



MEMORANDUM

STEPHANIE
RAWLINGS-BLAKE,
Mayor

PAUL T. GRAZIANO,
Executive Director, HABC,
Commissioner, HCD

To: The Honorable President and Members of the Baltimore City Council
c/o Karen Randle, *Executive Secretary*

From: Paul T. Graziano, *Commissioner*

Date: November 3, 2011

Re: **City Council Bill 08-0044 - Zoning Variances - Information Required**

The Department of Housing and Community Development has reviewed City Council Bill 08-0044, which was introduced for the purpose of requiring certain additional information to accompany an application for a zoning variance; and generally relating to the procedures for obtaining a variance.

This bill would add certain required accompaniments to applications to the Board of Municipal Zoning Appeals (BMZA) for variances, including: (i) "signed and sealed" plans showing elevations and setbacks of existing structures on the same square block and how those elevations and setbacks would change in any proposed new structures; (ii) an aerial photograph of the property for which the variance is sought and its neighboring properties; (iii) photographs of the front, rear and sides (when applicable) of the property for which the variance is sought; and (iv) any other information required by BMZA general rule.

The Department of Housing and Community Development (HCD) has a concern that the "signed and sealed" language may be ambiguous, as it could potentially be interpreted to require that a variance applicant hire a professional designer to create "signed and sealed" plans. This would mean a potentially significant up-front cost to the person seeking the variance.

As such, the Department of Housing and Community Development notes its aforementioned concern and respectfully defers to the BMZA for its position on City Council Bill 08-0044.

PTG:nb

cc: Ms. Angela Gibson, *Mayor's Office of Government Relations*
Ms. Kaliope Parthemos, *Deputy Mayor*

