling Unit to
3 Dwelling Units in the R-8 Zoning District -- Variances --
1235 West Lafayette Avenue**

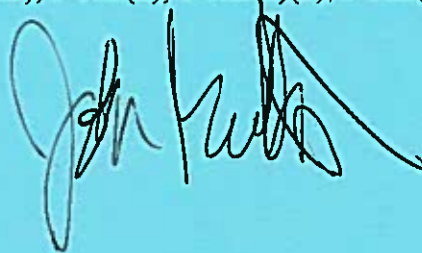
FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

BY authority of

Article - Zoning

Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c)(3), 9-703(f),
16-203, and 16-602 (Table 16-406)

Baltimore City Revised Code
(Edition 2000)



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

Agencies

- | | |
|---|--|
| <input type="checkbox"/> Baltimore City Public School System | <input type="checkbox"/> Department of Public Works |
| <input checked="" type="checkbox"/> Baltimore Development Corporation | <input type="checkbox"/> Department of Real Estate |
| <input checked="" type="checkbox"/> City Solicitor | <input checked="" type="checkbox"/> Department of Recreation and Parks |
| <input type="checkbox"/> Comptroller's Office | <input checked="" type="checkbox"/> Department of Transportation |
| <input type="checkbox"/> Department of Audits | <input checked="" type="checkbox"/> Fire Department |
| <input type="checkbox"/> Department of Finance | <input type="checkbox"/> Health Department |
| <input type="checkbox"/> Department of General Services | <input type="checkbox"/> Mayor's Office of Employment Development |
| <input checked="" type="checkbox"/> Department of Housing and Community Development | <input type="checkbox"/> Mayor's Office of Human Services |
| <input type="checkbox"/> Department of Human Resources | <input type="checkbox"/> Mayor's Office of Information Technology |
| <input type="checkbox"/> Department of Planning | <input type="checkbox"/> Office of the Mayor |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Police Department |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

Boards and Commissions

- | | |
|--|---|
| <input type="checkbox"/> Board of Estimates | <input type="checkbox"/> Environmental Control Board |
| <input type="checkbox"/> Board of Ethics | <input type="checkbox"/> Fire & Police Employees' Retirement System |
| <input checked="" type="checkbox"/> Board of Municipal and Zoning Appeals | <input type="checkbox"/> Labor Commissioner |
| <input type="checkbox"/> Comm. for Historical and Architectural Preservation | <input checked="" type="checkbox"/> Parking Authority Board |
| <input type="checkbox"/> Commission on Sustainability | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Employees' Retirement System | <input type="checkbox"/> Wage Commission |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

CITY OF BALTIMORE
ORDINANCE **19-245**
Council Bill 18-0287

Introduced by: Councilmember Bullock

At the request of: Lynwood McMurray

Address: c/o Andi Toney, 875 North Howard Street, Baltimore, Maryland 21201

Telephone: 410-805-2472

Introduced and read first time: September 17, 2018

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: March 18, 2019

AN ORDINANCE CONCERNING

1 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**
2 **3 Dwelling Units in the R-8 Zoning District – Variances –**
3 **1235 West Lafayette Avenue**

4 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
5 dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235
6 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat;
7 and granting variances from certain bulk (lot area) and lot area coverage, gross floor area per
8 unit type, and off-street parking regulations.

9 BY authority of

10 Article - Zoning

11 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c)(3), 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 3 dwelling units in
17 the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot
18 021), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore
19 City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies
20 with 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 a lot area of 1,875 square feet is required for 3 dwelling units, and the
25 lot is only 1,280 square feet.

EXPLANATION: CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

Underlining indicates matter added to the bill by amendment.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 18-0287

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 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts – Bulk
4 and Yard Regulations), as the maximum lot coverage allowed is 60% for a lot that is 80 feet or
5 more in depth, and the existing structure, dating from original construction, covers 79% of the
6 lot.

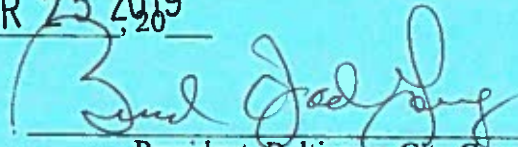
7 SECTION 3 4. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§
8 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from
9 the requirements of § 9-703(c)(3) for gross floor area per unit type, as two of the proposed
10 bedroom units, on the second and third floors, would be less than 1,000 square feet.

11 SECTION 4 5. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§
12 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from
13 the off-street parking requirements of §§ 9-703(f), 16-203, and 16-602 (Table 16-406: Required
14 Off-Street Parking).

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

23 SECTION 6 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th
24 day after the date it is enacted.

Certified as duly passed this _____ day of MAR 25 2019, 2019



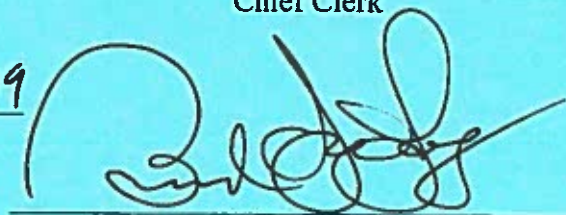
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of MAR 25 2019, 2019



Chief Clerk

Approved this 24th day of April, 2019



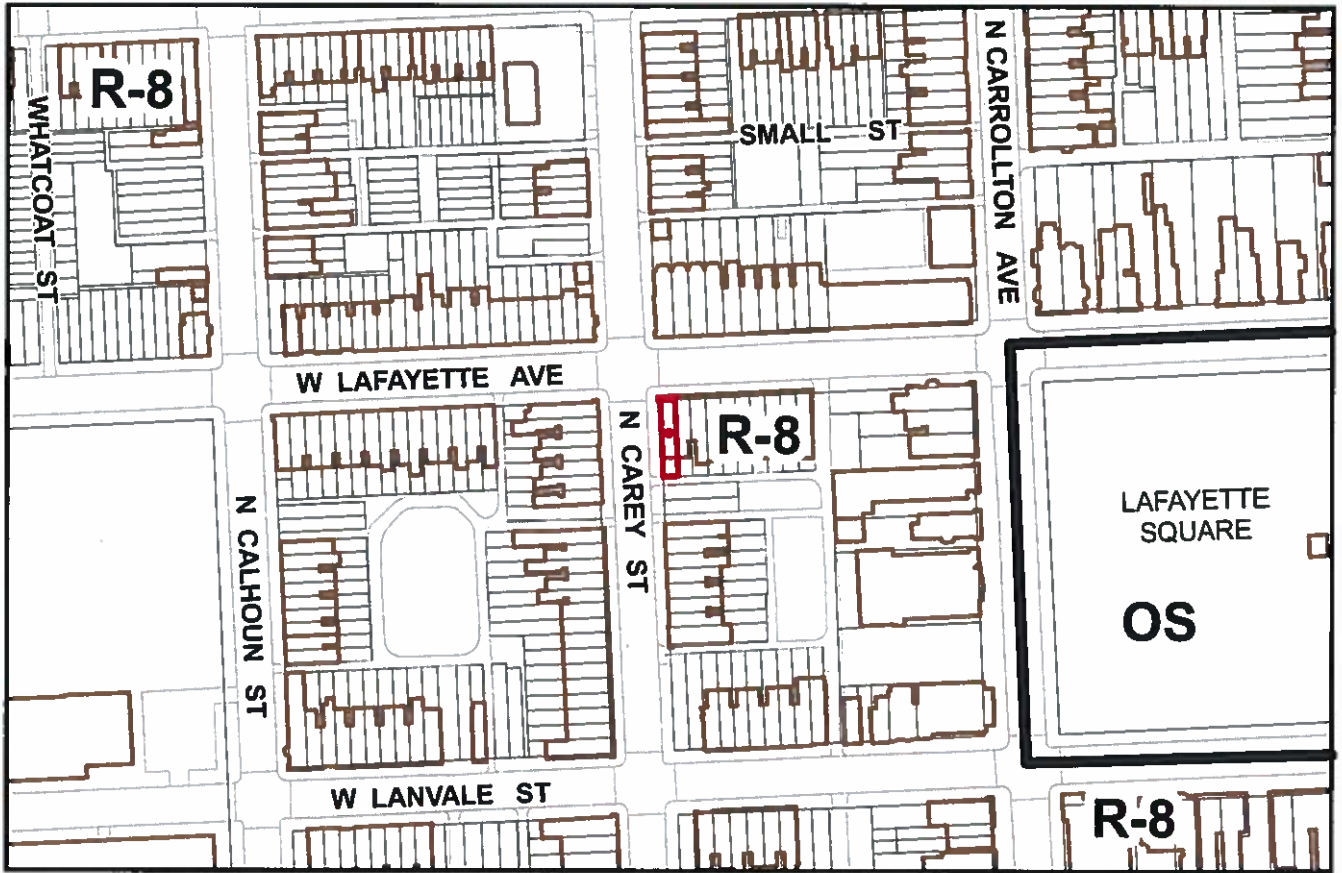
Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 17th Day of April 2019

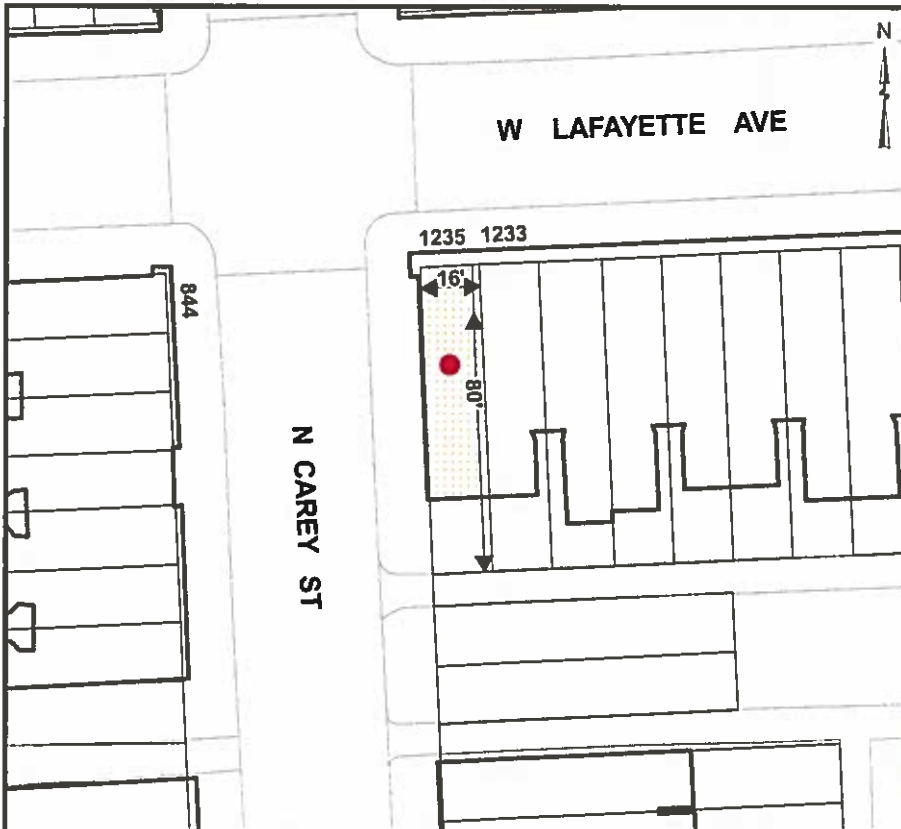


Chief Solicitor

**SHEET NO. 44 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



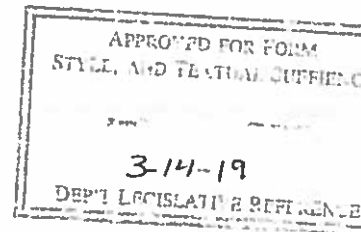
Scale: 1" = 50'

Note:

In Connection With The Property Known As No. 1235 WEST LAFAYETTE AVENUE. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 16 SECTION 15
BLOCK 90 LOT 21

[Signature]
MAYOR
[Signature]
PRESIDENT CITY COUNCIL



AMENDMENTS TO COUNCIL BILL 18-0287
(1st Reader Copy)

By: Land Use and Transportation Committee

Amendment No. 1

On page 1, in line 8, after “(lot area)”, insert “and lot area coverage”.

Amendment No. 2

ADOPTED

On page 1, after line 26, 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 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts – Bulk and Yard Regulations), as the maximum lot coverage allowed is 60% for a lot that is 80 feet or more in depth, and the existing structure, dating from original construction, covers 79% of the lot.”.

Amendment No. 3

On page 2, in lines 1, 5, 9, and 17, strike “3”, “4”, “5”, and “6”, respectively, and substitute “4”, “5”, “6”, and “7”, respectively.

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. 18-0287

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit
to 3 Dwelling Units in the R-8 Zoning District –
Variances - 1235 West Lafayette Avenue**

- (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:**

According to the Department of Housing and Community Development, conversion will restore the property to productive use without adverse effects to the public health, safety, or general welfare.

The proposed use as a 3-family dwelling would be consistent with other residential use in the area and would allow continuing use of a structure that contributes to the Old West Baltimore National Register Historic District.

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

The proposed use is not precluded by any other law, including the Harlem Park II Urban Renewal Plan.

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

The proposed authorization would not be contrary to the public interest (in fact, it would advance the public interest by creating more housing affordable to moderate-income families and by returning a vacant building to active residential use).

According to the Baltimore Development Corporation, the property is located in the historic Harlem Park II Urban Renewal Area and meets a new demand for

smaller scale residential needs. Enactment of this bill will facilitate proposed redevelopment plans for the property and create affordable housing in the community where vacancies currently exist.

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

Planning staff conclude that the authorization would be in harmony with the purpose and intent of the Zoning Code.

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 proposed site, including its size and shape, are adequate for the proposed use.

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

There will be no negative impact to traffic patterns.

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

The proposed use will not impair the present and future development of this lot or the surrounding area.

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

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

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

There is adequate accessibility of the premises to emergency vehicles.

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

There is adequate light and air to the premises and to 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, access roads, drainage, and other necessary facilities have been or will be provided.

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

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

- (9) the character of the neighborhood;

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

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

The proposed action 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. The proposed action also furthers two of the objectives of the Harlem Park II Urban Renewal Plan, to provide housing resources for families of all income levels through rehabilitation and new construction, and to address the growing number of vacant and deteriorated properties.

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

The proposed use is consistent with provisions of the Harlem Park II Urban Renewal Plan.

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

The proposed use meets all other applicable standards and requirements of the Zoning Code.

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

The proposed use is consistent with the intent and purpose of the Zoning Code.

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

The proposed use is consistent with any other matters that may be considered to be in the interest of the general welfare.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report - The findings listed above have been transferred from the Planning Commission's report dated November 30, 2018 and the Department of Planning's report dated November 29, 2018.

[X] Testimony presented at the Committee hearing

Oral – Witness Name:

- Mr. Martin French, Department of Planning
- Ms. Hilary Ruley, Law Department

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

- Baltimore City Planning Commission, Agency Report – Dated: 11/30/2018
- Department of Planning, Staff report – Dated: 11/29/2018
- Department of Transportation, Agency Report – Dated: 10/2/2018
- Parking Authority of Baltimore City, Agency Report – Dated: 10/12/18
- Department of Housing and Community Development, Agency Report – Dated: 2/14/19
- Law Department Report – Agency Report – Dated: 2/7/19

LAND USE AND TRANSPORTATION COMMITTEE:



Chairman



Member

Member

Member



Member



Member

Member

Member

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

City Council Bill No. 18-0287

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units
in the R-8 Zoning District - Variances - 1235 West Lafayette Avenue**

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 BULK AND YARD REGULATIONS; FOR LOT AREA, GROSS FLOOR AREA AND ALLOWANCES; AND FOR OFF-STREET PARKING REQUIREMENTS.

ADOPTED

(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 proposed use as a 3-family dwelling would be consistent with other residential uses in the area and would allow continuing use of a structure that contributes to the Old West Baltimore National Register Historic District.

While the lot area requirement is not satisfied without a variance, this is in part offset by the large size of the existing residential building and the relatively small 7% gross floor area variance needed for two of the three proposed dwelling units.

While no off-street parking can be provided on this property, the site is located in a dense, walkable neighborhood that is served by several bus lines.

The former alley at the rear of this property was incorporated in one of the inner block parks created in the early 1960s pursuant to the Harlem Park II Urban Renewal Plan. The former alley, behind this property, and the inner-block park of which it is now a part are an important link in the West Baltimore portion of the Green Network being created pursuant to the Green Network Plan adopted by the Planning Commission. For this reason, it would be inappropriate to have a portion of this former alley re-opened solely for the purpose of providing access to a parking pad in the rear yard of this property.

The amount of lot coverage of this property is essentially unique to the property and is not generally applicable to other property within the R-8 zoning district (as others in this area and R-8 districts generally meet Zoning Code bulk standards).

During oral testimony, the Planning Department representative stated that the Planning Commission is recommending because of the unusual nature of this property that it would qualify as a unique condition which would justify the variances proposed in the bill and to be added to the bill.

(2) Unnecessary hardship or practical difficulty

- (i) Due to the characteristics described above, enforcing the bulk and yard regulations for the lot area, gross floor area requirements and off-street parking restrictions would cause a disproportionate impact on the property as compared to other neighboring properties, resulting in an unnecessary hardship or practical difficulty because:

According to the Department of Housing and Community Development the conversion will restore the property to productive use without adverse effects to the public health, safety, or general welfare.

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

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

As described below, the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property:

There is a practical difficulty with complying with the bulk and the conversion standards in the Zoning Code that has not been caused by action or inaction of any person with a present interest in this property.

(4) Substantial justice to applicant and nearby owners

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

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. The proposed action also furthers two of the objectives of the Harlem Park II Urban Renewal Plan, to provide housing resources for families of all income levels through

rehabilitation and new construction, and to address the growing number of vacant and deteriorated 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:

The purpose of the variances requested is not based exclusively on a desire to increase the value or income potential of the property.

(6) Impact on neighboring properties

The variances 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:

Each of the variances that would be granted would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood.

(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:

Returning this property to full occupancy would actually help improve property values in the central portion of the Old West Baltimore National Register Historic District.

(8) Impact on other City Plans

The variance **IS / IS NOT** precluded by and **WILL / WILL NOT** adversely affect any Urban Renewal Plan, the City's Comprehensive Master Plan or any Historical and Architectural Preservation District.

The variances are in harmony with the Comprehensive Master Plan, the Old West Baltimore National Historic District, and the Harlem Park II Urban Renewal Plan.

(9) Public Health, Safety, Welfare etc.

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

The variances are in harmony with related considerations of public health, safety, and general welfare.

SOURCE OF FINDINGS (Check all that apply):

Planning Report - The findings listed above have been transferred from the Department of Planning Staff Report dated: November 29, 2018.

Testimony presented at the Committee hearing

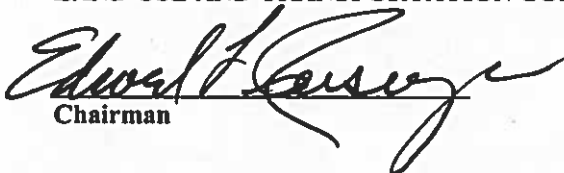
Oral – Witness Name:

- Mr. Martin French, Department of Planning
- Mr. Tyrell Dixon, Department of Housing and Community Development
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- David Framm, Department of Transportation
- Ms. Hilary Ruley, Law Department
- Mr. Karl Zimmerman, Deputy Chief, Baltimore City Fire Department

Written:

- Baltimore City Planning Commission, Agency Report – Dated: 11/30/18
- Department of Planning – Staff Report – Dated: 11/29/18
- Department of Transportation, Agency Report – Dated: 10/2/18
- Department of Law, Agency Report - Dated: 2/7/19
- Board of Municipal Zoning Appeals, Agency Report – Dated: 2/8/19
- Parking Authority of Baltimore City, Agency Report – Dated: 10/12/18
- Department of Housing and Community Development, Agency Report – Dated: 02/14/19
- Baltimore Development Corporation, Agency Report – Dated: 2/7/19
- Baltimore City Fire Department, Agency Report – Dated 10/5/19

LAND USE AND TRANSPORTATION COMMITTEE:


Chairman


Member



Member



Member

Member

Member

Member

Member

**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION
VOTING RECORD**

DATE: March 13, 2019

BILL#: 18-0287

BILL TITLE: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1235 West Lafayette Avenue

MOTION BY: Clarke SECONDED BY: Middleton

- 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>5</u>		<u>2</u>	

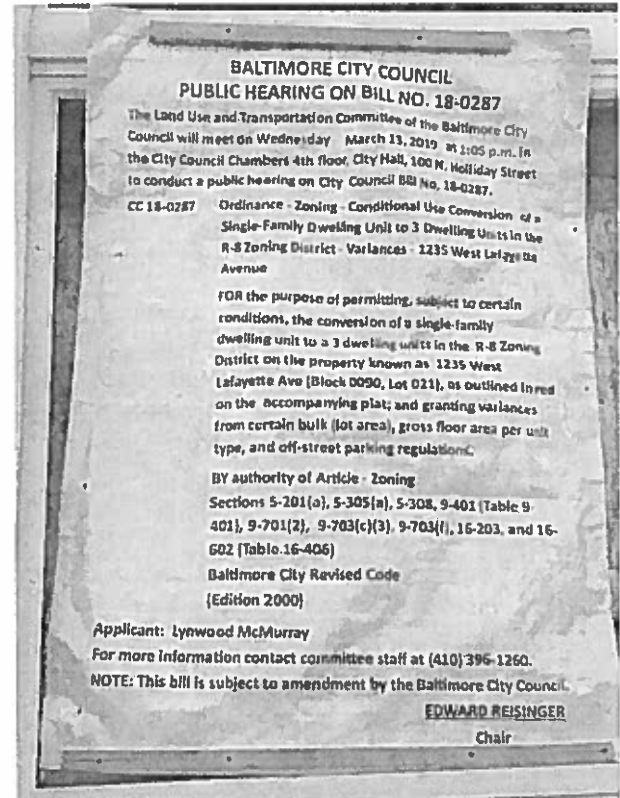
CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

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

City Council Bill No.:

Today's Date: February 21, 2019

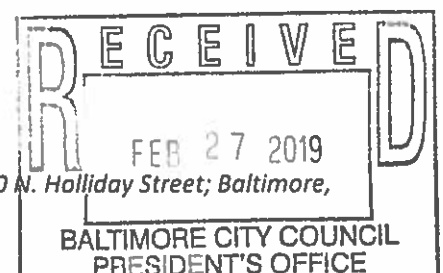


Address: 1235 West Lafayette Ave Baltimore MD 21217

Date Posted: February 21, 2019

Applicant's Name: Lynwood McMurray
Address: 3703 Aster Ridge Court District Heights MD 20747
Telephone: 202-271-0577/410-805-2472

- 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





The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

Order #: 11706578
Case #:
Description:

The Land Use and Transportation Committee of the Baltimore City Council will meet Wednesday, March 13, 2019 as listed below in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

2/22/2019

Darlene Miller, Public Notice Coordinator
(Representative Signature)

PUBLIC NOTICE BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION COMMITTEE

The Land Use and Transportation Committee of the Baltimore City Council will meet Wednesday, March 13, 2019 as listed below in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct public hearings rescheduled from February 20, 2019 due to inclement weather:

1:00 p.m. CC Bill 17-0074 - Zoning - Conditional Use Parking, Open Off-Street Area - 3023

Virginia Avenue

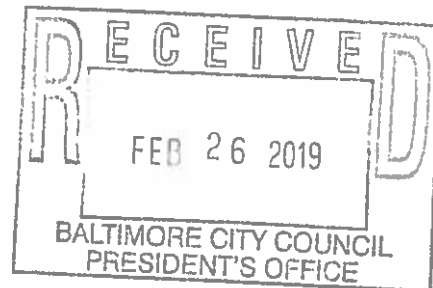
1:06 p.m. CC Bill 18-0287 Ordinance - Zoning - Conditional Use Conversion of a Single-

Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances-

1236 West Lafayette Avenue

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

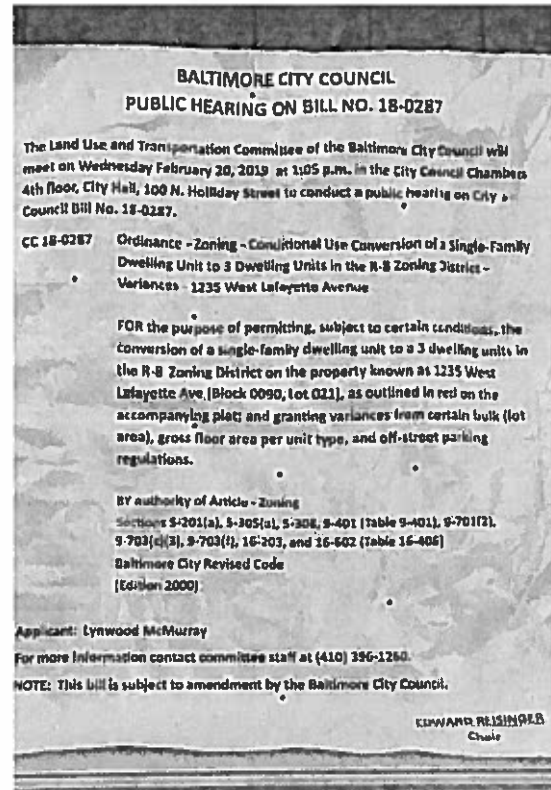
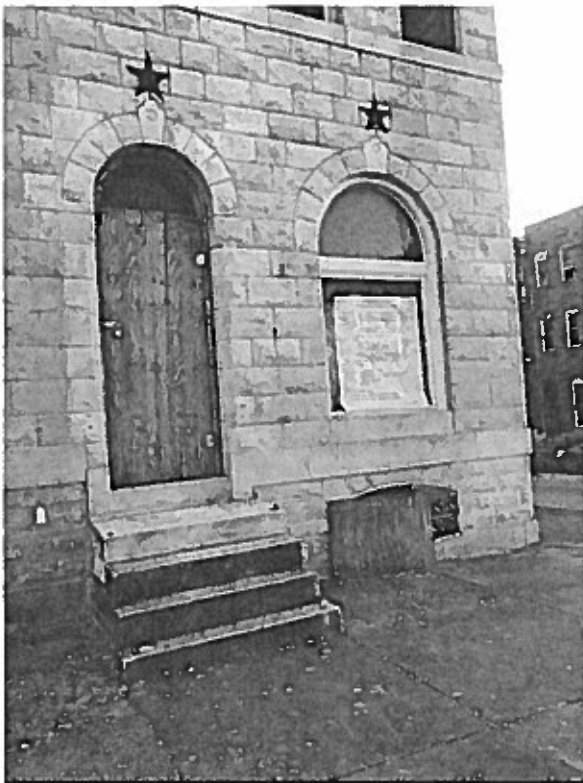
022



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

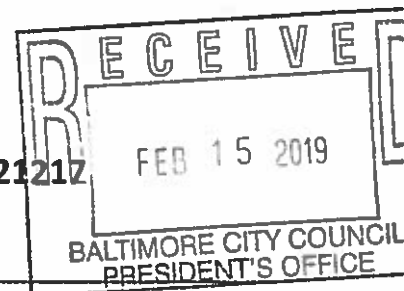
City Council Bill No.:

Today's Date: February 01, 2019




Address: 1235 West Lafayette Ave Baltimore MD 21217

Date Posted: January 25, 2019



Applicant's Name: Lynwood McMurray
Address: 3703 Aster Ridge Court District Heights MD 20747
Telephone: 202-271-0577/410-805-2472

- 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	LAURIE R. FEINBERG, ACTING DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0287/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 1235 W. LAFAYETTE AVENUE		

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

DATE: November 30, 2018

At its regular meeting of November 29, 2018, the Planning Commission considered City Council Bill #18-0287, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 W. Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment (to add a variance of lot coverage requirement for the subject property) and approval of City Council Bill #18-0287, and adopted the following resolution, seven members being present (seven in favor):

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

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

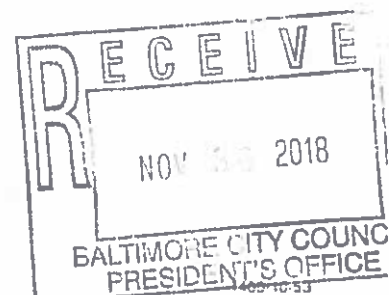
RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0287 be amended and passed by the City Council.

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

LRf/mf

Attachment

Fav w/ Amends



**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
Mr. Josh Taylor, DoT
Ms. Natawna Austin, Council Services
Mr. Ervin Bishop, Council Services
Mr. Lynwood McMurray (owner)**



*Catherine E. Pugh
Mayor*

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



*Laurie R. Feinberg
Acting Director*

November 29, 2018

REQUEST: City Council Bill 18-0287/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1235 West Lafayette Avenue:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

RECOMMENDATION: Amend, and Approval as amended

Amendment: Add a variance of lot coverage regulations to Section 2 of the bill.

STAFF: Martin French

PETITIONERS: Councilmember Bullock, at the request of Lynwood McMurray

OWNER: Lynwood McMurray

SITE/ GENERAL AREA

Site Conditions: 1235 West Lafayette Avenue is located at the southeast corner of the intersection with Carey Street. This property measures approximately 16' by 80' and is currently improved with a three-story end-of-row residential building measuring approximately 16' by 63'. The site is zoned R-8. The building on the lot is vacant and uninhabitable at present.

General Area: Most of the housing closest to this property was originally developed in the middle of the 19th Century, while the larger historic area dates from the 1850s to the 1880s. In the first half of the 20th Century a number of end-of-row buildings were partially converted to residential mixed-use by alterations of their street-level living spaces to commercial uses serving primarily their surrounding residential area. This property is on the north edge of the Harlem Park II Urban Renewal Area. From its origins in the mid-20th Century to the present, this urban renewal area has been characterized by a mix of 19th Century row-houses, with religious and institutional uses in various locations. The central part of this renewal area was used for construction of the Harlem Park School and its school grounds, serving both the immediate area and much of west Baltimore. One block east of this site is Lafayette Square, a public park dating from the mid-19th Century. The former alley at the rear of this property was incorporated in one of the inner block parks created in the early 1960s pursuant to the Harlem Park II Urban Renewal Plan.

HISTORY

The Harlem Park II Urban Renewal Plan was established by Ordinance no. 419 dated July 6, 1960, and was last amended by Ordinance no. 10-264 dated March 24, 2010. The Old West Baltimore Historic District was certified to the National Register of Historic Places on December 23, 2004.

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. The proposed action also furthers two of the objectives of the Harlem Park II Urban Renewal Plan, to provide housing resources for families of all income levels through rehabilitation and new construction, and to address the growing number of vacant and deteriorated properties.

ANALYSIS

Background: This legislation would allow the petitioner to use the existing structure as three dwelling units, one per floor level. Adaptive re-use as a three-family multi-family dwelling would allow preservation of a piece of Old West Baltimore's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown for residents of the three dwelling units.

Zoning Analysis: This property is an end-of-row residential structure containing approximately 2,800 square feet of gross floor area. This bill would encourage re-use of a structure consistent with current zoning.

- The Zoning Code requires, for conversion of a single-family property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §9-703.d., citing Table 9-401). A lot area of 1,825 square feet is thus required for the proposed use. This lot has 1,280 square feet and thus does not meet the lot area requirement for conversion. A variance of this requirement is therefore included in this bill.
- A rear yard setback of 15' is required. This property has a rear yard setback of 17' and thus meets this requirement.
- The maximum lot coverage allowed is 60% for a lot that is 80' or more in depth. This structure covers approximately 79% of the lot. A variance of this requirement would recognize the as-built condition of the property, dating from original construction. Amendment of this bill to include this variance is therefore recommended.
- The Zoning Code requires, for conversion of a single-family property in the R-8 District, gross floor area of 750 square feet per 1-bedroom unit created, and 1,000 square feet per 2-bedroom unit created (BCZC §9-703.c.). The existing structure contains approximately 930 gross square feet on each of its three levels, allowing the first floor 1-bedroom unit to meet this standard, but the two 2-bedroom units on the second and third floors of the building would not meet this standard. A variance of this requirement is therefore included in this bill.

- Two additional off-street parking spaces are required to serve the two newly-created dwelling units (BCZC §9-703.f.). This property cannot provide any off-street parking spaces meeting Zoning Code standards for size or accessibility, and therefore a variance of this requirement is included in this bill. The former alley behind this property and the inner-block park of which it is now a part are an important link in the West Baltimore portion of the Green Network being created pursuant to the Green Network Plan adopted by the Planning Commission. For this reason, it would be inappropriate to have a portion of this former alley re-opened solely for the purpose of providing access to a parking pad in the rear yard of this property.

Conditional Use: Per §5-406 {"Approval standards"} of Article 32 – Zoning:

(a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals, nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

- (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.

The establishment, location, and operation of this property as a multi-family dwelling containing three dwelling units would not be detrimental to or endanger public health, safety, or welfare. The proposed use is not precluded by any other law, including the Harlem Park II Urban Renewal Plan. The proposed authorization would not be contrary to the public interest (in fact, it would advance the public interest by creating more housing affordable to moderate-income families and by returning a vacant building to active residential use). Therefore, Planning staff conclude that the authorization would be in harmony with the purpose and intent of the Zoning Code.

In making the above recommendation, Planning staff reviewed §5-406(b) {"Required considerations"} of Article 32 – Zoning, and finds that the proposed use meets these additional criteria for approval of a conditional use:

- (1) the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- (2) there will be no negative impact to traffic patterns;
- (3) the proposed use will not impair the present and future development of this lot or the surrounding area;
- (4) there will be no negative impact resulting from proximity to dwellings, churches, schools, public structures, and 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 proposed use would not interfere with preservation of cultural and historic landmarks and structures;
- (9) the proposed use would not alter the character of the neighborhood;

- (10) the proposed use is consistent with provisions of the City's Comprehensive Master Plan;
- (11) the proposed use is consistent with the provisions of the Harlem Park II Urban Renewal Plan;
- (12) the proposed use meets all other applicable standards and requirements of the Zoning Code;
- (13) the proposed use is consistent with the intent and purpose of the Zoning Code; and
- (14) is consistent with any other matters that may be considered to be in the interest of the general welfare.

Planning staff recommend that the Planning Commission also find:

- The proposed use as a 3-family dwelling would be consistent with other residential use in the area and would allow continuing use of a structure that contributes to the Old West Baltimore National Register Historic District. While the lot area requirement is not satisfied without a variance, this is in part offset by the large size of the existing residential building and the relatively small 7% gross floor area variance needed for two of the three proposed dwelling units.
- While no off-street parking can be provided on this property, the site is located in a dense, walkable neighborhood that is served by several bus lines.
- The amount of lot coverage of this property is essentially unique to the property and is not generally applicable to other property within the R-8 zoning district (as others in this area and R-8 districts generally meet Zoning Code bulk standards).
- There is a practical difficulty with complying with the bulk and the conversion standards in the Zoning Code that has not been caused by action or inaction of any person with a present interest in this property. The purpose of the variances requested is not based exclusively on a desire to increase the value or income potential of the property.
- Each of the variances that would be granted would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. Returning this property to full occupancy would actually help improve property values in the central portion of the Old West Baltimore National Register Historic District. The variances are in harmony with the Comprehensive Master Plan, the Old West Baltimore National Register Historic District, and the Harlem Park II Urban Renewal Plan, and related considerations of public health, safety, and general welfare.

Notification: The Harlem Park Neighborhood Council, the Lafayette Square Association, the Sandtown South Neighborhood Alliance, and Councilman Bullock have been notified of this action.



Laurie R. Feinberg
Acting Director

CITY OF BALTIMORE

CATHERINE E PUGH, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

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

February 8, 2019

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

**RE: CC Bill #18-0287 Zoning – Conditional Use Conversion of a Single
Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District –
Variances – 1235 West Lafayette Avenue**

Ladies and Gentlemen:

City Council Bill No. 18-287 has been referred by your Honorable Body to the Board of
Municipal and Zoning Appeals for study and report.

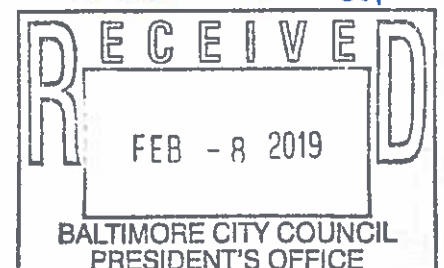
The purpose of City Council Bill No. 18-287 is to permit, subject to certain conditions,
the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning
District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021)
and grant variances from certain bulk (lot area), gross floor area per unit type, and off-
street parking regulations.


The BMZA has reviewed the legislation and concurs with the report and recommendation
of the Planning Commission and Planning Department's staff report recommending
approval with amendment of CC Bill. 18-287.

Sincerely,

Derek J. Baumgardner
Executive Director

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



FROM	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 18-0287		

TO Mayor Catherine E. Pugh

DATE: 10/2/18

TO: Respective City Council Land Use and Transportation Committee
 FROM: Department of Transportation
 POSITION: Support
 RE: Council Bill – 18-0287

INTRODUCTION – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1235 West Lafayette Avenue

PURPOSE/PLANS – For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

AGENCY/DEPARTMENT POSITION –
 The Department of Transportation Supports City Council 18-0287.

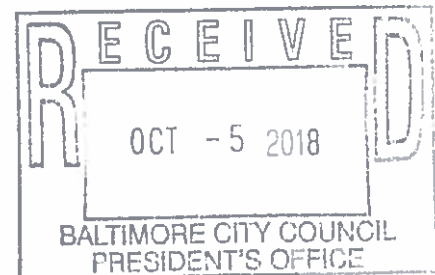
If you have any questions, please do not hesitate to contact Josh Taylor at josh.taylor@baltimorecity.gov, 443-604-3352.

Sincerely,



Michelle Pourciau
 Director

Favorable



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



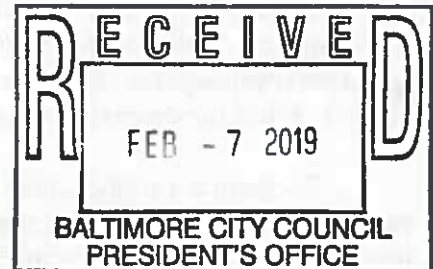
DEPARTMENT OF LAW

ANDRE M. DAVIS, CITY SOLICITOR
100 N. Holliday Street
Suite 101, City Hall
Baltimore, Maryland 21202

February 7, 2019

Favorable with com

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 18-0287 – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1235 West Lafayette Avenue

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0287 for form and legal sufficiency. The bill would permit the conversion of a single-family dwelling unit to 3 dwelling units at 1235 West Lafayette Avenue, which is in an R-8 Zoning district. The bill would also grant variances for lot area, gross floor area per unit type, 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.

Variance Standards

The bill also contains variances for lot area, gross floor area and off-street parking requirements. In general, dwellings in an R-8 district must have 750 square feet of lot area per dwelling unit, 1,000 square feet of gross floor area per 2 bedroom unit, and one off-street parking space per dwelling unit. Baltimore City Code, Art. 32, §§ 9-401; Tbl 9-401; 9-703(c), (f); 16-203, 16-602. Since the property does not meet these requirements, it needs a variance from them.

To grant a variance, the City Council must find that, "because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out." Baltimore City Code, Art. 32, § 5-308(a). The City Council must also make seven other findings:

- (1) the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification;**
- (2) the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property;**
- (3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;**
- (4) the variance will not: (i) be injurious to the use and enjoyment of other property in the immediate vicinity; or (ii) substantially diminish and impair property values in the neighborhood;**
- (5) the variance is in harmony with the purpose and intent of this Code;**
- (6) the variance is not precluded by and will not adversely affect: (i) any Urban Renewal Plan; (ii) the City's Comprehensive Master Plan; or (iii) any Historical and Architectural Preservation District; and**
- (7) the variance will not otherwise: (i) be detrimental to or endanger the public health, safety, or welfare; or (ii) be in any way contrary to the public interest.**

Baltimore City Code, Art. 32, § 5-308(b) (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.

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, **while the Report does support that the property is unique with regard to lot coverage (see p. 4), the Report should be supplemented to explain how the property is unique with regard to gross floor area to justify the variance. The Report mentions that the property has a former alley behind it which is an integral part of the Green Network Plan and therefore should not be reopened for providing access for parking, but it**

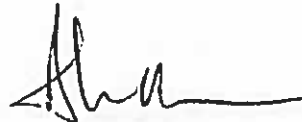
is not clear whether this aspect of the property is unique. This should also be supplemented at the hearing to support the variance sought for off-street parking.

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,



Ashlea Brown
Assistant Solicitor

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

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: October 12, 2018
RE: Council Bill 18-0287



I am herein reporting on City Council Bill 18-0287 introduced by Councilmember Bullock at the request of Lynwood McMurray.

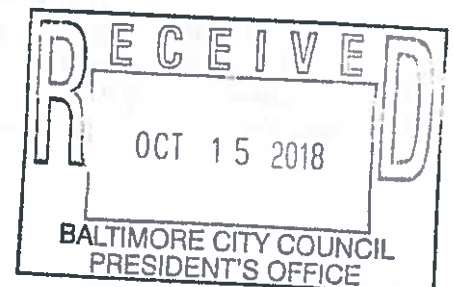
The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue.

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 PABC administers on-street parking programs. A site visit was conducted during the last week of September 2018. PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, PABC investigated the alley and rear of the property and determined that there is not sufficient access or property for any off-street parking spaces. Therefore, a variance for off-street parking is required, and PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, PABC does not oppose the passage of City Council Bill 18-0287.

no objection



**CITY OF BALTIMORE
COUNCIL BILL 18-0287
(First Reader)**

Introduced by: Councilmember Bullock
At the request of: Lynwood McMurray
Address: c/o Andi Toney, 875 North Howard Street, Baltimore, Maryland 21201
Telephone: 410-805-2472

Introduced and read first time: September 17, 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 **3 Dwelling Units in the R-8 Zoning District – Variances –**
4 **1235 West Lafayette Avenue**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235
7 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat;
8 and granting variances from certain bulk (lot area), gross floor area per unit type, and off-
9 street parking regulations.

10 BY authority of

11 Article - Zoning
12 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c)(3), 9-703(f),
13 16-203, and 16-602 (Table 16-406)
14 Baltimore City Revised Code
15 (Edition 2000)

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
17 permission is granted for the conversion of a single-family dwelling unit to 3 dwelling units in
18 the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot
19 021), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore
20 City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies
21 with all applicable federal, state, and local licensing and certification requirements.

22 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
23 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
24 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk
25 and Yard Regulations), as a lot area of 1,875 square feet is required for 3 dwelling units, and the
26 lot is only 1,280 square feet.

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

Council Bill 18-0287

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 requirements of § 9-703(c)(3) for gross floor area per unit type, as two of the proposed bedroom
4 units, on the second and third floors, would be less than 1,000 square feet.

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

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



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 *MB*

Date: February 14, 2019

Re: **City Council Bill 18-0287, Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1235 West Lafayette Avenue**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0287, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

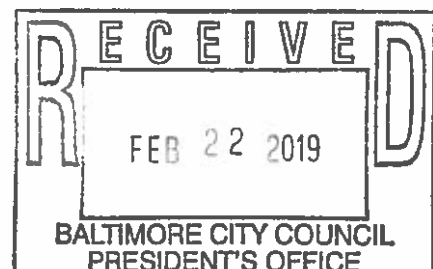
1235 West Lafayette Avenue is located in the Harlem Park neighborhood. The property is currently a three-story single family dwelling. If passed, this bill will allow the owner to convert the property to three separate single-floor dwellings. The conversion will restore the property to productive use without adverse effects to the public health, safety, or general welfare.

HCD supports the passage of City Council Bill 18-0287.

MB:td

cc: Mr. Jeffrey Amoros, *Mayor's Office of Government Relations*

F





MEMORANDUM

DATE: February 7, 2019
TO: Land Use and Transportation Committee
FROM: William H. Cole, President and CEO
POSITION: Support
SUBJECT: Council Bill 18-0287 – Zoning-Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District-VariANCES-1235 West Lafayette Avenue

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 18-0287 introduced by Councilmember Bullock, at the request of Lynwood McMurray.

PURPOSE

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

BRIEF HISTORY

The property is located in the historic Harlem Park II Urban Renewal Area and meets a new demand for smaller scale residential needs.

Enactment of this bill will facilitate proposed redevelopment plans for the property and create affordable housing in the community where vacancies currently exist.

FISCAL IMPACT

NONE

AGENCY POSITION

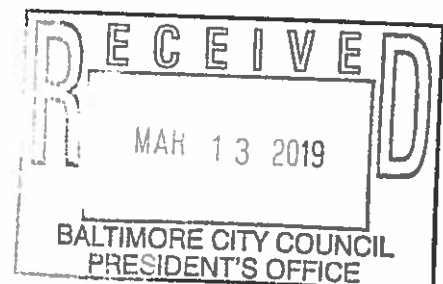
The Baltimore Development Corporation Supports City Council Bill 18-0287.


If you have any questions, please do not hesitate to contact Kimberly Clark at kclark@baltimoredevelopment.com or 410-837-9305.

cc: Jeffrey Amoros

[DG]

F



FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202		
	SUBJECT	City Council Bill #18-0287 Response: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1235 West Lafayette Avenue		

DATE:

TO

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

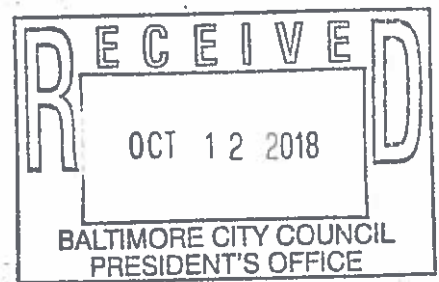
October 5, 2018

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off- street parking regulations

The proposed legislation would provide for- permitting, subject to certain conditions, the conversion of a single-family dwelling unit to three dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue, (Block 0090, Lot 021) and granting variances from certain lot area per dwelling unit, gross floor area, and off-street parking requirements

The Fire Department does not object to City Council Bill 18-0287 provided that all applicable sections of the Fire and Building codes are adhered. This may include a requirement for plans to be submitted to the Fire Department, an annual Fire Inspection, permit, automatic sprinkler system, and Fire Alarm system.

no objection



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, March 13, 2019

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0287

Rescheduled from 2-20-19

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 5 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Eric T. Costello, and Member Robert Stokes Sr.

Absent 2 - Member Ryan Dorsey, and Member Leon F. Pinkett III

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0287

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1235 West Lafayette Avenue

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

Sponsors: John T. Bullock

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

Yes: 5 - Member Reisinger, Member Middleton, Member Clarke, Member Costello, and Member Stokes Sr.

Absent: 2 - Member Dorsey, and Member Pinkett III

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: 18-0287

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units
in the R-8 Zoning District - Variances - 1235 West Lafayette Avenue

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

Hearing Date: March 13, 2019
Time (Beginning): 1:15 PM
Time (Ending): 1:35 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~15
Committee Members in Attendance:
Reisinger, Edward, Chairman
Middleton, Sharon, Vice Chair
Clarke, Mary Pat
Costello, Eric
Stokes, Robert

Bill Synopsis in the file? [X] yes [] no [] n/a
Attendance sheet in the file? [X] yes [] no [] n/a
Agency reports read? [X] yes [] no [] n/a
Hearing televised or audio-digitally recorded? [X] yes [] no [] n/a
Certification of advertising/posting notices in the file? [X] yes [] no [] n/a
Evidence of notification to property owners? [X] yes [] no [] n/a
Final vote taken at this hearing? [X] yes [] no [] n/a
Motioned by: Councilmember Clarke, Mary Pat
Seconded by: Councilmember Middleton, Sharon, Vice Chair
Final Vote: ..Favorable with Amendments

Major Speakers

(This is not an attendance record.)

- Mr. Martin French, Planning Commission/Department of Planning
 - Mr. David Framm, Department of Transportation
 - Mr. Derrick Baumgardner, Board of Municipal Zoning Appeals
 - Ms. Tyrell Dixon, Department of Housing and Community Development
 - Ms. Hilary Ruley, Department of Law
-

Major Issues Discussed

1. Councilman Reisinger read the bill's number, title and purpose.
 2. Councilmember Bullock testified in support of the bill. He indicated that neighborhood associations were in support of the bill.
 3. Mr. Martin French presented the Planning Commission's report in support of the bill which included a proposed amendment to provide a variance of lot coverage regulations. Mr. French provided information to support the finding of facts considerations outlined in Article 32 – Zoning Code.
 4. Councilmember Middleton asked if, in the future, the Planning Department can submit floor plans for the proposed redevelopment of properties coming before the committee, especially for conditional uses that allow for conversion of properties that increase the number of dwelling units. Councilmember Clarke reiterated the need to have more detailed plans for the redevelopment of buildings. Mr. French explained that the Planning Department reviews conversions using standards outlined in the Zoning Code.
 5. Ms. Hilary Ruley indicated that findings of fact must be made for each variance. She explained why the findings/standards are needed. The Law Department approves the bill for form and legal sufficiency as long as there are findings of facts.
 6. Agency representatives testified in support of their agency's report.
 7. The committee voted to approve the findings of facts to be taken from oral and written testimony.
 8. The committee also approved the Planning Department's proposed amendment.
 9. The hearing was adjourned.
-

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

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

Jennifer L. Coates, Committee Staff



Date: March 13, 2019

cc: Bill File
OCS Chrono File



CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation

Chairperson: Edward Reisinger

Date: March 13, 2019

Time: 1:05 PM

Place: Clarence "Du" Burns Chambers

Subject: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1235 West Lafayette Avenue

CC Bill Number: 18-0287

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David	GARZA		365. Charles St.	..	dgartz@baltimoredevelopment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DAVID	FRANK	401	E. Myrtle St DT/400	2132	DMW.FRANK@BALTIMOREGOV.GOV	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Martin		Planning		martin.french@baltimorecity.gov	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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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, March 13, 2019

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0287

Rescheduled from 2-20-19

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0287

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1235 West Lafayette Avenue

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

Sponsors:

John T. Bullock

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



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

Mission Statement

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

**The Honorable Edward Reisinger
Chairperson**

PUBLIC HEARING

**Wednesday, March 13, 2019
1:05 PM**

***City Council Bill # 18-0287
Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit
to 3 Dwelling Units in the R-8 Zoning District -
Variances - 1235 West Lafayette Avenue***

*Note: This hearing was rescheduled from 2/20/19 due to inclement weather.
Revised: 2/26/19*

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

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

EDUCATION AND YOUTH

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

EXECUTIVE APPOINTMENTS

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

HOUSING AND URBAN AFFAIRS

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

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

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

LABOR

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

LAND USE AND TRANSPORTATION

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Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

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

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

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

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

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

BILL SYNOPSIS

Revised 2/26/19

Committee: Land Use and Transportation

Bill 18-0287

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1235 West Lafayette Avenue

Sponsor: Councilmember Bullock

Introduced: September 17, 2018

Purpose:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

Effective: 30th day after the date of enactment

Hearing Date/Time/Location: March 13, 2019 /1:05 p.m./Clarence "Du" Burns Chambers

Agency Reports

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

Analysis

Current Law

Article – Zoning; Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c)(3), 9-703(f), 16-203, and 16-602 (Table 16-406); Baltimore City Revised Code; (Edition 2000)

Background

If approved, Bill 18-0287 would authorize a conditional use conversion of a single-family dwelling unit to three (3) dwelling units at the property located at 1235 West Lafayette Avenue. Lynwood McMurray, who is the applicant and owner of the property.

The bill would also grant variances from the Article 32- Zoning requirements for:

- Lot Area Per Dwelling Unit
- Gross Floor Area Per Unit
- Off-street Parking Requirements
- Lot Coverage via a Proposed Planning Department Amendment

Surrounded by residential properties the site is zoned R-8. The property is situated at the intersection of Lafayette Avenue and Carey Street in the Harlem Park neighborhood. The site also lies in the Harlem Park II Urban Renewal Area. The Old West Baltimore Historic District was certified to the National Register of Historic Places in 2004. Lafayette Square, a public park is one block east of the site.

Conversion Requirements for Existing Structure

The existing structure qualifies for a conversion. The property measures approximately 16' x 63" and is currently improved with a three-story end-of-row 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 2,800 square feet of gross floor area.

Variance - Lot Area Per Dwelling Unit

The property does not meet the lot area per dwelling unit requirement. In the R-8 Zoning District, 750 feet of lot area per dwelling unit is required for one dwelling unit. Based on Article 32 measurement methodologies, a lot area of 1,825 square feet is required for the proposed three dwelling units. The property's lot area per dwelling unit is 1,280 square feet. A variance is needed.

Variance – Gross Floor Area Per Dwelling Unit

Two of the three floor levels in the existing structure would not meet the gross floor area per dwelling unit standard. According to Article 32, Title 9-701, the “*Gross Floor Area Per Dwelling Unit*” requirement 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

The structure would contain 930 square feet on each of its three levels. The first floor, 1-bedroom unit would meet the gross floor area requirement. The two 2-bedroom units on the second and third floor, however, would not meet the standards. A variance is needed.

Variance – Off-street Parking

A total of two off-street parking spaces are required for the two newly-created dwelling units. The property cannot provide any off-street parking spaces due to the design of a former alley and an inner-block park in the rear of the property. A variance for the off-street parking requirement is needed.

The Parking Authority of Baltimore City (PABC) conducted a site visit in September 2018 and determined that the available on-street parking inventory is greater than the demand for on-street parking. PABC also determined that there is not sufficient access or property for any off-street parking spaces.

Variance – Lot Coverage

The existing structure, dating from original construction, covers 79% of the lot. The maximum lot coverage allowed is 60% for a lot 80’ or more in depth. A variance is needed.

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 Planning Department is proposing an amendment to authorize a variance for lot coverage.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports

Analysis by: Jennifer L. Coates *JLC*
Analysis Date: February 26, 2019

Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE
COUNCIL BILL 18-0287
(First Reader)**

Introduced by: Councilmember Bullock

At the request of: Lynwood McMurray

Address: c/o Andi Toney, 875 North Howard Street, Baltimore, Maryland 21201

Telephone: 410-805-2472

Introduced and read first time: September 17, 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 **3 Dwelling Units in the R-8 Zoning District – Variances –**
4 **1235 West Lafayette Avenue**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235
7 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat;
8 and granting variances from certain bulk (lot area), gross floor area per unit type, and off-
9 street parking regulations.

10 BY authority of

11 Article - Zoning

12 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c)(3), 9-703(f),
13 16-203, and 16-602 (Table 16-406)

14 Baltimore City Revised Code
15 (Edition 2000)

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
17 permission is granted for the conversion of a single-family dwelling unit to 3 dwelling units in
18 the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot
19 021), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore
20 City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies
21 with all applicable federal, state, and local licensing and certification requirements.

22 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
23 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
24 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk
25 and Yard Regulations), as a lot area of 1,875 square feet is required for 3 dwelling units, and the
26 lot is only 1,280 square feet.

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

Council Bill 18-0287

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 requirements of § 9-703(c)(3) for gross floor area per unit type, as two of the proposed bedroom
4 units, on the second and third floors, would be less than 1,000 square feet.

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

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

Coates, Jennifer

From: Coates, Jennifer
Sent: Monday, January 14, 2019 6:13 PM
To: 'mcmurraysheatingac@gmail.com'
Cc: 'Bullock, John'; Austin, Natawna B.; McAlily, Dominic
Subject: Public Notice Instruction for Hearing on Bill 18-0287
Attachments: A - Sample - Certificate of Posting - Attachment C.docx; LU Form - Contacts for Sign Posting.docx; PNI - Letter - 18-0287 - CU Conversion - Variance -1235 W Lafayette Ave.docx

Good Evening Mr. McMurray:

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 **February 20, 2019 at 1:05 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 Coates
Committee Staff



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: Lynwood McMurry

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

Date: January 15, 2019

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. 18-0287

Date: Wednesday, February 20, 2019

Time: 1:05 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 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 Must Be Posted By:

January 30, 2019

Certificate of Posting Due By:

February 15, 2019

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 JANUARY 30, 2019, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 18-0287

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, February 20, 2019 at 1:05 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. 18-0287.

CC 18-0287 Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1235 West Lafayette Avenue

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

BY authority of Article - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c)(3), 9-703(f), 16-203, and 16-602 (Table 16-406)
Baltimore City Revised Code
(Edition 2000)

Applicant: Lynwood McMurray

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:

Lynwood McMurray
c/o Andi Toney
875 N. Howard Street
Baltimore, MD 21201
410-805-2472

**ZONING
SUBTITLE 6 – NOTICES**

ARTICLE 32, § 5-602

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

§ 5-602. Major variances; Conditional uses.

(a) *Hearing required.*

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

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

(b) *Notice of hearing required.*

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

(c) *Contents of notice.*

The notice must include:

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

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

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

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) each sign must be posted at a prominent location, near the sidewalk or public right-

of-way, so that it is visible to passing pedestrians and motorists;

(iii) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and

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

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

(e) *Timing of notice.*

The posted notice must be:

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

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

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

Baltimore City Council
Certificate of Posting - Public Hearing Notice

City Council Bill No.:

Today's Date: [Insert Here]

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

Address:

Date Posted:

Applicant's 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

THE NOTICE OF HEARING SIGN(S) MUST BE MADE IN ACCORDANCE WITH THE RULES OF THE BALTIMORE CITY BOARD OF MUNICIPAL AND ZONING APPEALS AND ARTICLE 32 – ZONING, SECTION 5-602 (SEE ATTACHMENT B) WHICH CAN BE OBTAINED FROM THE FOLLOWING WEBSITES:

<https://zoning.baltimorecity.gov/>

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

SIGNS MAY BE OBTAINED FROM A VENDOR OF YOUR CHOICE OR ANY OF THOSE LISTED BELOW:

RICHARD HOFFMAN
904 DELLWOOD DRIVE
BALTIMORE, MARYLAND 21047
PHONE: (443) 243-7360
E-MAIL: DICK_E@COMCAST.NET

JAMES EARL REID
LA GRANDE VISION
5517 HADDON AVENUE
BALTIMORE, MARYLAND 21207
PHONE: (443) 722-2552
E-MAIL: JamesEarlReid@aol.com or JamesEarlReid@aim.com

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

This office is not associated with any of the above drafting companies, nor do we recommend any specific one.

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**CITY OF BALTIMORE
COUNCIL BILL 18-0287
(First Reader)**

Introduced by: Councilmember Bullock

At the request of: Lynwood McMurray

Address: c/o Andi Toney, 875 North Howard Street, Baltimore, Maryland 21201

Telephone: 410-805-2472

Introduced and read first time: September 17, 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 **3 Dwelling Units in the R-8 Zoning District – Variances –**
4 **1235 West Lafayette Avenue**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235
7 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat;
8 and granting variances from certain bulk (lot area), gross floor area per unit type, and off-
9 street parking regulations.

10 BY authority of

11 Article - Zoning

12 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c)(3), 9-703(f),
13 16-203, and 16-602 (Table 16-406)

14 Baltimore City Revised Code
15 (Edition 2000)

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
17 permission is granted for the conversion of a single-family dwelling unit to 3 dwelling units in
18 the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot
19 021), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore
20 City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies
21 with all applicable federal, state, and local licensing and certification requirements.

22 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
23 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
24 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk
25 and Yard Regulations), as a lot area of 1,875 square feet is required for 3 dwelling units, and the
26 lot is only 1,280 square feet.

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

Council Bill 18-0287

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 requirements of § 9-703(c)(3) for gross floor area per unit type, as two of the proposed bedroom
4 units, on the second and third floors, would be less than 1,000 square feet.

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

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

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

APPROVED FOR FORM STYLE AND TEXTUAL SUFFICIENCY 9-11-18 DEPT LEGISLATIVE REFERENCE

Introduced by: Councilmember Bullock
At the request of: Lynwood McMurray
Address: c/o Andi Toney, 875 North Howard Street, Baltimore, Maryland 21201
Telephone: 410-805-2472

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
3 Dwelling Units in the R-8 Zoning District – Variances –
1235 West Lafayette Avenue**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area), gross floor area per unit type, and off-street parking regulations.

By authority of

Article - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c)(3), 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 3 dwelling units in the R-8 Zoning District on the property known as 1235 West Lafayette Avenue (Block 0090, Lot 021), 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 a lot area of 1,875 square feet is required for 3 dwelling units, and the lot is only 1,280 square feet.

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 requirements of § 9-703(c)(3) for gross floor area per unit type, as two of the proposed bedroom units, on the second and third floors, would be less than 1,000 square feet.

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

SECTION 4. AND BE IT FURTHER ORDAINED, That 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, and 16-602 (Table 16-406: Required Off-Street Parking).

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

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

STATEMENT OF INTENT

FOR

1235 W. Lafayette Ave Baltimore MD 21217
{Address}

1. Applicant's Contact Information:

Name: Lynwood Mc Murray
Mailing Address: 3703 Aster Court
District Heights MD 20747
Telephone Number: 202-271-0577
Email Address: McMurraysHeating

2. All Proposed Zoning Changes for the Property: The conversion of a single
Family dwelling unit to dwelling units in the R-8
Zoning District

3. All Intended Uses of the Property: 3 Dwelling units in the R-8 zoning
District

4. Current Owner's Contact Information:

Name: Lynwood Mc Murray
Mailing Address: 3703 Aster Court
District Court MD 20747
Telephone Number: 202-271-0577
Email Address: McMurraysHeatingAC@gmail.com

5. Property Acquisition:

The property was acquired by the current owner on 1/27/17 by deed recorded in the
Land Records of Baltimore City in Liber 19450 Folio 458.

6. Contract Contingency:

(a) There is ___ is not a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties to the contract are as follows {use additional sheet if
necessary}: _____

N/A

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

N/A

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): _____

N/A

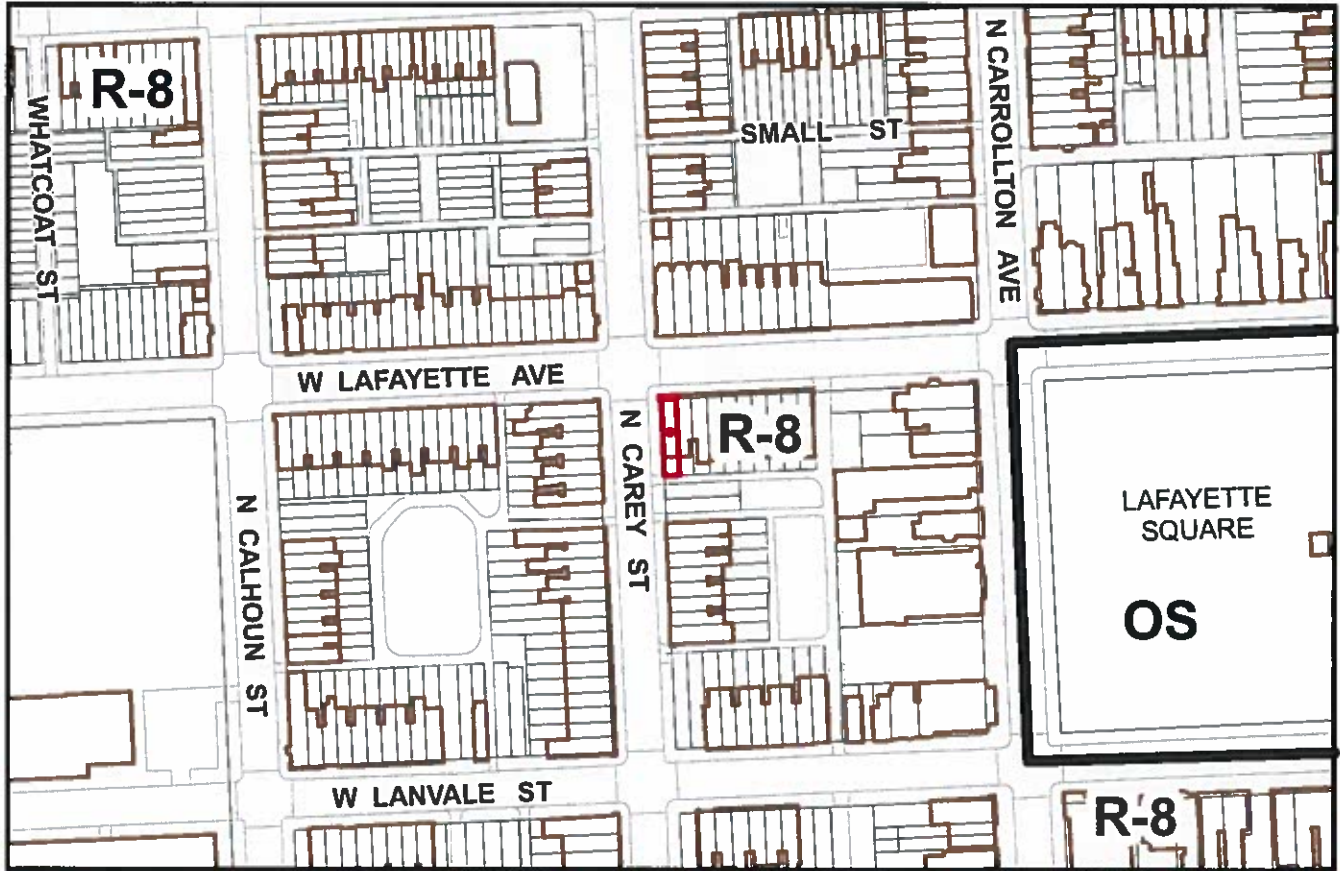
AFFIDAVIT

I, Lynwood Mc Murray, 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.

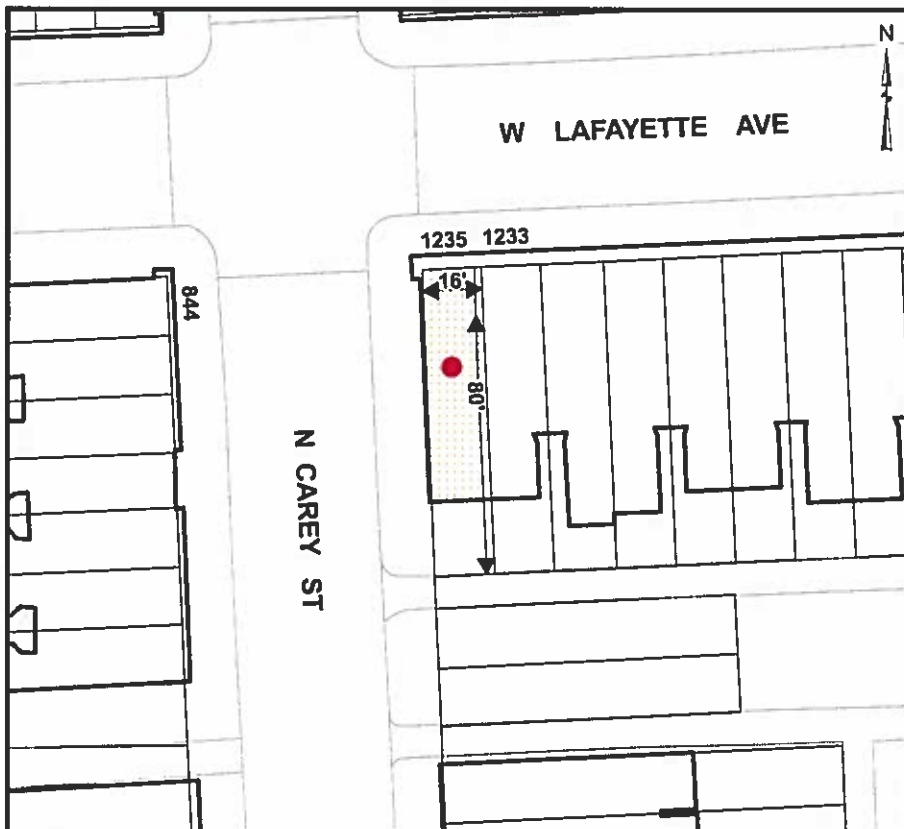
Lynwood Mc Murray
Applicant's signature

9/10/18
Date

**SHEET NO. 44 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



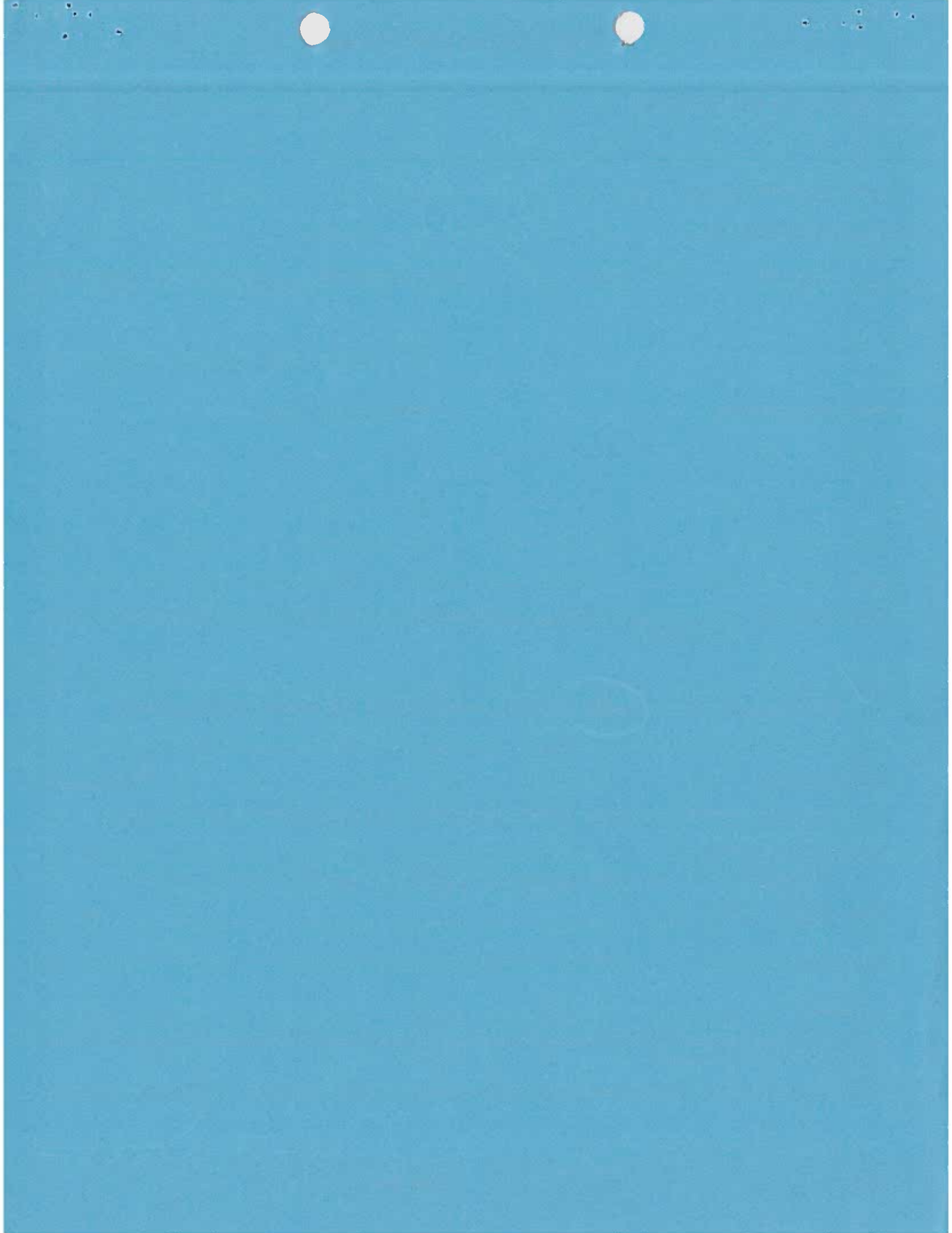
Note:

In Connection With The Property Known As No. 1235 WEST LAFAYETTE AVENUE. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 16 SECTION 15
BLOCK 90 LOT 21

MAYOR

PRESIDENT CITY COUNCIL



ACTION BY THE CITY COUNCIL

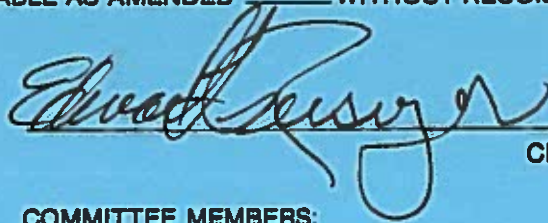
SEP 17 2018
20

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON March 13, _____ 20 19

COMMITTEE REPORT AS OF March 18, _____ 20 19

_____ 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:

MAR 18 2019
20

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

THIRD READING _____ MAR 25 2019

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

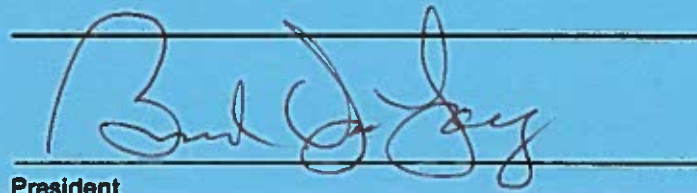
THIRD READING (ENROLLED) _____ 20 _____

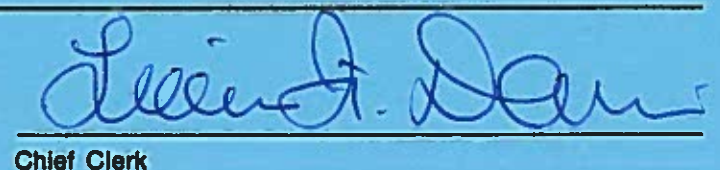
_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

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