Introduced by: Councilmember Sneed

At the request of: Qwaku Properties
Address: c/o Thomas Stewart, 1389 Jefferson Street, Unit C606, Oakland, California 94612
Telephone: 443-865-5049

Prepared by: Department of Legislative Reference **Date:** November 3, 2017

Referred to: LAND USE AND TRANSPORTATION Committee

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

CITY COUNCIL 17-0164

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of
Article 32 - Zoning
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and 16-602 (Table 16-406)
Baltimore City Revised Code
(Edition 2000)

NO. ____

**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

____ Baltimore City Public School System

✓ Baltimore Development Corporation

✓ City Solicitor

____ Comptroller's Office

____ Department of Audits

____ Department of Finance

____ Department of General Services

✓ Department of Housing and Community Development

____ Department of Human Resources

____ Department of Planning

____ Other:_____

____ Other:_____

____ Other:_____

____ Department of Public Works

____ Department of Real Estate

____ Department of Recreation and Parks

✓ Department of Transportation

✓ Fire Department

____ Health Department

____ Mayor's Office of Employment Development

____ Mayor's Office of Human Services

____ Mayor's Office of Information Technology

____ Office of the Mayor

____ Police Department

____ Other:_____

____ Other:_____

Boards and Commissions

____ Board of Estimates

____ Board of Ethics

✓ Board of Municipal and Zoning Appeals

____ Comm. for Historical and Architectural Preservation

____ Commission on Sustainability

____ Employees' Retirement System

____ Other:_____

____ Other:_____

____ Other:_____

____ Environmental Control Board

____ Fire & Police Employees' Retirement System

____ Labor Commissioner

✓ Parking Authority Board

✓ Planning Commission

____ Wage Commission

____ Other:_____

____ Other:_____

____ Other:_____

CITY OF BALTIMORE
ORDINANCE 18-179
Council Bill 17-0164

Introduced by: Councilmember Sneed
At the request of: Qwaku Properties
Address: c/o Thomas Stewart, 1389 Jefferson Street, Unit C606, Oakland, California 94612
Telephone: 443-865-5049
Introduced and read first time: November 13, 2017
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable
Council action: Adopted
Read second time: August 6, 2018

AN ORDINANCE CONCERNING

Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of
Article 32 - Zoning
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 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 2 dwelling units on the property known as 2240 East Baltimore Street (Block 1723, Lot 039), 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 §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-8 Zoning District.

Approved For Form and Legal Sufficiency
This _____ Day of _____.
Chief Solicitor

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.

dir17-0418-3rd/01Aug18
conduse/cb17-0164-3rd/nbr

SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-8 Zoning District (Table 16-406).

SECTION 4. 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 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Certified as duly passed this _____ day of AUG 0 6 2018, 20___

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of AUG 0 6 2018

Chief Clerk

Approved this _____ day of _____, 20___

Mayor, Baltimore City

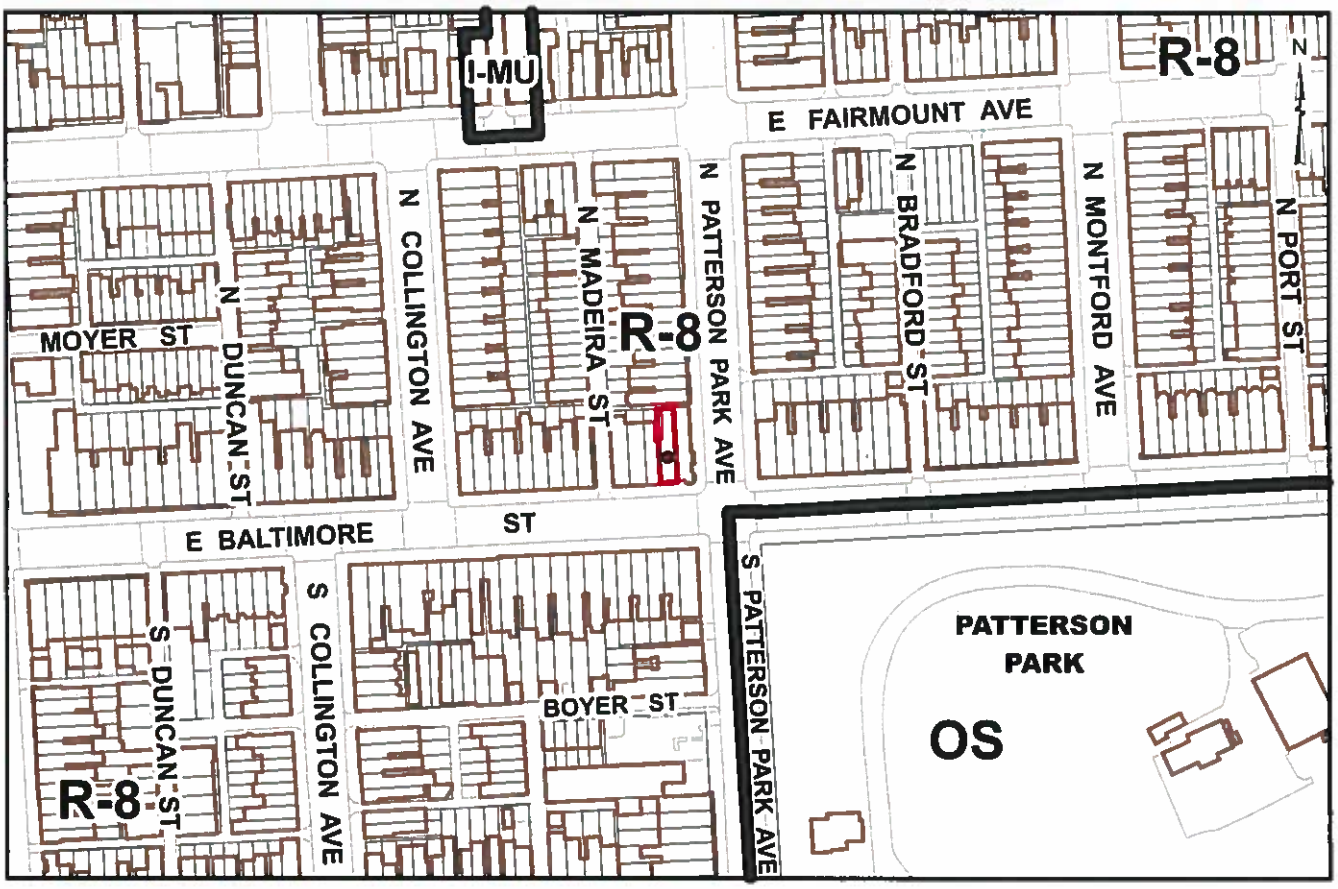
Pursuant to City Charter Article IV, Section 5(c), this bill became law on October 29, 2018, without the Mayor's Signature.

Approved For Form and Legal Sufficiency
This 3rd Day of August 2018.

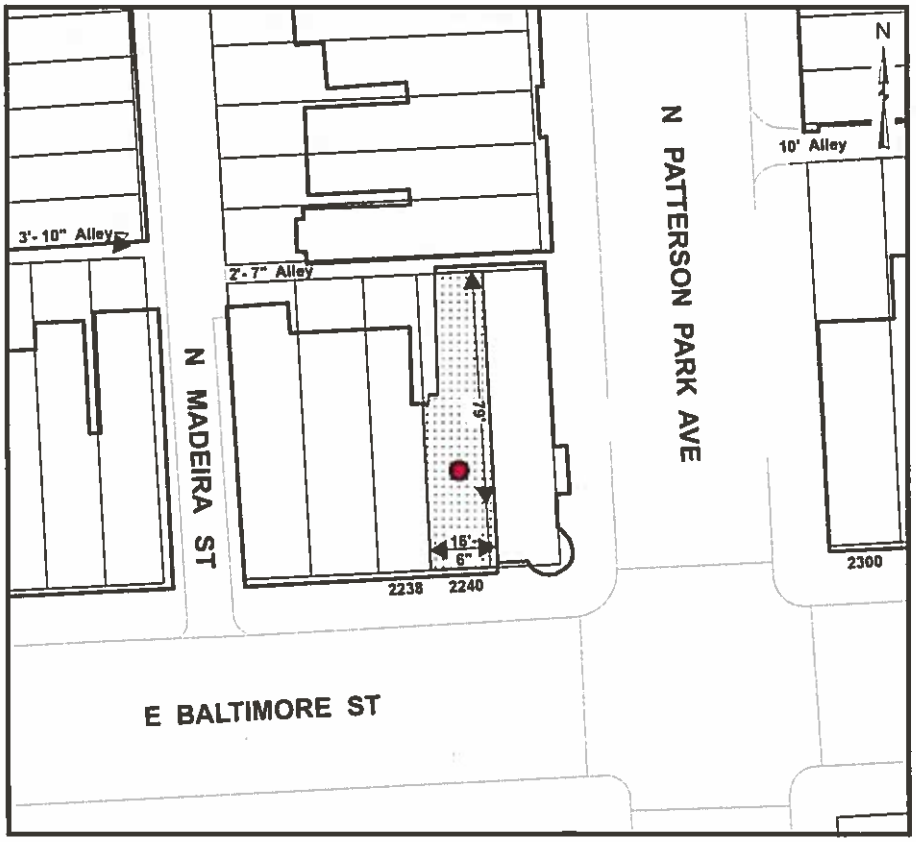
Chief Solicitor

dir17-0418-3rd/01Aug18
conduse/cb17-0164-3rd/nbr

SHEET NO. 57 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. 2240 EAST BALTIMORE STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Two Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD	6	SECTION	13
BLOCK	1723	LOT	39

MAYOR

PRESIDENT CITY COUNCIL

RPE 11-3-17

164

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. 17-0164
Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore Street

(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**:

The proposed residential use as a two-dwelling unit is appropriate for the surrounding area within the Butchers Hill neighborhood. The adaptive re-use of the structure complies with the City's Comprehensive Master Plan LIVE EARN PLAY LEARN's LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents

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

The building lies within a designated National Historic District. The use would not be precluded by any Urban Renewal Plan or other law.

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

The owner intends to divide and renovate the existing structure into two dwelling units and offer affordable housing. The proposed action would be consistent with provisions of the Baltimore City Comprehensive Master Plan to expand housing choices.

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

The area is predominantly residential. The adaptive re-use as a two-family attached dwelling would allow for preservation of a part of the Butchers Hill neighborhood's traditional and architectural fabric while offering a more affordable

housing alternative to persons who wish to live in an area convenient to downtown Baltimore.

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 site, including its size and shape, are appropriate for the proposed use. The Zoning Administrator has determined that variances for bulk regulations (lot area) and off-street parking are needed. The variances are part of the applicant's request put forth by Bill 17-0164.

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

Traffic patterns will not be impacted by the use. The Baltimore City Department of Transportation supports the use. The property does not, however, allow provisions for one required off-street parking space in the rear yard. A variance for the off-street parking requirements has been requested by City Council Bill 17-0164.

The Parking Authority for Baltimore City (PABC) is not opposed to the proposed use. PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking and that there would be no negative impact to parking in the area due to the passage of the bill.

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

The property is situated in a predominantly residential area known as Butchers Hill, which has scattered non-residential uses such as religious institutions, schools, and a few small commercial uses.

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

The proposed dwelling units would be close to other dwellings, churches, schools, other public structures, and places of public gatherings.

(5) accessibility of the premises for emergency vehicles;

The premise is accessible 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 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, roads, drainage, and other necessary facilities have been provided.

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

Adaptive re-use as a two-family attached dwelling would allow preservation of part of Butchers Hill's traditional architectural fabric.

(9) the character of the neighborhood;

Re-activating the existing structure would assist preservation of the traditional character of the neighborhood.

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

The proposed action would be consistent with provisions of the Baltimore City Comprehensive Master Plan LIVE EARN PLAY LEARN's LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents

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

The property is not in the boundaries of an Urban Renewal Plan.

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

The proposed use meets all applicable standards and requirements of the Code. Variances have been requested by City Council bill.

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

The proposed use meets the intent and purpose of the Code.

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

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Memoranda Dated January 12, 2018

[X] Testimony presented at the Committee hearing

Oral – Witness Name:

- Mr. Martin French, Department of Planning
- Mr. Josh Taylor, Department of Transportation
- Mr. Taylor LaFave, Parking Authority of Baltimore City

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

- Baltimore City Planning Commission – Agency Report – Dated 1/12/18
- Department of Planning – Staff Report – Dated 1/11/18
- Department of Transportation – Agency Report – Dated 12/22/17
- Parking Authority of Baltimore City – Agency Report – Dated 12/1/17

LAND USE AND TRANSPORTATION COMMITTEE:

Chairman	**Member**
Member	**Member**
Member	**Member**
Member	**Member**

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 5-308 of the Baltimore City Code, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A VARIANCE FOR BULK AREA REGULATIONS (LOT AREA SIZE) AND OFF-STREET PARKING.

City Council Bill No. 17-0164
Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances - 2240 East Baltimore Street

(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 property is unique by virtue of the characteristics of the existing structure, which is estimated to have been built in the last two decades of the 19th Century. The structure on the property occupies the majority of the lot area. These unique features create a practical difficulty (as discussed below) in complying with the lot area size and off-street parking requirements of the Zoning Code. The lot is approximately 16'6" by 79' and is improved with a three-story attached residential building measuring approximately 16'6" by 79'.

(2) Unnecessary hardship or practical difficulty

(i) Due to the characteristics described above, enforcing the lot area size 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:

1. The physical features of the existing structure, as well as the lot area limit construction locations and options for meeting zoning requirements.
2. Acquiring and providing additional lot area would require the purchase of additional property and would be counter to maintaining the character and fabric of the neighborhood.
3. As the existing structure occupies most of the lot, there is simply not space to provide any off-street parking on the property.

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

Attempting to create a 2-unit dwelling in many of Butcher's Hill original property designs and dimensions as built in the early 19th Century would be burdensome given the zoning requirements.

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

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:

- The Zoning Code (Article 32 of the Baltimore City Code) requires a property in the R-8 Zoning District to have 750 square feet of lot area per dwelling unit (Table 9-401 and Section 9-703.d. which references this Table). A lot area of 1,500 square feet is thus required for the proposed two dwelling units. This lot has an area of 1,305.5 square feet, so a variance of 13% is needed to reduce this requirement. Due to the original design of the property in the 19th Century, the lot area is insufficient.

- The Zoning Code requires one off-street parking space for each new dwelling unit (Section 9-703.f.). The property has no rear yard suitable for off-street parking, and no way to obtain access from the nearest street (Patterson Park Avenue). A variance for off-street parking is therefore required, and has been included in Bill 17-0164.

- The Parking Authority of Baltimore City does not oppose the conditional use and variance request. The Department of Transportation supports the conditional use and variance request.

(4) Substantial justice to applicant and nearby owners

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

It will protect the integrity of the residential zoning district by allowing the applicant to use the property for a permitted use and safeguard against uses that are not permitted in the zoning district. Granting of the variance, therefore, will not negatively impact the abutting residential 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:

- Create alternative housing in Baltimore City;
- Provide affordable housing resources for low and moderate income persons, families and elderly through new construction and rehabilitation in traditional residential neighborhoods;
- Convert a vacant house to an adaptive reuse.

(6) Impact on neighboring properties

The variance 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:

The proposed 2-unit dwelling is residential. The neighborhood is also residential.

(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:

The proposed use meets all other applicable standards and requirements of the Code and serves the stated purpose of preserving and enhancing the value of structures, communities and neighborhoods.

(8) Impact on other City Plans

The variance **is not** precluded by and **will not** adversely affect any Urban Renewal Plan, the City's Comprehensive Master Plan or any Historical and Architectural Preservation District.

The property is located on a residential street in the R-8 district where other Residential properties already exist. This conditional use would benefit the Butchers Hill area by allowing for the adaptive re-use as a two-family attached dwelling and preserving part of the traditional architectural fabric while offering a more affordable housing alternative to persons who wish to live in an area convenient to downtown Baltimore.

(9) Public Health, Safety, Welfare etc.

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

The variance is supported by the Planning Commission, Board of Municipal Zoning Appeals, Department of Transportation and Department of Housing and Community Development. The Parking Authority Board of Baltimore City, Baltimore Development Corporation and the Fire Department have no objection to the variance.

SOURCE OF FINDINGS (Check all that apply):

[x] Planning Commission Report – Memoranda dated January 12, 2017

[x] Testimony presented at the Committee hearing:

Oral – Witness Name:

- Mr. Martin French, Department of Planning
- Mr. Josh Taylor, Department of Transportation
- Mr. Taylor LaFave, Parking Authority of Baltimore City

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

- Baltimore City Planning Commission – Agency Report – Dated 1/12/18
- Department of Planning – Staff Report – Dated 1/11/18
- Department of Transportation – Agency Report – Dated 12/22/17
- Parking Authority of Baltimore City – Agency Report – Dated 12/1/17

LAND USE AND TRANSPORTATION COMMITTEE:

Chairman	Member
Member	Member
Member	Member
Member	Member

BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION
VOTING RECORD

DATE: August 1, 2018

BILL#: 17-0164

BILL TITLE: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore Street

MOTION BY: Dorsey SECONDED BY: Clark

☑ FAVORABLE ☐ FAVORABLE WITH AMENDMENTS

☐ UNFAVORABLE ☐ WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	☑	☐	☐	☐
Middleton, Sharon, Vice Chair	☑	☐	☐	☐
Clarke, Mary Pat	☑	☐	☐	☐
Costello, Eric	☐	☐	☑	☐
Dorsey, Ryan	☑	☐	☐	☐
Pinkett, Leon	☑	☐	☐	☐
Stokes, Robert	☑	☐	☐	☐
TOTALS	6		1	

CHAIRPERSON: Edward Reisinger

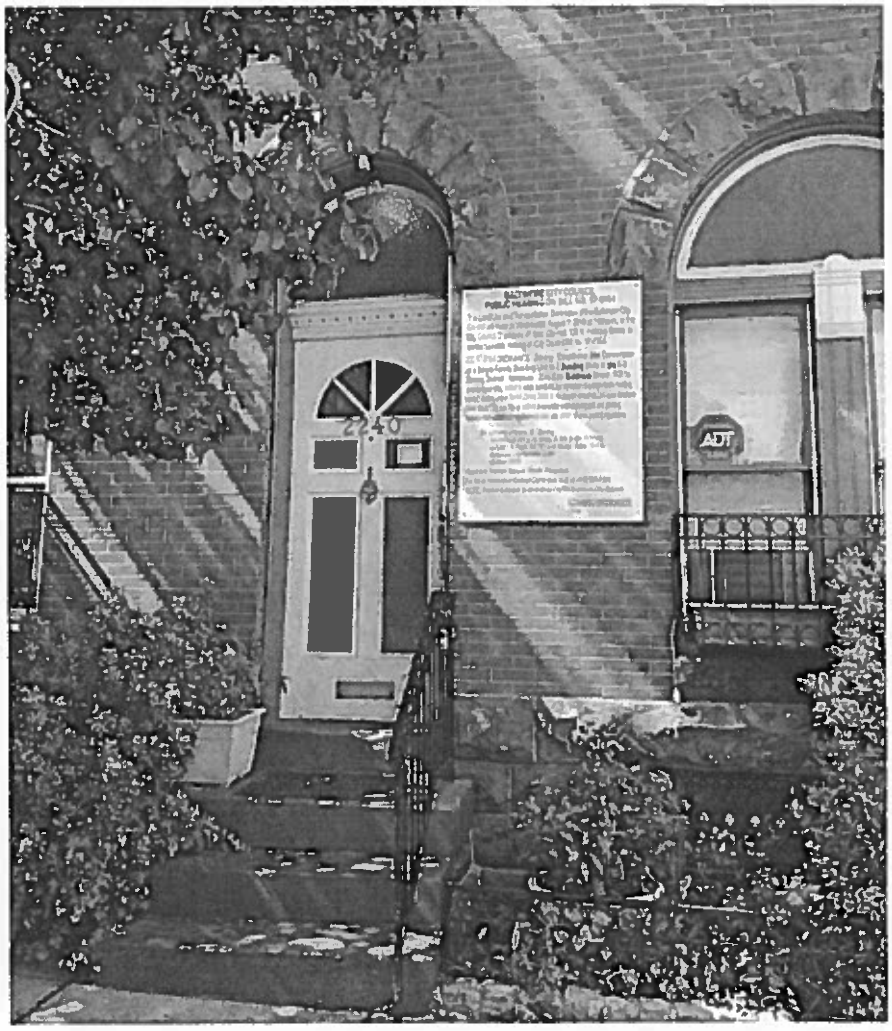
COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

ATTACHMENT C

Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 17-0164

Today's Date: [7/17/18]

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



Address: 2240 E. Baltimore Street
Baltimore, MD 21231

Date Posted: 7/11/18

RECEIVED
JUL 17 2018
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

Name: Justin Schmitt

Address: 1114 St Paul St, 1A, Baltimore, MD 21202

- *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*

Telephone: 443-708-4698 X 225

- *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*

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: Mr. Thomas Steward, Qwaku Properties

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

Date: June 26, 2018

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. 17-0164**

Date: **Wednesday, August 1, 2018**

Time: **1:00 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

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, 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 Posting Deadline: ***July 11, 2018***
Certificate of Posting Deadline: ***July 27, 2018***

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 WEDNESDAY, JULY 11, 2018,** AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 17-0164

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, August 1, 2018 at 1:00 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. 17-0164.

CC 17-0164 **ORDINANCE - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of Article 32 - Zoning
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and 16-602 (Table 16-406)
Baltimore City Revised Code
(Edition 2000)

Applicant: Mr. Thomas Stewart, Qwaku Properties

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:

Mr. Thomas Steward
1389 Jefferson Street, Unit C606
Oakland, California 95612
443-865-5049

ATTACHMENT B

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.)

ADVERTISING SIGNS MAY BE OBTAINED FROM THE FOLLOWING:

RICHARD HOFFMAN
AMERICAN DRAFTING SERVICE
904 DELLWOOD DRIVE
BALTIMORE, MARYLAND 21047

PHONE: (410) 879-3122
E-MAIL: DICK_E@COMCAST.NET

LA GRANDE VISION
JAMES EARL REID
408 E. EAGER STREET
BALTIMORE, MARYLAND 21202

PHONE: (410) 448-4913 or (410) 783-1555

FAX (410) 783-1559

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

OR ANY OTHER COMPANY OF YOUR CHOICE. THE SIGNS MUST BE MADE IN ACCORDANCE WITH THE RULES OF THE BOARD OF MUNICIPAL AND ZONING APPEALS.

THIS OFFICE IS NOT ASSOCIATED WITH ANY OF THE ABOVE DRAFTING COMPANIES, NOR DO WE RECOMMEND ANY SPECIFIC ONE.

5/2/12

ATTACHMENT C

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 picture box below.)

Address:

Date Posted:

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*

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: Mr. Thomas Steward, Qwaku Properties

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

Date: April 17, 2018

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. 17-0164**

Date: **Wednesday, May 16, 2018**

Time: **1:00 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

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, 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 Posting Deadline: ***April 25, 2018***
Certificate of Posting Deadline: ***May 12, 2018***

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 WEDNESDAY, APRIL 25, 2018,** AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 17-0164

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, May 16, 2018 at 1:00 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. 17-0164.

CC 17-0164 **ORDINANCE - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of Article 32 - Zoning
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and 16-602 (Table 16-406)
Baltimore City Revised Code
(Edition 2000)

Applicant: Mr. Thomas Stewart, Qwaku Properties

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:

Mr. Thomas Steward
1389 Jefferson Street, Unit C606
Oakland, California 95612
443-865-5049

ATTACHMENT B

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.)

BMG
Bay Management Group

April 6th, 2018

Re: City Council Bill 17-0164
Hearing Date: April 25th, 2018

Dear Ms. Austin:

This letter is to certify that the necessary sign was posted conspicuously on the property located at 2240 E Baltimore St, Baltimore, MD 21231 on April 5th, 2018. I have attached the Certificate of Posting with a photo of the sign for your records.

Thank you for your attention to this matter. Please let me know if you require any additional information.

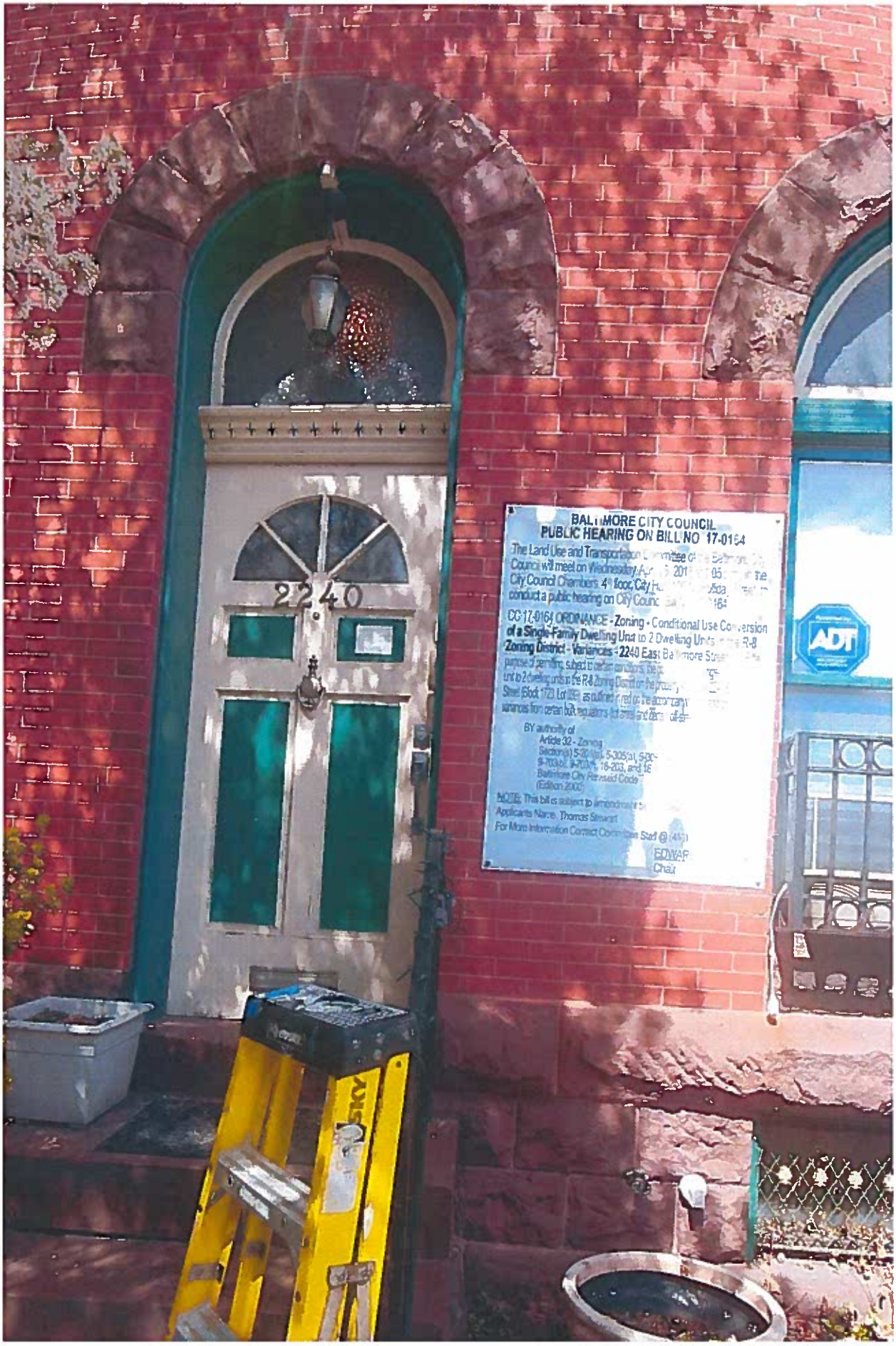
Sincerely.

Justin Schmitt
Property Manager
Bay Management Group
1114 St Paul Street, Unit 1A
Baltimore, MD 21202
Office 443-708-4698 ext. **225**
Fax: 443-869-3275
www.baymgmtgroup.com
jschmitt@baymgmtgroup.com

Certificate of Posting

Baltimore City Council

Hearing Notice <u>City Council Bill No. 17-0164</u>


2240
BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0164
ADT

2240 East Baltimore Street, Baltimore, Md, 21231

Posted 4/5/2018

Justin Schmitt – Bay Management Group

1114 St Paul St, Baltimore, MD 21202
443-708-4698 X 225

TO: Thomas Stewart, Qwaku Properties

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

DATE: March 14, 2018

RE: INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR ZONING - CONDITIONAL USE

The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

Bill: **City Council Bill No. 17-0164**

Date: **Wednesday, April 25, 2018**

Time: **1:05 p.m.**

Place: **City Council Chambers, 4th floor of City Hall, 100 N. Holliday Street.**

At the expense of the applicant, notice of this public hearing must be provided in accordance with **Article 32. Zoning § 5-602– Major Variances; and/or Conditional Uses and Article 32. Zoning § 5-603 – Minor Variances (please reference pages 129-131)**:

http://legislativereference.baltimorecity.gov/sites/default/files/Art%2032%20-%20Zoning%20%28As%20Enacted%29%20%282%29.pdf

Please note that ALL of these requirements MUST be met in order for your hearing to proceed as scheduled. If you have any questions regarding your advertisement requirements, please contact the Baltimore City Council Executive Secretary, Natawna B. Austin at 410-396-1697 or by email at Jennifer.Coates@baltimorecity.gov.

Wording for Sign

The information that must be advertised and posted appears between the double lines on the attached page; the deadline date is indicated at the top of the page.

Certification of Postings

Certification of the sign posting(s) on the property or properties, in duplicate, must be sent to the Executive Secretary, four (4) days prior to the hearing.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) ARE AS FOLLOWS, A SIGN MUST BE POSTED ON THE PROPERTY **BY WEDNESDAY, APRIL 4, 2018,** AS OUTLINED ON THE PREVIOUS PAGE.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 17-0164

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 25, 2018 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. 17-0164.

CC 17-0164 ORDINANCE - **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of
Article 32 - Zoning
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and 16-602 (Table 16-406)
Baltimore City Revised Code
(Edition 2000)

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 ADVERTISEMENT TO:

Thomas Stewart
1389 Jefferson Street, Unit C606
Oakland, California 94612
443-865-5049

Coates, Jennifer

From: Coates, Jennifer
Sent: Wednesday, March 14, 2018 5:12 PM
To: 'tgstewart1230@gmail.com'
Subject: Hearing for City Council Bill 17-0164
Attachments: 17-0164 - 2240 East Baltimore Street.doc; Sign Posting Contacts.pdf

Good Afternoon Mr. Stewart:

Attached is the information you will need to post and advertise the subject bill to be heard by the Land Use and Transportation Committee on April 25, 2018 at 1:05 p.m. I have also attached a contact list for sign makers and included business cards for newspaper contacts if you are in need of such. Thank you!

PLEASE AKNOWLEDGE RECEIPT OF THIS EMAIL.

OFFICE OF COUNCIL SERVICES

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: (410) 396-1260
Fax: (410) 545-7596

TO: Thomas Stewart, Qwaku Properties

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

DATE: March 14, 2018

RE: INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR ZONING - CONDITIONAL USE

The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

Bill: **City Council Bill No. 17-0164**

Date: **Wednesday, April 25, 2018**

Time: **1:05 p.m.**

Place: **City Council Chambers, 4th floor of City Hall, 100 N. Holliday Street.**

At the expense of the applicant, notice of this public hearing must be provided in accordance with **Article 32. Zoning § 5-602– Major Variances; and/or Conditional Uses and Article 32. Zoning § 5-603 – Minor Variances (please reference pages 129-131)**:

http://legislativereference.baltimorecity.gov/sites/default/files/Art%2032%20-%20Zoning%20%28As%20Enacted%29%20%282%29.pdf

Please note that ALL of these requirements MUST be met in order for your hearing to proceed as scheduled. If you have any questions regarding your advertisement requirements, please contact the Baltimore City Council Executive Secretary, Natawna B. Austin at 410-396-1697 or by email at Jennifer.Coates@baltimorecity.gov.

Wording for Sign

The information that must be advertised and posted appears between the double lines on the attached page; the deadline date is indicated at the top of the page.

Certification of Postings

Certification of the sign posting(s) on the property or properties, in duplicate, must be sent to the Executive Secretary, four (4) days prior to the hearing.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) ARE AS FOLLOWS, A SIGN MUST BE POSTED ON THE PROPERTY **BY WEDNESDAY, APRIL 4, 2018,** AS OUTLINED ON THE PREVIOUS PAGE.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 17-0164

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 25, 2018 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. 17-0164.

CC 17-0164 ORDINANCE - **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of
Article 32 - Zoning
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and 16-602 (Table 16-406)
Baltimore City Revised Code
(Edition 2000)

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 ADVERTISEMENT TO:

Thomas Stewart
1389 Jefferson Street, Unit C606
Oakland, California 94612
443-865-5049

ADVERTISING SIGNS MAY BE OBTAINED FROM THE FOLLOWING:

RICHARD HOFFMAN
AMERICAN DRAFTING SERVICE
904 DELLWOOD DRIVE
BALTIMORE, MARYLAND 21047

PHONE: (410) 879-3122
E-MAIL: DICK_E@COMCAST.NET

LA GRANDE VISION
JAMES EARL REID
408 E. EAGER STREET
BALTIMORE, MARYLAND 21202

PHONE: (410) 448-4913 or (410) 783-1555

FAX (410) 783-1559

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

OR ANY OTHER COMPANY OF YOUR CHOICE. THE SIGNS MUST BE MADE IN ACCORDANCE WITH THE RULES OF THE BOARD OF MUNICIPAL AND ZONING APPEALS.

THIS OFFICE IS NOT ASSOCIATED WITH ANY OF THE ABOVE DRAFTING COMPANIES, NOR DO WE RECOMMEND ANY SPECIFIC ONE.

5/2/12

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8TH FLOOR, 417 EAST FAYETTE STREET	
	SUBJECT	CITY COUNCIL BILL #17-0164/ ZONING – CONDITIONAL USE CONVERSION– 2240 EAST BALTIMORE STREET	

TJS

TO

DATE: January 12, 2018

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

At its regular meeting of January 11, 2018, the Planning Commission considered City Council Bill #17-0164, 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #17-0164 and adopted the following resolution; nine members being present (nine in favor):

> RESOLVED, That the Planning Commission finds, in accordance with §16-304 and §14-204 of the Zoning Code of Baltimore City, that the proposed use provided in this bill:
>
> - will not be detrimental to or endanger the public health, security, general welfare, or morals;
> - is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
> - is not otherwise in any way contrary to the public interest; and
> - is in harmony with the purpose and intent of that article.
>
> RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0164 be amended and passed by the City Council.

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

TJS/ewt

Attachment

F w/ Amend

RECEIVED
JAN 18 2018
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT

Thomas J. Stosur
Director

January 11, 2017

REQUEST: City Council Bill # 17-0164 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

RECOMMENDATION: Amendment, and Approval as amended

Amendment: Add variance of rear yard setback to variance of bulk regulations, and add a variance of lot coverage regulations.

STAFF: Martin French

PETITIONERS: Councilmember Sneed, at the request of Qwaku Properties

OWNER: Thomas G. Stewart

SITE/GENERAL AREA

Site Conditions: 2240 East Baltimore Street is located on the north side of the street, approximately 16'6" west of the intersection with Patterson Park Avenue. This property measures approximately 16'6" by 79' and is currently improved with a three-story attached residential building measuring approximately 16'6" by 79'. A pedestrian alley approximately 2'7" wide runs behind this property, westward from Patterson Park Avenue. This site is zoned R-8.

General Area: This is a predominantly residential area known as Butchers Hill, with scattered non-residential uses such as religious institutions and a few small commercial uses. The subject property is almost cater-corner to the northwestern corner of Patterson Park, here dominated by its historic restored Pagoda. Most of the housing closest to this property was originally developed in the last two decades of the 19th Century, while the larger historic area dates from the 1850s, when the area was known as Hampstead Hill, where Rodgers' Bastion intimidated the British into not attacking Baltimore by land in September of 1814.

HISTORY

The Butchers Hill Historic District was established by Ordinance no. 401 dated July 2, 1981, as amended on June 2, 1988. The Butchers Hill Historic District was certified to the National Register of Historic Places on December 28, 1982.

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.

ANALYSIS

Project: This legislation would allow the petitioner to use the existing structure as two dwelling units. Adaptive re-use as a two-family attached dwelling would allow preservation of part of Butchers Hill's traditional architectural fabric while offering a more affordable housing alternative to persons who wish to live in an area convenient to downtown Baltimore.

Zoning Analysis: This property is a well-preserved townhouse containing over 3,000 square feet of floor area. This bill would encourage re-use of a structure consistent with its 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 1,500 square feet is thus required for the proposed use. This lot has 1,303.5 square feet, so a lot area variance of 13% is needed to reduce this requirement. While not defined numerically, this variance is included in this bill.
- A rear yard setback of 20' is required (Table 9-401). This property has no rear yard. A variance of this requirement is needed to reduce the rear yard setback to zero, thus recognizing an existing condition. Planning staff recommend amending the bill to include this.
- The maximum lot coverage allowed is 80% (Table 9-401). This structure covers the entire lot, so a variance of that requirement is needed, also to recognize the existing condition. Planning staff recommend amending the bill to include this.
- One off-street parking space is required to serve the newly-created dwelling unit (§9-703.f.). The property has no rear yard suitable for off-street parking, and no way to obtain access from the nearest street (Patterson Park Avenue). A variance for off-street parking is therefore required, and has been included in this bill.

Conditional Use – Required findings: In accordance with §5-406 of Article 32 (the Zoning Code of Baltimore City), the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 5 {"Applications and Authorizations"}, subtitle 4 {"Conditional Uses"} of the Zoning Code:

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 in harmony with the purpose and intent of this article (§5-406).

In addition, the Zoning Code requires review of these considerations:

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- there will be no negative impact to traffic patterns in the immediate area;
- the proposed use will not impair the present and future development of this lot or the surrounding area;
- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to emergency vehicles;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- the proposed use would not interfere with preservation of cultural and historic landmarks and structures;
- the proposed use would not alter the character of the neighborhood;
- the proposed use is consistent with provisions of the City's Comprehensive Master Plan; and
- the use of the property as two dwelling units meets all other applicable standards and requirements of this Code (§5-406).

The proposed use as a 2-family dwelling would be consistent with residential use in the area and would not interrupt continuing use of a structure that is a contributing element in the Butchers Hill community.

Notification: The following community organizations have been notified of this action: the Banner Neighborhoods Community Corporation, Butchers Hill Association, Friends of Patterson Park, and Patterson Park Neighborhood Association.

Thomas J. Stosur
Director

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

BOARD OF MUNICIPAL AND ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

April 27, 2018

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

RE: CC Bill #17-0164: Zoning – Conditional Use Conversion – Single-Family Dwelling to Multiple-Family Dwelling with Two Dwelling Units – 2240 East Baltimore Street

Ladies and Gentlemen:

City Council Bill No. 17-0164 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. 17-0164 is to permit, subject to certain conditions, the conditional use conversion of a single-family dwelling to a multiple-family dwelling with two dwelling units on the property located at 2240 East Baltimore Street as outlined in red on the accompanying plat, and granting variances to specified bulk regulations in this R-8 Zoning District.

The BMZA has reviewed the legislation and concurs with the report and recommendation of the Planning Department in support of the passage of CC Bill #17-164.

Sincerely,

Derek J. Baumgardner
Acting Executive Director

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

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	Michelle Pourciau, Director	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527	
	SUBJECT	City Council Bill 17-0164	

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

December 22, 2017

I am herein reporting on City Council Bill 17-0164- Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

DOT supports this bill and respectfully requests a favorable report.

Respectfully,

Michelle Pourciau

Michelle Pourciau
Director

MP/lw

Cc: Kyron Banks, Mayor's Office

F

RECEIVED
JAN 24 2018
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

CITY OF BALTIMORE
COUNCIL BILL 17-0164
(First Reader)

Introduced by: Councilmember Sneed
At the request of: Qwaku Properties
Address: c/o Thomas Stewart, 1389 Jefferson Street, Unit C606, Oakland, California 94612
Telephone: 443-865-5049
Introduced and read first time: November 13, 2017
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

AN ORDINANCE concerning

Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of
Article 32 - Zoning
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 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 2 dwelling units on the property known as 2240 East Baltimore Street (Block 1723, Lot 039), 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 §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-8 Zoning District.

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

STATEMENT OF INTENT

FOR

2240 E. Baltimore St.

(Address)

1. **Applicant's Contact Information:**
   Name: Thomas Stewart Ph.D.
   Mailing Address: 800 Jefferson St. #606
   Baltimore, MD 21202
   Telephone Number: 443-865-5043
   Email Address: tgstewart1230@gmail.com

2. **All Proposed Zoning Changes for the Property:** Convert from single to two units

3. **All Intended Uses of the Property:** Live and rent

4. **Current Owner's Contact Information:**
   Name: Same as above
   Mailing Address:
   Telephone Number:
   Email Address:

5. **Property Acquisition:**

   The property was acquired by the current owner on 10/2001 by deed recorded in the Land Records of Baltimore City in Liber _____ Folio _____.

6. **Contract Contingency:**

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

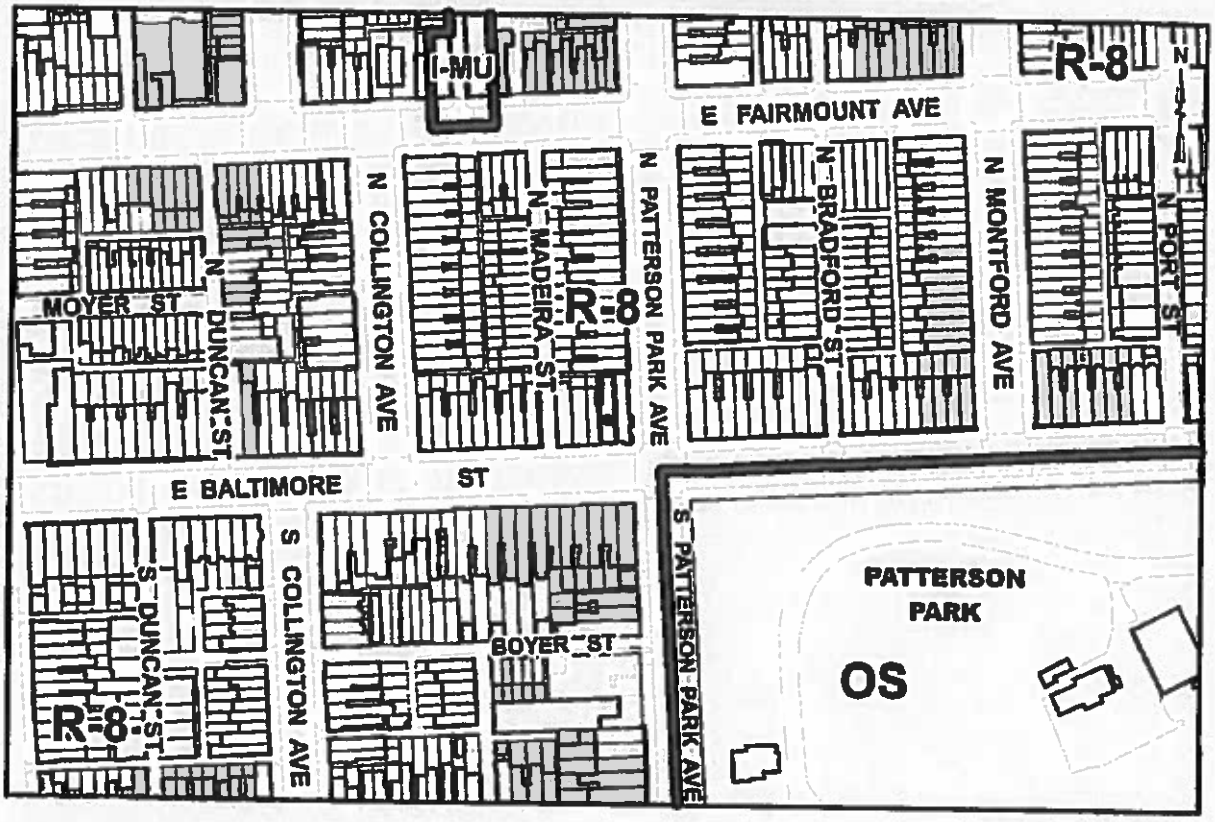
   (b) If there is a contract contingent on the requested legislative authorization:

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

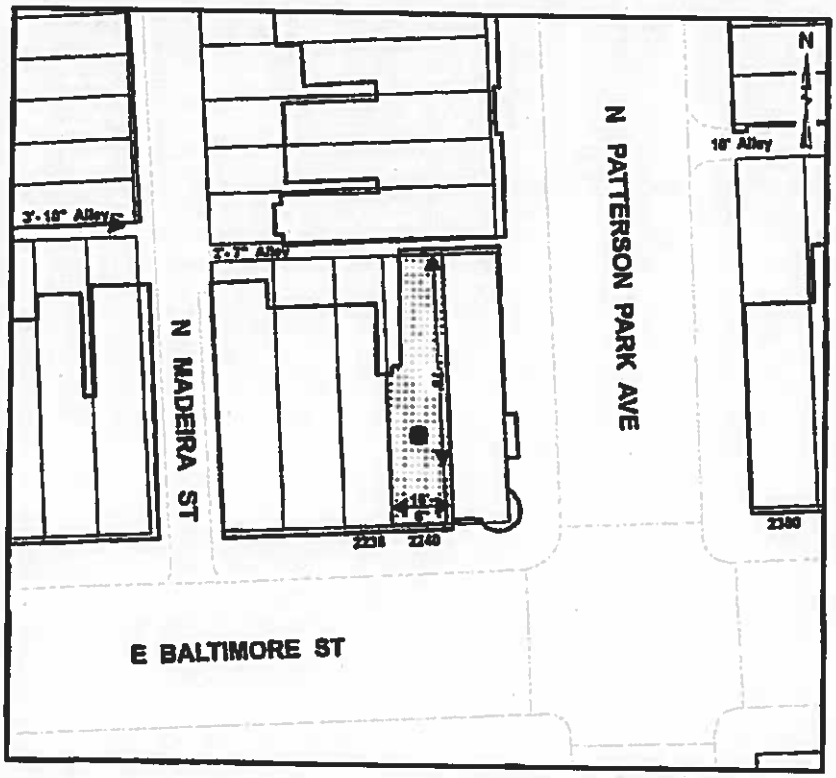
Rev'd 05/22/17

164

SHEET NO. 57 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. 2240 EAST BALTIMORE STREET, The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Two Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD	6	SECTION	13
BLOCK	1723	LOT	39

MAYOR

PRESIDENT CITY COUNCIL

RPE 11-3-17

164

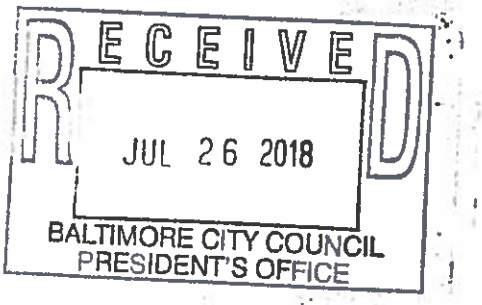
CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor
101 City Hall
Baltimore, Maryland 21202

July 26, 2018



Honorable President and Members
of the City Council of Baltimore
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Attn: Natawna B. Austin,
Executive Secretary

Re: City Council Bill 17-0164 – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0164 for form and legal sufficiency. Subject to certain conditions, the bill permits the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2240 East Baltimore Street. The bill also grants variances from certain bulk regulations and certain off-street parking regulations.

Under the Zoning Article of the City Code, 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 (BCC), Art. 32, § 9-701(2). Further, approval of a conditional use must be based on the following findings:

> (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.

§ 5-406(a). Moreover, the above findings must be guided by 14 "considerations" involving, for example, 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." § 5-406(b).

Fav w/ comments

The bill also contains variances. 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." § 5-308(a). The City Council 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. § 5-308(b).

The Land Use and Transportation Committee (the "Committee") must consider the above law at the scheduled public hearing wherein it will hear and weigh the evidence as presented in: (1) the Planning Report and other agency reports; (2) testimony from the Planning Department and other City agency representatives; and (3) testimony from members of the public and interested persons. After weighing the evidence presented and submitted into the record before it, the Committee is required to make findings of fact with respect to the factors and considerations outlined above. If, after its investigation of the facts, the Committee makes findings which support the conditional use and the variances sought, it may adopt these findings and the legal requirements will be met.

Lastly, we note that certain procedural requirements apply to this bill beyond those discussed above because both conditional uses and variances are considered "legislative authorizations." BCC 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. §§ 5-504, 5-506, 5-602. Finally, certain limitations on the City Council's ability to amend the bill apply. § 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 conditional use and variances have been met.

The Law Department notes that the Planning Commission's Report provides some necessary findings of fact, but must be supplemented at the hearing, so that the requisite facts are available to support the required considerations listed herein if the bill is to be lawfully adopted.

Sincerely,

Ashlea H. Brown
Assistant Solicitor

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Victor Tervala, Chief Solicitor

The 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

Date: January 18, 2018

Re: **City Council Bill 17-0164 - Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore Street**

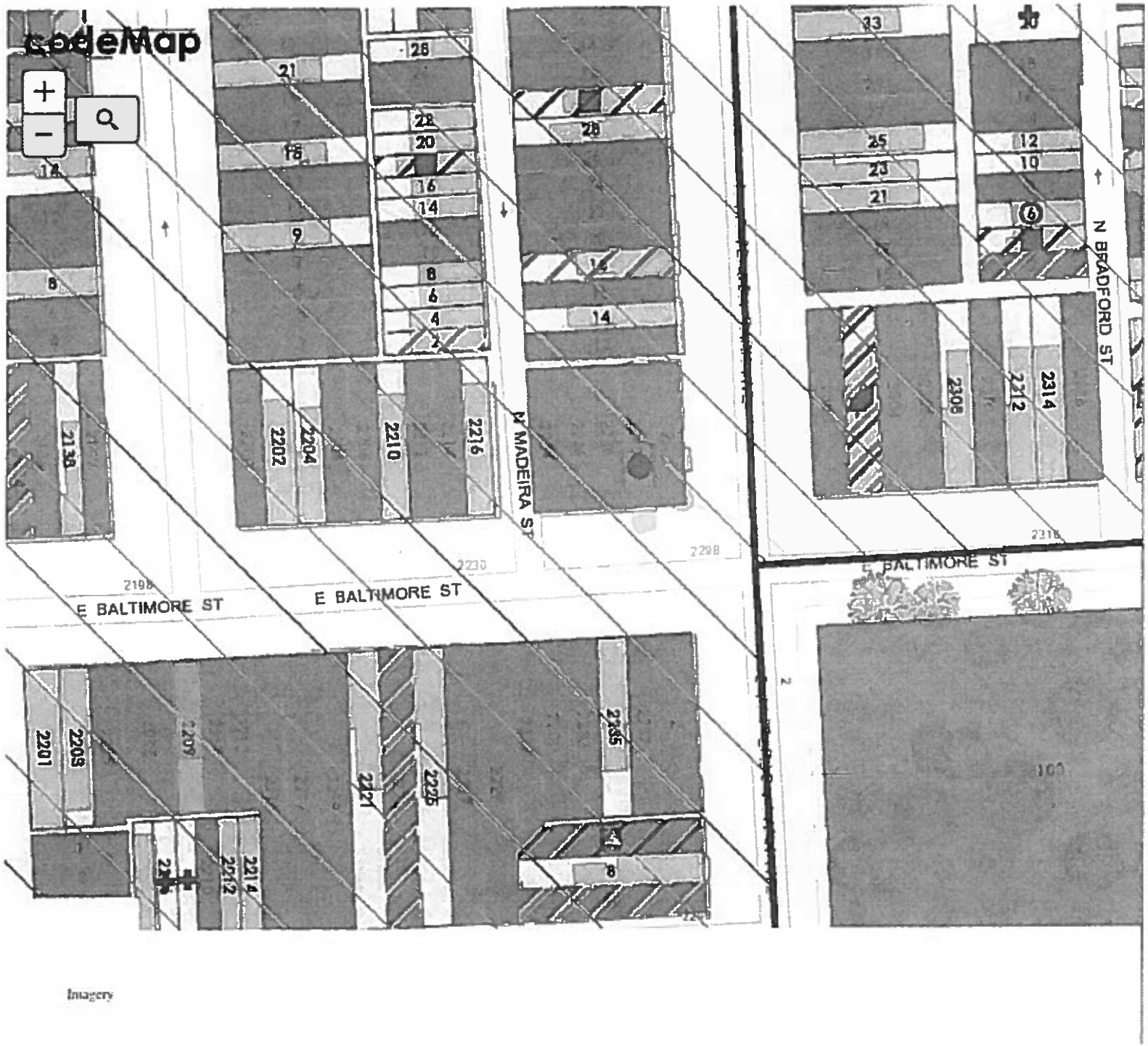
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0164, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2240 East Baltimore Street (Block 1723, Lot 039) and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

If enacted, this bill would allow the owner occupied property in the Butchers Hill neighborhood to be used as a 2 dwelling unit. The current owner purchased the property in 2001 and a Use permit was issued in 2007 to use the entire property as a single-family residence.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0164.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



Contents

- [x] Focus Areas
  - [x] Funded De
  - [x] Funded Dei
  - [x] Comm De
  - [x] Major Rede
    - [x] Major R
    - [ ] Popplet
  - [x] Streamline
- [x] CE Internal
  - [x] DHCD Acqu
    - [ ] Title Ga
    - [x] Judgme
    - [x] BOE Rec
    - [x] Case Re
    - [x] Acqinit,
    - [ ] Suspen
    - [ ] All Miles
  - [x] Demolition
    - [x] Planning
      - [x] Phas
      - [x] Phas
      - [x] Phas
      - [ ] Phas
      - [x] Non-
    - [x] eDemo (
      - [x] Intake
    - RFA Re

Baltimore
Development Corporation

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO

DATE: November 29, 2017

SUBJECT: City Council Bill No. 17-0164
Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore Street

---

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 17-0164, an ordinance 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BDC has reviewed the ordinance and has no objection to Bill No. 17-0164.

cc: Kyron Banks

No obj

36 S. Charles St. Suite 2100 Baltimore, MD 21201 410.837.9305 O 410.837.6363 F BaltimoreDevelopment.com

FROM			
NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department NRF	CITY OF BALTIMORE	
AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202	MEMO	
SUBJECT	City Council Bill #17-0164 Response to Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore Street	DATE:	

TO

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

November 21, 2017

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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

The proposed legislation would provide for- permitting, subject to certain conditions, the conversion of a single-family dwelling unit to two dwelling units in the R-8 Zoning District on the property known as 2240 East Baltimore Street (Block 1723, Lot 039).

The Fire Department does not object to City Council Bill 17-0164 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

RECEIVED
NOV 27 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

Baltimore City Department of
HOUSING & COMMUNITY
DEVELOPMENT

Office of the Zoning Administrator
417 E. Fayette Street
Benton Bldg., Room 147
Baltimore MD. 21202

Ref: 2240 E. Baltimore Street

Date: Oct. 19, 2017

This memo is submitted to confirm the review of a request from the owner and/or representative of the property (or properties) referenced above for authorization to:

Convert existing premises into two dwelling units

Please be advised that the Office of the Zoning Administrator has determined that the authorization requested above (in whole or in part) requires approval by Ordinance of the Mayor and City Council of Baltimore.

In the furtherance of said Ordinance approval, the Zoning Administrator has determined that the following variances per the Zoning Code of Baltimore City are required and should be incorporated in the bill for approval of the Mayor and City Council:

- Subsections 9-703(b) & 9-401: Bulk regulations (lot area) in the R-8 District.
- Subsections 9-703(f), 16-203 & 16-602: Off-street parking in the R-8 District (Table 16-406).

This memo is being submitted in accordance with Subsections 5-201 and 5-303 of the Zoning Code for Baltimore City.

Respectfully,

Geoffrey M. Veale
Zoning Administrator

cc: Department of Legislative Reference

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, August 1, 2018 | **1:00 PM** | **Du Burns Council Chamber, 4th floor, City Hall**

17-0164

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 6 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Ryan Dorsey, Member Leon F. Pinkett III, and Member Robert Stokes Sr.

Absent 1 - Member Eric T. Costello

ITEMS SCHEDULED FOR PUBLIC HEARING

17-0164 **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

Sponsors: Shannon Sneed

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

Yes: 6 - Member Reisinger, Member Middleton, Member Clarke, Member Dorsey, Member Pinkett III, and Member Stokes Sr.

Absent: 1 - Member Costello

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

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: 17-0164

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore Street

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

Hearing Date: August 1, 2018
Time (Beginning): 1:00 PM
Time (Ending): 1:10 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~25
Committee Members in Attendance:
Reisinger, Edward, Chairman
Middleton, Sharon, Vice Chair
Clarke, Mary Pat
Dorsey, Ryan
Pinkett, Leon
Stokes, Robert

Bill Synopsis in the file? ..... ☒ yes ☐ no ☐ n/a
Attendance sheet in the file? ..... ☒ yes ☐ no ☐ n/a
Agency reports read? ..... ☒ yes ☐ no ☐ n/a
Hearing televised or audio-digitally recorded? ..... ☒ yes ☐ no ☐ n/a
Certification of advertising/posting notices in the file? ..... ☒ yes ☐ no ☐ n/a
Evidence of notification to property owners? ..... ☒ yes ☐ no ☐ n/a
Final vote taken at this hearing? ..... ☒ yes ☐ no ☐ n/a
Motioned by: ..... Councilmember Dorsey, Ryan
Seconded by ..... Councilmember Clarke, Mary Pat
Final Vote: ..... Favorable

Major Speakers

(This is not an attendance record.)

- Mr. Martin French, Planning Commission
- The Honorable Sharon Green Middleton
- The Honorable Mary Pat Clarke
- Ms. Ashlea Brown, Law Department
- Ms. Sharon DaBoin, Department of Housing and Community Development
- Mr. Taylor LaFave, Parking Authority of Baltimore City
- Mr. Josh Taylor, Department of Transportation
- Mr. Derrick Baumgardner, Board of Municipal Zoning Appeals
- Ms. Sharon, DaBoin, Department of Housing and Community Development
- Ms. Christine Moore, Baltimore Development Corporation
- Mr. Kyron Banks, Office of the Mayor

Major Issues Discussed

1. Councilman Reisinger read the bill's number, title and purpose. He stated that the record shows all public notice requirements for the hearing have been met.
2. Mr. Martin French provided information from the Planning Commission's report which was in support of the bill. He also provided information from the Department of Planning's staff report. He indicated that although the Planning Department and Planning Commission made recommendations for the bill to be amended to include language for certain bulk regulations (rear yard setback and lot coverage), the Zoning Administrator determined that the amendment was not needed. The Zoning Administrator indicated that the structure on the property covered the entire lot and created a practical difficulty for the applicant to comply with current bulk regulations.
3. Councilwoman Middleton asked about off-street parking. Mr. French indicated that because of the building size there was not enough room for off-street parking. The alley in the rear of the property is about 2-1/2 feet, and would be too narrow for any parking spaces.
4. Councilwoman Clarke asked about the square footage inside the unit. Mr. French indicated that the property has over 3,000 square feet of floor area.
5. Agency representatives testified in support of their agency's report.
6. 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 .....**Absent**
Dorsey, Ryan .....**Yea**
Pinkett, Leon.....**Yea**
Stokes, Robert:.....**Yea**

Jennifer L. Coates, Committee Staff Date: August 1, 2018

cc: Bill File
OCS Chrono File

CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation		**Chairperson: Edward Reisinger**
Date: August 1, 2018	**Time: 1:00 p.m.**	**Place: Clarence "Du" Burns Chambers**
Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore Street		**CC Bill Number: 17-0164**

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	WHAT IS YOUR POSITION ON THIS BILL? FOR	AGAINST	(*) LOBBYIST: ARE YOU REGISTERED IN THE CITY YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	√	√	√	√	√
Christina	Moore	36	S. Charles St	21202	cmoore@baltimoredevelopment.com					
Josh	Taylor		DOT	21202	josh.taylor@baltimorecity.gov		✓			

(*) 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.

CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation		**Chairperson: Edward Reisinger**
Date: August 1, 2018	**Time: 1:00 p.m.**	**Place: Clarence "Du" Burns Chambers**
Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore Street		**CC Bill Number: 17-0164**

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	WHAT IS YOUR POSITION ON THIS BILL? FOR	AGAINST	(*) LOBBYIST: ARE YOU REGISTERED IN THE CITY YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	√	√	√	√	√
Sharon	Dobson		HCO							

(*) 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.

CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation		**Chairperson: Edward Reisinger**
Date: August 1, 2018	**Time: 1:00 p.m.**	**Place: Clarence "Du" Burns Chambers**
Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore Street		**CC Bill Number: 17-0164**

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	WHAT IS YOUR POSITION ON THIS BILL? FOR	AGAINST	(*) LOBBYIST: ARE YOU REGISTERED IN THE CITY YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	√	√	√	√	√
Martin	French		Planning			✓	✓			
Byung	Min									

(*) 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.

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, August 1, 2018 | **1:00 PM** | **Du Burns Council Chamber, 4th floor, City Hall**

17-0164

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

17-0164 **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

Sponsors: Shannon Sneed

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, August 1, 2018
1:00 PM
Clarence "Du" Burns Council Chambers

City Council Bill # 17-0164

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore Street

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
Eric Costello – Chair
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
Edward Reisinger - Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY
Brandon Scott – Chair
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)***

Rev. 04/30/18

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

Committee: Land Use and Transportation

Bill 17-0164

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore Street

---

Sponsor: *Councilmember Sneed*
Introduced: *November 13, 2018*

Purpose:

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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

Effective: 30th day after enactment
Hearing Date/Time/Location: August 1, 2018 /1:00 p.m./Clarence "Du" Burns Chambers

---

Agency Reports

Planning Commission	Favorable/Amend
Board of Municipal and Zoning Appeals	Favorable
Department of Law	
Department of Transportation	Favorable
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	No Objection
Fire Department	No Objection
Parking Authority Board	Not Opposed

Analysis

Current Law

Article 32 – Zoning; Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and 16-602 (Table 16-406); Baltimore City Revised Code; (Edition 2000)

Background

City Council Bill 17-0164, if approved, would permit the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2240 East Baltimore Street (Block 1723, Lot 039). The bill would also allow for a variance of the lot area size and off-street parking requirements. According to the Zoning Administrator, variances for this property are not needed for lot coverage and rear yard requirements.

The residential property is in the Butchers Hill neighborhood. It is situated on the north side of the street just west of Patterson Park Avenue. The property lies cater-corner to THE northwest corner of Paterson Park. The property is zoned R-8 and is improved with a three-story attached residential building. An alley runs behind the property.

The property is owned by Thomas G. Stewart, Qwaku Properties. The owners intends to divide and renovate the existing structure into two dwelling units. The adaptive re-use, as a two-family dwelling, would offer affordable housing alternatives and allow for the preservation of part of Butchers Hill's traditional architectural fabric. Butchers Hills was certified to the National Register of Historic Places in 1982.

The proposed action would be consistent with provisions of the Baltimore City Master Plan LIVE EARN PLAY LEARN's LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents

Additional Information

Fiscal Note: Not Available
Information Source(s): Agency reports; Baltimore City Zoning Administrator

Analysis by: Jennifer L. Coates JLC
Analysis Date: July 17, 2018
Direct Inquiries to: (410) 396-1260

CITY OF BALTIMORE
COUNCIL BILL 17-0164
(First Reader)

Introduced by: Councilmember Sneed
At the request of: Qwaku Properties
Address: c/o Thomas Stewart, 1389 Jefferson Street, Unit C606, Oakland, California 94612
Telephone: 443-865-5049
Introduced and read first time: November 13, 2017
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

AN ORDINANCE concerning

Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of
Article 32 - Zoning
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 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 2 dwelling units on the property known as 2240 East Baltimore Street (Block 1723, Lot 039), 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 §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-8 Zoning District.

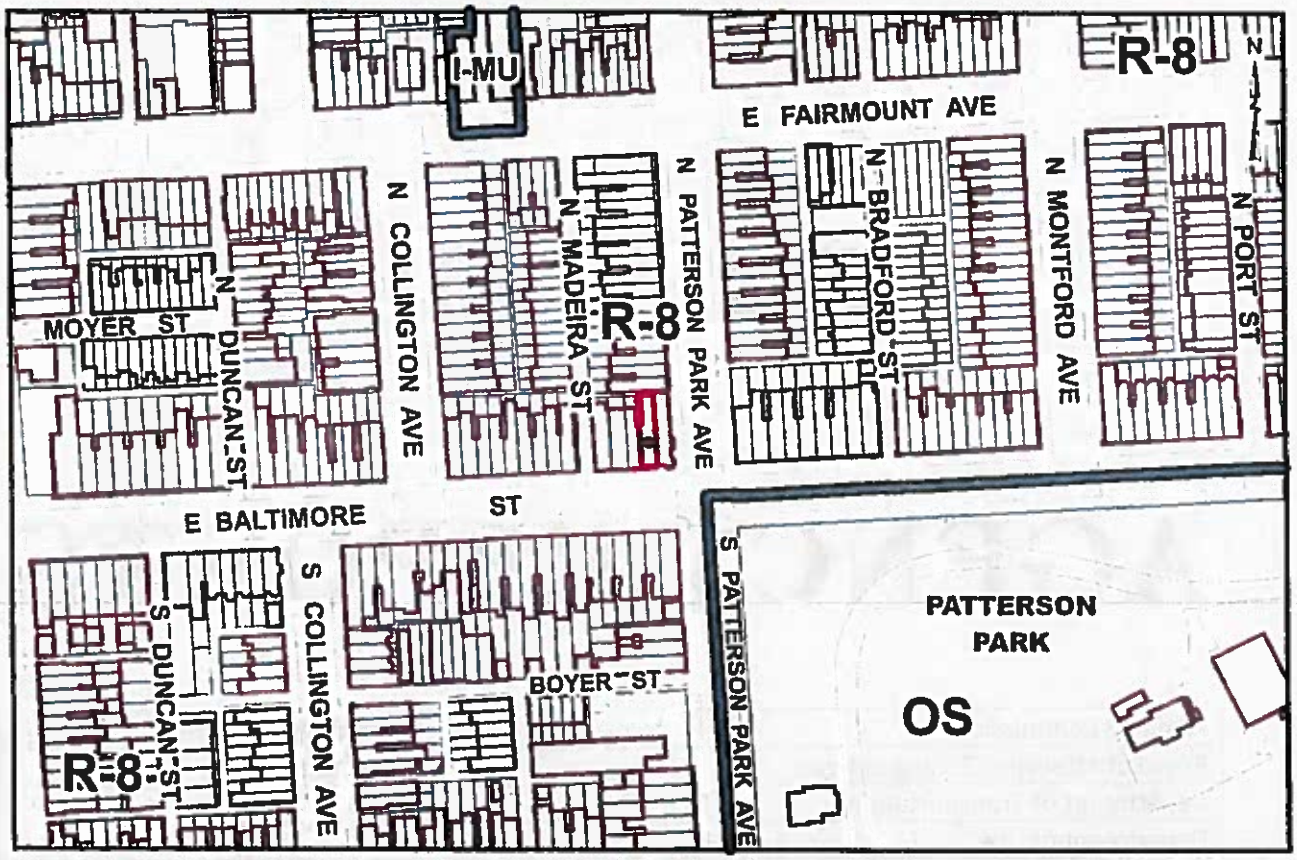
EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-8 Zoning District (Table 16-406).

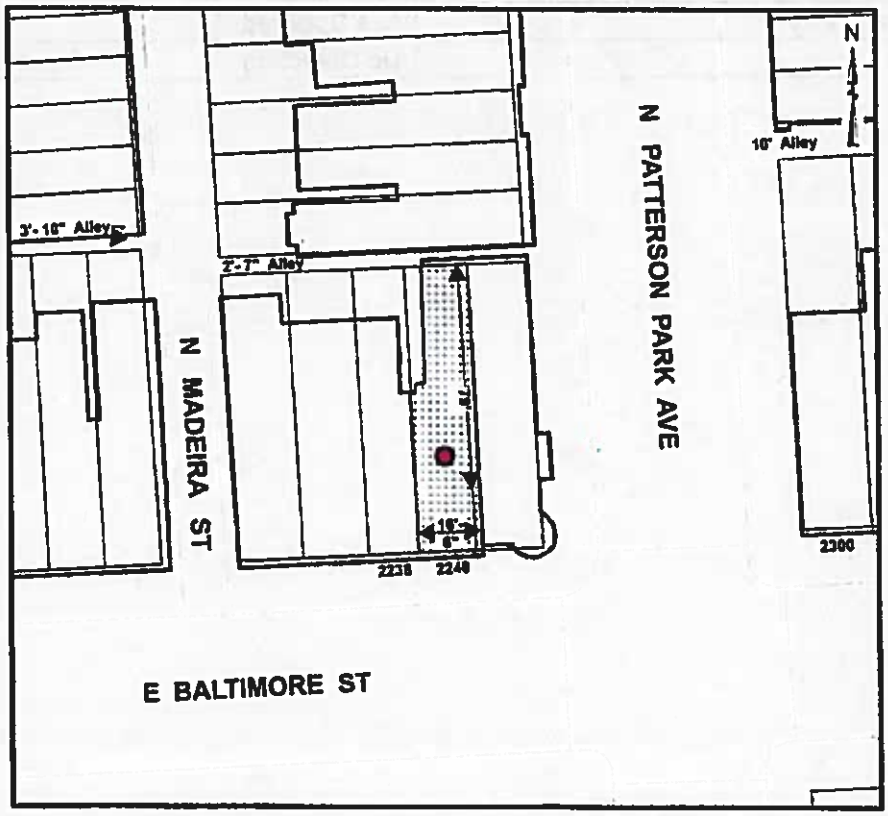
SECTION 4. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when 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 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

SHEET NO. 57 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. 2240 EAST BALTIMORE STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Two Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 6 SECTION 13

BLOCK 1723 LOT 39

MAYOR

PRESIDENT CITY COUNCIL

RPE 11-3-17

164

LAND USE AND TRANSPORTATION COMMITTEE

BILL 17-0164

AGENCY REPORTS

Planning Commission	Favorable with Amendments
Board of Municipal Zoning Appeals	Favorable
Department of Transportation	Favorable
Department of Law	
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	No Objection
Parking Authority of Baltimore City	Not Opposed
Fire Department	No Objection

FROM			
	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8TH FLOOR, 417 EAST FAYETTE STREET	
	SUBJECT	CITY COUNCIL BILL #17-0164/ ZONING – CONDITIONAL USE CONVERSION– 2240 EAST BALTIMORE STREET	

TO

DATE:

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

January 12, 2018

At its regular meeting of January 11, 2018, the Planning Commission considered City Council Bill #17-0164, 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #17-0164 and adopted the following resolution; nine members being present (nine in favor):

> RESOLVED, That the Planning Commission finds, in accordance with §16-304 and §14-204 of the Zoning Code of Baltimore City, that the proposed use provided in this bill:
>
> - will not be detrimental to or endanger the public health, security, general welfare, or morals;
> - is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
> - is not otherwise in any way contrary to the public interest; and
> - is in harmony with the purpose and intent of that article.
>
> RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0164 be amended and passed by the City Council.

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

TJS/ewt

Attachment

Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT

Thomas J. Stosur
Director

January 11, 2017

REQUEST: City Council Bill # 17-0164 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

RECOMMENDATION: Amendment, and Approval as amended

Amendment: Add variance of rear yard setback to variance of bulk regulations, and add a variance of lot coverage regulations.

STAFF: Martin French

PETITIONERS: Councilmember Sneed, at the request of Qwaku Properties

OWNER: Thomas G. Stewart

SITE/GENERAL AREA

Site Conditions: 2240 East Baltimore Street is located on the north side of the street, approximately 16'6" west of the intersection with Patterson Park Avenue. This property measures approximately 16'6" by 79' and is currently improved with a three-story attached residential building measuring approximately 16'6" by 79'. A pedestrian alley approximately 2'7" wide runs behind this property, westward from Patterson Park Avenue. This site is zoned R-8.

General Area: This is a predominantly residential area known as Butchers Hill, with scattered non-residential uses such as religious institutions and a few small commercial uses. The subject property is almost cater-corner to the northwestern corner of Patterson Park, here dominated by its historic restored Pagoda. Most of the housing closest to this property was originally developed in the last two decades of the 19th Century, while the larger historic area dates from the 1850s, when the area was known as Hampstead Hill, where Rodgers' Bastion intimidated the British into not attacking Baltimore by land in September of 1814.

HISTORY

The Butchers Hill Historic District was established by Ordinance no. 401 dated July 2, 1981, as amended on June 2, 1988. The Butchers Hill Historic District was certified to the National Register of Historic Places on December 28, 1982.

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.

ANALYSIS

Project: This legislation would allow the petitioner to use the existing structure as two dwelling units. Adaptive re-use as a two-family attached dwelling would allow preservation of part of Butchers Hill's traditional architectural fabric while offering a more affordable housing alternative to persons who wish to live in an area convenient to downtown Baltimore.

Zoning Analysis: This property is a well-preserved townhouse containing over 3,000 square feet of floor area. This bill would encourage re-use of a structure consistent with its 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 1,500 square feet is thus required for the proposed use. This lot has 1,303.5 square feet, so a lot area variance of 13% is needed to reduce this requirement. While not defined numerically, this variance is included in this bill.
- A rear yard setback of 20' is required (Table 9-401). This property has no rear yard. A variance of this requirement is needed to reduce the rear yard setback to zero, thus recognizing an existing condition. Planning staff recommend amending the bill to include this.
- The maximum lot coverage allowed is 80% (Table 9-401). This structure covers the entire lot, so a variance of that requirement is needed, also to recognize the existing condition. Planning staff recommend amending the bill to include this.
- One off-street parking space is required to serve the newly-created dwelling unit (§9-703.f.). The property has no rear yard suitable for off-street parking, and no way to obtain access from the nearest street (Patterson Park Avenue). A variance for off-street parking is therefore required, and has been included in this bill.

Conditional Use – Required findings: In accordance with §5-406 of Article 32 (the Zoning Code of Baltimore City), the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 5 {"Applications and Authorizations"}, subtitle 4 {"Conditional Uses"} of the Zoning Code:

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 in harmony with the purpose and intent of this article (§5-406).

In addition, the Zoning Code requires review of these considerations:

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- there will be no negative impact to traffic patterns in the immediate area;
- the proposed use will not impair the present and future development of this lot or the surrounding area;
- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to emergency vehicles;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- the proposed use would not interfere with preservation of cultural and historic landmarks and structures;
- the proposed use would not alter the character of the neighborhood;
- the proposed use is consistent with provisions of the City's Comprehensive Master Plan; and
- the use of the property as two dwelling units meets all other applicable standards and requirements of this Code (§5-406).

The proposed use as a 2-family dwelling would be consistent with residential use in the area and would not interrupt continuing use of a structure that is a contributing element in the Butchers Hill community.

Notification: The following community organizations have been notified of this action: the Banner Neighborhoods Community Corporation, Butchers Hill Association, Friends of Patterson Park, and Patterson Park Neighborhood Association.

Thomas J. Stosur
Director

CITY OF BALTIMORE

CATHERINE E PUGH Mayor

BOARD OF MUNICIPAL AND ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

April 27, 2018

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

RE: CC Bill #17-0164: Zoning – Conditional Use Conversion – Single-Family Dwelling to Multiple-Family Dwelling with Two Dwelling Units – 2240 East Baltimore Street

Ladies and Gentlemen:

City Council Bill No. 17-0164 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. 17-0164 is to permit, subject to certain conditions, the conditional use conversion of a single-family dwelling to a multiple-family dwelling with two dwelling units on the property located at 2240 East Baltimore Street as outlined in red on the accompanying plat, and granting variances to specified bulk regulations in this R-8 Zoning District.

The BMZA has reviewed the legislation and concurs with the report and recommendation of the Planning Department in support of the passage of CC Bill #17-164.

Sincerely,

Derek J. Baumgardner
Acting Executive Director

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

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	Michelle Pourciau, Director	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527	
	SUBJECT	City Council Bill 17-0164	

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

December 22, 2017

I am herein reporting on City Council Bill 17-0164- Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

DOT supports this bill and respectfully requests a favorable report.

Respectfully,

Michelle Pourciau

Michelle Pourciau
Director

MP/lw

Cc: Kyron Banks, Mayor's Office

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	Michelle Pourciau, Director	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527	
	SUBJECT	City Council Bill 17-0164	

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

December 22, 2017

I am herein reporting on City Council Bill 17-0164- Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

DOT supports this bill and respectfully requests a favorable report.

Respectfully,

Michelle Pourciau

Michelle Pourciau
Director

MP/lw

Cc: Kyron Banks, Mayor's Office

The 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

Date: January 18, 2018

Re: **City Council Bill 17-0164 - Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore Street**

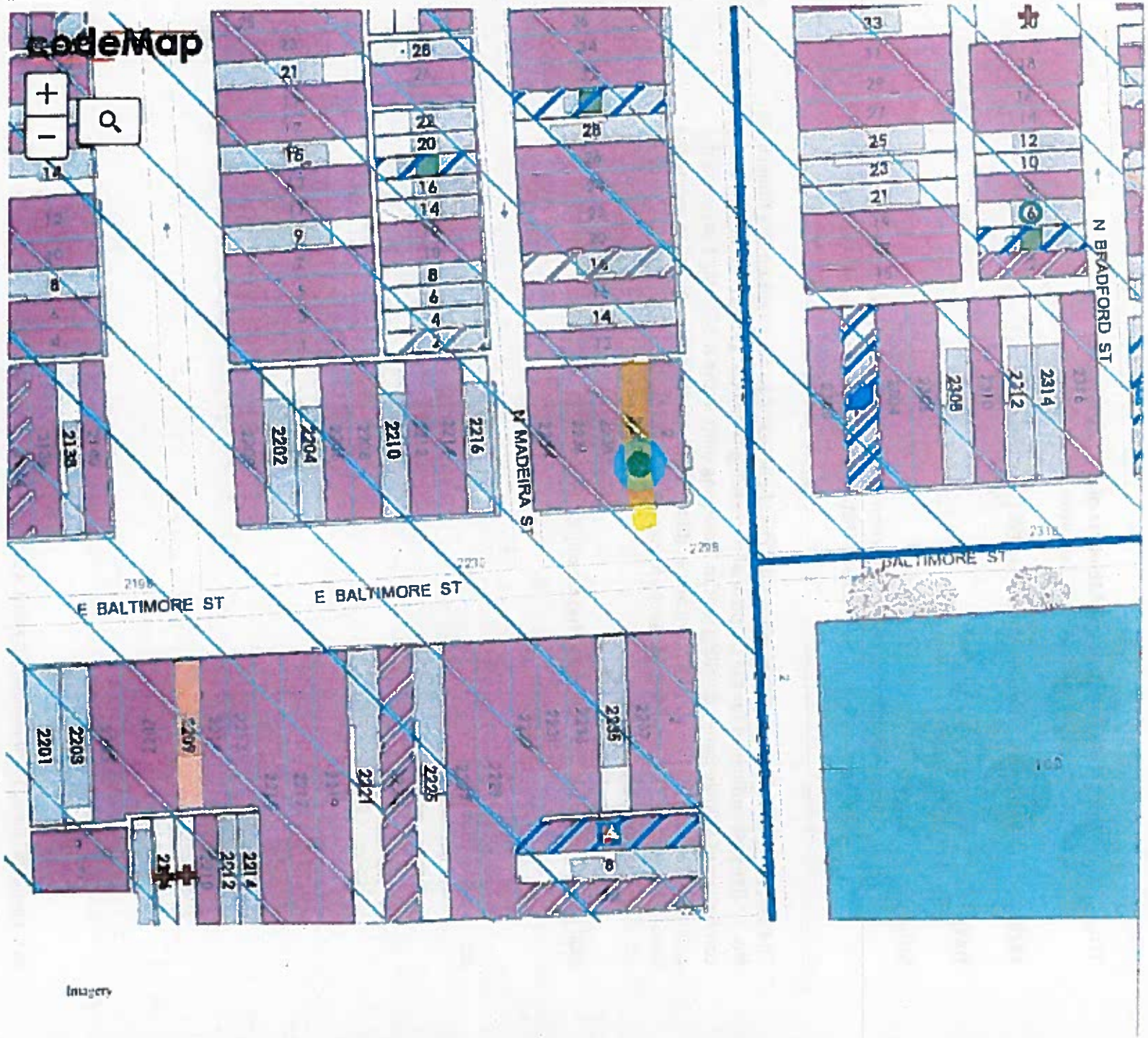
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0164, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2240 East Baltimore Street (Block 1723, Lot 039) and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

If enacted, this bill would allow the owner occupied property in the Butchers Hill neighborhood to be used as a 2 dwelling unit. The current owner purchased the property in 2001 and a Use permit was issued in 2007 to use the entire property as a single-family residence.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0164.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



Contents

- Focus Areas
  - Funded De
  - Funded Dev
  - Comm Dev
  - Major Rede
    - Major R
  - Poppleto
  - Streamline
- CE Internal
  - DHCD Acqu
    - Title Ga
    - Judgme
    - BOE Rec
    - Case Re
    - Acqinit,
    - Suspen
    - All Miles
  - Demolition
    - Planning
      - Phas
      - Phas
      - Phas
      - Phas
      - Non-
    - eDemo (
      - Intake
      - RFA Re

Baltimore
Development Corporation

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO

DATE: November 29, 2017

SUBJECT: City Council Bill No. 17-0164
Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore Street

---

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 17-0164, an ordinance 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BDC has reviewed the ordinance and has no objection to Bill No. 17-0164.

cc: Kyron Banks

36 S. Charles St. Suite 2100 Baltimore, MD 21201 410.837.9305 F 410.837.6363 baltimoredevelopment.com

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young

FROM: Peter Little, Executive Director

DATE: December 1, 2017

RE: Council Bill 17-0164

PARKING OF BALTIMORE CITY AUTHORITY

I am herein reporting on City Council Bill 17-0164 introduced by Councilmember Sneed at the request of Qwaku Properties.

The purpose of this bill is for 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 2240 E. Baltimore Street, and granting variances from certain lot area size and off-street parking requirements.

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 at least 1 off-street parking space must be provided for each dwelling unit. This proposed legislation requests a variance from the off-street parking requirement.

The Parking Authority of Baltimore City reviewed the proposed legislation. This property is not located on a block where the Parking Authority administers any on-street parking programs. Several site visits were conducted during the last week of November 2017. The PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking and that there would be no negative impact to parking in the area due to the passage of this bill.

Based on the comments above, the Parking Authority of Baltimore City does not oppose the passage of City Council Bill 17-0164.

200 W. LOMBARD STREET • SUITE B • BALTIMORE • MD 21201 • P: 443.573.2800 • F: 410.685.1557

FROM			
	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department	CITY OF BALTIMORE
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202	MEMO
	SUBJECT	City Council Bill #17-0164 Response to Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore Street	

TO

DATE

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

November 21, 2017

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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

The proposed legislation would provide for- permitting, subject to certain conditions, the conversion of a single-family dwelling unit to two dwelling units in the R-8 Zoning District on the property known as 2240 East Baltimore Street (Block 1723, Lot 039).

The Fire Department does not object to City Council Bill 17-0164 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.

CITY OF BALTIMORE
COUNCIL BILL 17-0164
(First Reader)

Introduced by: Councilmember Sneed
At the request of: Qwaku Properties
Address: c/o Thomas Stewart, 1389 Jefferson Street, Unit C606, Oakland, California 94612
Telephone: 443-865-5049
Introduced and read first time: November 13, 2017
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

AN ORDINANCE concerning

Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of
Article 32 - Zoning
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 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 2 dwelling units on the property known as 2240 East Baltimore Street (Block 1723, Lot 039), 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 §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-8 Zoning District.

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

SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-8 Zoning District (Table 16-406).

SECTION 4. 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 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

APPROVED FOR FORM
STYLE, AND TEXTUAL SUFFIENCY
11-3-17
DEPT LEGISLATIVE REFERENCE

INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL ____

Introduced by: Councilmember Sneed
At the request of: Qwaku Properties
Address: c/o Thomas Stewart, 1389 Jefferson Street, Unit C606, Oakland, California 94612
Telephone: 443-865-5049

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variances – 2240 East Baltimore 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 2240 East Baltimore Street (Block 1723, Lot 039), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of
Article 32 - Zoning
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 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 2 dwelling units on the property known as 2240 East Baltimore Street (Block 1723, Lot 039), 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 §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-8 Zoning District.

SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-8 Zoning District (Table 16-406).

SECTION 4. 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 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

STATEMENT OF INTENT

FOR

2240 E. Baltimore St.

(Address)

1. **Applicant's Contact Information:**
   Name: Thomas Stewart, M.D.
   Mailing Address: 1388 Jefferson St. #606
   Oakland, CA 94612
   Telephone Number: 443-865-5049
   Email Address: tgstewart1230@gmail.com

2. **All Proposed Zoning Changes for the Property:** Convert from single to two units

3. **All Intended Uses of the Property:** Live and rent

4. **Current Owner's Contact Information:** Same as above
   Name:
   Mailing Address:
   Telephone Number:
   Email Address:

5. **Property Acquisition:**

   The property was acquired by the current owner on 10/2001 by deed recorded in the Land Records of Baltimore City in Liber _____ Folio _____.

6. **Contract Contingency:**

   (a) There is ____ is not X 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)*:

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

7. **Agency:**

(a) The applicant is _____ is not X 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}*: _____

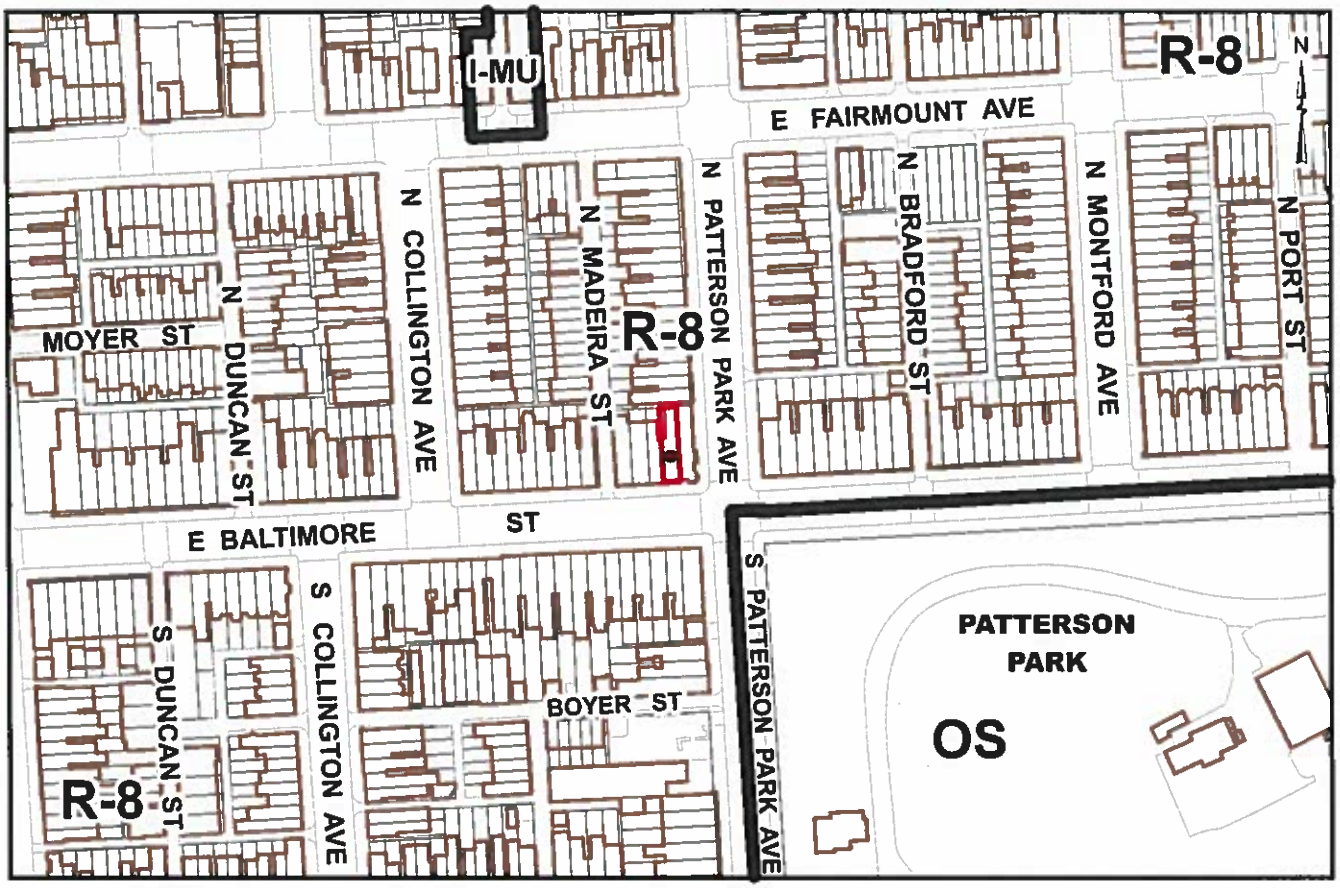
AFFIDAVIT

I, Thomas Stewart, 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.

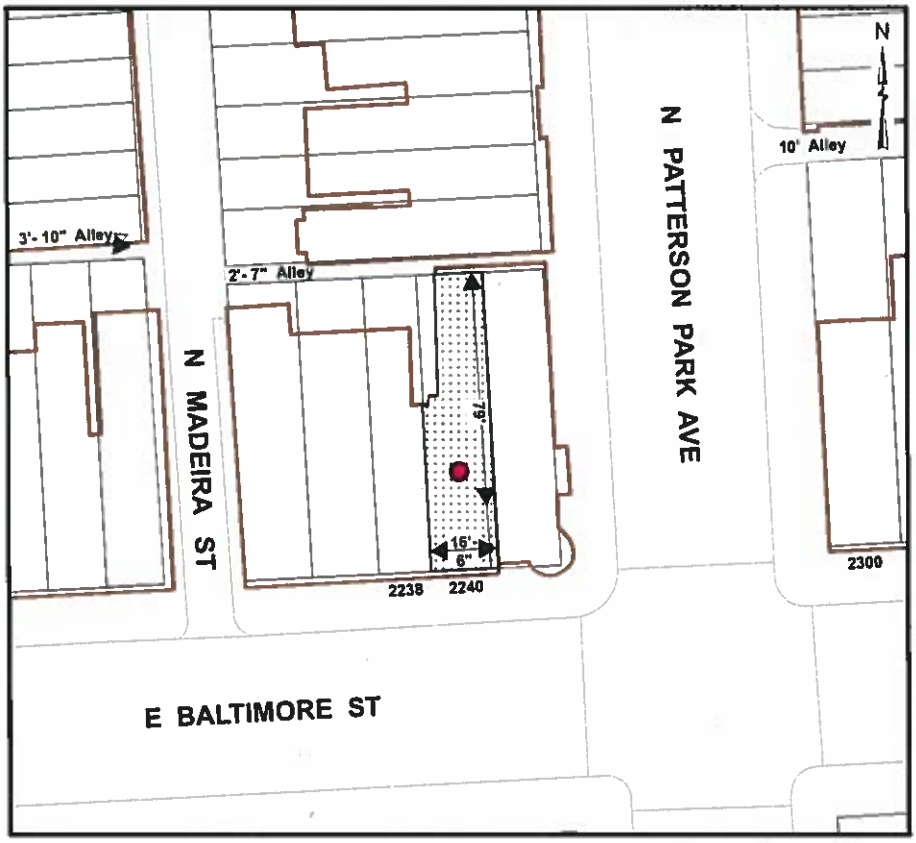
Thomas Stewart
Applicant's signature

11/1/17
Date

SHEET NO. 57 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. 2240 EAST BALTIMORE STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Two Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD	6	SECTION	13
BLOCK	1723	LOT	39

MAYOR

PRESIDENT CITY COUNCIL

RPE 11-3-17

ACTION BY THE CITY COUNCIL

FIRST READING (INTRODUCTION) NOV 13 2017 20

PUBLIC HEARING HELD ON August 1, 20 18

COMMITTEE REPORT AS OF August 16, 20 18

✓ 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:

AUG 06 2018 20

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

AUG 06 2018

THIRD READING 20

____ 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

1050-10-2