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**CITY OF BALTIMORE**

**BRANDON M. SCOTT,**  
Mayor



**DEPARTMENT OF LAW**  
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November 21, 2025

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

Re: City Council Bill 25-0098 – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – 227 South Washington Street

Dear President and City Council Members:

The Law Department reviewed City Council Bill 25-0098 for form and legal sufficiency. The bill would permit, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units on the property known as 227 South Washington Street (Block 1756, Lot 077). The ordinance would take effect on the date of its enactment.

#### 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 fourteen “considerations” involving 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.” Baltimore City Code, Art. 32, § 5-406(a).

## Planning Commission Recommendations

The Planning Commission accepted the Planning Staff recommendation and recommended approval of this bill. The subject property is located in the Upper Fells Point neighborhood approximately a quarter mile from Patterson Park. Surrounding blocks are primarily rowhouse dwellings zoned R-8. The Staff Report notes that the property is not located within an Urban Renewal Plan area or CHAP district. The Report also notes that no variances are required for approval.

Under the City's current Comprehensive Master Plan the subject property is designated in the General Land Use Plan as "residential: higher density." The Staff Report notes that the proposed development conforms to that designation. The Staff Report further notes that adding an additional dwelling unit to the existing structure is unlikely to impact existing traffic patterns. The alterations to the structure are limited to the interior and will not impact the character of the neighborhood. The site remains accessible to emergency vehicles and "no impact on light and air to adjacent properties is anticipated." Lastly, "[t]he project contributes to housing choice and affordability by providing an additional unit without altering the exterior of the building or impacting neighborhood character." An equity analysis is included in the Staff Report.

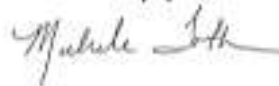
The Statement of Intent filed by the applicant incorrectly states that the subject property is in the C-1 zoning district. The Zoning Administrator's Opinion notes that the property is in the R-8 zoning district. The Zoning Administrator's Opinion states that the subject property meets minimum lot area requirements, and that it is exempt from off-street parking requirements. City Code Art. 32, Zoning TBL. 9-401, § 16-601(b)(1).

### Hearing Requirements

Certain procedural requirements apply to this bill beyond those discussed above because an ordinance that authorizes a conditional use is considered a "legislative authorization." Baltimore City Code, Art. 32, § 5-501(2)(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 yours,



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