
CITY OF BALTIMORE
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June 16, 2023

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

Re: City Council Bill 23-0366– Zoning – Conditional Use of a Single-Family Dwelling Unit
to 2 Dwelling Units in the R-8 Zoning District – 2001 Boone Street

Dear President and City Council Members:

The Law Department reviewed City Council Bill 23-0366 for form and legal sufficiency. The bill would permit the conversion, subject to certain conditions, of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning district on the property known as 2001 Boone Street (Block 4017, Lot 048), and providing that the bill will take effect on the date it is enacted.

Conditional Use Standards

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, Art. 32, § 9-701(2). To approve a conditional use, the City Council must find:

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.

Baltimore City Code, Art. 32, § 5-406(b). In making these findings, the City Council must be guided by 14 “considerations” involving things such 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 and loading.” Baltimore City Code, Art. 32, § 5-406(a).

The Planning Staff Report recommends approval of the conversion of the property to two dwelling units. The Planning Commission (by Resolution on June 8, 2023) adopted the findings of fact and equity findings from the Staff Report, and recommended approval of Council Bill 23-0366.

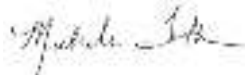
The Staff Report provides an analysis of the facts supporting the conditional use approval standards and required considerations for the requested conversion. The Staff Report also finds that no variances are necessary for lot area, off-street parking, or gross floor area, and no amendments are recommended to Council Bill 23-0366. Finally, the Staff Report contains an analysis of the equity considerations relating to the proposed conversion of this dwelling to two units.

Hearing Requirements

Certain procedural requirements apply to this bill beyond those discussed above because both conditional uses and variances are considered “legislative authorizations.” Baltimore City Code, 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 a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506, 5-602. Finally, certain limitations on the City Council’s ability to amend the bill apply. Baltimore City Code, Art. 32, § 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 a conditional use has been met. Assuming the required findings are made at the hearing and all procedural requirements are satisfied, the Law Department can approve the bill for form and legal sufficiency.

Sincerely,



Michele Toth
Special Solicitor

cc: Ebony Thompson
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Tiffany Maclin
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