

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 06-0470

Introduced by: Councilmember Spector

At the request of: B.H.S., LLC

Address: c/o Alfred W. Barry, III, 1 South Calvert Street, #1150, Baltimore, MD 21202

Telephone: 410-547-6900

Introduced and read first time: July 10, 2006

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: December 4, 2006

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment – Benhurst Park

FOR the purpose of approving certain amendments to the Development Plan of the Benhurst Park
Planned Unit Development.

BY authority of

Article - Zoning

Title 9, Subtitles 1 and 2

Baltimore City Revised Code

(Edition 2000)

Recitals

By Ordinance 73-417, as amended by Ordinances 78-690 and 83-1127, the Mayor and City Council approved the original application of Carl M. Freeman Associates, Inc., and Ralph DeChiaro Enterprises, Inc., to have certain property located on the south side of Fallstaff Road, north and east of Bartol Avenue, north and south of Benhurst Road, and east of Clarks Lane, consisting of 50 acres, more or less, designated as a Residential Planned Unit Development and approved the Development Plan submitted by the applicant.

B.H.S., LLC, wishes to amend the Development Plan, as previously approved by the Mayor and City Council, to permit the development of 5 single-family detached dwellings and a reconfiguration of the storm water management pond, on Parcel B of the Plan.

On May 12, 2006, representatives of B.H.S., LLC, met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

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.

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1 The representatives of B.H.S., LLC, have now applied to the Baltimore City Council for
2 approval of these amendments, and they have submitted amendments to the Development Plan
3 intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning
4 Code.

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
6 Mayor and City Council approves the amendments to the Development Plan submitted by the
7 Developer, as attached to and made part of this Ordinance, including Sheet 1, "Cover Sheet",
8 dated May 31, 2006; Sheet 2, "Existing Conditions", dated May 31, 2006; Sheet 3,
9 "Development Plan", dated May 31, 2006; Sheet 4, "Landscape Plan", dated May 31, 2006; ~~and~~
10 Sheet 5, "Easement for Access", dated May 31, 2006; Sheet 6, "Building Elevation", dated
11 October 5, 2006; and Sheet 7, "Floor Plan", dated October 5, 2006.

12 **SECTION 2. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
13 permanent improvements on the property are subject to final design approval by the Planning
14 Commission to insure that the plans are consistent with the Development Plan and this
15 Ordinance.

16 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine
17 what constitutes minor or major modifications to the Plan. Minor modifications require approval
18 by the Planning Commission. Major modifications require approval by Ordinance.

19 **SECTION 4. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
20 accompanying amended Development Plan and in order to give notice to the agencies that
21 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
22 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
23 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
24 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
25 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
26 Commissioner of Housing and Community Development, the Supervisor of Assessments for
27 Baltimore City, and the Zoning Administrator.

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

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City