



FROM	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #25-0077 / ZONING – CONDITIONAL USE CONVERSION OF A SINGLE-FAMILY DWELLING UNIT IN THE R-8 ZONING DISTRICT – VARIANCES – 541 LAFAYETTE AVENUE		

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

DATE: August 11, 2025

At its regular meeting of August 11, 2025, the Planning Commission considered City Council Bill #25-0077, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 541 Lafayette Avenue (Block 0414, Lot 062), as outlined in red on the accompanying plat; granting variances regarding certain bulk regulations (lot size area) and 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 #25-0077 and adopted the following resolution, with nine members being present (nine in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #25-0077 be **amended and approved** by the City Council.

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 John Bullock, Council Rep. to Planning Commission
Ms. Rebecca Witt, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Hilary Ruley, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Luciano Diaz, DOT
Ms. Nancy Mead, Council Services
Mr. Brandon Brown, applicant



Brandon M. Scott
Mayor

PLANNING COMMISSION

Jon Laria, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

August 7, 2025

REQUEST: City Council Bill #25-0077/ Zoning – Conditional Use Conversion of Single-Family Dwelling to Two Dwelling Units in the R-8 Zoning District – 541 West Lafayette Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 541 Lafayette Avenue (Block 0414, Lot 062), as outlined in red on the accompanying plat; granting variances regarding certain bulk regulations (lot size area) and off-street parking requirements; and providing for a special effective date.

RECOMMENDATION: Adopt findings and approve with the following amendment:

- Strike the off-street parking variance granted in Section 3 of the bill.

STAFF: Justin Walker

PETITIONER: Brandon Brown

OWNER: Brandon Brown

SITE/GENERAL AREA

Site Conditions: 541 West Lafayette Street is an end-of-row attached dwelling located in the Upton neighborhood. The property abuts Robert C. Marshall Park at the rear. The row contains several vacant units in need of substantial repair. The subject property has undergone some improvements to the doors and windows and is awaiting approval for conversion to multifamily use to allow for interior renovations. The lot measures 15 feet 6 inches by 80 feet, with a total lot area of 1,240 square feet. The property is not subject to an Urban Renewal Plan and is located within the Upton Neighborhood Master Plan area. It is zoned R-8.

General Area: The subject property is located in the Upton neighborhood within the West Planning District. The block contains a significant number of vacant structures, with 16 vacant building notices issued within the block. One other property on the block has recently undergone renovation.

HISTORY

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

CONFORMITY TO PLANS

The 2024 Comprehensive Master Plan for the City of Baltimore was enacted by Ordinance #24-426 on December 2, 2024. The subject property is designated as Residential: Higher Density in the General Land Use Plan. The proposed development conforms to this designation.

The Master Plan for the Upton community supports the development of a range of housing types for both rental and homeownership. Returning this vacant property to productive use is consistent with that goal.

ANALYSIS

Background: The proposal involves converting the existing single-family rowhouse into two apartment units. The site would consist of one one-bedroom unit with 780 square feet of gross floor area and one two-bedroom unit with 1,350 square feet of floor area.

Conditional Use Approval Standards:

§ 5-406. Approval standards.

(a) *Evaluation criteria.*

As a guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals must consider the following, where appropriate:

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;
- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
- (5) accessibility of the premises for emergency vehicles;
- (6) accessibility of light and air to the premises and to the property 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;
- (8) the preservation of cultural and historic landmarks and structures;
- (9) the character of the neighborhood;
- (10) the provisions of the City's Comprehensive Master Plan;
- (11) the provisions of any applicable Urban Renewal Plan;
- (12) all applicable standards and requirements of this Code;
- (13) the intent and purpose of this Code; and
- (14) any other matters considered to be in the interest of the general welfare.

(b) *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.

Below is the staff's review of Article 32 – *Zoning*, §5-406 {"Approval standards"}: Staff finds no evidence that the proposed conversion would negatively affect public health, safety, or welfare. Rehabilitating this vacant structure will return it to productive use. The site is not located within an Urban Renewal Plan area, and no other regulations preclude the proposed conversion. The request is consistent with the General Land Use Plan as well as the goals of the applicable area master plan.

Variance Approval Standards:

§ 5-308. Approval standards.

(a) Required finding of practical difficulty.

To grant a variance, the Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, shall find that:

- (1) because of the conditions peculiar to the property, including particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, a practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out; or
- (2) because of exceptional circumstances related to the specific structure or land involved, a 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 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;
- (2) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;
- (3) 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;
- (4) the variance is in harmony with the purpose and intent of this Code;
- (5) 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
- (6) 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

Below is the staff's review of Article 32 – *Zoning*, §5-308 {"Approval standards"}: Staff notes that the property is situated so that it is abutted on two sides by alleys, including a mid-block pedestrian access point measuring 20 feet in width along the west side of the lot. While this configuration of rights-of-way is distinct and may influence site access, the overall lot size and shape remain generally consistent with other properties on the block.

Equity: The proposed conversion of 541 West Lafayette Avenue supports equity goals by reactivating a vacant property. Located in Upton, the project adds two rental units to an area with significant vacancies. The additional units expand housing choice and align with the Upton Master Plan, which calls for more diverse and affordable housing types. The project is supported by the local community association.

Notification: In addition to the required posting on the property, the Upton Planning Committee was notified and provided a letter of support.



Chris Ryer
Director