


<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>TJS</i>	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CCB #14-0440 / Zoning – Conditional Use Conversion of a 1-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District – Variance – 1314 West Lombard Street		

**TO**

DATE: October 17, 2014

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

At its regular meeting of October 16, 2014, the Planning Commission considered City Council Bill #14-0440, for the purpose of permitting, subject to certain conditions, the conversion of a 1-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 1314 West Lombard Street, as outlined in red on the accompanying plat; and granting a variance from an off-street parking requirement.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #14-0440 and adopted the following resolution; eight members being present (eight in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #14-0440 be amended and passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Ms. Kaliope Parthemos, Chief of Staff  
 Mr. Colin Tarbert, Deputy Mayor  
 Mr. Leon Pinkett, Assistant Deputy Mayor for Economic and Neighborhood Development  
 Ms. Angela Gibson, Mayor's Office  
 The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission  
 Mr. David Tanner, BMZA  
 Mr. Geoffrey Veale, Zoning Administration  
 Ms. Sharon Daboin, DHCD  
 Ms. Barbara Zektick, DOT  
 Ms. Elena DiPietro, Law Dept.  
 Ms. Natawna Austin, Council Services  
 Mr. Mahmood Ahmadzai, Owner



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

**October 16, 2014**

**REQUEST:** City Council Bill #14-0440/ Zoning – Conditional Use Conversion of a 1-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District – Variance – 1314 West Lombard Street

For the purpose of permitting, subject to certain conditions, the conversion of a 1-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 1314 West Lombard Street, as outlined in red on the accompanying plat; and granting a variance from an off-street parking requirement.

**RECOMMENDATION:** Amend and Approve

Amendment: Delete Section 2 of the bill (which grants a parking variance).

**STAFF:** Martin French

**PETITIONER(S):** Councilmember William "Pete" Welch, at the request of Mahmood Ahmadzai

**OWNER:** Mahmood Ahmadzai

#### **SITE/GENERAL AREA**

Site Conditions: This property is located in the Union Square Historic District. 1314 West Lombard Street is approximately 16'6" by 134' (Block 232, Lot #37), is currently improved with an attached dwelling measuring approximately 16'6" by 54', and is approximately 106'6" west of the intersection with Carey Street. The site is zoned R-8.

General Area: This is a predominantly residential area, with scattered uses such as religious institutions, schools, and small warehouses or commercial uses. Two blocks to the west lie the fully restored rows of houses surrounding the historic Union Square gazebo and park. Five blocks to the southeast is the B & O Railroad Roundhouse and Museum, and five blocks to the south is Carroll Park, a major Baltimore City recreation amenity.

#### **HISTORY**

This property is located in the Union Square Historic District established by Ordinance 821 on June 2, 1970 and expanded by Ordinance 580 on November 17, 1977. The Union Square

Historic District was certified to the National Register of Historic Places on September 15, 1983. (The structure on this property dates from 1858.)

### **CONFORMITY TO PLANS**

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents; and Objective 2: Strategically Redevelop Vacant Properties Throughout the City.

### **ANALYSIS**

Project: This legislation would permit the petitioner to renovate the existing structure into two dwelling units, providing a new life for this original building. This adaptive re-use as a two-family dwelling would allow preservation of part of Baltimore’s historic architectural fabric while offering more affordable housing alternatives to persons living within the Southwest Baltimore area.

Zoning Analysis: The Zoning Code requires, for a property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §4-1106). A lot area of 1,500 square feet is required for two dwelling units; this lot has 2,211 square feet. One off-street parking space is required to serve the newly-created dwelling unit. The existing house occupies less than half of the lot, and since the property is bordered on its north or rear lot line by Boyd Street, a parking variance is not needed in order to waive this requirement if the existing garage on Boyd Street is used to provide parking. The maximum lot coverage permitted in the R-8 district is 60%. The existing structure covers approximately 40% of the lot.

This property, due to extended vacancy, has reverted to single-family dwelling status under the Zoning Code. This bill would encourage re-use of what has become a blighting structure that has been subject to foreclosure proceedings.

Variances: §15-101(2) of the Zoning Code provides that variances may be granted as part of an ordinance authorizing a conditional use, by the Mayor and City Council. Staff recommends that the City Council amend this bill to delete the off-street parking variance. Two-family use of the property will not create any new or increased impacts on the surrounding neighborhood. The width of the lot, and its rear access via Boyd Street, allow off-street parking to be provided on site. Planning staff conferred with the applicant and confirmed that the applicant is willing and able to provide the off-street parking in the existing garage.

Conditional Use – Required findings: In accordance with §16-304 of 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 14 {“Conditional Uses”} of the Zoning Code:

1. the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;

2. the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization is not otherwise in any way contrary to the public interest; and
4. the authorization is in harmony with the purpose and intent of this article (§ 14-204).

The proposed use as a 2-family dwelling would be consistent with residential use in the area; would not be detrimental to or endanger public health, security, general welfare, or morals; and would enable constructive re-use of a vacant structure that still retains some historic integrity as a contributing structure in one of Baltimore's most important historic districts.

Community Notification: Staff notified Communities Organized to Improve Life (COIL), Hollins Roundhouse Association, Operation Reach Out Southwest (OROSW), and the Union Square Association of this matter.



**Thomas J. Stosur**  
**Director**