


FROM	NAME & TITLE	CHRIS RYER, DIRECTOR <i>Chris Ryer</i>	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #24-0533 / ZONING - CONDITIONAL USE CONVERSION OF A SINGLE-FAMILY DWELLING UNIT TO 4 DWELLING UNITS IN THE R-8 ZONING DISTRICT - VARIANCES - 15 NORTH STRICKER STREET		

TO

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

DATE: August 2, 2024

At its regular meeting of August 1, 2024, the Planning Commission considered City Council Bill #24-0533, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning district on the property known as 15 North Stricker Street (Block 0197, Lot 020), as outlined in red on the accompanying plat; and granting variances from off-street parking requirements; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #24-0533. The applicant has not submitted floor plans that show each unit meeting the gross floor area requirement. The Commission expects that the four dwelling units either will meet the gross floor area requirements, or that floor plans are submitted to support a requested variance. Provision of off-street parking to support the new dwelling units is encouraged, but the Commission did not want to attach that as a condition of approval, and so therefore the Planning Commission adopted the following resolutions, with nine members being present (nine in favor):

RESOLVED, That the Planning Commission adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, but does not agree to the proposed amendment from staff, and therefore recommends that City Council Bill #24-0533 be **approved** by the City Council as drafted.

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

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office  
The Honorable Eric Costello, Council Rep. to Planning Commission  
Mr. Colin Tarbert, BDC  
Ms. Rebecca Witt, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Stephanie Murdock, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Liam Davis, DOT  
Ms. Natawna Austin, Council Services



Brandon M. Scott  
Mayor

## PLANNING COMMISSION

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

### STAFF REPORT



Chris Ryer  
Director

**August 1, 2024**

**REQUEST:** City Council Bill #24-0533/ Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 15 North Stricker Street:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning district on the property known as 15 North Stricker Street (Block 0197, Lot 020), as outlined in red on the accompanying plat; and granting variances from off-street parking requirements; and providing for a special effective date.

**RECOMMENDATION:** Approval, subject to the following condition:

- That two parking spaces are provided in the rear yard to reduce the degree of parking variance required.

**STAFF:** Eric Tiso

**PETITIONER:** Glenn Curtis Rogers, Jr.

**OWNER:** 15 N Stricker St, LLC

### **SITE/GENERAL AREA**

Site Conditions: 15 North Stricker Street is located on the east side of the street, approximately 188'4" north of the intersection with West Baltimore Street. This property measures approximately 18'2" by 155' and is currently improved with a three-story rowhome measuring approximately 18'2" by 34'. This site is zoned R-8.

General Area: This property is located in the Franklin Square neighborhood, which is predominantly residential in nature, with scattered commercial and institutional uses throughout. The Franklin Square Park is a half block north and one block to the east.

### **HISTORY**

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

### **ANALYSIS**

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

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

Lot Area Requirement and Measurement of Density: In this zoning district, multi-family dwellings require 750 square feet of lot area per dwelling unit (Table 9-401). In the residential districts, the maximum number of permitted dwelling units on a lot is determined by dividing the total area of the lot by the lot area requirement that applies to the district in which the lot is located. On a lot with 3 or more dwelling units, a fraction of the total area that is 50% or more of the required lot area factor counts as an additional permitted dwelling unit (§15-302). In this case, for four dwelling units, 2,625 square feet of lot area is required. The lot encloses 2,815 square feet, which meets this requirement.

Off-Street Parking: In this zoning district, multi-family dwellings require one off-street parking space per dwelling unit (Table 16-406). For four dwelling units, three additional parking spaces are required to serve the new dwelling units; none are proposed to be provided. A 100% variance of the parking requirement would therefore be needed, and is included in the bill. The rear of the property is accessible from North Norris Street at the rear. Given that the property is 18'2" in width, space is available for two parking spaces that could be provided in the rear yard.

Conversion standards: The existing dwelling must be: (i) a structure originally constructed as a single-family dwelling; and (ii) 1,500 square feet or more in gross floor area, not including any basement area (§9-703.b.). The existing structure contains approximately 2,470 square feet in gross floor area, which meets this requirement.

The converted dwelling must meet the following gross floor area per unit type: (1) 1-bedroom unit: 750 square feet; (2) 2-bedroom unit: 1,000 square feet; (3) 3- or more bedroom unit: 1,250 square feet (§9-703.c.). In this case, the proposal is for four dwelling units with two bedrooms each. The applicant advises that three units will meet the 1,000 sqft requirement, but the uppermost unit will only contain about 800 sqft, which will require a variance.

Conditional Use Approval Standards: *Limited criteria for denying.* The Board of Municipal and Zoning Appeals or the City Council, may not approve a conditional use or sign unless, after public notice and hearing and on consideration of the standards required by this subtitle, the Board or Council finds that: (1) the establishment, location, construction, maintenance, or operation of the conditional use or sign would not be detrimental to or endanger the public health, safety, or welfare; (2) the use or sign would not be precluded by any other law, including an applicable Urban Renewal Plan; (3) the authorization would not be contrary to the public interest; and (4) the authorization would be in harmony with the purpose and intent of this Code. (§5-406 (b))

Staff believes that there will not be any detrimental impact to the surrounding community as a result of this request, instead a vacant home will be renovated and returned to productive use. We are not aware of any other law or plan that would preclude this application. The public interest is served by encouraging the redevelopment of a vacant structure. Lastly, this proposal meets the lot area requirements for this zoning district. For these reasons, staff believes that the conditional use should be approved.

Variance Approval Standards:

Per § 5-308, the following standards apply for the approval of variances:

- (a) Required finding of unnecessary hardship or practical difficulty.  
In order to grant a variance, the Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, 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.
- (b) Other required findings.  
The Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, must also find that:
  - (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.

For the proposed parking variance, staff finds the following: This property is 18'2" in width, which is sufficient to provide a parking pad in the rear yard with two parking spaces that would reduce the degree of variance required. For the proposed dwelling unit GFA variance, staff believes that the variance (800 sqft in lieu of 1,000 sqft GFA) is reasonable, and will not negatively impact surrounding properties. We are not aware of any other law or plan that would impact this request, and we do not believe that granting of these variances will negatively impact the surrounding community. For all of these reasons, staff believes this bill should be approved, provided two parking spaces are provided in the rear yard.

Equity:

There will be no discernible negative impacts to the surrounding community from this project. The renovation of this home will support the tax base, increase the population of the neighborhood, and possibly create naturally-occurring affordable housing units. Staff does not anticipate any impact to staff time or resources devoted to this project beyond routine requirements of development review.

Notification: The Franklin Square Community Association and the Southwest Partnership have been notified of this action.



**Chris Ryer**  
**Director**