

LAND USE & TRANSPORTATION COMMITTEE

FINDINGS OF FACT

City Council Bill No. 25-091

MOTION OF THE CHAIR OF THE COMMITTEE LAND USE & TRANSPORTATION, 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:

Zoning – Conditional Use Conversion of a Single-Family Dwelling to 4 Dwelling Units in the R-8 Zoning District – Variance – 1425 West Fayette 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:**
 - Rowhome dwellings are permitted in the R-8 district, and staff finds that this 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;
 - The use is permitted by the R-8 district and would not conflict with any Urban Renewal Plan
3. The authorization would not be contrary to the public interest **for the following reasons:**
 - Use of this property as a multifamily dwelling is in the public interest because it will provide additional housing options in the community.
4. The authorization would be in harmony with the purpose and intent of this Code **for the following reasons:**
 - Use of this property as a multifamily dwelling will not create in the community with a negative impact on public health, safety, or welfare.

After consideration of the following, **where applicable (fill out all that are relevant):**

1. the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
2. The property at 1425 West Fayette Street is a 3-story rowhome located midblock between North Carey and North Payson Streets in the Franklin Square neighborhood.

The structure is currently vacant and in shell condition, with a recorded lot area of 1,755 square feet. The interior square footage is 2,387 square feet with a 629 square foot basement. It is zoned R-8 and located within the boundaries of the Franklin Square National Register Historic District but not within a local CHAP district.

3. The resulting traffic patterns and adequacy of proposed off-street parking and loading;
 - a. The Department of Transportation did not note a concern with traffic staff finds that this use would not hinder traffic and that there is adequate parking
4. The nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
 - a. The subject property is located in the Franklin Square neighborhood, This proposal aligns with the goals of the Franklin Square neighborhood and the City's strategic housing policies. The neighborhood organization has submitted a formal letter of support, citing the importance of retaining and rehabilitating historic structures and the community benefit of additional housing units
5. The proximity of dwellings, churches, schools, public structures, and other places of public gathering;
 - There is reasonable proximity of other dwellings and places of public gathering.
6. Accessibility of the premises for emergency vehicles;
 - There is adequate accessibility for emergency vehicles,
7. Accessibility of light and air to the premises and to the property in the vicinity;
 - There is adequate accessibility of light and air to the premises.
8. The type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;
 - There are adequate utilities, roads, drainage, and other necessary facilities.
9. The preservation of cultural and historic landmarks and structures;
 - a. The proposed use of the existing structure would not affect preservation of cultural and historic landmarks and structures.
10. The character of the neighborhood;
 - a. This property is located in the Franklin Square neighborhood, which is predominantly residential in nature, with the housing stock largely comprised of row homes.
11. The provisions of the City's Comprehensive Master Plan;
 - a. The conditional use does not conflict with the provisions of the City's Comprehensive Master Plan. The Comprehensive Master Plan articulates an interest in restoring vacant properties. This conditional use brings the property back into productive use
12. The provisions of any applicable Urban Renewal Plan;

- The proposed use is not prevented or limited by an Urban Renewal Plan

13. All applicable standards and requirements of this Code;

- The proposed use requires variances from the bulk and yard regulations

14. The intent and purpose of this Code; and

- The proposed use is consistent with the intent and purpose of the Zoning Code.

15. Any other matters considered to be in the interest of the general welfare.

- The proposed use is consistent with any other matters considered to be in the interest of the general welfare.

FINDINGS OF FACT FOR VARIANCE

City Council Bill No. 25-0071

MOTION OF THE CHAIR OF THE COMMITTEE ON LAND USE AND TRANSPORTATION AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO THE APPLICABLE SECTIONS OF ARTICLE 32 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING ANY VARIANCES OF APPLICABLE STANDARDS FOR:

**Zoning – Conditional Use Conversion of a Single-Family Dwelling to 4 Dwelling Units in
the R-8 Zoning District – Variance – 1425 West Fayette Street
VARIANCE FROM YARD REQUIREMENTS**

(Use a separate Variance form for each Variance sought in the bill)

THRESHOLD QUESTION:

In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.

HARDSHIP OR PRACTICAL DIFFICULTY:

The City Council has considered at least one of the following:

(check all that apply to evidence consideration)

*The physical surroundings around the **STRUCTURE / LAND** involved;
(underline one)*

*The shape of the **STRUCTURE / LAND** involved;
(underline one)*

*The topographical conditions of the **STRUCTURE / LAND** involved.
(underline one)*

and finds either that:

(1) An unnecessary hardship **WOULD / WOULD NOT** (underline one) exist if the strict letter of the applicable requirement from which the variance is sought were applied because:

or that:

(2) Practical difficulty **WOULD** / **WOULD NOT** (*underline one*) exist if the strict letter of the applicable requirement from which the variance is sought were applied because:

This property would need a variance due to insufficient lot area under prior regulations, but the committee finds that the area is sufficient under the regulations that would be in effect when this bill is passed.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Commission's report, dated October 31, 2023, including the Department of Planning Staff Report, dated October 30, 2025.

[X] Testimony presented at the Committee hearing.

Oral – Witness:

- Michele Toth, Law Department
- Eric Tiso, Planning Commission
- Luciano Diaz, Department of Transportation
- Jason Wright, Department of Housing and Community Development
- Ty'lor Schnella – Mayor's Office of Government Relations
- Zac Blanchard- Council Member 11th District

Written:

- Department of Transportation, Agency Report – Dated November 19, 2025
- Board of Municipal and Zoning Appeals, Agency Report – Dated November 19, 2025
- Law Department, Agency Report – Dated August 25, 2025
- Department of Housing and Community Development, Agency Report – September 22, 2025
- Office of the Zoning Administrator – Agency Report – June 5, 2025

COMMITTEE MEMBERS VOTING IN FAVOR

Ryan Dorsey – Chair

Sharon Green Middleton – Vice Chair

Zac Blanchard

Mark Parker