
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
EBONY M. THOMPSON,
CITY SOLICITOR
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SUITE 101, CITY HALL
BALTIMORE, MD 21202

February 19, 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 25-0016 – Zoning Code – Minor Variances – Modifications

Dear President Cohen, Vice President Middleton, and Members of the Council:

The Law Department reviewed City Council Bill 25-0016 for form and legal sufficiency. The bill amends provisions of the Baltimore City Zoning Code relating to minor variances. Specifically, the bill redefines what constitutes a minor variance and provides that the Board of Municipal and Zoning Appeals may also grant a minor variance. The bill would take effect on the date it is enacted.

The bill would amend the text of the City Zoning Code found in Article 32 of the Code. Title 5 of the Zoning Code is applicable to text amendments. A member of the City Council may introduce an ordinance to approve or authorize a text amendment to the Zoning Code. Art. 32, § 5-201(a). An amendment to the Zoning Code is a legislative authorization. Art. 32, § 5-501. The bill must be referred to the required agencies for written reports. Art. 32, § 5-504. The Planning Commission must consider the bill in a public hearing. Art. 32, § 5-506. The City Council must also consider the bill at a public committee hearing. Art. 32, § 5-507. The standards that must be considered for text amendments by both the Planning Commission and the City Council are set out in Section 5-508(c) of Article 32 as follows:

- (1) the amendment's consistency with the City's Comprehensive Master Plan;
- (2) whether the amendment would promote the public health, safety, and welfare;
- (3) the amendment's consistency with the intent and general regulations of this Code;
- (4) whether the amendment would correct an error or omission, clarify existing requirements, or effect a change in policy; and
- (5) the extent to which the amendment would create nonconformities.

Assuming the Planning Commission considers the bill in a public hearing and the notice requirements in Article 32, Subtitle 6 applicable to text amendments are followed, the Law Department sees no legal impediments to adoption of this bill. The Law Department can approve Council Bill 25-0016 for form and legal sufficiency.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michele M. Toth".

Michele M. Toth
Assistant Solicitor

cc: Ebony Thompson
Ty'lor Schnella
Ethan Hasiuk
Hilary Ruley
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