

Introduced by: Councilmember Bullock

At the request of: Derrick Shaw and Samuel Smiley
Address: P.O. Box 1162, Baltimore, Maryland 21203
Telephone: 1-202-412-9013

Prepared by: Department of Legislative Reference

Date: October 11, 2017

Referred to: **LAND USE AND TRANSPORTATION** Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0155

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit
to 2 Dwelling Units in the R-7 Zoning District – 2415 West Lexington Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

By authority of

Article 32 - Zoning
Sections 5-201(a), 9-701(2), and 9-703
Baltimore City Revised Code
(Edition 2000)

NO.

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

<input type="checkbox"/> Baltimore City Public School System	<input checked="" type="checkbox"/> Department of Public Works
<input checked="" type="checkbox"/> Baltimore Development Corporation	<input type="checkbox"/> Department of Real Estate
<input checked="" type="checkbox"/> City Solicitor	<input type="checkbox"/> Department of Recreation and Parks
<input type="checkbox"/> Comptroller's Office	<input checked="" type="checkbox"/> Department of Transportation
<input type="checkbox"/> Department of Audits	<input checked="" type="checkbox"/> Fire Department
<input type="checkbox"/> Department of Finance	<input type="checkbox"/> Health Department
<input type="checkbox"/> Department of General Services	<input type="checkbox"/> Mayor's Office of Employment Development
<input checked="" type="checkbox"/> Department of Housing and Community Development	<input type="checkbox"/> Mayor's Office of Human Services
<input type="checkbox"/> Department of Human Resources	<input type="checkbox"/> Mayor's Office of Information Technology
<input type="checkbox"/> Department of Planning	<input type="checkbox"/> Office of the Mayor
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Police Department
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Boards and Commissions

<input type="checkbox"/> Board of Estimates	<input type="checkbox"/> Environmental Control Board
<input type="checkbox"/> Board of Ethics	<input type="checkbox"/> Fire & Police Employees' Retirement System
<input checked="" type="checkbox"/> Board of Municipal and Zoning Appeals	<input type="checkbox"/> Labor Commissioner
<input type="checkbox"/> Comm. for Historical and Architectural Preservation	<input checked="" type="checkbox"/> Parking Authority Board
<input type="checkbox"/> Commission on Sustainability	<input checked="" type="checkbox"/> Planning Commission
<input type="checkbox"/> Employees' Retirement System	<input type="checkbox"/> Wage Commission
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

CITY OF BALTIMORE
ORDINANCE **18-132**
Council Bill 17-0155

Introduced by: Councilmember Bullock
At the request of: Derrick Shaw and Samuel Smiley
Address: P.O. Box 1162, Baltimore, Maryland 21203
Telephone: 1-202-412-9013
Introduced and read first time: October 16, 2017
Assigned to: Land Use and Transportation Committee

Committee Report: Favorable
Council action: Adopted
Read second time: April 23, 2018

AN ORDINANCE CONCERNING

1 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit**
2 **to 2 Dwelling Units in the R-7 Zoning District – 2415 West Lexington Street**

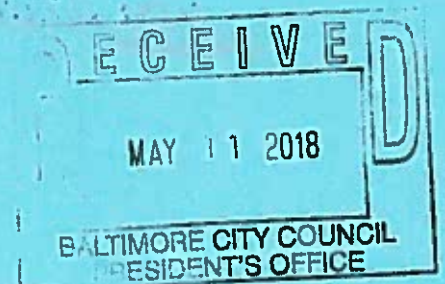
3 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
4 dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415
5 West Lexington Street, as outlined in red on the accompanying plat.

6 BY authority of
7 Article 32 - Zoning
8 Sections 5-201(a), 9-701(2), and 9-703
9 Baltimore City Revised Code
10 (Edition 2000)

11 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
12 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
13 the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red
14 on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-
15 201(a), 9-701(2), and 9-703, subject to the condition that the building complies with all
16 applicable federal, state, and local licensing and certification requirements.

17 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
18 accompanying plat and in order to give notice to the agencies that administer the City Zoning
19 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
20 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
21 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
22 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
23 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
24 the Zoning Administrator.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.



Council Bill 17-0155

1 SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

Certified as duly passed this _____ day of APR 30, 2018




President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of APR 30, 2018




Chief Clerk

Approved this 7 day of May, 2018

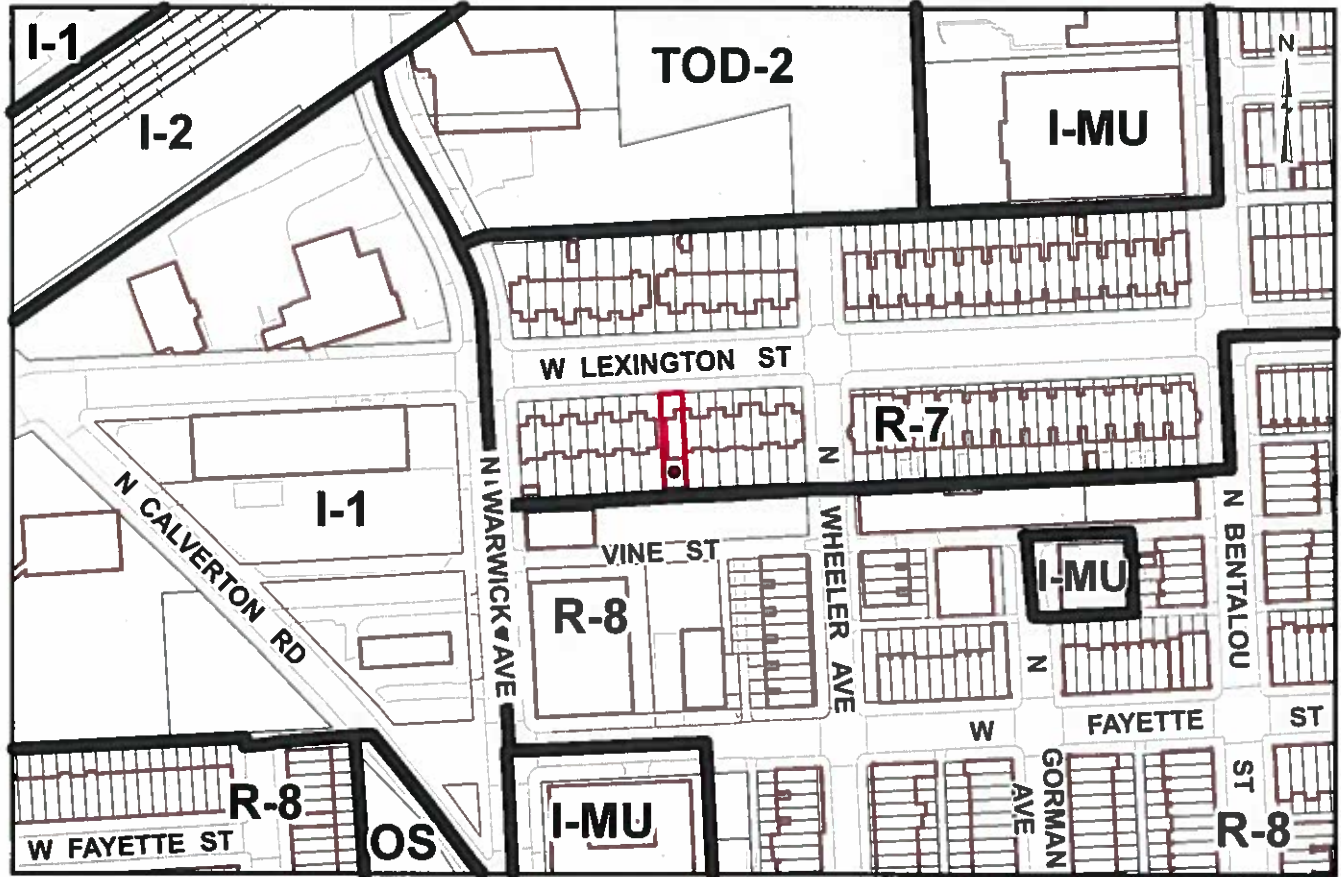


Mayor, Baltimore City

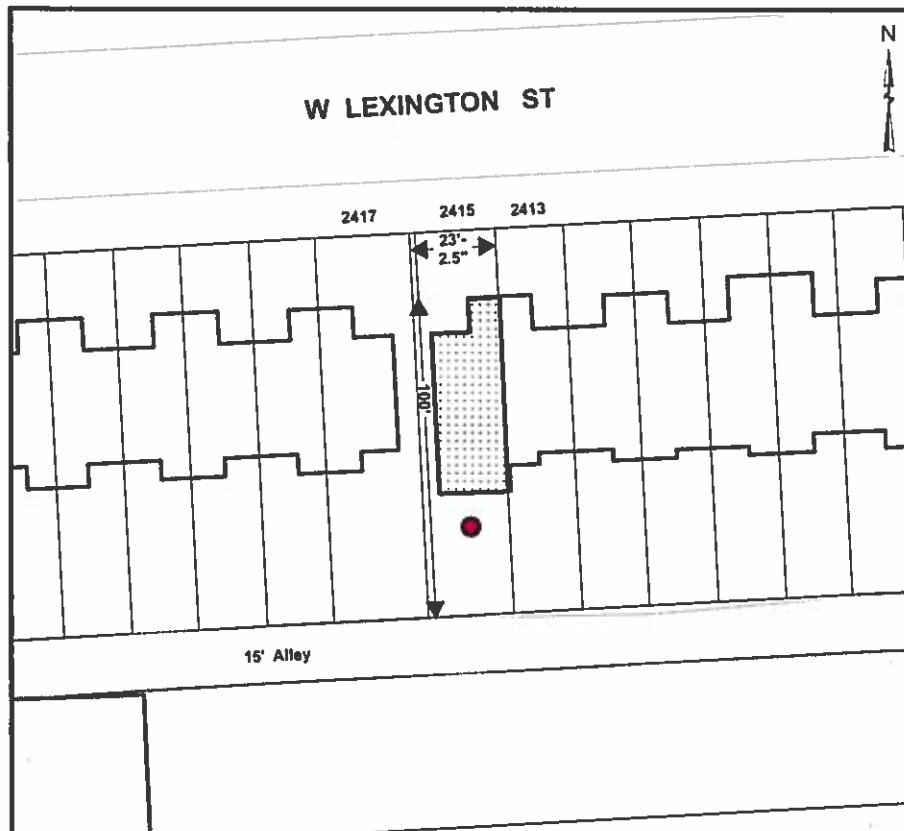
Approved For Form and Legal Sufficiency
This 2nd Day of May 2018


Chief Solicitor

**SHEET NO. 53 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With The Property Known As No. 2415 W LEXINGTON STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Dwelling Unit To Two Dwelling Units In The R-7 Zoning District, As Outlined In Red Above.

WARD 20 SECTION 14
BLOCK 2163 LOT 24

Carroll Egan
MAYOR
Paul D. Jones
PRESIDENT CITY COUNCIL

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

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

ADOPTED

City Council Bill No. 17-0155

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington 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:**

The proposed residential use as a two-dwelling unit is appropriate for the surrounding residential area within the Penrose / Fayette Street neighborhood of West Baltimore.

- (2) the use **would not** be precluded by any other law, including an applicable Urban Renewal Plan;

There site is not situated in an Urban Renewal Plan area. The proposed use, however, is consistent with the Operation Reach Out Southwest (OROSW) Strategic Neighborhood Action Plan area designated upon adoption of that Plan in 2002. Residents of the Fayette Street community support the project.

- (3) the authorization **would not** be contrary to the public interest **for the following reasons:**

The proposed action would be consistent with provisions of the Baltimore City Comprehensive Master Plan. The proposed use would also create additional housing opportunities in a residential district.

- (4) the authorization **would** be in harmony with the purpose and intent of this Code **for the following reasons:**

The area is predominantly residential. The adaptive re-use as a two-family attached dwelling would allow preservation of the Penrose/Fayette Street neighborhood's traditional and architectural character. The authorization would allow for more affordable housing alternatives and is convenient to downtown and the West Baltimore MARC transportation system.

IN NOTICE AND THE PROTECTION OF THE PUBLIC

1990-1-1-1

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 10/15/90 BY SP-5 JAC/STW

EXCEPT WHERE SHOWN OTHERWISE, THIS DOCUMENT IS UNCLASSIFIED

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EXCEPT WHERE SHOWN OTHERWISE, THIS DOCUMENT IS UNCLASSIFIED

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

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

The nature of the site, including its size and shape, are appropriate for the proposed use. The Zoning Administrator confirmed that variances are not needed for the requested use.

- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

Traffic patterns will not be impacted by the use. The Department of Transportation and the Parking Authority support the conditional use. The site meets the off-street parking requirements. One space will be provided in the rear of the property.

- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

The area is the Penrose/Fayette Street Outreach Area and is predominantly residential in nature. . There are other single-family dwelling units in the area that have been converted to two dwelling units. The proposed use will not impair present and future development in the residential area

- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

The proposed dwelling units would be close to other dwellings, churches, schools, other public structures, and places of public gatherings.

- (5) accessibility of the premises for emergency vehicles;

The premise is accessible to emergency vehicles.

- (6) accessibility of light and air to the premises and to the property in the vicinity;

There is adequate light and air to the premises and properties in the vicinity.

- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

Adequate utilities, roads, drainage, and other necessary facilities have been provided.

(8) the preservation of cultural and historic landmarks and structures;

(9) the character of the neighborhood;

Re-activating the existing structure would assist preservation of the traditional character of the neighborhood.

(10) the provisions of the City's Comprehensive Master Plan;

The proposed action would be consistent with provisions of the Baltimore City Comprehensive Master Plan LIVE EARN PLAY LEARN's LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents

(11) the provisions of any applicable Urban Renewal Plan;

(12) all applicable standards and requirements of this Code;

The proposed use meets all applicable standards and requirements of the Zoning Code. The Zoning Administrator confirmed that variances are not needed for the requested use.

(13) the intent and purpose of this Code; and

The proposed use meets the intent and purpose of the Code.

(14) any other matters considered to be in the interest of the general welfare.

SOURCE OF FINDINGS (Check all that apply):

Planning Report – Memoranda Dated December 21, 2017.

Testimony presented at the Committee hearing

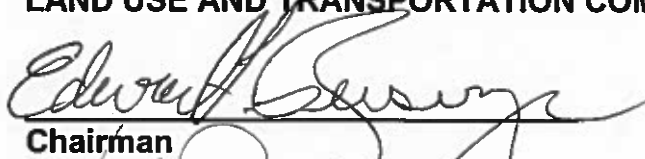
Oral – Witness Name:

- Mr. Martin French, Department of Planning/Planning Commission
- Ms. Laura Bianca-Pruett, Parking Authority of Baltimore City
- The Honorable John Bullock
- Ms. Katie McCauley, Department of Transportation

Written – Submitted by: (Include documents that have relevant facts only)

- Baltimore City Planning Commission – Agency Report – Dated: 12/21/17
- Department of Planning – Staff Report – Dated: 12/21/17
- Department of Transportation – Agency Report – Dated 12/22/18
- Parking Authority of Baltimore City – Agency Report – Dated 12/9/17

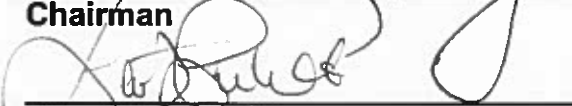
LAND USE AND TRANSPORTATION COMMITTEE:



Chairman

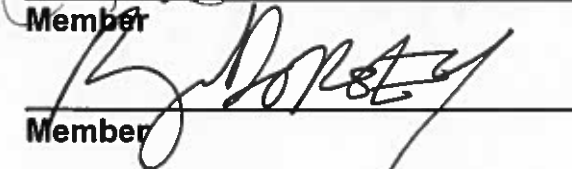


Member



Member

Member



Member

Member

Member

Member

**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION
VOTING RECORD**

DATE: April 18, 2018

BILL#: 17-0155

BILL TITLE: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street

MOTION BY: *Costello* SECONDED BY: *Paul*

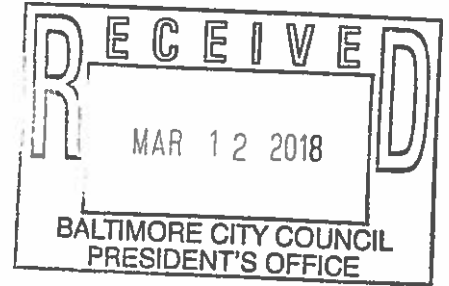
- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>6</u>		<u>1</u>	

CHAIRPERSON: *Edward L. Reisinger*

COMMITTEE STAFF: Jennifer L. Coates, Initials: *JLC*

Certificate of Posting
Baltimore City Council



Hearing Notice City Council Bill No. 17-0155



844 North Carey Street, Baltimore, Md, 21217

Posted 03/09/18

A handwritten signature in cursive script, appearing to read "Derrick Shaw".

Derrick Shaw

2415 W Lexington St, Baltimore, Md, 21216

202-412-9013

TO: Derrick Shaw and Samuel Smiley
FROM: Natawna B. Austin, Executive Secretary, Baltimore City Council
DATE: February 27, 2018
RE: INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR ZONING -
CONDITIONAL USE

The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

Bill: City Council Bill No. 17-0155
Date: Wednesday, April 18, 2018
Time: 1:10 p.m.
Place: City Council Chambers, 4th floor of City Hall, 100 N. Holliday Street.

At the expense of the applicant, notice of this public hearing must be provided in accordance with **Article 32. Zoning § 5-602- Major Variances; and/or Conditional Uses and Article 32. Zoning § 5-603 - Minor Variances (please reference pages 129-131):**

<http://legislative.reference.baltimorecity.gov/sites/default/files/Art%2032%20-%20Zoning%20%28As%20Enacted%29%20%282%29.pdf>

Please note that ALL of these requirements MUST be met in order for your hearing to proceed as scheduled. If you have any questions regarding your advertisement requirements, please contact the Baltimore City Council Executive Secretary, Natawna B. Austin at 410-396-1697 or by email at Natawna.B.Austin@baltimorecity.gov.

Wording for Sign

The information that must be advertised and posted appears between the double lines on the attached page; the deadline date is indicated at the top of the page.

Certification of Postings

Certification of the sign posting(s) on the property or properties, in duplicate, must be sent to the Executive Secretary, four (4) days prior to the hearing.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) ARE AS FOLLOWS, A SIGN MUST BE POSTED ON THE PROPERTY **BY WEDNESDAY, MARCH 28, 2018**, AS OUTLINED ON THE PREVIOUS PAGE.

BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0155

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 18, 2018 at 1:10 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 17-0155.

CC 17-0155 ORDINANCE - **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street** - FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

BY authority of
Article 32 - Zoning
Sections 5-201(a), 9-701(2), and 9-703
Baltimore City Revised Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER

Chair

SEND CERTIFICATION OF PUBLICATION TO:

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202

SEND BILL FOR THIS ADVERTISEMENT TO:

Derrick Shaw and Samuel Smiley
P.O Box 1162
Baltimore, MD 21203
1-202-412-9013

BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION VOTING RECORD

DATE: February 21, 2018

BILL#: 17-0155

BILL TITLE: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street

MOTION BY: Dorsey SECONDED BY: Clarke

FAVORABLE

FAVORABLE WITH AMENDMENTS

UNFAVORABLE

WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon				
Stokes, Robert				
TOTALS	<u>7</u>			

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

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

City Council Bill No. 17-0155

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington 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:

The proposed residential use as a two-dwelling unit is appropriate for the surrounding area within the West Baltimore neighborhood.

- (2) the use **would not** be precluded by any other law, including an applicable Urban Renewal Plan;

The proposed actions is consistent with the Operation Reach Out Southwest (OROSW) Strategic Neighborhood Action Plan area designated upon adoption of that Plan in 2002.

- (3) the authorization **would not** be contrary to the public interest for the following reasons:

The proposed action would be consistent with provisions of the Baltimore City Comprehensive Master Plan.

- (4) the authorization **would** be in harmony with the purpose and intent of this Code for the following reasons:

The area is predominantly residential. The adaptive re-use as a two-family attached dwelling would allow preservation of a part of the neighborhood's traditional and architectural character.

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

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

The nature of the site, including its size and shape, are appropriate for the proposed use.

- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

Traffic patterns will not be impacted by the use. The site meets the off-street parking requirements.

- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

The area is predominantly residential in nature. The proposed use will not impair present and future development.

- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

The proposed dwelling units would be close to other dwellings, churches, schools, other public structures, and places of public gatherings.

- (5) accessibility of the premises for emergency vehicles;

The premise is accessible to emergency vehicles.

- (6) accessibility of light and air to the premises and to the property in the vicinity;

There is adequate light and air to the premises and properties in the vicinity.

- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

Adequate utilities, roads, drainage, and other necessary facilities have been provided.

- (8) the preservation of cultural and historic landmarks and structures;

- (9) the character of the neighborhood;

Re-activating the existing structure would assist preservation of the traditional character of the neighborhood.

(10) the provisions of the City's Comprehensive Master Plan;

The proposed action would be consistent with provisions of the Baltimore City Comprehensive Master Plan LIVE EARN PLAY LEARN's LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents

(11) the provisions of any applicable Urban Renewal Plan;

(12) all applicable standards and requirements of this Code;

The proposed use meets all applicable standards and requirements of the Code.

(13) the intent and purpose of this Code; and

The proposed use meets the intent and purpose of the Code.

(14) any other matters considered to be in the interest of the general welfare.

SOURCE OF FINDINGS (Check all that apply):

Planning Report

Testimony presented at the Committee hearing


Oral – Witness Name: Martin French, Department of Planning

Written – Submitted by: (Include documents that have relevant facts only)

Baltimore City Planning Commission – Agency Report – Dated: 9/29/17


Department of Planning – Staff report – Dated: 9/29/17

LAND USE AND TRANSPORTATION COMMITTEE:


Chairman


Member


Member


Member


Member

Member

Member

Member

Certificate of Posting

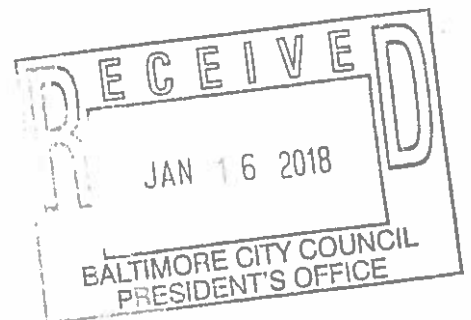
Baltimore City Council

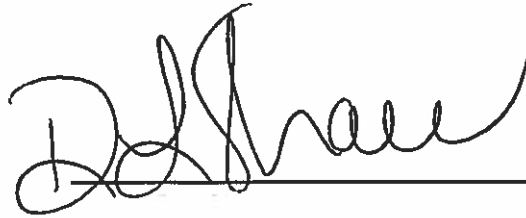
Hearing Notice City Council Bill No. 17-0155



2415 W Lexington St, Baltimore, Md, 21223

Posted 01/15/18





Derrick Shaw

POBOX 1162, Baltimore, Md, 21223

202-412-9013

TO: Derrick Shaw and Samuel Smiley
FROM: Natawna B. Austin, Executive Secretary, Baltimore City Council
DATE: January 10, 2018
RE: INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR ZONING -
CONDITIONAL USE

The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

Bill: City Council Bill No. 17-0155
Date: Wednesday, February 21, 2018
Time: 1:10 p.m.
Place: City Council Chambers, 4th floor of City Hall, 100 N. Holliday Street.

At the expense of the applicant, notice of this public hearing:

- 1) must be posted by sign on the property involved, **21 days prior** to date of hearing. The sign is to be not less than 4 feet long and 3 feet wide with black lettering 2 inches high on a white back-ground. The sign is to be placed in a conspicuous manner not over 10 feet above the ground; and

Wording for Sign

The information that must be advertised and posted appears between the double lines on the attached page; the deadline date is indicated at the top of the page.

Certification of Postings

Certification of the sign posting on the property, in duplicate, must be sent to the Executive Secretary, four (4) days prior to the hearing.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) ARE AS FOLLOWS, A SIGN MUST BE POSTED ON THE PROPERTY **BY WEDNESDAY, JANUARY 31, 2018**, AS OUTLINED ON THE PREVIOUS PAGE.

BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0155

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, February 21, 2018 at 1:10 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 17-0155.

CC 17-0155 **ORDINANCE - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street** - FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

BY authority of
Article 32 - Zoning
Sections 5-201(a), 9-701(2), and 9-703
Baltimore City Revised Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER

Chair


SEND CERTIFICATION OF PUBLICATION TO:

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202

SEND BILL FOR THIS ADVERTISEMENT TO:

Derrick Shaw and Samuel Smiley
P.O Box 1162
Baltimore, MD 21203
1-202-412-9013

M. J. Stosur

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #17-0155 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District – 2415 West Lexington Street		

DATE: December 22, 2017

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

At its regular meeting of December 21, 2017, the Planning Commission considered City Council Bill #17-0155, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended disapproval of City Council Bill #17-0155, and adopted the following resolution, eight members being present (six in favor, and two abstaining):

RESOLVED, That the Planning Commission disagrees with the staff recommendation that City Council bill 17-0155 should not be recommended for approval, and therefore recommends approval of the bill.

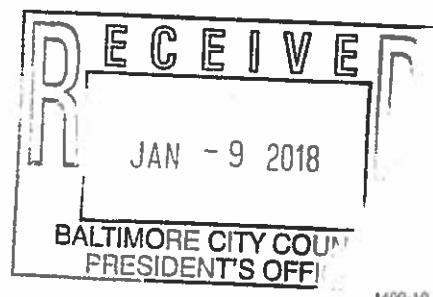
If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Mr. Pete Hammen, Chief Operating Officer
- Mr. Jim Smith, Chief of Strategic Alliances
- Ms. Karen Stokes, Mayor's Office
- Mr. Colin Tarbert, Mayor's Office
- Mr. Kyron Banks, Mayor's Office
- The Honorable Edward Reisinger, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Mr. Frank Murphy, DOT
- Ms. Elena DiPietro, Law Dept.
- Mr. Francis Burnszynski, PABC
- Mr. Derrick Shaw

A





Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Thomas J. Stosur
Director

December 21, 2017

REQUEST: City Council Bill #17-0155/ Zoning – Conditional Use Conversion of a Single-Family Dwelling to 2 Dwelling Units in the R-7 Zoning District – 2415 West Lexington Street: For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

RECOMMENDATION: Disapproval

STAFF: Martin French

PETITIONERS: Councilmember Bullock, at the request of Derrick Shaw and Samuel Smiley

OWNERS: Derrick Shaw and Samuel Smiley

SITE/GENERAL AREA

Site Conditions: The site is a residential lot, situated on the south side of the street approximately halfway between Warwick and Wheeler Avenues, measuring approximately 23'3" by 100' and improved with a two-story end-of-group residential building constructed in 1943. Each of two residential groups has eight rowhouse dwellings, each approximately 17' wide and 30' deep. There is a 15' wide alley, extending between Warwick and Wheeler Avenues, behind the property.

General Area: This is the southwestern side of the predominantly residential area of West Baltimore. A few blocks north of this site is the West Baltimore MARC Station, an area designated for transit-oriented development. Immediately west of this block are several properties zoned for light industrial use.

HISTORY

There are no previous legislative or Planning Commission actions regarding this specific site. The block on which this property is located was zoned R-7 in 1971 and remained zoned R-7 upon adoption of the new Zoning Code that became effective on June 5, 2017. The site is part of the Operation Reach Out Southwest (OROSW) Strategic Neighborhood Action Plan area designated upon adoption of that Plan in 2002.

CONFORMITY TO PLANS

The proposed use does not directly support the goals, objectives and strategies contained in the Comprehensive Master Plan for the City of Baltimore. With respect to community character,

the structure of which this property is a part is a group of single-family attached houses, part of a community defined by its single-family row-housing. Use of the property as two dwelling units would not be consistent with the traditional single-family occupancy pattern of the area that has existed since its original development in the first decades of the 20th Century. In this context, the proposed action does not assist realization of LIVE Goal 1, Build Human and Social Capital by Strengthening Neighborhoods, since this portion of the residential area is already stable and not beset by abandonment or similar problems that would call for the remedy of increasing residential density.

ANALYSIS

Background: The owner intends to divide the two levels of a premises used since its 1943 construction as a single dwelling unit. The requested approval of conditional use as two dwelling units is intended to allow a new dwelling unit on the second floor.

Conditional Use: Per §5-406 {"Approval standards"} of Article 32 – *Zoning*:

(a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals, nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

- (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.

Below is the staff's review of §5-406(b) {"Required considerations"} of Article 32 – *Zoning*:

- the nature of this site, in particular the size of the existing row-house, is not appropriate for the proposed additional dwelling unit, as noted under "Variance" below;
- using the existing structure as two dwelling units would not assist preservation of the traditional character of the neighborhood; and,
- the proposed use does not meet all other applicable standards and requirements of the Code, thereby requiring a substantial variance of those standards and requirements, as noted under "Variance" below.

Variance

For a residential conversion from single-family use, the Zoning Code (Article 32 of the Baltimore City Code) requires property in the R-7 zoning district to have 750 square feet of lot area per dwelling unit (Table 9-401 and §9-703.d. which references this Table). A lot area of 1,500 square feet is thus required for the proposed two dwelling units. This lot has an area of 2,325 square feet, and so meets this requirement.

The Zoning Code requires the existing dwelling to have 1,500 square feet of gross floor area in order to allow conversion to more than one dwelling unit (§9-703.b.). Planning staff visited this property and confirmed that the principal structure is an end-of-group row-house having external dimensions of approximately 17' by 30' exclusive of its open front and rear porches. As this yields a gross floor area maximum of 510 square feet per floor, and the structure is constructed of concrete block with brick veneer, resulting in external walls of approximately one foot thickness, the gross floor area inside the structure is no more than 500 square feet per floor level, or a total of 1,000 square feet maximum. A 33% variance would be needed to reduce this requirement.

The Zoning Code also requires each newly-created dwelling unit to have, for a 1-bedroom unit, 750 square feet of floor area (§9-703.c.). As the proposed additional unit would have only 500 square feet of area, a variance of 250 square feet or 33% is needed to reduce this requirement. This is an excessive amount of variance given the other option available to the property owner, which is to continue to use it as a single-family dwelling. Planning staff consider the amount and extent of the variances cited above as inappropriate in the context of protecting the existing community fabric of the area.

Notification: The Fayette Street Outreach Organization has been notified of this action.



Thomas J. Stovur
Director

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

January 3, 2018

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

RE: CC Ord.17-0155: Zoning – Conditional Use Conversion – Single-Family Dwelling to Multiple-Family Dwelling with Two Dwelling Units – 2415 West Lexington Street

Ladies and Gentlemen:

City Council Bill No. 17-0155 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0155 is to permit the conversion of a single-family dwelling to a multiple-family dwelling contained two dwelling units at the property located at 2415 West Lexington Street.

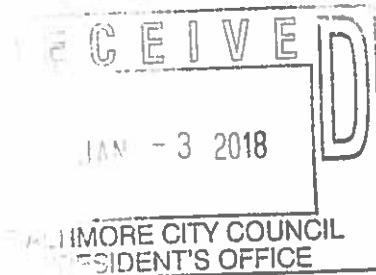
The BMZA has reviewed the legislation and defers to the report and recommendation of the Department of Housing & Community Development recommending passage of CC# 17-0155.

Sincerely,


David C. Tanner
David C. Tanner
Executive Director

DCT/djb

CC: Mayors Office of Council Relations
Legislative Reference



F

F R O M	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 17-0155		

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

December 22, 2017

I am herein reporting on City Council Bill 17-0155- Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

DOT supports this bill and respectfully requests a favorable report.

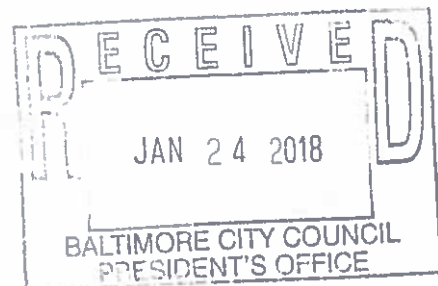
Respectfully,



Michelle Pourciau
Director

MP/lw

Cc: Kyron Banks, Mayor's Office

**CITY OF BALTIMORE
COUNCIL BILL 17-0155
(First Reader)**

Introduced by: Councilmember Bullock
At the request of: Derrick Shaw and Samuel Smiley
Address: P.O. Box 1162, Baltimore, Maryland 21203
Telephone: 1-202-412-9013

Introduced and read first time: October 16, 2017

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit**
3 **to 2 Dwelling Units in the R-7 Zoning District – 2415 West Lexington Street**

4 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
5 dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415
6 West Lexington Street, as outlined in red on the accompanying plat.

7 BY authority of

8 Article 32 - Zoning
9 Sections 5-201(a), 9-701(2), and 9-703
10 Baltimore City Revised Code
11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
13 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
14 the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red
15 on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-
16 201(a), 9-701(2), and 9-703, subject to the condition that the building complies with all
17 applicable federal, state, and local licensing and certification requirements.

18 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
19 accompanying plat and in order to give notice to the agencies that administer the City Zoning
20 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
21 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
22 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
23 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
24 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
25 the Zoning Administrator.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



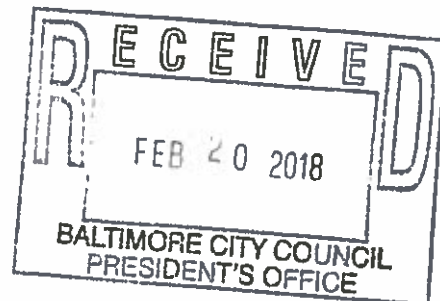
DEPARTMENT OF LAW

ANDRE M. DAVIS, CITY SOLICITOR
100 N. Holliday Street
Suite 101, City Hall
Baltimore, Maryland 21202

February 17, 2018

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

Attn: Natawna B. Austin,
Executive Secretary



Re: City Council Bill 17-0155 – Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District – Variances – 2415 W. Lexington Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0155 for form and legal sufficiency. The bill permits the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 Lexington Street. According to the Planning Report variances are also needed for gross floor area of the existing dwelling, and the pr unit gross floor area. The bill would need to be amended to provide for approval of these variances

Under the Zoning Article of the City Code, the conversion of a single-family dwelling to a multi-family dwelling in an R-7 District requires conditional-use approval by ordinance. Baltimore City Code (BCC), Art. 32, § 9-701(2). Further, approval of a conditional use must be based on the following findings:

(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.

§ 5-406(a). Moreover, the above findings must be guided by 14 “considerations” involving, for example, 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.” § 5-406(b).

Fav of commits



The bill also contains variances for gross floor area for the existing dwelling, and gross floor area per dwelling unit. To grant a variance, the City Council must find that, because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out. § 5-308(a). The City Council must also find that:

(1) the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification; (2) the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property; (3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property; (4) the variance will not: (i) be injurious to the use and enjoyment of other property in the immediate vicinity; or (ii) substantially diminish and impair property values in the neighborhood; (5) the variance is in harmony with the purpose and intent of this Code; (6) the variance is not precluded by and will not adversely affect: (i) any Urban Renewal Plan; (ii) the City's Comprehensive Master Plan; or (iii) any Historical and Architectural Preservation District; and (7) the variance will not otherwise: (i) be detrimental to or endanger the public health, safety, or welfare; or (ii) be in any way contrary to the public interest. § 5-308(b).

The Land Use and Transportation Committee (the "Committee") must consider the above law at the scheduled public hearing wherein it will hear and weigh the evidence as presented in: (1) the Planning Report and other agency reports; (2) testimony from the Planning Department and other City agency representatives; and (3) testimony from members of the public and interested persons. After weighing the evidence presented and submitted into the record before it, the Committee is required to make findings of fact with respect to the factors and considerations outlined above. If, after its investigation of the facts, the Committee makes findings which support the conditional use and the four variances sought, it may adopt these findings and the legal requirements will be met.

The Planning Staff Report ("Report") outlines the portions of the Zoning Article applicable to conditional uses (§ 5-406(a) and (b)) and makes unfavorable conclusory findings regarding the Section 5-406(b) considerations. *See* Report at 2. The Report also states the facts which are the basis for the variance amendments noted in the Report. (*see* Report at 2-3). **The Report does not supply facts to support each of the findings required by law for both the conditional use and for the variances requested. If this bill is to be lawfully approved by the City Council, the facts required by Sections 5-406(a), 5-308(a) and 5-308(b) as well as the "considerations" in Section 5-406(b) must be reviewed and established at the bill's public hearing.**

Finally, certain procedural requirements apply to this bill beyond those discussed above because both conditional uses and variances are considered "legislative authorizations." BCC 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 specified manner. §§ 5-

504, 5-506, 5-602. Finally, certain limitations on the City Council's ability to amend the bill apply. § 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 conditional use and variances have been met. Provided appropriate amendments for the needed variances are offered and assuming the required findings are made at the hearing and all procedural requirements are satisfied, the Law Department could approve the bill for form and legal sufficiency.

Sincerely,



Elena R. DiPietro
Chief Solicitor
Practice Group Chief

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Victor Tervalo, Chief Solicitor
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor
Avery Aisenstark, Legislative Reference



1.1.1

The Baltimore City Department of
**HOUSING & COMMUNITY
DEVELOPMENT**

MEMORANDUM

**To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary**

From: Michael Braverman, Housing Commissioner 

Date: November 17, 2017

**Re: City Council Bill 17-0155 - Zoning – Conditional Use Conversion of a Single-Family
Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District – 2415 West Lexington Street**

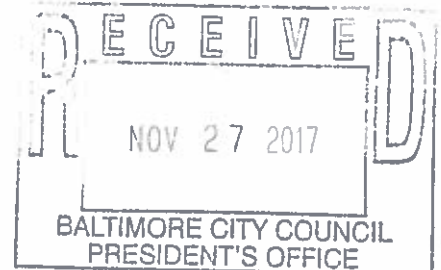
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0155, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street.

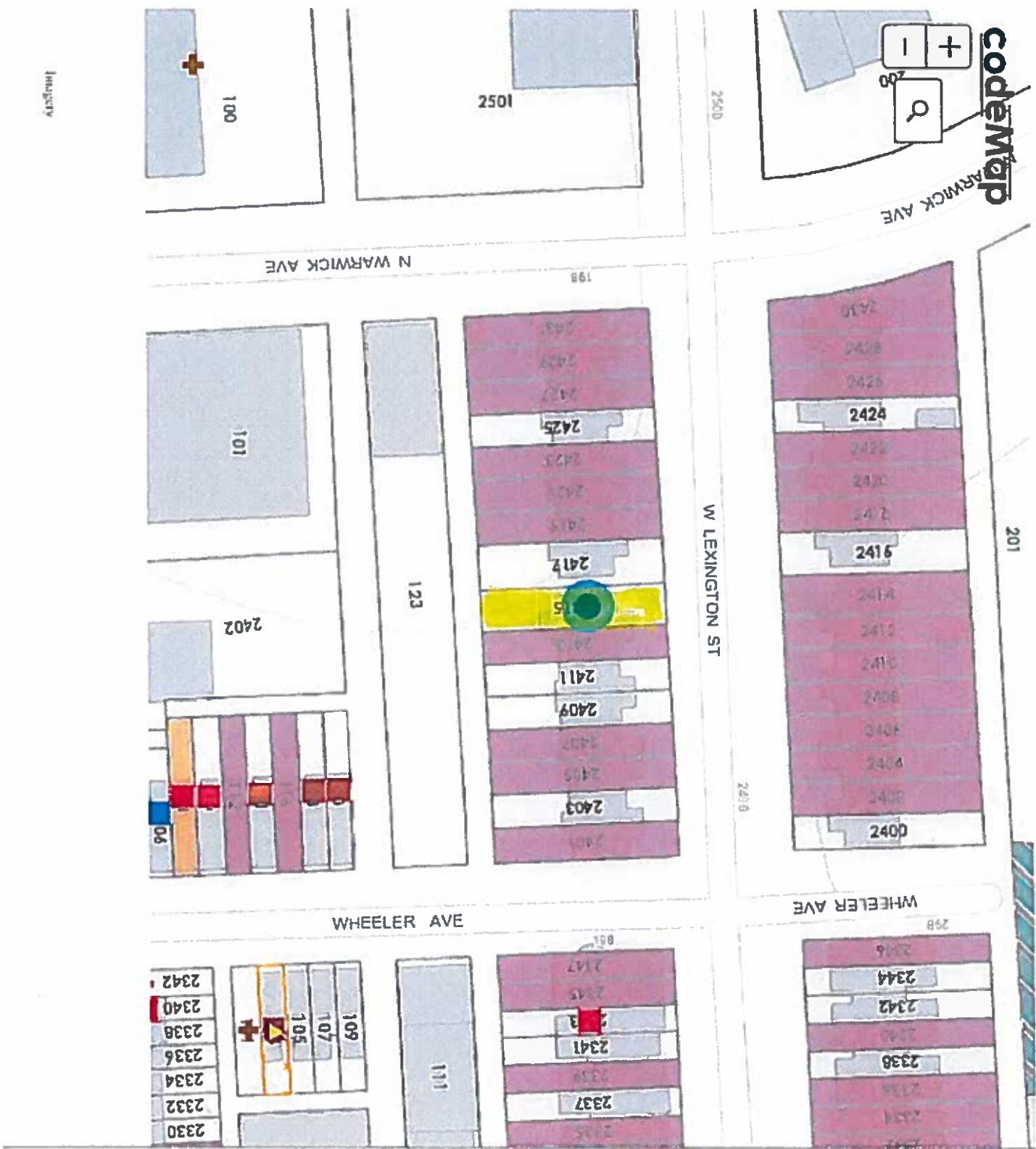
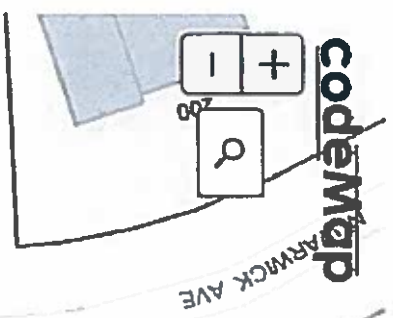
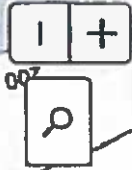
If enacted, this bill would allow the addition of a dwelling unit to a non-owner occupied property in the Penrose/Fayette Street Outreach Neighborhood.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0155.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*





Contents


Focus Areas

- Funded De
- Funded De
- Comm De
- Major Rede
- Major R
- People
- Streamline
- CE Internal
- Demolition
- Planning
- Phas
- Phas
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- Non-
- eDemo
- Inlaku
- RFA Re
- Legal I
- Acqu
- HAAC
- Land R
- Due
- Demic
- Remer
- Utility



MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna B. Austin, Executive Secretary

FROM: William H. Cole, President and CEO 

DATE: November 6, 2017

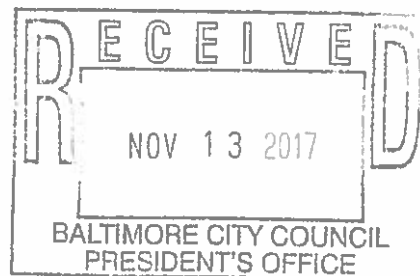
SUBJECT: City Council Bill No. 17-0155
Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-7 Zoning District – 2415 West Lexington Street

The Baltimore Development Corporation (BDC) has been asked to comment on Council Bill 17-0155, a Zoning-Conditional Use Conversion of a Single-Family Dwelling Unit to a 2 Dwelling Units in the R-7 Zoning District -2415 West Lexington Street.

The proposed conditional use is necessary to allow for the additional dwelling unit in the R-7 Zoning District. BDC supports Council Bill 17-0155 and respectfully requests that favorable consideration be given by the City Council.

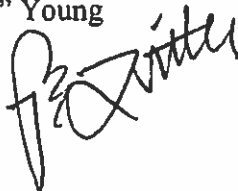
cc: Kyron Banks

F



TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: November 9, 2017
RE: Council Bill 17-0155



I am herein reporting on City Council Bill 17-0155 introduced by Councilmember Bullock at the request of Derrick Shaw and Samuel Smiley.

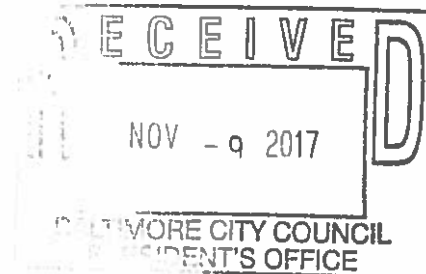
The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street.


According to Baltimore City Code Art. 32 § 9-701 (2) the R-7 Zoning District allows for the conversion of a single-family dwelling to a multi-family dwelling through conditional-use approval by Ordinance of the Mayor and City Council. Conversion standards in Baltimore City Code Art. 32 § 9-703 (f) require at least 1 off-street parking space must be provided for each dwelling unit.

The Parking Authority of Baltimore City reviewed the proposed legislation. This property is not located on a block where the Parking Authority administers any on-street parking programs. Since the bill is not requesting a variance for the required off-street parking per Baltimore City Code Art. 32 § 9-703 (f), it is expected that off-street parking will be provided.

Based on the comments above, the Parking Authority of Baltimore City does not oppose the passage of City Council Bill 17-0155.

Not opposed



FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. 21202		
	SUBJECT	City Council Bill #17-0155 Response to Zoning Conditional Use Conversion of a Single-Family Dwelling Unit To 2 Dwelling Units in the R-7 Zoning District-2415 West Lafayette Ave.		

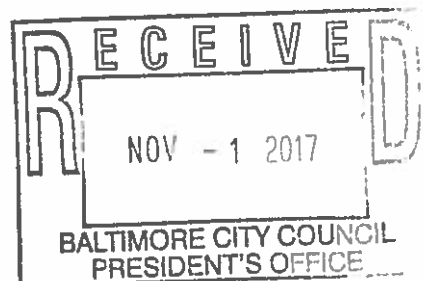
DATE: **October 30, 2017**

TO
**The Honorable Bernard C. Young, President
 And All Members of the Baltimore City Council
 City Hall, Room 408**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

The proposed legislation would provide for- permitting, subject to certain conditions, the conversion of a single-family dwelling unit to two dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street.

The Fire Department does not object to City Council Bill 17-0155 provided that all applicable sections of the Fire and Building codes are adhered. This may include a requirement for plans to be submitted to the Fire Department, an annual Fire Inspection, permit, automatic sprinkler system, and Fire Alarm system.



*No
obj*



Baltimore City Department of
**HOUSING & COMMUNITY
DEVELOPMENT**

Office of the Zoning Administrator
417 E. Fayette Street
Benton Bldg., Room 147
Baltimore MD. 21202

Ref: 2415 W. Lexington Street

Date: February 20, 2018

This memo is submitted to confirm the review of a request from the owner and/or representative of the property (or properties) referenced above for authorization to:

Convert existing premises into two dwelling units

Please be advised that the Office of the Zoning Administrator has determined that the authorization requested above (in whole or in part) requires approval by Ordinance of the Mayor and City Council of Baltimore.

In the furtherance of said Ordinance approval, the Zoning Administrator has reviewed the information submitted by the applicant. The floor plans indicate a gross floor area of 1,859 square feet for the existing dwelling, with 1,035 square feet for the proposed first floor (2-two bedroom) unit, and 824 square feet for the second floor (1-bedroom unit). Off-street parking (at least one space) is to be provided in the rear of the property. The lot area for the property is approximately 2,300 square feet, in compliance with the applicable lot area per dwelling unit. Based on these submissions, the proposed conversion meets the standards under Subsection 9-703 of the code.

This memo is being submitted in accordance with Subsections 5-201 and 5-303 of the Zoning Code for Baltimore City.

Respectfully,

Geoffrey M. Veale
Zoning Administrator

cc: Department of Legislative Reference
Mr. Derrick Shaw
Councilman John Bullock





100-100000-100000
100-100000-100000

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Land Use and Transportation Committee

Wednesday, April 18, 2018

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

17-0155

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

- Present** 6 - Member Edward Reisinger, Member Sharon Green Middleton, Member Eric T. Costello, Member Ryan Dorsey, Member Leon F. Pinkett III, and Member Robert Stokes Sr.
- Absent** 1 - Member Mary Pat Clarke

ITEMS SCHEDULED FOR PUBLIC HEARING

- 17-0155 **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street**
For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

Sponsors: John T. Bullock

A motion was made by Member Costello, seconded by Member Pinkett, III, that the bill be recommended favorably. The motion carried by the following vote:

- Yes:** 6 - Member Reisinger, Member Middleton, Member Costello, Member Dorsey, Member Pinkett III, and Member Stokes Sr.
- Absent:** 1 - Member Clarke

THIS MEETING IS OPEN TO THE PUBLIC



HEARING NOTES

Bill: 17-0155

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street

Committee: Land Use and Transportation

Chaired By: Councilmember Edward Reisinger

Hearing Date: April 18, 2018

Time (Beginning): 1:00 PM

Time (Ending): 1:14 PM

Location: Clarence "Du" Burns Chamber

Total Attendance: ~19

Committee Members in Attendance:

Reisinger, Edward, Chairman

Middleton, Sharon, Vice Chair

Costello, Eric

Dorsey, Ryan

Pinkett, Leon

Stokes, Robert

- Bill Synopsis in the file? yes no n/a
- Attendance sheet in the file? yes no n/a
- Agency reports read? yes no n/a
- Hearing televised or audio-digitally recorded?..... yes no n/a
- Certification of advertising/posting notices in the file?..... yes no n/a
- Evidence of notification to property owners? yes no n/a
- Final vote taken at this hearing? yes no n/a

Motioned by: Councilmember Costello, Eric

Seconded b..... Councilmember Pinkett, III Leon

Final Vote:Favorable

Major Speakers
(This is not an attendance record.)

- Mr. Martin French, Department of Planning/Planning Commission
 - Ms. Eleana DiPietro, Department of Law
 - Mr. Derrick Baumgardner, Board of Municipal Zoning Appeal
 - Ms. Katelyn McCauley, Department of Transportation
 - Mr. Gaylord Dutton, Baltimore Development Corporation
 - Ms. Laura Bianca-Pruett, Parking Authority of Baltimore City
 - The Honorable John Bullock
-

Major Issues Discussed

1. Councilman Reisinger introduced committee members, read the bill's title and purpose into the record. The applicant satisfied the sign posting requirement.
 2. Mr. French presented information about the Planning Commission's report in favor of the bill and the Planning Department's staff report which recommended disapproval. Councilman Reisinger asked Mr. French the basis of the Department of Planning's disapproval. Mr. French indicated that the disapproval was not based on concerns that the requested use did not fit in with the fabric of the community, but was based on the variances that may have been needed for lot size and the gross floor area. Councilman Reisinger read a letter from the Zoning Administrator that explained that variances for the property were not required.
 3. Agency positions were read. Agency representatives testified in support of their respective agency's position on the bill.
 4. Councilman Bullock presented information in response to the considerations for findings outlined in Article 32.
 5. Councilman Reisinger acknowledged the introduction of legislation for conversion of certain dwelling units in order to create affordable housing in Baltimore City.
 6. The committee reviewed and discussed the bill.
 7. The committee approved finding of facts for the bill.
-

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

Reisinger, Edward, Chairman.....Yea
Middleton, Sharon, Vice Chair.....Yea
Clarke, Mary Pat.....Absent
Costello, EricYea
Dorsey, RyanYea
Pinkett, Leon.....Yea
Stokes, Robert:.....Yea

Jennifer L. Coates, Committee Staff
cc: Bill File
OCS Chrono File



Date: April 19, 2018



CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation **Chairperson:** Edward Reisinger
Date: April 18, 2018 **Time:** 1:10 PM **Place:** Clarence "Du" Burns Chambers
Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street **CC Bill Number:** 17-0155

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



TESTIFY

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	WHAT IS YOUR POSITION ON THIS BILL?		(*) LOBBYIST: ARE YOU REGISTERED IN THE CITY
						FOR	AGAINST	
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Martin	French		Planning			<input checked="" type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>		<input type="checkbox"/>
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						<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>		<input type="checkbox"/>

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Land Use and Transportation Committee

Wednesday, April 18, 2018

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0182

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0182

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 600 East 29th Street
For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 600 East 29th Street (Block 4072A, Lot 033), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking regulations.

Sponsors:

Mary Pat Clarke

THIS MEETING IS OPEN TO THE PUBLIC



**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward Reisinger
Chairperson**

PUBLIC HEARING

Wednesday, April 18, 2018

1:10 PM

Clarence "Du" Burns Council Chambers

City Council Bill # 17-0155

***Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit
to 2 Dwelling Units in the R-7 Zoning District -
2415 West Lexington Street***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Marguerite Currin

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: Larry Greene

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac "Yitzy" Schleifer
Staff: Marguerite Currin

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac "Yitzy" Schleifer – Vice Chair
Kristerfer Burnett
Bill Henry
Shannon Sneed
Zeke Cohen
Ryan Dorsey
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: Marguerite Currin

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Samuel Johnson

LAND USE AND TRANSPORTATION

Edward Reisinger - Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac "Yitzy" Schleifer
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Samuel Johnson
- Larry Greene (pension only)



BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 17-0155

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street**

Sponsor: Councilmember Bullock

Introduced: October 16, 2017

Purpose:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

Effective: 30th day after enactment

Hearing Date/Time/Location: April 18, 2018 /1:10 p.m./Clarence "Du" Burns Chambers

Agency Reports

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Law	Favorable/Comments
Department of Transportation	Favorable
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable
Fire Department	No Objection
Parking Authority Board	Not Opposed

Analysis

Current Law (See Attachment A)

Article 32 – Zoning; Section(s) 5-201 (a), 9-701(2), and 9-703; Baltimore City Revised Code (Edition 2000)

Background

CC Bill 17-0155, if approved, would permit the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street.

The residential property is in the Penrose/Fayette Street Outreach area of West Baltimore. It is situated on the south side of Lexington Street between Warwick and Wheeler Avenues. The property was constructed in 1943 and is zoned R-7. The site is improved with a two-story end-of-group residential building. The dwelling measures approximately 17' wide and 30' deep.

The residential area is a few blocks south of the West Baltimore MARC Station an area designated for transit-oriented development. To the west of the site are properties zoned for light industrial use. The site is part of the Operation Reach Out Southwest (OROSW) Strategic Neighborhood Action Plan area.

The property is owned by Derrick Shaw and Samuel Smiley. The owners intend to divide and renovate the existing structure into two dwelling units. The adaptive re-use as a two-family dwelling would offer affordable housing alternatives.

The proposed action would be consistent with provisions of the Baltimore City Master Plan LIVE EARN PLAY LEARN's LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents

Variances

According to the Baltimore City Zoning Administrator the proposed conversion meets the standards under Subsection 9-703. There is a gross floor area of 1,859 square feet for the existing dwelling, with 1,035 square feet for the proposed first floor (2-two bedroom) unit, and 824 square feet for the second floor (1-bedroom unit). Off street parking (at least one space) is to be provided in the rear of the property. The Zoning Code requires a lot area of 1,500 square feet for the proposed two dwelling units in an R-7 district. The lot has an area of 2,325 square feet. A variance for the lot area per dwelling is not needed.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency reports; Baltimore City Zoning Administrator

Analysis by: Jennifer L. Coates
Analysis Date: April 6, 2018



Direct Inquiries to: (410) 396-1260

Current Law

Article 32 – Zoning
Section(s) 5-201(a), 9-701(2), and 9-703;
Baltimore City Revised Code (Edition 2000)

TITLE 5 APPLICATIONS AND AUTHORIZATIONS
SUBTITLE 2 APPLICATIONS

§ 5-201. Introduction of proposed authorization.

(a) Introduction by ordinance.

A member of the City Council may introduce a proposed ordinance to expressly approve, authorize, or amend:

- (1) a major variance;
 - (2) a conditional use;
 - (3) a text amendment;
 - (4) a map amendment;
 - (5) an educational campus master plan;
 - (6) a hospital general development plan;
 - (7) an area of special sign control; or
 - (8) a planned unit development.
-

TITLE 9 ROWHOUSE AND MULTI-FAMILY RESIDENTIAL DISTRICTS
SUBTITLE 7 RESIDENTIAL CONVERSIONS

§ 9-701. Where allowed.

In the Residence Districts, the conversion of a single-family dwelling to a multi-family dwelling is allowed only in the R-7, R-8, R-9, and R-10 Districts, subject to:

- (1) the requirements of this subtitle; and
- (2) in the R-7 and R-8 Districts, conditional-use approval by Ordinance of the Mayor and City Council.

(Ord. 16-581.)

§ 9-703. Conversion standards.

(a) In general.

All conversions must meet the standards set forth in this section.

(b) Existing dwelling.

(1) The existing dwelling must be:

- (i) a structure originally constructed as a single-family dwelling; and
- (ii) 1,500 square feet or more in gross floor area.

(2) For purposes of this subsection, gross floor area does not include any basement area.

(c) GFA per dwelling unit.

The converted dwelling must meet the following gross floor area per unit type:

- (1) 1-bedroom unit: 750 square feet.
- (2) 2-bedroom unit: 1,000 square feet.
- (3) 3- or more bedroom unit: 1,250 square feet.

(d) Bulk and yard regulations.

The dwelling must continue to conform to the applicable bulk and yard regulations, including lot area per dwelling unit, for the district in which the building is located.

(e) Occupancy regulations.

No residential conversion may violate any dwelling unit occupancy regulations or restrictions of the City Code.

(f) Off-street parking.

At least 1 off-street parking space must be provided for each dwelling unit.

(g) Residential character.

Following the conversion, the exterior of the dwelling must retain its existing residential character.

(Ord. 16-581; Ord. 17-015.)

**CITY OF BALTIMORE
COUNCIL BILL 17-0155
(First Reader)**

Introduced by: Councilmember Bullock
At the request of: Derrick Shaw and Samuel Smiley
Address: P.O. Box 1162, Baltimore, Maryland 21203
Telephone: 1-202-412-9013

Introduced and read first time: October 16, 2017

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit**
3 **to 2 Dwelling Units in the R-7 Zoning District – 2415 West Lexington Street**

4 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
5 dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415
6 West Lexington Street, as outlined in red on the accompanying plat.

7 BY authority of

8 Article 32 - Zoning
9 Sections 5-201(a), 9-701(2), and 9-703
10 Baltimore City Revised Code
11 (Edition 2000)

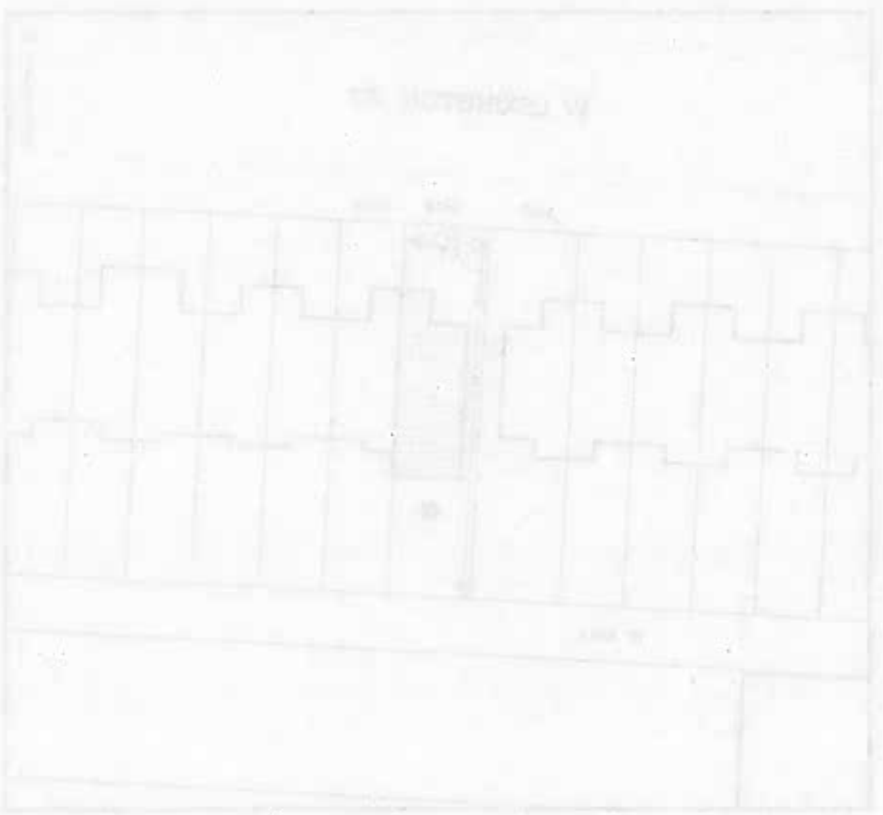
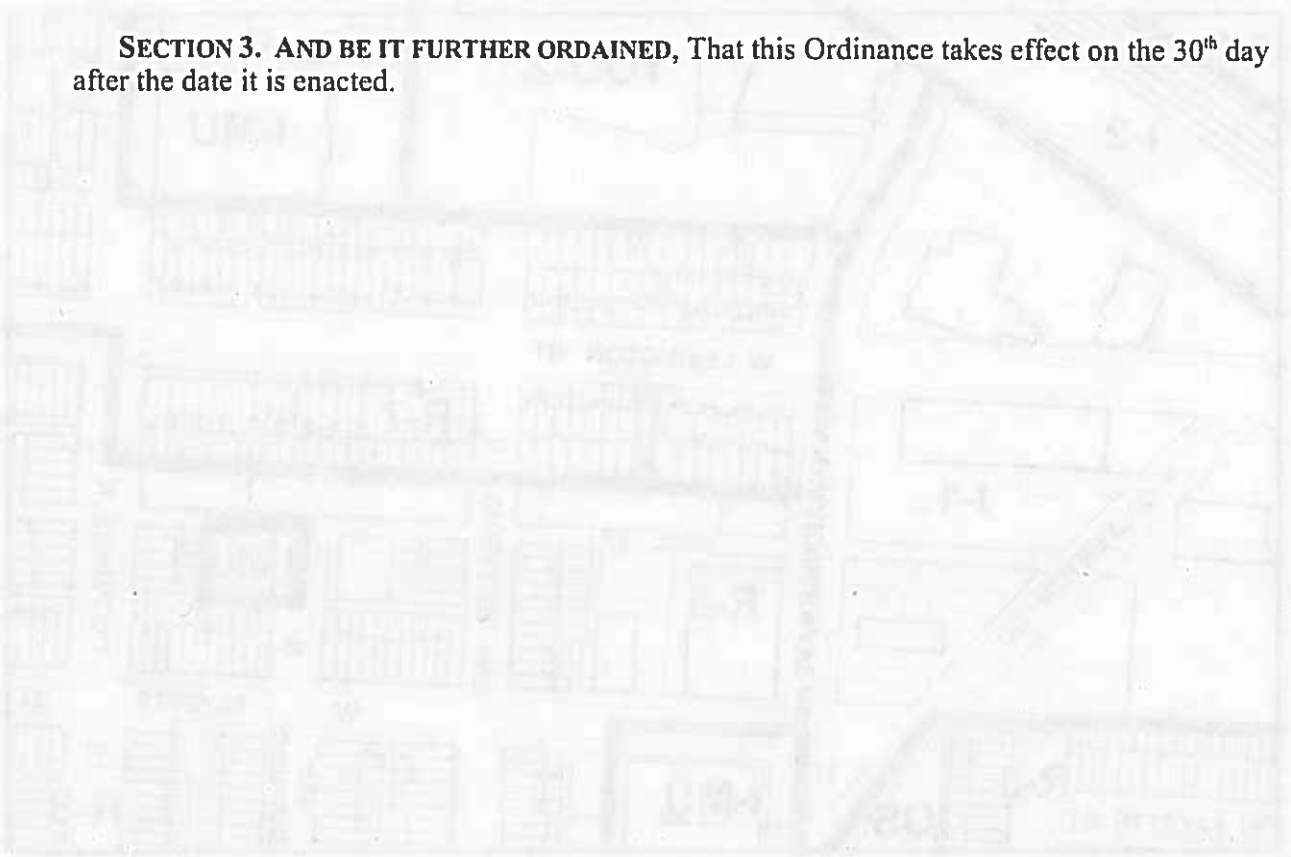
12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That**
13 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
14 the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red
15 on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-
16 201(a), 9-701(2), and 9-703, subject to the condition that the building complies with all
17 applicable federal, state, and local licensing and certification requirements.

18 **SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the**
19 accompanying plat and in order to give notice to the agencies that administer the City Zoning
20 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
21 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
22 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
23 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
24 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
25 the Zoning Administrator.

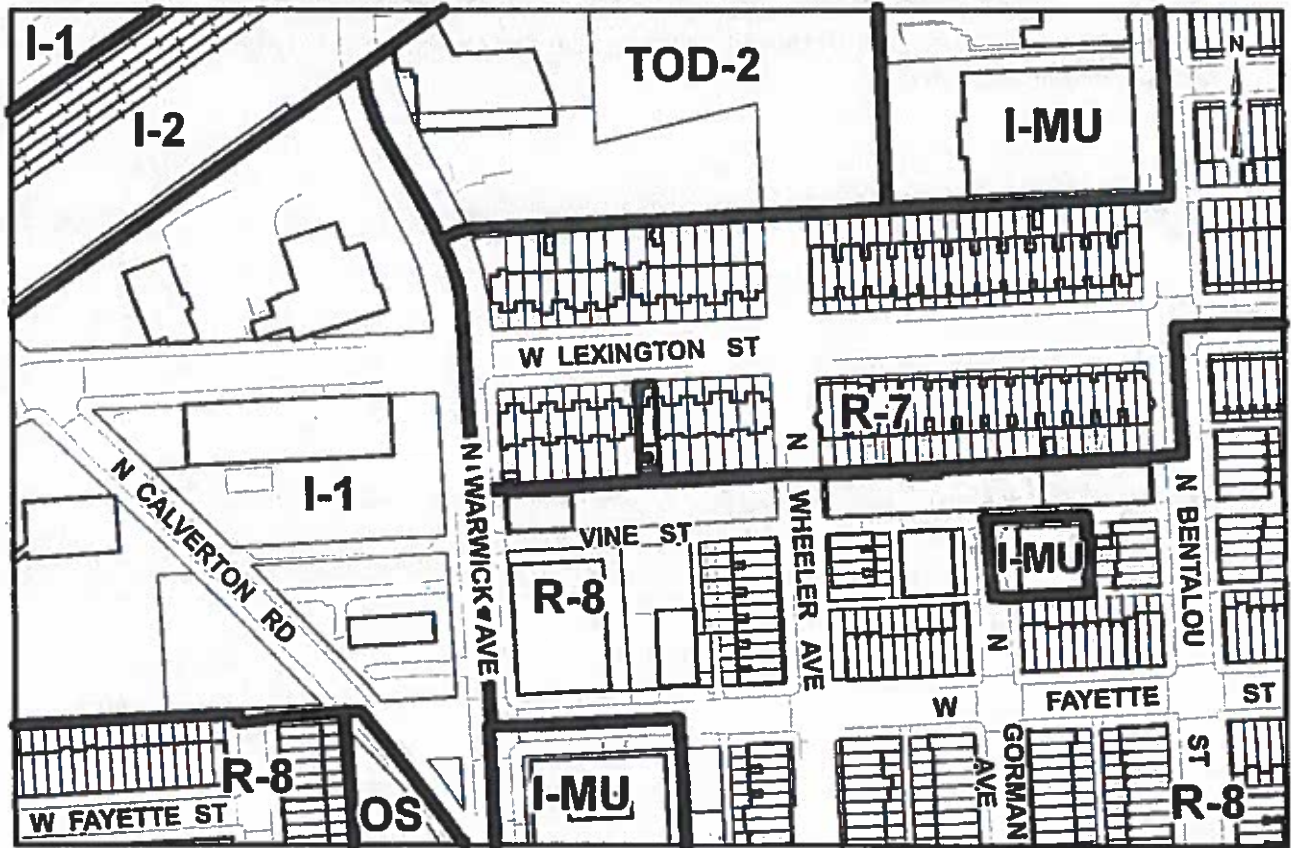
EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 17-0155

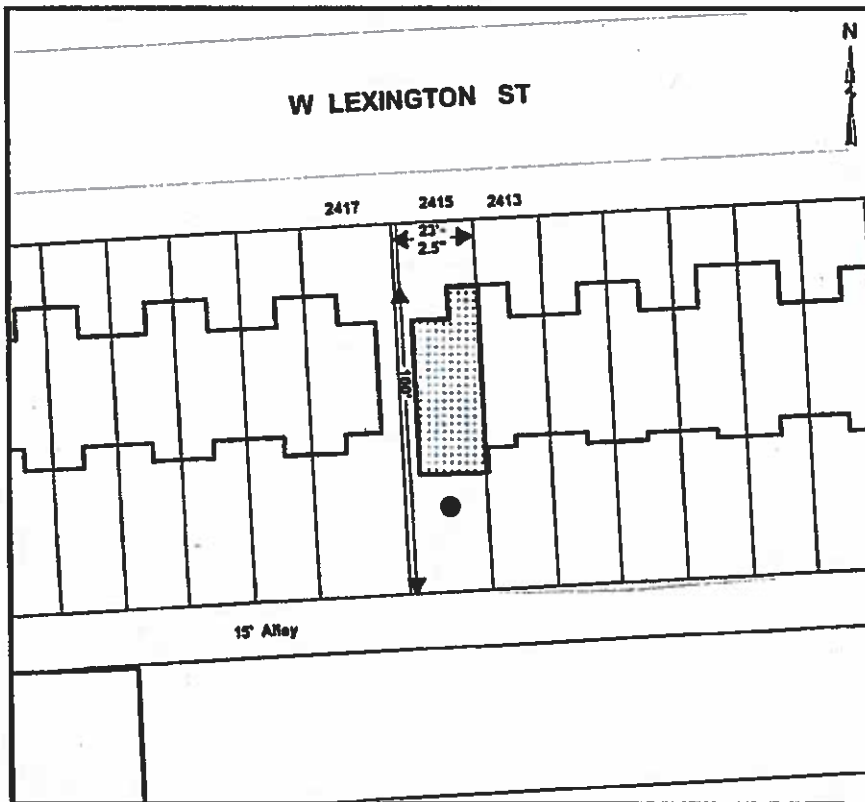
1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.



**SHEET NO. 53 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Scale: 1" = 50'

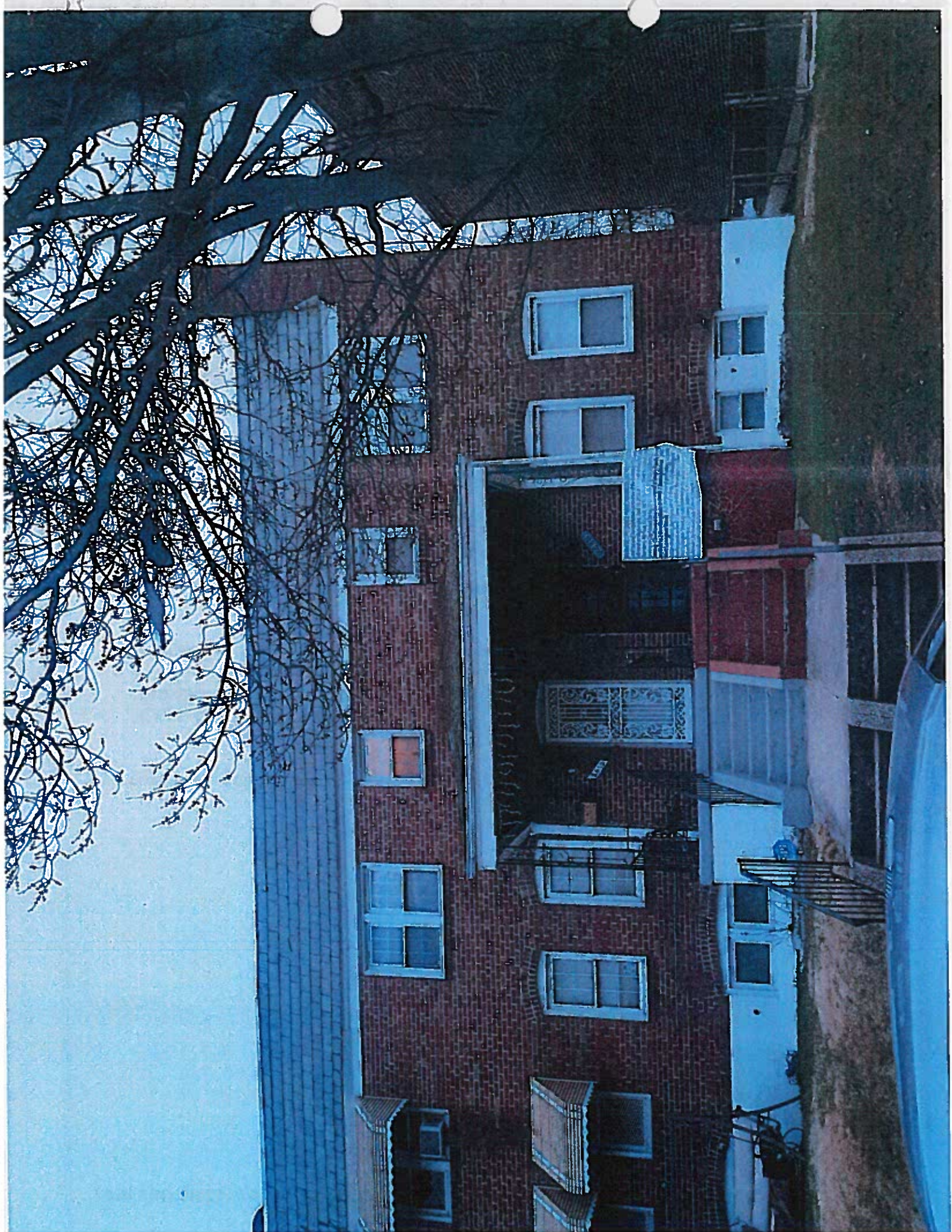
Note:

In Connection With The Property Known As No. 2415 W LEXINGTON STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Dwelling Unit To Two Dwelling Units In The R-7 Zoning District, As Outlined In Red Above.

WARD 20 SECTION 14
BLOCK 2163 LOT 24

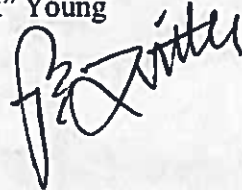
MAYOR

PRESIDENT CITY COUNCIL



TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: November 9, 2017
RE: Council Bill 17-0155



I am herein reporting on City Council Bill 17-0155 introduced by Councilmember Bullock at the request of Derrick Shaw and Samuel Smiley.

The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street.

According to Baltimore City Code Art. 32 § 9-701 (2) the R-7 Zoning District allows for the conversion of a single-family dwelling to a multi-family dwelling through conditional-use approval by Ordinance of the Mayor and City Council. Conversion standards in Baltimore City Code Art. 32 § 9-703 (f) require at least 1 off-street parking space must be provided for each dwelling unit.

The Parking Authority of Baltimore City reviewed the proposed legislation. This property is not located on a block where the Parking Authority administers any on-street parking programs. Since the bill is not requesting a variance for the required off-street parking per Baltimore City Code Art. 32 § 9-703 (f), it is expected that off-street parking will be provided.

Based on the comments above, the Parking Authority of Baltimore City does not oppose the passage of City Council Bill 17-0155.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Land Use and Transportation Committee

Wednesday, February 21, 2018

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

17-0155

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 7 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Eric T. Costello, Member Ryan Dorsey, Member Leon F. Pinkett III, and Member Robert Stokes Sr.

ITEMS SCHEDULED FOR PUBLIC HEARING

17-0155 **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street**
For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

Sponsors: John T. Bullock

A motion was made by Member Dorsey, seconded by Member Clarke, that Bill 17-0155 be recommended favorably. The motion carried by the following vote:

Yes: 7 - Member Reisinger, Member Middleton, Member Clarke, Member Costello, Member Dorsey, Member Pinkett III, and Member Stokes Sr.

ADJOURNMENT

THIS HEARING IS OPEN TO THE PUBLIC



HEARING NOTES

Bill: 17-0155

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street

Committee: Land Use and Transportation
Chaired By: Councilmember Edward Reisinger

Hearing Date: February 21, 2017
Time (Beginning): 3:45 PM
Time (Ending): 3:55 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~20

Committee Members in Attendance:

- Reisinger, Edward, Chairman
- Middleton, Sharon, Vice Chair
- Costello, Eric
- Dorsey, Ryan
- Pinkett, Leon
- Stokes, Robert
- Clarke, Mary Pat

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?.....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?.....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Evidence of notification to property owners?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember Dorsey, Ryan		
Seconded by:	Councilmember Clarke, Mary Pat		
Final Vote:	Favorable		

Major Speakers
(This is not an attendance record.)

- Mr. Martin French, Department of Planning
 - Derrick Baumgardner, Board of Municipal Zoning Appeals
 - Eleana DiPietro, Department of Law
-

Major Issues Discussed

1. Mr. French presented information about the Planning Commission's report and the Planning Department's staff report
 2. Agency positions were read. Agency representatives testified in support of their respective agency's position on the bill.
 3. Chairman Reisinger read into the record a letter from the Zoning Administrator regarding variances.
 4. The committee reviewed and discussed the bill.
 5. The committee approved finding of facts for the bill.
-

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

Reisinger, Edward, Chairman.....	Yea
Middleton, Sharon, Vice Chair.....	Yea
Clarke, Mary Pat.....	Yea
Costello, Eric.....	Yea
Dorsey, Ryan.....	Yea
Pinkett, Leon.....	Yea
Stokes, Robert:.....	Yea

Jennifer L. Coates, Committee Staff
cc: Bill File
OCS Chrono File



Date: February 21, 2018



CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation	Chairperson: Edward Reisinger
Date: February 21, 2018	Time: 1:10PM
Place: Clarence "Du" Burns Chambers	
Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street	
CC Bill Number: 17-0155	

PLEASE PRINT					WHAT IS YOUR POSITION ON THIS BILL?		LOBBYIST: ARE YOU REGISTERED IN THE CITY			
FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	FOR	AGAINST	YES	NO	
<div style="border: 2px solid red; padding: 5px; display: inline-block; color: red; font-weight: bold;"> IF YOU WANT TO TESTIFY PLEASE CHECK HERE </div> <div style="color: red; font-size: 2em; font-weight: bold; margin-top: 5px;"> </div>						TESTIFY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
John Doe						<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Martin French			Planning			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
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21202

Meeting Agenda - Final

Land Use and Transportation Committee

Wednesday, February 21, 2018

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

17-0155

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

17-0155

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

Sponsors:

John T. Bullock

ADJOURNMENT

THIS HEARING IS OPEN TO THE PUBLIC



**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward Reisinger
Chairperson**

PUBLIC HEARING

Wednesday, February 21, 2018

1:10 PM

Clarence "Du" Burns Council Chambers

City Council Bill # 17-0155

***Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit
to 2 Dwelling Units in the R-7 Zoning District -
2415 West Lexington Street***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Marguerite Currin

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: D'Paul Nibber

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
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Mary Pat Clarke
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HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac "Yitzy" Schleifer – Vice Chair
Kristerfer Burnett
Bill Henry
Shannon Sneed
Zeke Cohen
Ryan Dorsey
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: D'Paul Nibber

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Marguerite Currin

LAND USE AND TRANSPORTATION

Edward Reisinger - Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac "Yitzy" Schleifer
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Jennifer Coates
- Larry Greene (pension only)



BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 17-0155

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-7 Zoning District - 2415 West Lexington Street**

Sponsor: Councilmember Bullock

Introduced: October 16, 2017

Purpose:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

Effective: 30th day after enactment

Hearing Date/Time/Location: February 21, 2018 /1:10 p.m./Clarence "Du" Burns Chambers

Agency Reports

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Law	
Department of Transportation	Favorable
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable
Fire Department	No Objection
Parking Authority Board	Not Opposed

Analysis

Current Law

Article 32 – Zoning; Section(s) 5-201 (a), 9-701(2), and 9-703; Baltimore City Revised Code (Edition 2000) 2415 w

Background

CC Bill 17-0155, if approved, would permit the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street.

The residential property is in the Penrose/Fayette Street Outreach area of West Baltimore. It is situated on the south side of Lexington Street between Warwick and Wheeler Avenues. The site is improved with a two-story end-of-group residential building. The dwelling measures approximately 17' wide and 30' deep.

The residential area is a few blocks south of the West Baltimore MARC Station an area designated for transit-oriented development. To the west of the site are properties zoned for light industrial use. The property was constructed in 1943 and is zoned R-7. The site is part of the Operation Reach Out Southwest (OROSW) Strategic Neighborhood Action Plan area.

The property is owned by Derrick Shaw and Samuel Smiley. The owner intends to divide and renovate the existing structure into two dwelling units. The adaptive re-use as a two-family dwelling would offer affordable housing alternatives.

The proposed action would be consistent with provisions of the Baltimore City Master Plan LIVE EARN PLAY LEARN's LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents

Variances

Lot Area Per Dwelling Unit

The Zoning Code requires a lot area of 1,500 square feet for the proposed two dwelling units in an R-7 district. The lot has an area of 2,325 square feet. A variance for the lot area per dwelling is not needed.

Gross Floor Area

The Zoning Code requires the existing dwelling unit to have 750 square feet per unit or 1,500 square feet of gross floor area to allow for the conversion to more than one dwelling unit. The property contains approximately 1,000 square feet of floor area. A variance of 500 square feet or 33%% is needed to reduce the requirement.

Gross Floor Area Per Dwelling Unit

The Zoning Code requires each newly-created dwelling unit to have for a 1-bedroom unit, 750 square feet of floor area. Each unit would have approximately 500 square feet of gross floor area. A variance of 250 square feet or 33% is needed to reduce this requirement.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency reports

Analysis by: Jennifer L. Coates *JLC*
Analysis Date: February 17, 2018

Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE
COUNCIL BILL 17-0155
(First Reader)**

Introduced by: Councilmember Bullock
At the request of: Derrick Shaw and Samuel Smiley
Address: P.O. Box 1162, Baltimore, Maryland 21203
Telephone: 1-202-412-9013

Introduced and read first time: October 16, 2017

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit**
3 **to 2 Dwelling Units in the R-7 Zoning District – 2415 West Lexington Street**

4 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
5 dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415
6 West Lexington Street, as outlined in red on the accompanying plat.

7 BY authority of

8 Article 32 - Zoning
9 Sections 5-201(a), 9-701(2), and 9-703
10 Baltimore City Revised Code
11 (Edition 2000)

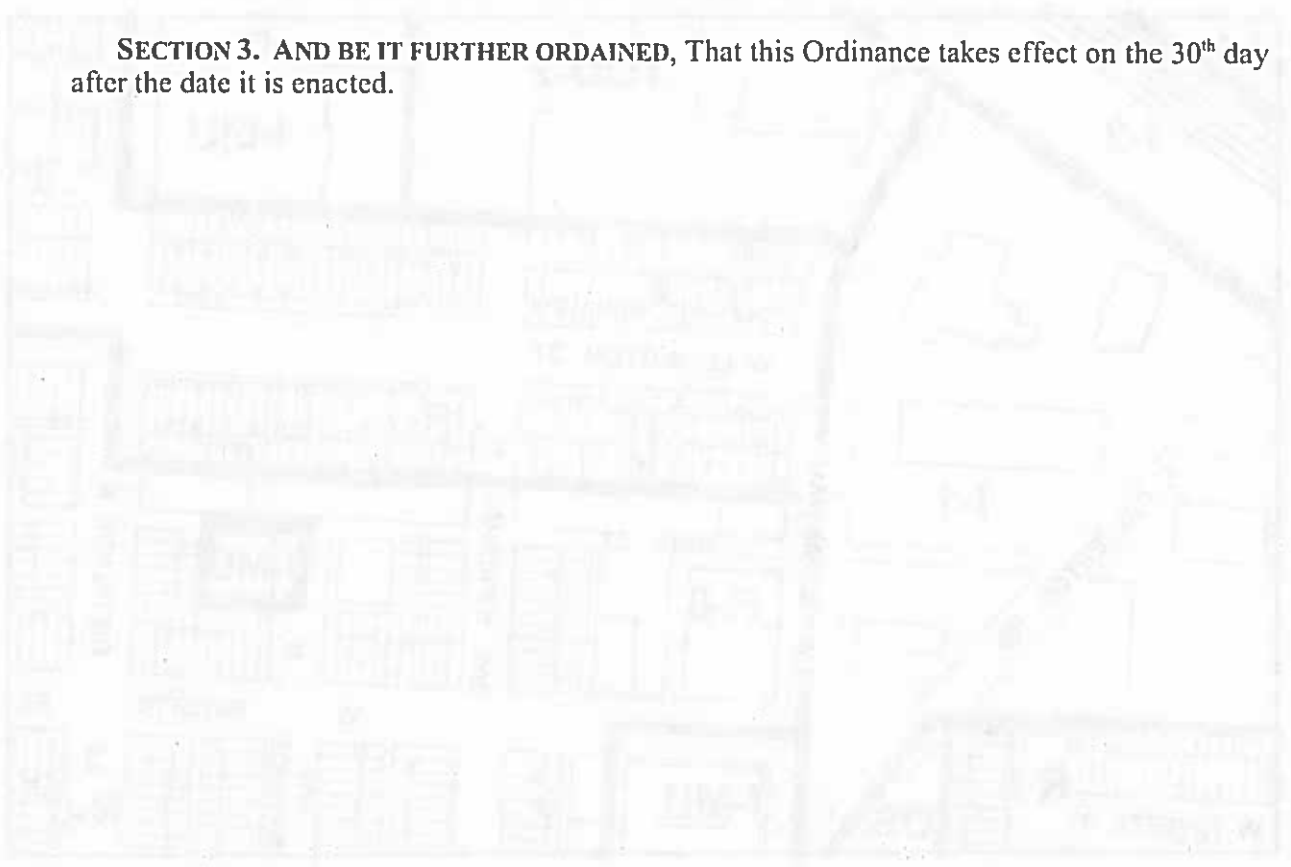
12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
13 permission is granted for the conversion of a single-family dwelling unit to 2 dwelling units in
14 the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red
15 on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-
16 201(a), 9-701(2), and 9-703, subject to the condition that the building complies with all
17 applicable federal, state, and local licensing and certification requirements.

18 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
19 accompanying plat and in order to give notice to the agencies that administer the City Zoning
20 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
21 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
22 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
23 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
24 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
25 the Zoning Administrator.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 17-0155

1 SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
2 after the date it is enacted.



TO NOTARILY BY

ALL RIGHTS RESERVED

NO PART OF THIS DOCUMENT

SHALL BE REPRODUCED OR

TRANSMITTED IN ANY FORM

OR BY ANY MEANS, ELECTRONIC

OR MECHANICAL, INCLUDING

PHOTOCOPYING, RECORDING,

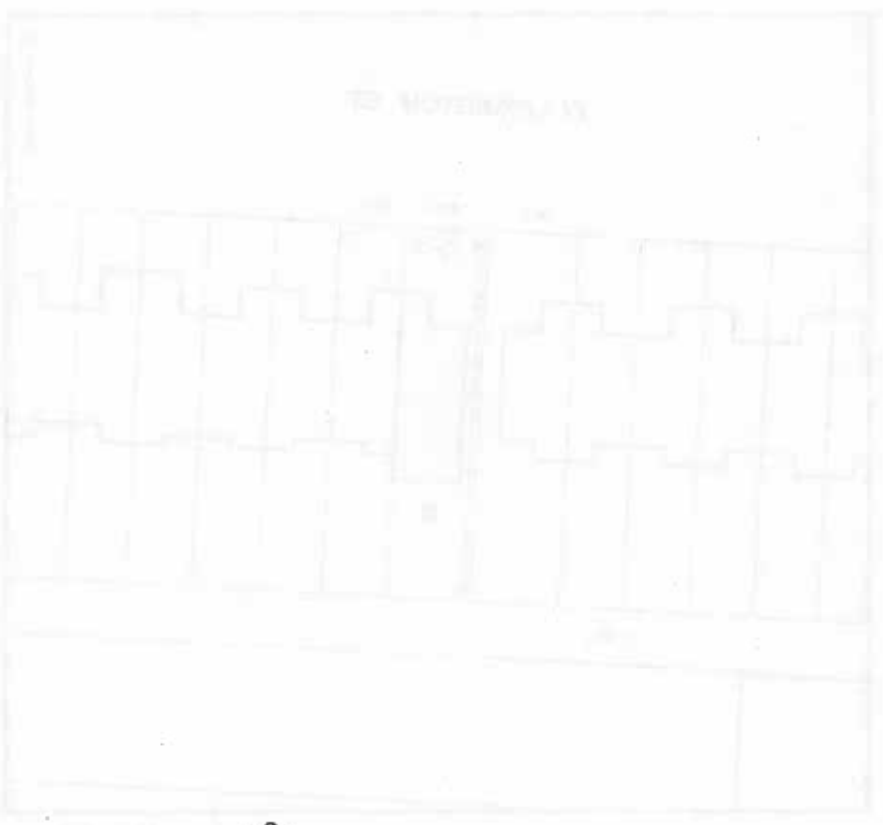
OR BY ANY INFORMATION

STORAGE AND RETRIEVAL

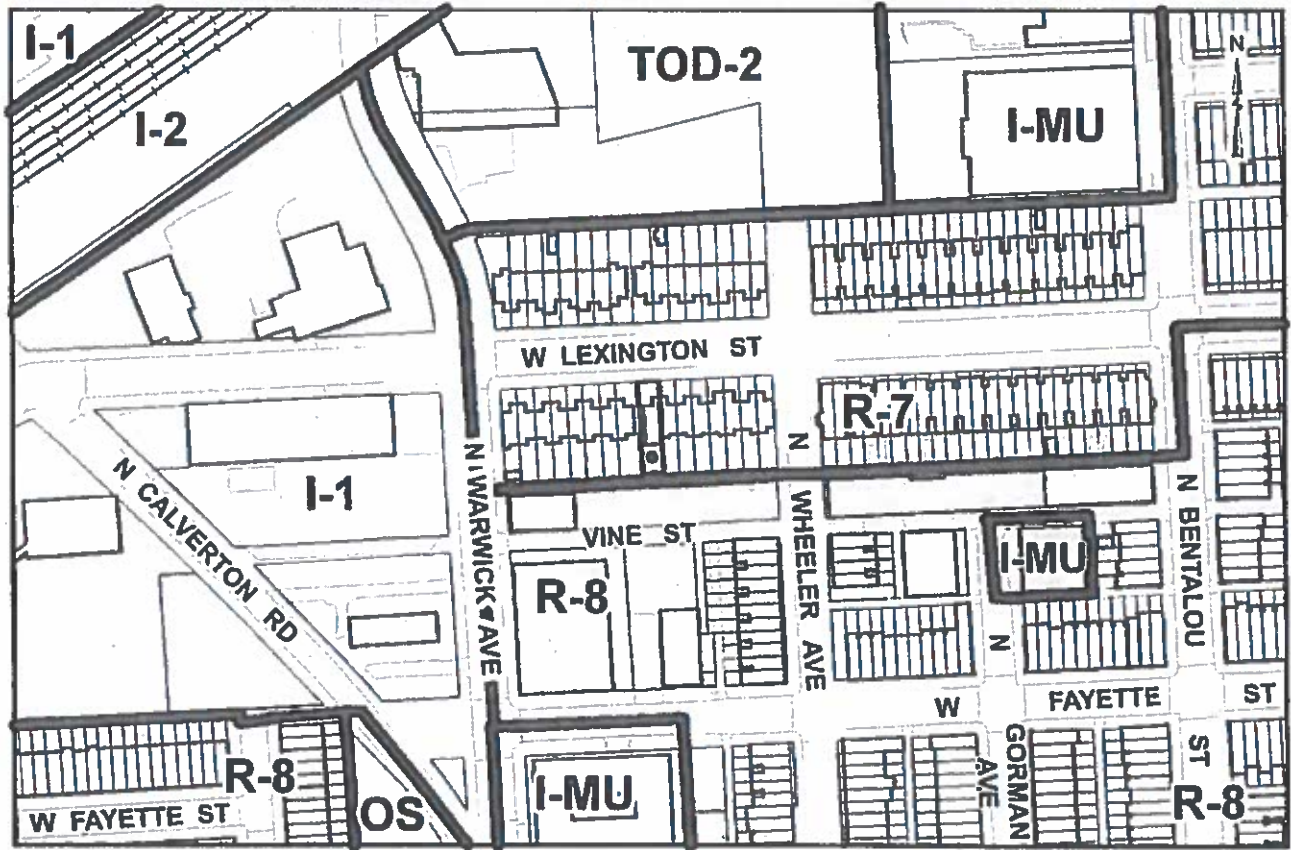
SYSTEM, WITHOUT PERMISSION

IN WRITING FROM THE

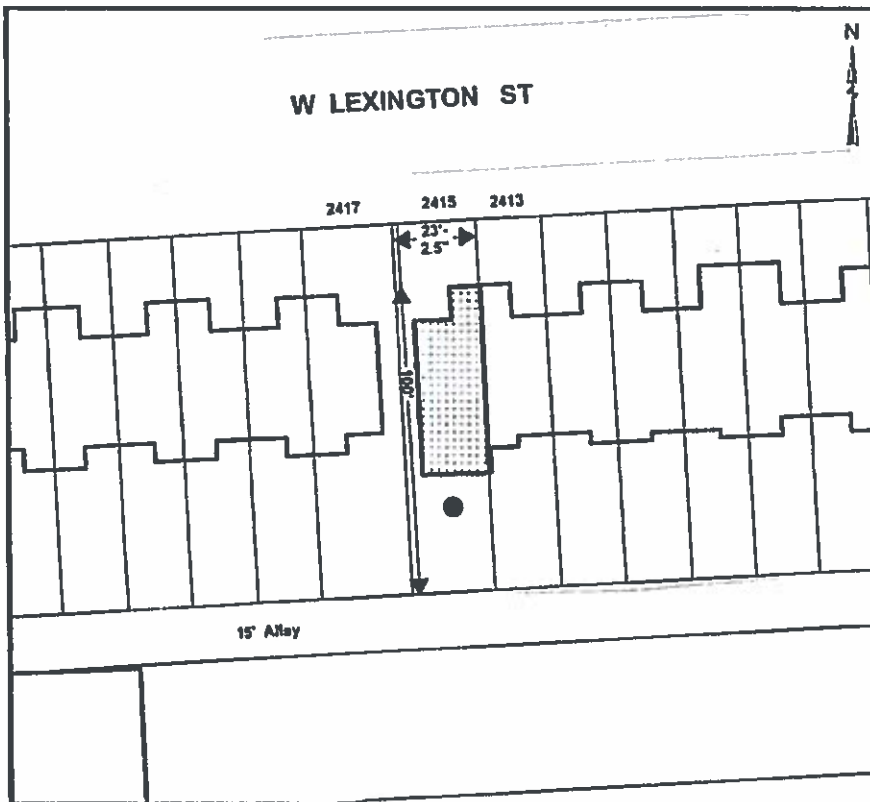
PUBLISHER.



**SHEET NO. 53 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With The Property Known As No. 2415 W LEXINGTON STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Dwelling Unit To Two Dwelling Units In The R-7 Zoning District, As Outlined In Red Above.

WARD 20 SECTION 14
BLOCK 2163 LOT 24

MAYOR

PRESIDENT CITY COUNCIL

**CITY OF BALTIMORE
COUNCIL BILL 17-0155
(First Reader)**

Introduced by: Councilmember Bullock
At the request of: Derrick Shaw and Samuel Smiley
Address: P.O. Box 1162, Baltimore, Maryland 21203
Telephone: 1-202-412-9013

Introduced and read first time: October 16, 2017

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

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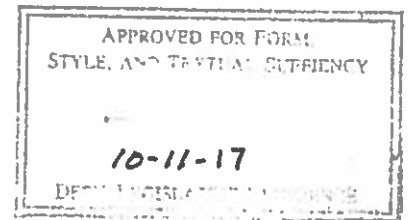
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Council Bill 17-0155

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Bullock
At the request of: Derrick Shaw and Samuel Smiley
Address: P.O. Box 1162, Baltimore, Maryland 21203
Telephone: 1-202-412-9013

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit
to 2 Dwelling Units in the R-7 Zoning District – 2415 West Lexington Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 2415 West Lexington Street, as outlined in red on the accompanying plat.

BY authority of

Article 32 - Zoning
Sections 5-201(a), 9-701(2), and 9-703
Baltimore City Revised Code
(Edition 2000)

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SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL, IS THE FIRST READER COPY.

STATEMENT OF INTENT

FOR

2415 W. Lexington St
{Address}

1. Applicant's Contact Information:

Name: Derrick Shaw
Mailing Address: PO Box 1162
Balto. MD 21203
Telephone Number: 202 412 9013
Email Address: dshawxm@gmail.com

2. All Proposed Zoning Changes for the Property: Change from 1 unit to
2 unit dwelling

3. All Intended Uses of the Property: live in 1st floor rent out 2nd floor

4. Current Owner's Contact Information:

Name: Derrick Shaw
Mailing Address: PO Box 1162, Balto. MD 21203
Telephone Number: 202 412 9013
Email Address: dshawxm@gmail.com

5. Property Acquisition:

The property was acquired by the current owner on 12/09/11 by deed recorded in the
Land Records of Baltimore City in Liber 14015 Folio 397.

6. Contract Contingency:

- (a) There is is not a contract contingent on the requested legislative authorization.
- (b) If there is a contract contingent on the requested legislative authorization:
 - (i) The names and addresses of all parties to the contract are as follows {use additional sheet if necessary}: _____

(ii) The purpose, nature, and effect of the contract are: _____

7. Agency:

(a) The applicant is _____ is not acting as an agent for another.

(b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are as follows {use additional sheet if necessary}: _____

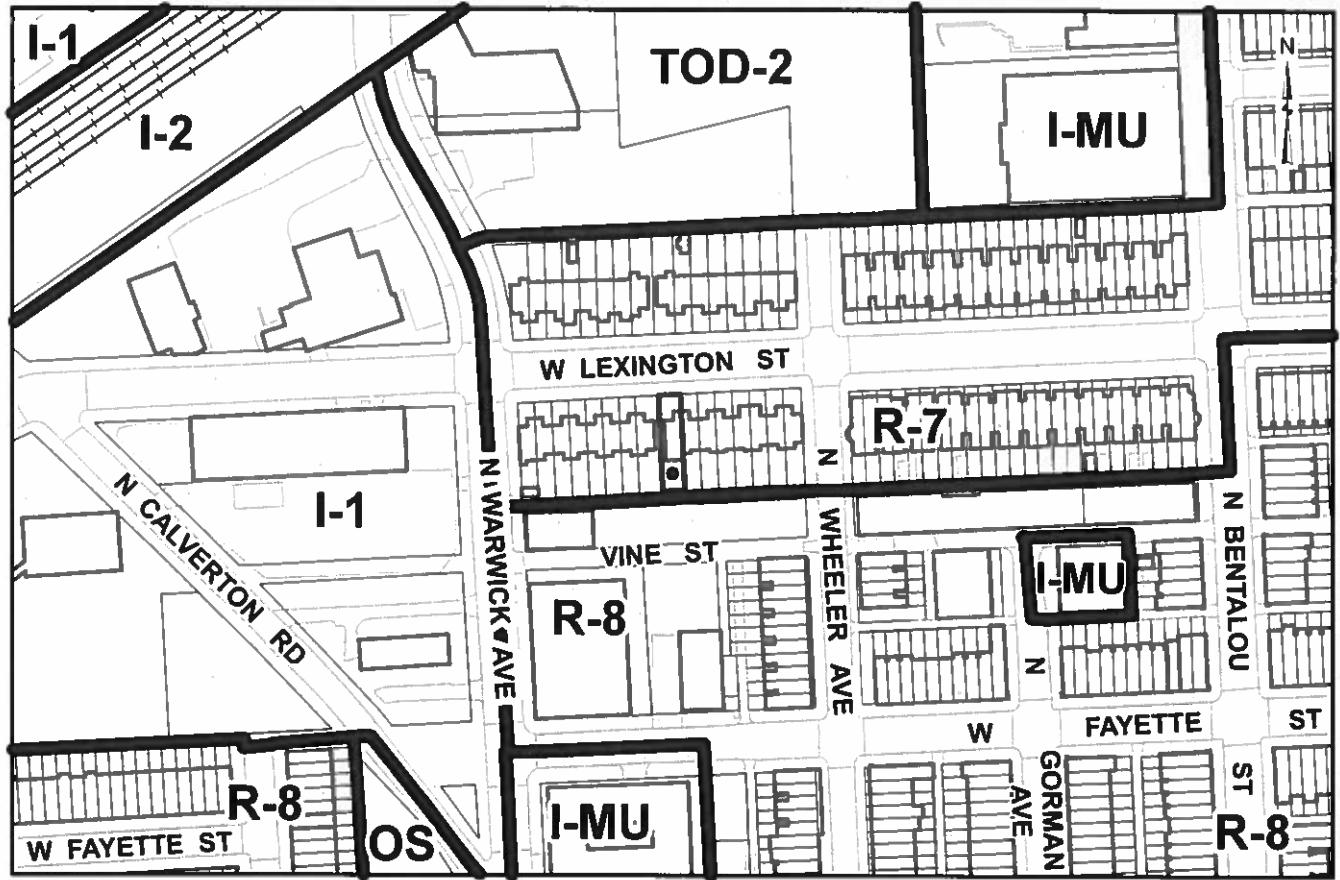
AFFIDAVIT

I, Derrick Shaw, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

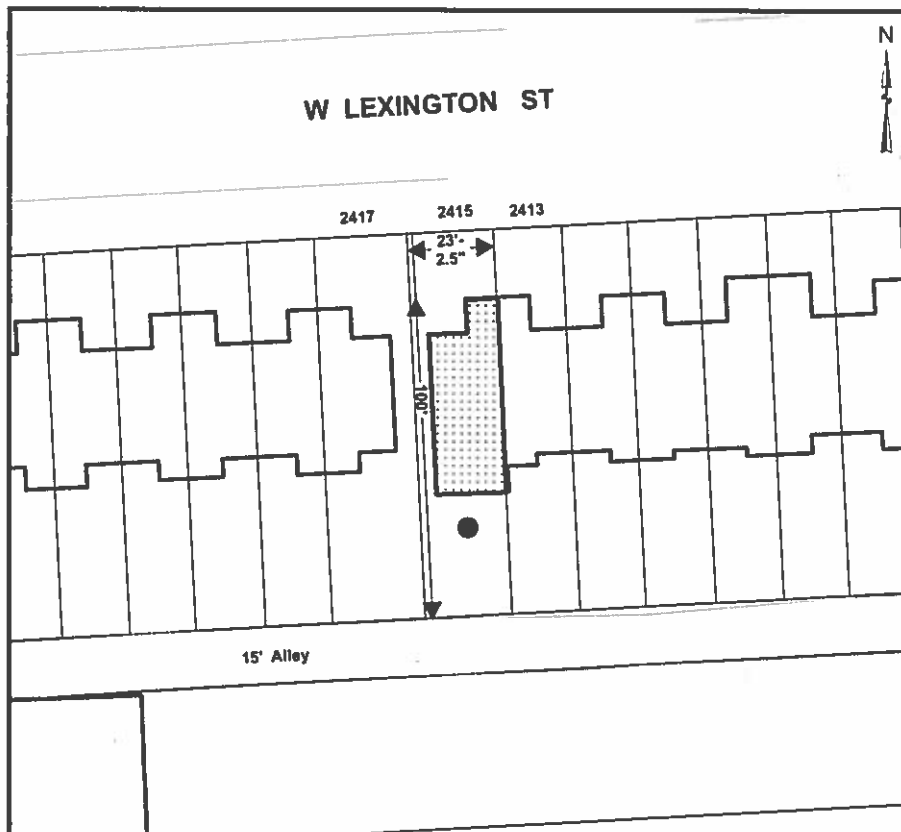
D. Shaw
Applicant's signature

10/04/17
Date

**SHEET NO. 53 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



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Note:

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WARD 20 SECTION 14
BLOCK 2163 LOT 24

MAYOR

PRESIDENT CITY COUNCIL

THE CITY OF BOSTON
OFFICE OF THE COMMISSIONER OF PUBLIC WORKS

NO.	NAME	ADDRESS	CITY	STATE	DATE
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ACTION BY THE CITY COUNCIL

OCT 16 2017

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON February 21, + April 18, 2018

COMMITTEE REPORT AS OF February 26, + April 23, 2018

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

Edward J. Deery
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

FEB 26 2018

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

APR 23 2018

THIRD READING _____

APR 30 2018

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

Bob Dugg
President

Edward J. Deery
Chief Clerk