Introduced by: Councilmember Sneed, Young

At the request of: Second Century Homes, LLC
Address: c/o Herbert Burgunder, III, Esquire, 901 Dulaney Valley Road, Suite 500, Towson, Maryland 21204
Telephone: 410-664-6500

Prepared by: Department of Legislative Reference **Date:** May 29, 2018

Referred to: LAND USE AND TRANSPORTATION Committee

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

CITY COUNCIL 18 - 0256

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

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

****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 18-199
Council Bill 18-0256

Introduced by: Councilmember Sneed, President Young
At the request of: Second Century Homes, LLC
Address: c/o Herbert Burgunder, III, Esquire, 901 Dulaney Valley Road, Suite 500, Towson, Maryland 21204
Telephone: 410-664-6500
Introduced and read first time: June 4, 2018
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: October 15, 2018

AN ORDINANCE CONCERNING

Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying revised plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

BY authority of
Article 32 - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c) and (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 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the revised 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 § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk ad Yard Regulations), as a lot area of 2,250 square feet is required for 3 dwelling units and the lot is only 1,600 square feet.

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.

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(c) for gross floor area per unit type, as each of the 3 units would be less than 750 square feet, which is the required gross floor area for a 1-bedroom unit.

SECTION 4. 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 5. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying revised 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 6. 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 OCT 29 2018

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of OCT 29 2018

Chief Clerk

Approved this _____ day of _____, 20___

Mayor, Baltimore City

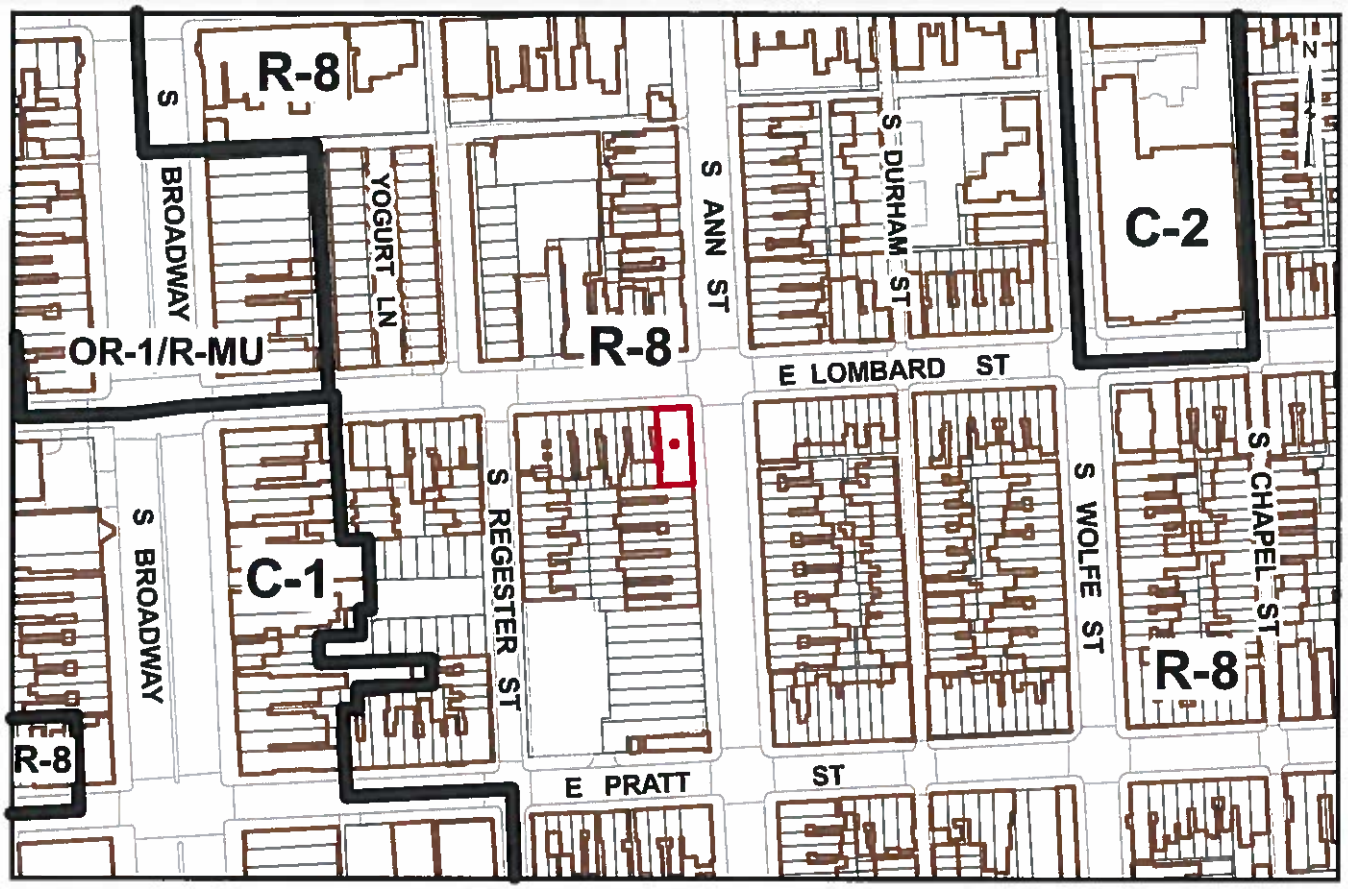
Pursuant to City Charter, Article IV, Section 5©, this bill became law on December 3, 2018 without the Mayor's signature.

Approved For Form and Legal Sufficiency
This 1st Day of November 2018

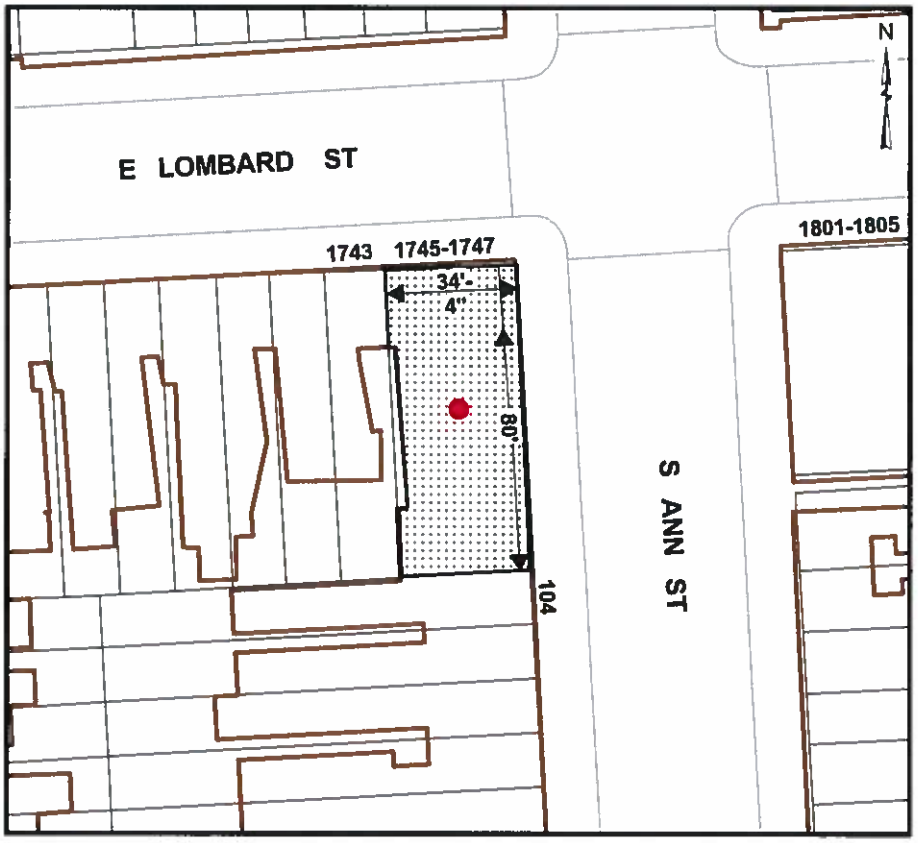
Chief Solicitor

dir18-0610-3rd/28Sep18
conduse/cb18-0256-3rd/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. 1747 EAST LOMBARD STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD	2	SECTION	3
BLOCK	1744	LOT	70

MAYOR

PRESIDENT CITY COUNCIL

RPE 4-12-18

256

APPROVED FOR FORM
STYLE, AND TEXTUAL SUFFIENCY
9-28-18
DEPT LEGISLATIVE REFERENCE

AMENDMENTS TO COUNCIL BILL 18-0256
(1st Reader Copy)

By: Land Use and Transportation Committee

Amendment No. 1

On page 1, in lines 7 and 19, and on page 2, in line 15, in each instance, before "plat", insert "revised".

ADOPTED

BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION
VOTING RECORD

DATE: September 26, 2018

BILL#: 18-0256

BILL TITLE: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1747 East Lombard Street

MOTION BY: Costello SECONDED BY: Middleton

☐ 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	7			

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

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:

City Council Bill No. 18-0256
Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1747 East Lombard 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 establishment, location, construction, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or welfare because the proposed residential use as a three-dwelling unit is appropriate for the surrounding area within the Upper Fells Point residential neighborhood.

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

There is no applicable Urban Renewal Plan where this property is located.

The first floor of the building has already received Board of Municipal Zoning Appeals approval for a Neighborhood Commercial Establishment use.

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

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.

(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 three-family

attached dwelling would allow preservation of part of Upper Fells Point traditional and historic architectural fabric while offering a more affordable housing alternative.

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, in particular the size and configuration of the existing building, is appropriate for the Bill's proposed three dwelling units, as noted under "Variances" below:

The Zoning Administrator has determined that the authorization of this bill would require the following variances:

1. Lot area – 3 dwelling units in the R-8 district would require 2,250 square feet of lot area, however only 1,650 square feet is provided. This could represent a 26.6% variance.

2. Off-street parking – two off street parking spaces would be required but none are provided.

3. Gross floor area – each unit is required to be at least 750 square feet, but none will satisfy this requirement. Rather, the units would be in the 400-500 square foot range. This would represent variances of approximately in the range of 46% to 33%.

While the lot area requirement is not satisfied, this is in part offset by the fact that the building covers 100% of the lot and as such provides a much larger gross square footage total. While no off-street parking can be provided due to the existing building covering the entire lot, the site is located in a dense walkable neighborhood that is well-served by numerous bus lines and is in close proximity to various amenities. Lastly, the configuration of the building would make a conversion with only 2 dwelling units potentially unpractical. The third floor is only on the front third of the lot, and with a stairway configuration located in the middle of the building, it would be difficult to reasonably use the upper floors for just two units. The provision of three smaller units also has the benefit of providing additional housing options at potentially lower price points for neighborhood residents.

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

Traffic patterns will not be impacted by the proposal, but no off-street parking can be provided. The Parking Authority of Baltimore City (PABC) has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC confirms that vehicle access to the rear of the property is not possible due to the lack of a connection to a wider alley or public street. A variance for off-street parking is therefore required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

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

Use as three dwelling units will not impair the present and future development of this lot or the surrounding area. This building has been used for ground-floor commercial use since as far back as the 1890's.

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

There will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering.

(5) accessibility of the premises for emergency vehicles;

There is adequate accessibility of the premises 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 to 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;

Public utilities currently serve the area and would continue to do so.

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

This building has been mixed-use since at least the 1890's and the proposed reuse will aid in its preservation.

(9) the character of the neighborhood;

Use as three dwelling units would not alter the character of the neighborhood.

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

Use as three dwelling units would be consistent with provisions of the City's Comprehensive Master Plan.

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

There is no applicable Urban Renewal Plan where this property is located.

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

This request is not inconsistent with applicable standards and requirements of the Code.

(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 - The findings listed above have been transferred from the Planning Commission's report dated July 13, 2018 and the Department of Planning's reports dated and July 12, 2018.

[X] Testimony presented at the Committee hearing

Oral – Witness Name:

- Mr. Eric Tiso, Department of Planning
- Ms. Sharon DaBoin, Department of Housing and Community Development
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Mr. Herbert Burgunder, Representative for the \Applicant.
- Mr. Lawrence Oliva, Property Owner

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

- Baltimore City Planning Commission, Agency Report) – Dated: 7/13/2018
- Department of Planning – Staff report – Dated: 7/12/2018
- Department of Transportation, Agency Report – 6/19/2018
- Parking Authority of Baltimore City, Agency Report – 7/11/2018
- Department of Housing and Community Development, Agency Report – dated 8/24/2018

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 LOT AREA, OFF-STREET PARKING AND GROSS FLOOR AREA.

City Council Bill No. 18-0256
Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances – 1747 East Lombard 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)*

While the lot area requirement is not satisfied, this is in part offset by the fact that the building covers 100% of the lot and as such provides a much larger gross square footage total. While no off-street parking can be provided due to the existing building covering the entire lot, the site is located in a dense walkable neighborhood that is well-served by numerous bus lines and is in close proximity to various amenities. Lastly, the configuration of the building would make a conversion with only 2 dwelling units potentially unpractical. The third floor is only on the front third of the lot, and with a stairway configuration located in the middle of the building, it would be difficult to reasonably use the upper floors for just two units. The provision of three smaller units also has the benefit of providing additional housing options at potentially lower price points for neighborhood residents.

(2) Unnecessary hardship or practical difficulty

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

Traffic patterns will not be impacted by the proposal, but no off-street parking can be provided. The Parking Authority of Baltimore City (PABC) has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC confirms that vehicle access to the rear of the property is not possible due to the lack of a connection to a wider alley or public street. A variance for off-street parking is therefore required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

(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 3-unit dwelling in the original property under current Code restriction, would be burdensome given the zoning requirements.

Constructing a 3-unit dwelling will allow the existing property to remain anchored into the fabric of the community and, at the same time, add alternative housing.

(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 requires one off-street parking space for each dwelling unit (Section 9-703.f.), which cannot be provided due to the existing building covering the entire lot, the site is located in a dense, walkable neighborhood that is well served by numerous bus line s and is in close proximity to various amenities.

The Parking Authority of Baltimore City is not opposed to the proposed use. The Department of Transportation and Department of Housing and Community Development supports the use.

(4) <u>Substantial justice to applicant and nearby owners</u>

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

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;

(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 3-unit dwelling will be residential and is consistent with neighboring properties.

(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. This

conditional use would benefit the Upper Fells Point communities by creating a diverse stock of housing options of a variety of shapes and sizes that can suitably accommodate neighborhood residents. The adaptive re-use of the property will provide affordable housing and allow for a more diverse variety of choices for residents hoping to move into the neighborhood.

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.

(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.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Memoranda dated July 13, 2018

[X] Testimony presented at the Committee hearing: September 26, 2018

Oral – Witness Name:

- Mr. Eric Tiso, Department of Planning Staff
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Mr. Herbert Burgunder, Representative for the Applicant
- Lawrence Oliva, Property Owner

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

- Baltimore City Planning Commission – Agency Report – Dated 7/13/18
- Department of Planning – Staff Report – Dated 7/12/18
- Department of Transportation – Agency Report – Dated 1/29/18
- Parking Authority of Baltimore City – Agency Report – Dated 2/26/18
- Department of Housing and Community Development – Agency Report – 4/27/18

LAND USE AND TRANSPORTATION COMMITTEE:

Edward Reisinger
Chairman

Robert Stokes
Member

Member

Member

Member

Member

Member

Member

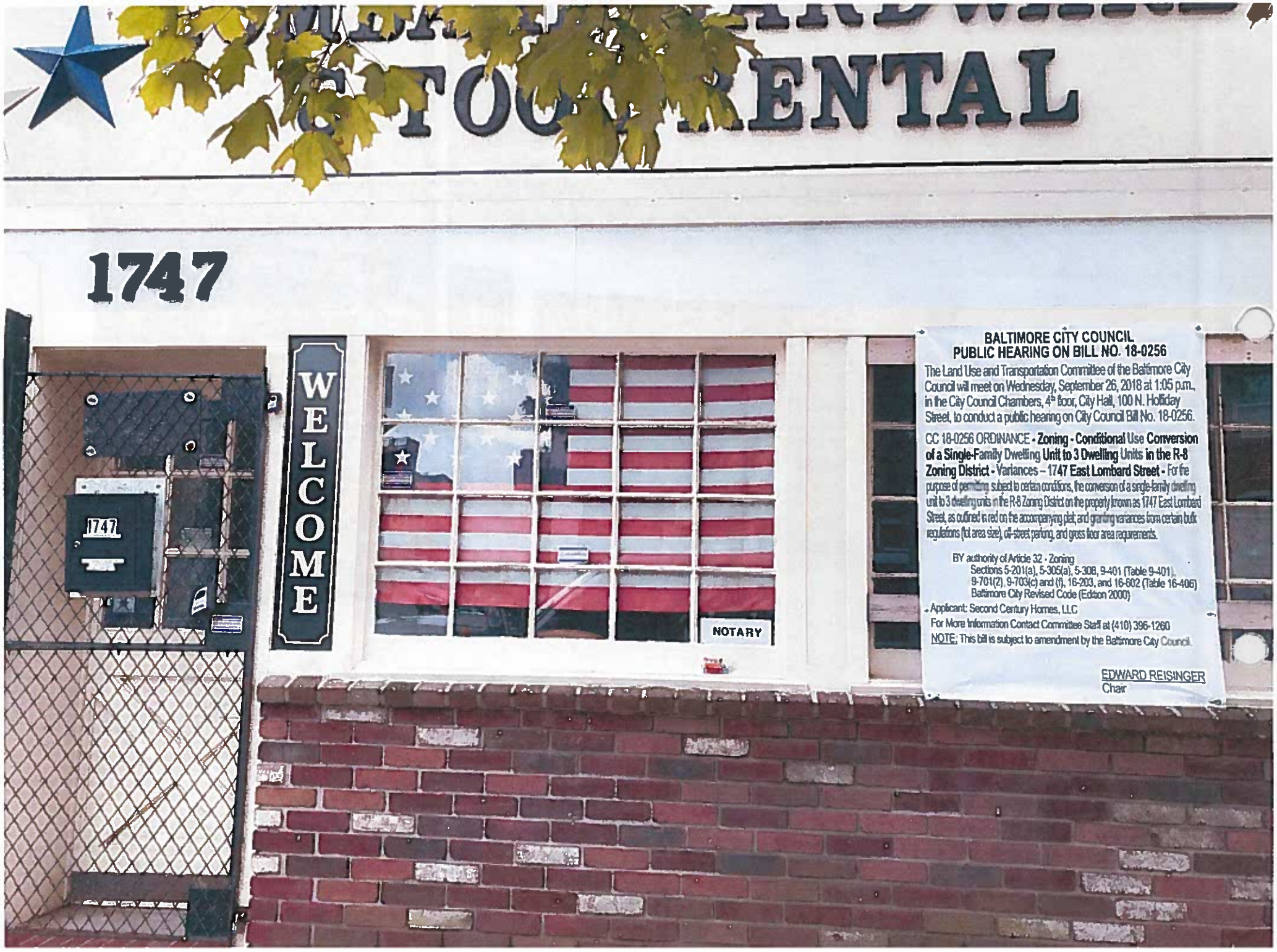
Affidavit of Posting

"**BALTIMORE CITY COUNCIL, PUBLIC HEARING ON BILL NO. 18-0256.** The Land Use and Transportation Committee of the Baltimore City Council will meet on **Wednesday, September 26, 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. 18-0256. **CC 18-0256 ORDINANCE - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street** - For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements. By authority of Article 32 – Zoning Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c) and (f), 16-203, and 16-602 (Table 16-406). Baltimore City Revised Code (Edition 2000)"

I certify that the sign was posted on the premises in question containing the above information in accordance with the instructions of the Baltimore City Planning Commission on AUG 31, 2018.

Lawrence Oliva
Signature


LOMBA
& TOOL
1747
WELCOME
BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 18-0256
The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, September 26, 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. 18-0256.
CC 18-0256 ORDINANCE - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances – 1747 East Lombard Street - For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.
BY authority of Article 32 - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c) and (f), 16-203, and 16-602 (Table 16-406) Baltimore City Revised Code (Edition 2000)
Applicant: Second Century Homes, LLC
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


TOO RENTAL
1747
1747
WELCOME
NOTARY
BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 18-0256
The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, September 26, 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. 18-0256.
CC 18-0256 ORDINANCE - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances – 1747 East Lombard Street - For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat, and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.
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Applicant: Second Century Homes, LLC
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


BARD HARDWA
& TOOL RENTAL
1747
WELCOME
1747
NOTARY
TOOLS

Coates, Jennifer

From: Coates, Jennifer
Sent: Tuesday, August 07, 2018 4:38 PM
To: 'hb3@pklaw.com'
Cc: 'Sneed, Shannon'; Austin, Natawna B.; Bishop, Ervin
Subject: Hearing on City Council Bill 18-0256
Attachments: PNI - Letter - 18-0256 - CU Conversion - Variance -1747 E. Lombard Street.docx; Sign Posting Contacts.pdf; Sample - Certificate of Posting - Attachment C.docx

Good Afternoon Mr. Burgunder, III:

Attached is the information you will need to post a public hearing sign for the subject bill to be heard by the Land Use and Transportation Committee on **September 26, 2018 at 1:05 p.m.** at City Hall in the City Council Chamber. I have also attached a contact list for sign makers and a sample certification template.

Thank you and feel free to call me if you need more information.

PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL.

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 OF COUNCIL SERVICES

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

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. Herbert Burgunder, III, Esquire; Second Century Homes, LLC

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

Date: August 7, 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. 18-0256**

Date: **Wednesday, September 26, 2018**

Time: **1:05 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. Important dates are as follows:

Sign Posting Deadline:	***September 5, 2018***
Certificate of Posting Due:	***September 21, 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, SEPTEMBER 5, 2018,** AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 18-0256

The Land Use and Transportation Committee of the Baltimore City Council will meet on **Wednesday, September 26, 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. 18-0256.

CC 18-0256 **ORDINANCE - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances – 1747 East Lombard Street** - For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements..

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

Applicant: Second Century Homes, LLC

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:

Second Century Homes, LLC
c/o Mr. Herbert Burgunder, III, Esq.
901 Dulaney Valley Road, Suite 500
Towson, MD 21204
(410) 664-6500

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.)

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 space 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*

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

TJS

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 #18-0256/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 1747 E. LOMBARD STREET	

DATE: July 13, 2018

TO

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

At its regular meeting of July 12, 2018, the Planning Commission considered City Council Bill #18-0256, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 E. Lombard Street (Block 1744, Lot 071), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment (to update the attached plat, reflecting the recent subdivision of the subject property) and approval of City Council Bill #18-0256, and adopted the following resolution, 9 members being present (9 in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-406(a) and §5-406(b) of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- would not be detrimental to or endanger the public health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest; and
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in §5-406(b) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0256 be passed by the City Council.

If you have any questions, please contact Mr. Matthew DeSantis, AICP in the Land Use and Urban Design Division at 410-396-5622.

TJS/mds

Attachment

Fav w/Amends

RECEIVED
JUL 18 2018
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Ms. Katelyn McCauley, DoT
Ms. Natawna Austin, Council Services
Mr. Ervin Bishop, Council Services
Mr. Herbert Burgunder III (owner's representative)

Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT

Thomas J. Stosur
Director

July 12, 2018

REQUEST: City Council Bill #18-0256 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

RECOMMENDATION: Amendment, and Approval with amendment

Amendment:

- Amend the accompanying plat to recognize the recent subdivision of this property from 1745 E. Lombard Street

STAFF: Matthew DeSantis, AICP

PETITIONERS: Councilmember Sneed, at the request of Herbert Burgunder III

OWNER: Second Century Homes, LLC c/o Lawrence Oliva

SITE/GENERAL AREA

Site Conditions: 1747 E. Lombard Street is located on the southwest corner of the intersection with S. Ann Street. This property measures 20' by 80' and is currently improved with a three-story mixed-use building that covers the entirety of the property. This site is zoned R-8.

General Area: This site is located in the Upper Fells Point, a principally medium-density residential neighborhood with some neighborhood commercial establishments. Most of the housing in this area was originally developed around the end of the 19th Century.

HISTORY

- On March 23, 2017, the Planning Commission approved the re-subdivision of this property from 1745 E. Lombard Street (Subdivision #2017-001)

CONFORMITY TO PLANS
If amended to authorize conversion of the single-family dwelling unit to three dwelling units, this action would be 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 as introduced would allow the petitioner to use the existing structure as three dwelling units on the second and third floors. The first floor of the building has already received BMZA approval for a Neighborhood Commercial Establishment use. Sanborn Insurance maps indicate that this building has been used for ground-floor commercial use since as far back as the 1890s.

Zoning Analysis: This property is improved with a building containing approximately 3,800 square feet of floor area. The applicant intends to renovate the building so that the first floor would be commercial in use, the second floor would house two dwelling units, and the third floor would house a third dwelling unit. The Zoning Administrator has determined that the authorization of this bill would require several variances that shall be described in a subsequent section of this report.

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

Below is the staff's review of §5-406(b) {"Required considerations"} of Article 32 – *Zoning*:

1. The nature of this site, in particular the size and configuration of the existing building, is appropriate for the Bill's proposed three dwelling units, as noted under "Variances" below;
2. Traffic patterns will not be impacted by the proposal, but no off-street parking can be provided;
3. Use as three dwelling units will not impair the present and future development of this lot or the surrounding area;
4. There will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;

5. There is adequate accessibility of the premises to emergency vehicles;
6. There is adequate light and air to the premises and to properties in the vicinity;
7. Public utilities currently serve the area and would continue to do so;
8. This building has been mixed-use since at least the 1890s and the proposed reuse will aid in its preservation;
9. Use as three dwelling units would not alter the character of the neighborhood;
10. Use as three dwelling units would be consistent with provisions of the City's Comprehensive Master Plan;
11. There is no applicable Urban Renewal Plan where this property is located;
12. This request is not inconsistent with applicable standards and requirements of the Code;
13. This request is consistent with the intent and purpose of the Code;

Variances:
The Zoning Administrator has determined that the authorization of this bill would require the following variances:

1. Lot area – 3 dwelling units in the R-8 district would require 2,250 square feet of lot area, however only 1,650 square feet is provided. This would represent a 26.6% variance.
2. Off-street parking – two off-street parking spaces would be required but none are provided.
3. Gross floor area – each unit is required to be at least 750 square feet but none will satisfy this requirement. Rather, the units would be in the 400-500 square foot range. This would represent variances of approximately in the range of 46% to 33%.

While the lot area requirement is not satisfied, this is in part offset by the fact that the building covers 100% of the lot and as such provides a much larger gross square footage total. While no off-street parking can be provided due to the existing building covering the entire lot, the site is located in a dense, walkable neighborhood that is well-served by numerous bus lines and is in close proximity to various amenities. Lastly, the configuration of the building would make a conversion with only 2 dwelling units potentially unpractical. The third floor is only on the front third of the lot, and with a stairway configuration located in the middle of the building, it would be difficult to reasonably use the upper floors for just two units. The provision of three smaller units also has the benefit of providing additional housing options at potentially lower price points for neighborhood residents.

Conclusion:
Review of this site and its possible use for three dwelling units has determined that establishment and operation of that conditional use would not be detrimental to or endanger public health, safety, or welfare, nor be precluded any Urban Renewal Plan (there being none here), nor be contrary to the public interest.

Notification: In addition to the site being properly posted in accordance with Planning Commission requirements, the Upper Fells Point Community Association, Washington Hill Community Association, Butchers Hill Association, and Councilwoman Sneed were notified of this action.

Thomas J. Stosur
Director

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

BOARD OF MUNICIPAL AND ZONING APPEALS

DEREK J. BAUMGARDNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

September 21, 2018

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

RE: CC Bill #18-0256 Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

Ladies and Gentlemen:

City Council Bill No. 18-256 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. 18-256 is to permit, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

The BMZA has reviewed the legislation and concurs with the report and recommendation of the Planning Department and the Planning Commission recommending approval of CC Bill 18-256.

Sincerely,

Derek J. Baumgardner
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 18-0256	

TO Mayor Catherine E. Pugh DATE: 6/19/18

TO: Respective City Council Land Use and Transportation Committee
FROM: Department of Transportation
POSITION: Support
RE: Council Bill – 18-0256 – Zoning – Conditional Use

INTRODUCTION – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

PURPOSE/PLANS – For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

favorable

RECEIVED
JUN 22 2018
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

AGENCY/DEPARTMENT POSITION –
The Department of Transportation **supports** City Council 18-0256

If you have any questions, please do not hesitate to contact Josh Taylor at Josh.Taylor@baltimorecity.gov, 443-984-3394

Sincerely,

Michelle Pourciau
Director

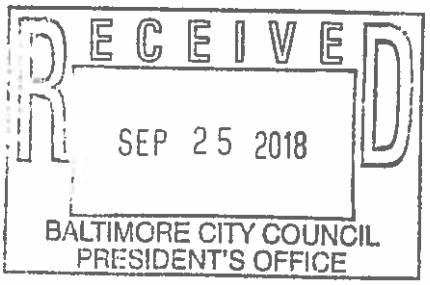
Department of Transportation
City Council Bill Response

Bill #	18-0256
Do you Support? (Y/N)	Y
Why/Why Not?	N/A
Is there a Financial Impact on your Division? If so, what is the impact?	N/A
Does the bill impact any existing programs? If so, what is the impact?	N/A
From(please include division):	ROW

CITY OF BALTIMORE
CATHERINE E. PUGH, Mayor

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

September 25, 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 18-0256 – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0256 for form and legal sufficiency. The bill permits the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street and grants variances from certain bulk regulations, off-street parking, and gross floor area requirements.

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 for gross floor area, off-street parking, and lot area size. 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.

Finally, 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. Provided appropriate amendments for the needed variances are offered and assuming the required findings are made at the hearing and all procedural requirements are satisfied, the Law Department could approve the bill for form and legal sufficiency.

Sincerely,

Ashlea Brown
Assistant Solicitor

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

Baltimore
Development Corporation

MEMORANDUM

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

FROM: William H. Cole, President and CEO

DATE: July 12, 2018

SUBJECT: City Council Bill No. 18-0256
Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

---

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0256, a bill for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

BDC supports the proposed conversion of a single-family dwelling unit into 3 dwelling units and the accompanying variances on the property known as 1747 East Lombard Street, which will allow for the creation of a small commercial enterprise within the existing structure. BDC respectfully requests that Bill No. 18-0256 be given favorable consideration by the City Council.

cc: Kyron Banks

Favorable

RECEIVED
JUL 13 2018
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

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

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 MEB

Date: August 24, 2018

Re: **City Council Bill 18-0256 Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0256, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

If enacted, this bill would allow for a large property that is 3 stories with approximately 3,800 square feet of floor area to be converted from a single-family dwelling unit to 3 dwelling units and provide affordable housing options in the neighborhood.

The Department of Housing and Community Development supports the passage of City Council Bill 18-0256.

MB:sd

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


1747 E LOMBARD ST
S REGISTER ST
E LOMBARD ST
MOUNT PLEASANT AVE
S ANN ST
codeMa
Focus Areas
Project COI
Phase 1
Phase 2
Phase 3
Phase 4
Comm De
Major Rede
Major R
Popplet
Streamline
Opportunit
CE Internal
DHCD Acqu
Demolition
Non-CC
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Intak
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TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young

FROM: Peter Little, Executive Director

DATE: July 11, 2018

RE: Council Bill 18-0256

PARKING OF BALTIMORE CITY AUTHORITY

I am herein reporting on City Council Bill 18-0256 introduced by Councilmember Sneed and Council President Young at the request of Second Century Homes, LLC.

The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 E. Lombard Street.

According to Baltimore City Code Art. 32 § 9-701(2) the R-7 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 that at least 1 off-street parking space must be provided for each dwelling unit. This proposed legislation requests a variance for the off-street parking requirement.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. This property is not located on a block where the PABC administers on-street parking programs. Multiple site visits were conducted during July. The PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC confirms that vehicle access to the rear of the property is not possible due to the lack of a connection to a wider alley or public street. A variance for off-street parking is therefore required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, the Parking Authority of Baltimore City does not oppose the passage of City Council Bill 18-0256.

Not opposed

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 #18-0256 Response to Zoning-Conditional Use Conversion of a Single-Family Dwelling Unit to 3Dwelling Unit in the R-8 Zoning District-Variances 1747 East Lombard Street	

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

DATE: **June 11, 2018**

For the purpose of permitting, subject to certain conditions, the conversation of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

The Fire Department does not object to City Council Bill 18-0256 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.

RECEIVED
JUN 15 2018
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

No obj

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, September 26, 2018 | **1:05 PM** | **Du Burns Council Chamber, 4th floor, City Hall**

18-0256

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 7 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Eric T. Costello, Member Ryan Dorsey, Member Leon F. Pinkett III, and Member Robert Stokes Sr.

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0256 **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1747 East Lombard Street**

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

Sponsors: Shannon Sneed, President Young

A motion was made by Member Costello, seconded by Member Middleton, that this bill be recommended favorably with amendments. The motion carried by the following vote:

Yes: 7 - Member Reisinger, Member Middleton, Member Clarke, Member Costello, Member Dorsey, Member Pinkett III, and Member Stokes Sr.

ADJOURNMENT

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: 18-0256

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1747 East Lombard Street

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

Hearing Date: September 26, 2018
Time (Beginning): 1:30 PM
Time (Ending): 1:45 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~20
Committee Members in Attendance:
Reisinger, Edward, Chairman
Middleton, Sharon, Vice Chair
Clarke, Mary Pat
Costello, Eric
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 Eric Costello
Seconded by: Councilmember Sharon Middleton, Vice Chair
Final Vote: Favorable/Amend

Major Speakers

(This is not an attendance record.)

- Ms. Eric Tiso, Department of Planning
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Ms. Ashlea Brown, Department of Law
- Ms. Sharon DaBoin, Department of Housing and Community Development
- Mr. Herbert Burgunder, representative for the applicant
- Mr. Lawrence Oliva, Owner of the Property

Major Issues Discussed

1. Mr. Eric Tiso presented the Planning Commission report and provided information from the Department of Planning's staff report. He provided background information about the property. He provided findings of fact for the conditional use and variances. He also presented an amendment to reflect a revised plat for the property.
2. Agency reports were read. Agency representatives testified in support of their respective agency's position on the bill.
3. Mr. Herbert Burgunder testified in support of the bill and explained the subdivision of the property from the next door property at 1745 E. Lombard Street. He also explained the rationale for the smaller units based on the design of the structure and the need for affordable housing.
4. Mr. Lawrence Oliva, the owner, testified in support of the bill and explained his desire to construct affordable housing.
5. The committee discussed the bill.
6. The committee approved finding of facts and amendments for the bill.
7. The committee voted to recommend the bill favorable with amendments.
8. 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 ..... **Yea**
Dorsey, Ryan ..... **Yea**
Pinkett, Leon ..... **Yea**

Stokes, Robert:.....**Yea**

Jennifer L. Coates, Committee Staff

Date: September 27, 2018

cc: Bill File
OCS Chrono File

CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation		**Chairperson: Edward Reisinger**
Date: September 26, 2018	**Time: 1:05 PM**	**Place: Clarence "Du" Burns Chambers**
Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1747 East Lombard Street		**CC Bill Number: 18-0256**

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	√	√	√	√	√
Herbert	Burgunder		PK Law		hb3@pklaw.com	✓	✓			✓
Mica	Fetz		BDC		mfetz@baltimoredevelopment.com					
Sherrin	Dolan		HCD							
Lawrence	OLIVA		owner			✓	✓			✓

(*) 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, September 26, 2018 | **1:05 PM** | **Du Burns Council Chamber, 4th floor, City Hall**

18-0256

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0256 **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1747 East Lombard Street**

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

Sponsors: Shannon Sneed, President Young

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, September 26, 2018
1:05 PM

City Council Bill # 18-0256

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1747 East Lombard 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 18-0256

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 1747 East Lombard Street

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Sponsor: *Councilmember Sneed*
Introduced: *June 4, 2018*

Purpose:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

Effective: 30th day after the date of enactment

Hearing Date/Time/Location: October 17, 2018 /1:05 p.m./Clarence "Du" Burns Chambers

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Agency Reports

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

Analysis

Current Law

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

Background

If approved, Bill 18-0256 will authorize a conditional use conversion of a single-family dwelling unit to three dwelling units at the property located at 1747 Lombard Street. The bill would also grant variances from:

- certain bulk regulations (lot area size)
- off-street parking and
- gross floor area requirements.

The Zoning Administrator has determined that the variances are needed.

Second Century Homes, LLC is the owner of the property. The property is zoned R-8 and is situated in the Upper Fells Point neighborhood. The property was subdivided from 1745 E. Lombard Street on March 23, 2017. Situated on the southwest corner of the intersection at S. Ann Street, the property is surrounded by residential properties.

The end-of-row property measures approximately 20' x 80'and is currently improved with a three-story store mixed-use building that covers the entire property. The building contains approximately 3,800 square feet of floor area.

The applicant intends to renovate the building as follows:

- First floor - commercial use
- Second Floor – two dwelling units
- Third Floor – one dwelling unit

The applicant's request for the conditional use conversion and variance 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.

Variance - Lot Area

In the R-8 Zoning District, 1,500 feet of lot area is required for one dwelling unit. Bill 18-0269 requires a lot area of 2,250 square feet for three dwelling units. The lot area, however, is only 1,650 feet, requiring an additional 600 feet. Bill 18-0256 requests a 26.6% variance for the lot area. While the area requirement is not satisfied, this is in part offset by the fact that the building covers 100% of the lot and as such provides a much larger gross square footage total.

Variance – Off-street Parking

Two off-street parking spaces are required, but none are provided. While no off-street parking can be provided due to the existing building covering the entire lot, the site is located in a dense, walkable neighborhood that is well-served by numerous bus lines and is in close proximity to various amenities.

Variance – Gross Floor Area

Each unit is required to be at least 750 square feet. The dwelling units will not satisfy this requirement, but would be in the 400 – 500 square foot range requiring a variance of approximately 33% to 46 %. The configuration of the building would make a conversion with only 2 dwelling units potentially unpractical. The third floor is only on the front third of the lot and with a stairway configuration located in the middle of the building, it would be difficulty to reasonably use the upper floors for just two units. The provision of three smaller units also has the benefit of providing additional housing options at potentially lower price points for neighborhood residents.

Additional Information

Fiscal Note: Not Available

Information Source(s): Zoning Administrator and Agency Reports

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Analysis by: Jennifer L. Coates JLC Direct Inquiries to: (410) 396-1260
Analysis Date: September 19, 2018

CITY OF BALTIMORE
COUNCIL BILL 18-0256
(First Reader)

Introduced by: Councilmember Sneed, Presient Young
At the request of: Second Century Homes, LLC
Address: c/o Herbert Burgunder, III, Esquire, 901 Dulaney Valley Road, Suite 500, Towson, Maryland 21204
Telephone: 410-664-6500
Introduced and read first time: June 4, 2018
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 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

BY authority of
Article 32 - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c) and (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 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, 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.

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

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 § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk ad Yard Regulations), as a lot area of 2,250 square feet is required for 3 dwelling units and the lot is only 1,600 square feet.

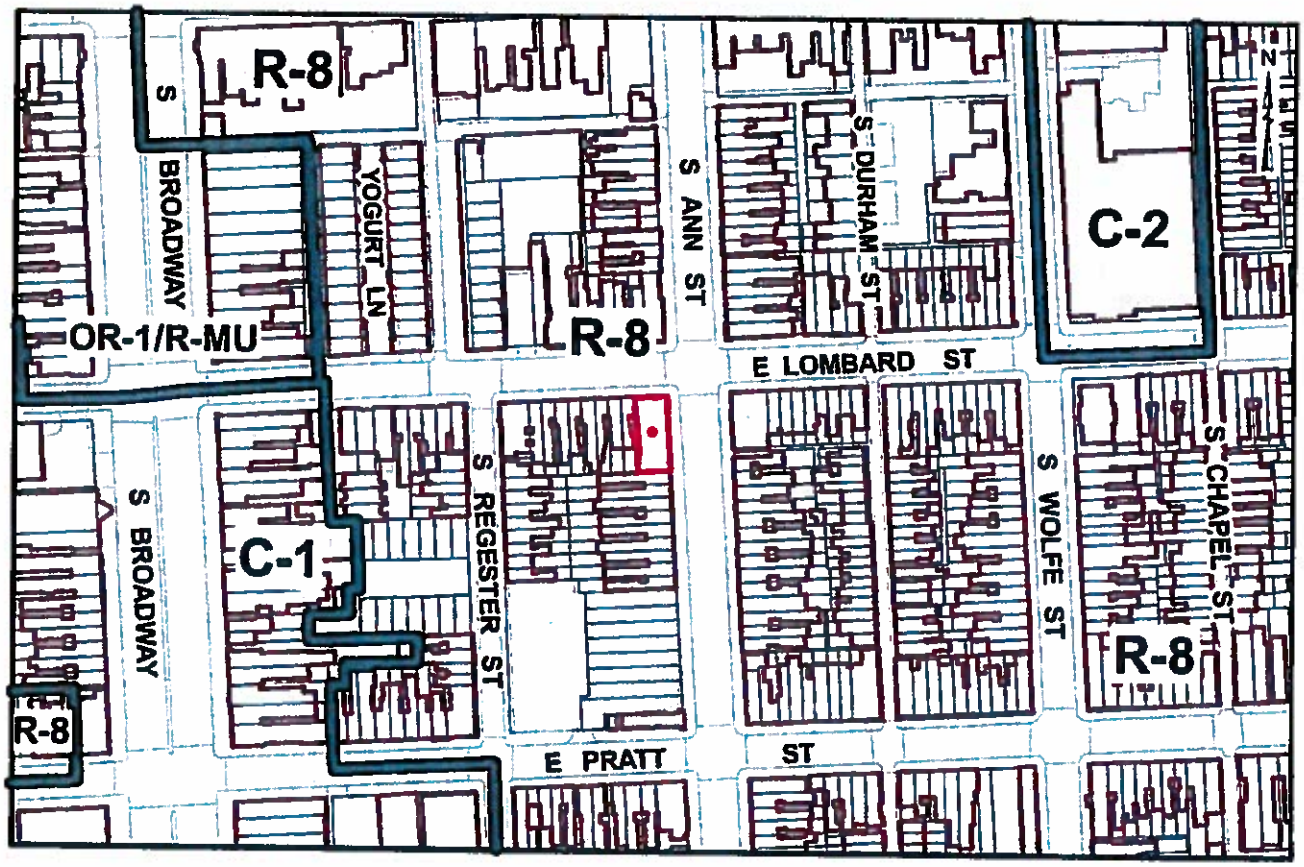
SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of § 9-703(c) for gross floor area per unit type, as each of the 3 units would be less than 750 square feet, which is the required gross floor area for a 1-bedroom unit.

SECTION 4. 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).

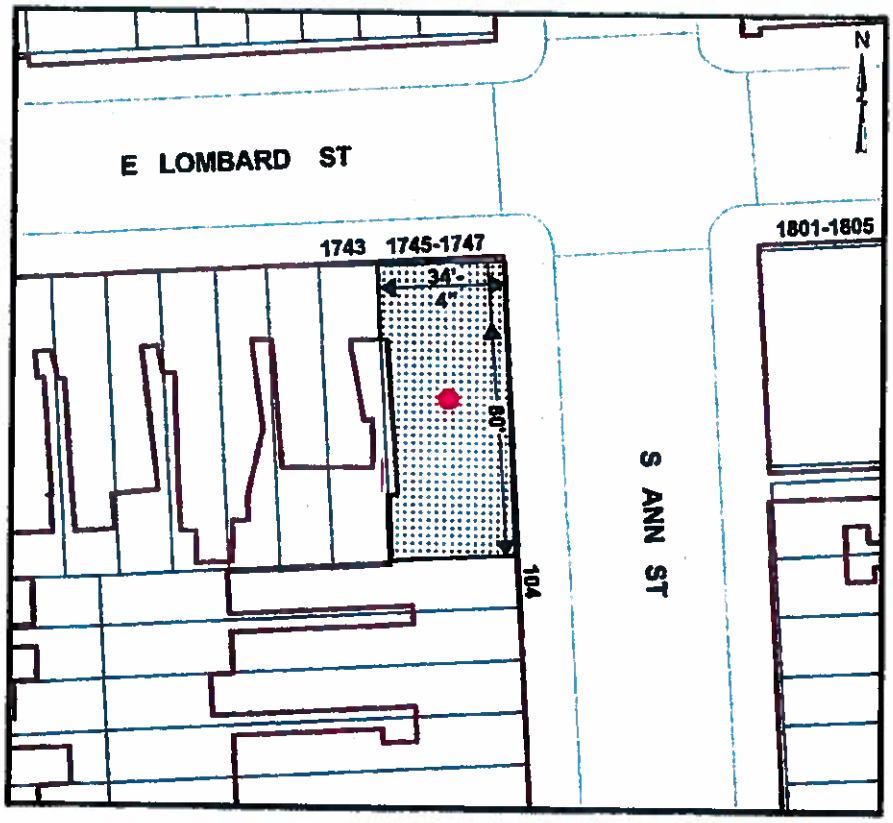
SECTION 5. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when 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 6. 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'



Note:

In Connection With The Property Known As No. 1747 EAST LOMBARD STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 2 SECTION 3

BLOCK 1744 LOT 70

MAYOR

PRESIDENT CITY COUNCIL

RPE 4-12-18

Scale: 1" = 50'

256

LAND USE AND TRANSPORTATION COMMITTEE

BILL 18-0256

AGENCY REPORTS

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

TJS

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 #18-0256/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 1747 E. LOMBARD STREET		

TO

DATE: July 13, 2018

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

At its regular meeting of July 12, 2018, the Planning Commission considered City Council Bill #18-0256, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 E. Lombard Street (Block 1744, Lot 071), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment (to update the attached plat, reflecting the recent subdivision of the subject property) and approval of City Council Bill #18-0256, and adopted the following resolution, 9 members being present (9 in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-406(a) and §5-406(b) of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- would not be detrimental to or endanger the public health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest; and
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in §5-406(b) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0256 be passed by the City Council.

If you have any questions, please contact Mr. Matthew DeSantis, AICP in the Land Use and Urban Design Division at 410-396-5622.

TJS/mds

Attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Ms. Katelyn McCauley, DoT
Ms. Natawna Austin, Council Services
Mr. Ervin Bishop, Council Services
Mr. Herbert Burgunder III (owner's representative)

Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT

Thomas J. Stosur
Director

July 12, 2018

REQUEST: City Council Bill #18-0256 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

RECOMMENDATION: Amendment, and Approval with amendment

Amendment:

- Amend the accompanying plat to recognize the recent subdivision of this property from 1745 E. Lombard Street

STAFF: Matthew DeSantis, AICP

PETITIONERS: Councilmember Sneed, at the request of Herbert Burgunder III

OWNER: Second Century Homes, LLC c/o Lawrence Oliva

SITE/GENERAL AREA

Site Conditions: 1747 E. Lombard Street is located on the southwest corner of the intersection with S. Ann Street. This property measures 20' by 80' and is currently improved with a three-story mixed-use building that covers the entirety of the property. This site is zoned R-8.

General Area: This site is located in the Upper Fells Point, a principally medium-density residential neighborhood with some neighborhood commercial establishments. Most of the housing in this area was originally developed around the end of the 19th Century.

HISTORY

- On March 23, 2017, the Planning Commission approved the re-subdivision of this property from 1745 E. Lombard Street (Subdivision #2017-001)

CONFORMITY TO PLANS

If amended to authorize conversion of the single-family dwelling unit to three dwelling units, this action would be 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 as introduced would allow the petitioner to use the existing structure as three dwelling units on the second and third floors. The first floor of the building has already received BMZA approval for a Neighborhood Commercial Establishment use. Sanborn Insurance maps indicate that this building has been used for ground-floor commercial use since as far back as the 1890s.

Zoning Analysis: This property is improved with a building containing approximately 3,800 square feet of floor area. The applicant intends to renovate the building so that the first floor would be commercial in use, the second floor would house two dwelling units, and the third floor would house a third dwelling unit. The Zoning Administrator has determined that the authorization of this bill would require several variances that shall be described in a subsequent section of this report.

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

Below is the staff's review of §5-406(b) {"Required considerations"} of Article 32 – *Zoning*:

1. The nature of this site, in particular the size and configuration of the existing building, is appropriate for the Bill's proposed three dwelling units, as noted under "Variances" below;
2. Traffic patterns will not be impacted by the proposal, but no off-street parking can be provided;
3. Use as three dwelling units will not impair the present and future development of this lot or the surrounding area;
4. There will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;

5. There is adequate accessibility of the premises to emergency vehicles;
6. There is adequate light and air to the premises and to properties in the vicinity;
7. Public utilities currently serve the area and would continue to do so;
8. This building has been mixed-use since at least the 1890s and the proposed reuse will aid in its preservation;
9. Use as three dwelling units would not alter the character of the neighborhood;
10. Use as three dwelling units would be consistent with provisions of the City's Comprehensive Master Plan;
11. There is no applicable Urban Renewal Plan where this property is located;
12. This request is not inconsistent with applicable standards and requirements of the Code;
13. This request is consistent with the intent and purpose of the Code;

Variances:
The Zoning Administrator has determined that the authorization of this bill would require the following variances:

1. Lot area – 3 dwelling units in the R-8 district would require 2,250 square feet of lot area, however only 1,650 square feet is provided. This would represent a 26.6% variance.
2. Off-street parking – two off-street parking spaces would be required but none are provided.
3. Gross floor area – each unit is required to be at least 750 square feet but none will satisfy this requirement. Rather, the units would be in the 400-500 square foot range. This would represent variances of approximately in the range of 46% to 33%.

While the lot area requirement is not satisfied, this is in part offset by the fact that the building covers 100% of the lot and as such provides a much larger gross square footage total. While no off-street parking can be provided due to the existing building covering the entire lot, the site is located in a dense, walkable neighborhood that is well-served by numerous bus lines and is in close proximity to various amenities. Lastly, the configuration of the building would make a conversion with only 2 dwelling units potentially unpractical. The third floor is only on the front third of the lot, and with a stairway configuration located in the middle of the building, it would be difficult to reasonably use the upper floors for just two units. The provision of three smaller units also has the benefit of providing additional housing options at potentially lower price points for neighborhood residents.

Conclusion:
Review of this site and its possible use for three dwelling units has determined that establishment and operation of that conditional use would not be detrimental to or endanger public health, safety, or welfare, nor be precluded any Urban Renewal Plan (there being none here), nor be contrary to the public interest.

Notification: In addition to the site being properly posted in accordance with Planning Commission requirements, the Upper Fells Point Community Association, Washington Hill Community Association, Butchers Hill Association, and Councilwoman Sneed were notified of this action.

Thomas J. Stosur
Director

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 18-0256	

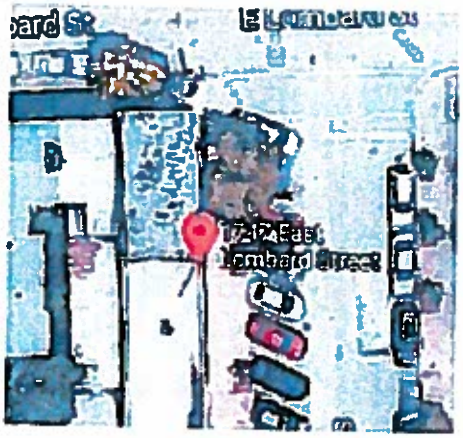
TO Mayor Catherine E. Pugh

DATE: 6/19/18

TO: Respective City Council Land Use and Transportation Committee
FROM: Department of Transportation
POSITION: Support
RE: Council Bill – 18-0256 – Zoning – Conditional Use

INTRODUCTION – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

PURPOSE/PLANS – For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.



AGENCY/DEPARTMENT POSITION –
The Department of Transportation **supports** City Council 18-0256

If you have any questions, please do not hesitate to contact Josh Taylor at Josh.Taylor@baltimorecity.gov, 443-984-3394

Sincerely,

Michelle Pourciau
Director

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 MEB

Date: August 24, 2018

Re: **City Council Bill 18-0256 Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0256, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

If enacted, this bill would allow for a large property that is 3 stories with approximately 3,800 square feet of floor area to be converted from a single-family dwelling unit to 3 dwelling units and provide affordable housing options in the neighborhood.

The Department of Housing and Community Development supports the passage of City Council Bill 18-0256.

MB:sd

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

MEMORANDUM

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

FROM: William H. Cole, President and CEO

DATE: July 12, 2018

SUBJECT: City Council Bill No. 18-0256
Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

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The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0256, a bill for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

BDC supports the proposed conversion of a single-family dwelling unit into 3 dwelling units and the accompanying variances on the property known as 1747 East Lombard Street, which will allow for the creation of a small commercial enterprise within the existing structure. BDC respectfully requests that Bill No. 18-0256 be given favorable consideration by the City Council.

cc: Kyron Banks

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

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young

FROM: Peter Little, Executive Director

DATE: July 11, 2018

RE: Council Bill 18-0256

PARKING OF BALTIMORE CITY AUTHORITY

I am herein reporting on City Council Bill 18-0256 introduced by Councilmember Sneed and Council President Young at the request of Second Century Homes, LLC.

The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 E. Lombard Street.

According to Baltimore City Code Art. 32 § 9-701(2) the R-7 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 that at least 1 off-street parking space must be provided for each dwelling unit. This proposed legislation requests a variance for the off-street parking requirement.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. This property is not located on a block where the PABC administers on-street parking programs. Multiple site visits were conducted during July. The PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC confirms that vehicle access to the rear of the property is not possible due to the lack of a connection to a wider alley or public street. A variance for off-street parking is therefore required, and the PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, the Parking Authority of Baltimore City does not oppose the passage of City Council Bill 18-0256.

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 #18-0256 Response to Zoning-Conditional Use Conversion of a Single-Family Dwelling Unit to 3Dwelling Unit in the R-8 Zoning District-Variances 1747 East Lombard Street	

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

DATE **June 11, 2018**

For the purpose of permitting, subject to certain conditions, the conversation of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

The Fire Department does not object to City Council Bill 18-0256 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.

LAND USE AND TRANSPORTATION COMMITTEE

BILL 18-0256

Proposed Amendments

- Planning Commission – July 13, 2018

 DLR DRAFT I 23AUG18

AMENDMENTS TO COUNCIL BILL 18-0256
(1st Reader Copy)

By: Department of Planning
{To be offered to the Land Use and Transportation Committee}

Amendment No. 1

On page 1, in lines 7 and 19, and on page 2, in line 15, in each instance, before "plat", insert "revised".

CITY OF BALTIMORE
COUNCIL BILL 18-0256
(First Reader)

Introduced by: Councilmember Sneed, President Young
At the request of: Second Century Homes, LLC
Address: c/o Herbert Burgunder, III, Esquire, 901 Dulaney Valley Road, Suite 500, Towson, Maryland 21204
Telephone: 410-664-6500
Introduced and read first time: June 4, 2018
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 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

BY authority of
Article 32 - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), 9-703(c) and (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 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, 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.

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

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 § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk ad Yard Regulations), as a lot area of 2,250 square feet is required for 3 dwelling units and the lot is only 1,600 square feet.

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(c) for gross floor area per unit type, as each of the 3 units would be less than 750 square feet, which is the required gross floor area for a 1-bedroom unit.

SECTION 4. 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 5. 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 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL ____

APPROVED FOR FORM
STYLE, AND TEXTUAL SUFFIENCY
5-29-18
DEP'T LEGISLATIVE REFERENCE

Introduced by: Councilmember Sneed
At the request of: Second Century Homes, LLC
Address: c/o Herbert Burgunder, III, Esquire, 901 Dulaney Valley Road, Suite 500, Towson, Maryland 21204
Telephone: 410-664-6500

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 1747 East Lombard Street

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 1747 East Lombard Street, as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size), off-street parking, and gross floor area requirements.

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SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

STATEMENT OF INTENT

FOR

1747 East Lombard Street, Baltimore, Maryland 21231
{Address}

1. **Applicant's Contact Information:**
   Name: Herbert Burgunder III, Esquire
   Mailing Address: 901 Dulaney Valley Road, Suite 500, Towson, Maryland 21204

   Telephone Number: 410-664-6500
   Email Address: hb3@pklaw.com

2. **All Proposed Zoning Changes for the Property:** Applicant is not proposing to change the zoning for the property. Applicant is continuing to use the property for uses approved in the B-1 district. Applicant seeks a conditional use conversion pursuant to Zoning Code 5-101 et seq., 5-401 et seq., and 5-501 et seq. to convert a portion of 1747 East Lombard Street into three efficiency units, with the first floor used as retail and office space. Please see the attached Resolution, Appeal Number 2017-004, for approvals.

3. **All Intended Uses of the Property:** We intend to use the first floor as retail and office space and the upper levels as a multi-family attached dwelling with 3 efficiency units.

4. **Current Owner's Contact Information:**
   Name: Second Century Homes, LLC c/o Lawrence Oliva
   Mailing Address: 1752 East Lombard Street, Apartment 2, Baltimore, Maryland 21231

   Telephone Number: 410-844-2669
   Email Address: loliva@secondcenturyhomes.com

5. **Property Acquisition:**

   The property was acquired by the current owner on May 18, 2017 by deed recorded in the Land Records of Baltimore City in Liber 19998 Folio 323.

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 _x_ is not ____ 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}*: Lawrence Oliva and Second Century Homes, LLC.

AFFIDAVIT

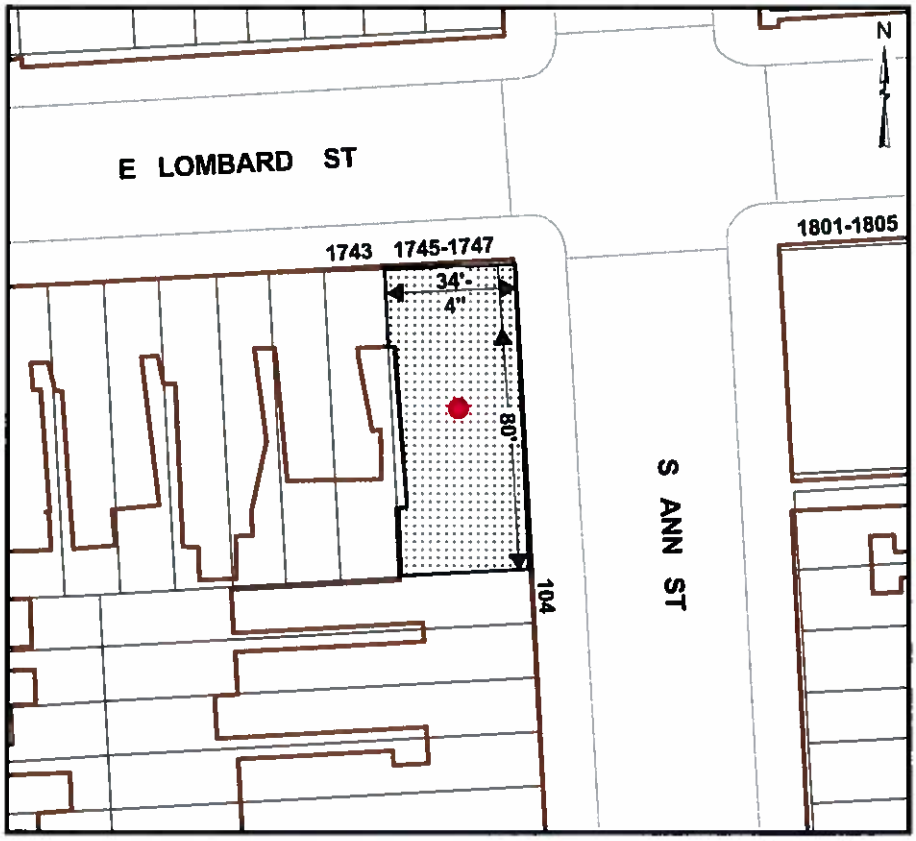
I, Herbert Burgunder III, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

Applicant's signature

5/24/18
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. 1747 EAST LOMBARD STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 2 SECTION 3

BLOCK 1744 LOT 70

MAYOR

PRESIDENT CITY COUNCIL

RPE 4-12-18

ACTION BY THE CITY COUNCIL

FIRST READING (INTRODUCTION) JUN 04 2018 20 ____

PUBLIC HEARING HELD ON September 26, 20 18

COMMITTEE REPORT AS OF October 15, 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:

OCT 15 2018 20 ____

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

THIRD READING OCT 29 2018 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