

**Introduced by:** Councilmember Stokes

**At the request of:** Kasey Corporation

Address: c/o Hazel Thornton, 309 East 28<sup>th</sup> Street, Baltimore, Maryland 21218

Telephone: 410-554-1031

**Prepared by:** Department of Legislative Reference

**Date:** March 5, 2018

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

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

CITY COUNCIL 18 - 0203

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to  
3 Dwelling Units in the R-7 Zoning District – Variances – 301 East 28<sup>th</sup> Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of

Article 32 - Zoning

Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and  
16-602 (Table 16-406)

Baltimore City Revised Code  
(Edition 2000)

*Robert Stokes*

**\*\*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**

Baltimore City Public School System

Baltimore Development Corporation

City Solicitor

Comptroller's Office

Department of Audits

Department of Finance

Department of General Services

Department of Housing and Community Development

Department of Human Resources

Department of Planning

Other:

Other:

Other:

Department of Public Works

Department of Real Estate

Department of Recreation and Parks

Department of Transportation

Fire Department

Health Department

Mayor's Office of Employment Development

Mayor's Office of Human Services

Mayor's Office of Information Technology

Office of the Mayor

Police Department

Other:

Other:

Board of Estimates

Board of Ethics

Board of Municipal and Zoning Appeals

Comm. for Historical and Architectural Preservation

Commission on Sustainability

Employees' Retirement System

Other:

Other:

Other:

Environmental Control Board

Fire & Police Employees' Retirement System

Labor Commissioner

Parking Authority Board

Planning Commission

Wage Commission

Other:

Other:

Other:

CITY OF BALTIMORE  
ORDINANCE **18-203**  
Council Bill 18-0203

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Introduced by: Councilmember Stokes  
At the request of: Kasey Corporation  
Address: c/o Hazel Thornton, 309 East 28<sup>th</sup> Street, Baltimore, Maryland 21218  
Telephone: 410-554-1031  
Introduced and read first time: March 12, 2018  
Assigned to: Land Use and Transportation Committee  
Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: October 29, 2018

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AN ORDINANCE CONCERNING

1                    **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**  
2                    **3 2 Dwelling Units in the R-7 Zoning District – Variances – 301 East 28<sup>th</sup> Street**

3                    FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family  
4                    dwelling unit to 3 2 dwelling units in the R-7 Zoning District on the property known as 301  
5                    East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and  
6                    granting variances from certain bulk regulations (lot area) and certain off-street parking  
7                    regulations.

8                    BY authority of  
9                    Article 32 - Zoning  
10                    Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and  
11                    16-602 (Table 16-406)  
12                    Baltimore City Revised Code  
13                    (Edition 2000)

14                    **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That  
15                    permission is granted for the conversion of a single-family dwelling unit to 3 2 dwelling units on  
16                    the property known as 301 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the plat  
17                    accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-201(a) and  
18                    9-701(2), subject to the condition that the building complies with all applicable federal, state, and  
19                    local licensing and certification requirements.

20                    **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-  
21                    305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the  
22                    requirements of §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-7 Zoning District.

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.

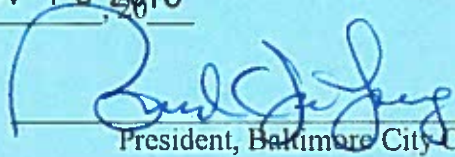
Council Bill 18-0203

1 SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-  
2 305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the  
3 requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-7 Zoning District  
4 (Table 16-406).

5 SECTION 4. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the  
6 accompanying plat and in order to give notice to the agencies that administer the City Zoning  
7 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council  
8 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;  
9 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the  
10 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of  
11 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and  
12 the Zoning Administrator.

13 SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30<sup>th</sup> day  
14 after the date it is enacted.

Certified as duly passed this \_\_\_\_\_ day of NOV 19 2018


  
\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

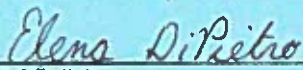
this \_\_\_\_\_ day of NOV 19 2018

  
\_\_\_\_\_  
Chief Clerk

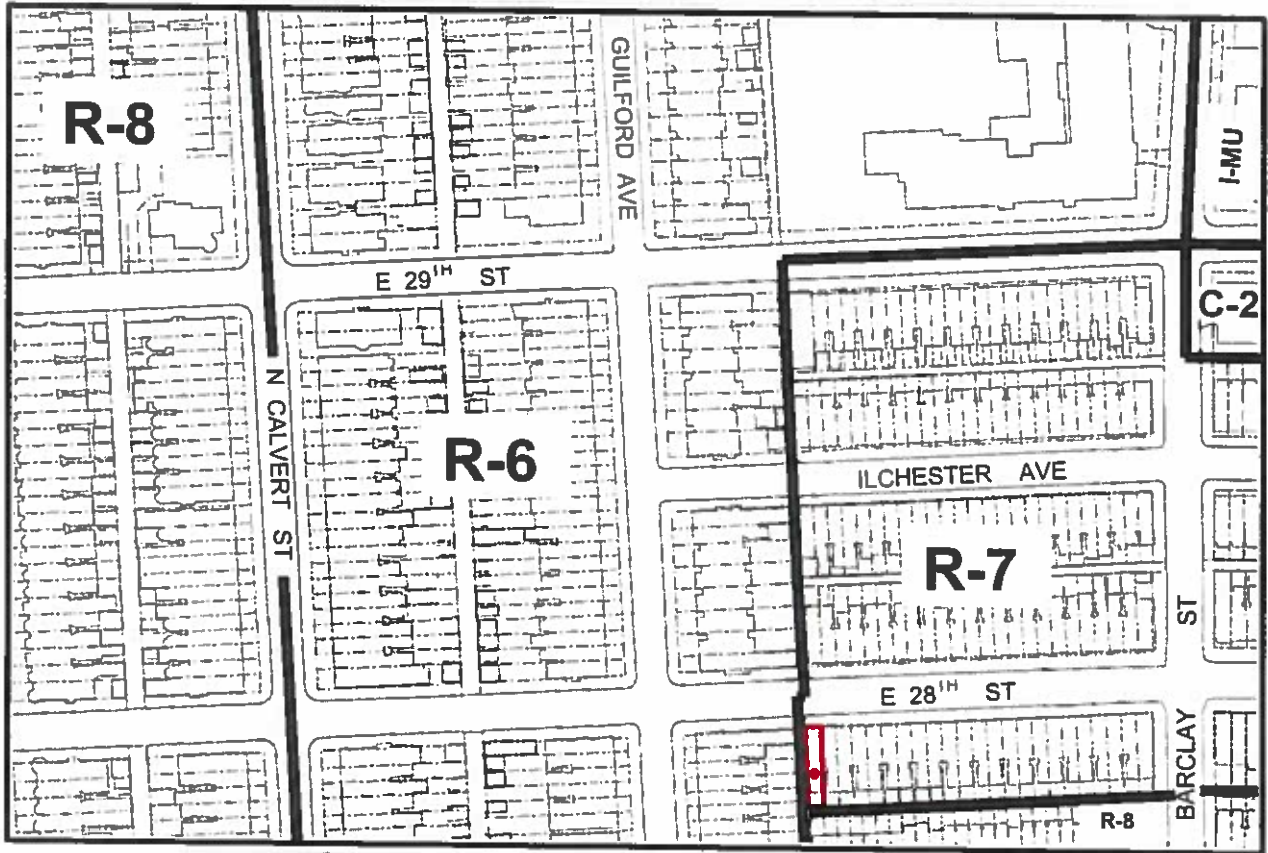
Approved this 13 day of December, 2018

  
\_\_\_\_\_  
Mayor, Baltimore City

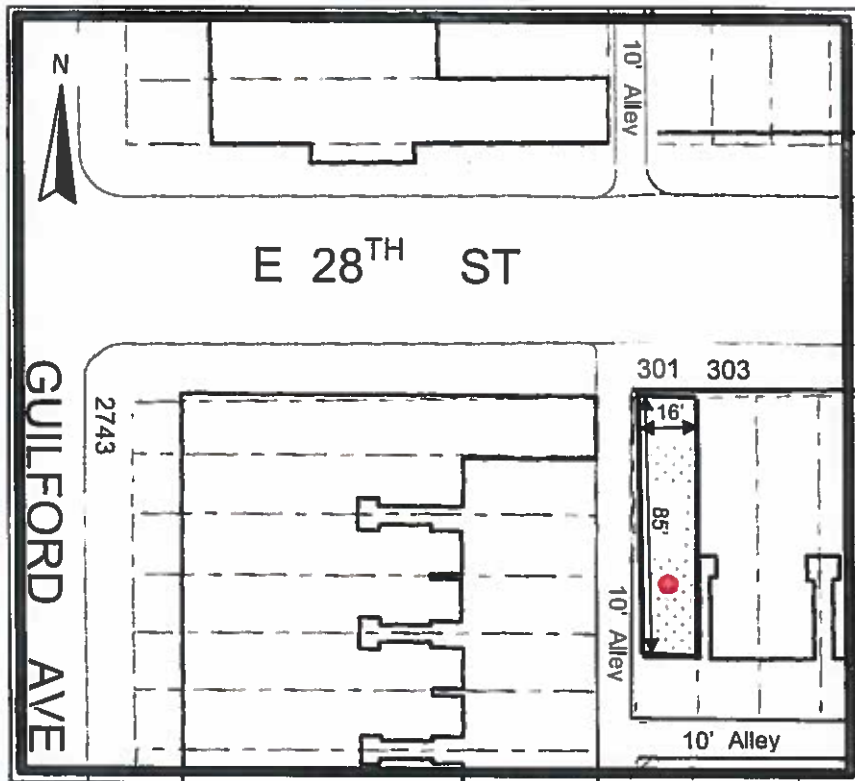
Approved For Form and Legal Sufficiency  
This 6<sup>th</sup> Day of December 2018

  
\_\_\_\_\_  
Chief Solicitor

**SHEET NO. 36 OF THE ZONING DISTRICT MAP OF  
THE BALTIMORE CITY ZONING CODE**



Scale: 1" = 200'



**Note:**

In Connection With The Property Known As No. 301 EAST 28TH STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Family Dwelling Unit To Three Dwelling Units In The R-7 Zoning District, As Outlined In Red Above.

WARD 12 SECTION 17  
BLOCK 3844 LOT 79

*Carroll E. ...*  
MAYOR

*Robert ...*  
PRESIDENT CITY COUNCIL

Scale: 1" = 50'

RPE 11-17-17

203



AMENDMENTS TO COUNCIL BILL 18-0203  
(1<sup>st</sup> Reader Copy)

APPROVED FOR FORM STYLE, AND TEXTUAL SUFFICIENCY
10-19-18
DEPT LEGISLATIVE REFERENCE

By: Land Use and Transportation Committee

Amendment No. 1

On page 1, in line 3, strike "3" and substitute "2"; and, on the same page, in lines 5 and 16, in each instance, strike "3" and substitute "2".

**ADOPTED**





# 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. 18-0203

#### Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District - Variances - 301 East 28th 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 Harwood neighborhood is predominantly residential. The establishment, location, construction, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or welfare because the proposed residential use as a two-dwelling unit is appropriate for the surrounding area within the Harwood neighborhood.

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

There is no applicable Urban Renewal Plan where this property is located.

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

If amended to authorize conversion of the single-family dwelling unit to two dwelling units, the proposed action would be consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods. Objective 1: Expand Housing Choices for all Residents.

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

The Planning Commission finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council



ADONIS

Bill #18-0203 be amended to authorize 2 dwelling units, and be passed as amended accordingly by the City Council.

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 unusually large size of the existing structure in relation to the relatively smaller size of the lot on which it stands creates a condition that is not generally applicable to other property within the same zoning classification, and thus is indicative of a practical difficulty.

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

The Parking Authority of Baltimore City has determined that available on-street parking inventory is greater than the demand for on-street parking. PABC agrees that a variance for off-street parking is needed. PABC has also determined that the passage of this bill will not negatively impact parking in the area. The applicant is requesting a variance for off-street parking.

The Department of Transportation has no object to passage of the bill.

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

Amending this bill to authorize use of 301 East 28<sup>th</sup> Street as a 2-family dwelling would be consistent with residential use in the area and would not prevent continuing use of a structure that is a contributing element in the Harwood community.

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

There will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering.

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

There is adequate accessibility of the premises 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 to 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;

Public utilities currently serve the area and would continue to do so.

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

As an alternative, adaptive re-use as a two-family attached dwelling would allow preservation of part of Harwood's traditional architectural fabric while offering a more affordable housing alternative to persons who wish to live in an area convenient to downtown Baltimore.

- (9) the character of the neighborhood;

As much of the housing stock in Harwood is of a smaller scale than this particular property, this action would not constitute a precedent for conversion of smaller structures from single-family to multi-family use.

Use as two-dwelling units would not alter the character of the neighborhood.

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

If amended to authorize conversion of the single-family dwelling unit to two dwelling units, the proposed action would be consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods. Objective 1: Expand Housing Choices for all Residents.

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

There is no applicable Urban Renewal Plan where this property is located.

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

This request is not inconsistent with applicable standards and requirements of the Code. The applicant has requested variances.

- (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 - The findings listed above have been transferred from the Planning Commission's report dated June 1, 2018 and the Department of Planning's report dated May 31, 2018.
- Testimony presented at the Committee hearing

Oral – Witness Name:

- Mr. Martin French, Department of Planning
- Mr. Victor Tervala, Law Department
- Ms. Hazel Thornton, Property Owner

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

- Baltimore City Planning Commission, Agency Report – Dated: 6/1/2018
- Department of Planning, Staff report – Dated: 5/31/2018
- Department of Transportation, Agency Report – 3/26/2018
- Parking Authority of Baltimore City, Agency Report – 7/14/2018
- Law Department, Agency Report – Dated: 10/12/2018

**LAND USE AND TRANSPORTATION COMMITTEE:**

 Chairman	_____	Member
 Member	_____	Member
 Member	_____	Member
 Member	_____	Member





# 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 5-308 of the Baltimore City Code, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A VARIANCE FOR BULK LOT AREA AND OFF-STREET PARKING.

City Council Bill No. 18-0203  
Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit  
to 3 Dwelling Units in the R-7 Zoning District –  
Variances – 301 East 28th Street

# ADOPTED

### (1) Uniqueness

The following characteristics of the land or structure are different than neighboring properties in the same zoning classification: (*Possible examples include: particular physical surroundings, topographical conditions, irregularity of shape, slope, grade, narrowness, shallowness, accessibility, subsurface conditions, obstructions, historical significance*)

The unusually large size of the existing structure in relation to the relatively smaller size of the lot on which it stands creates a condition that is not generally applicable to other property within the same zoning classification, and thus is indicative of a practical difficulty.

A lot area of 2,750 square feet is thus required for the proposed use. This lot has 1,360 square feet, so a 50% variance of this lot area requirement is needed for three dwelling units. If the conversion authorization would be amended to two dwelling units, a lot area of 2,200 square feet would be required, for which a 20% lot area variance would be needed. The applicant agrees that the bill should be amended to allow for two dwelling units.

### (2) Unnecessary hardship or practical difficulty

- (i) Due to the characteristics described above, enforcing off-street parking restrictions would cause a disproportionate impact on the property as

ADOPED

compared to other neighboring properties, resulting in an unnecessary hardship or practical difficulty because:

The property has a rear yard sufficient for providing off-street parking, with access from a 10" wide alley; however, this alley has no close connection to a wider alley or public street (such as Guilford Avenue to its west), hence no rear parking pad. A variance for off-street parking is therefore required and has been included in the bill without reference to number of spaces. The impact of the variance would be reduced if it related to only one additional dwelling unit rather than two additional dwelling units.

The Parking Authority of Baltimore City has determined that available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC investigated the alley and rear yard and concurs with the Department of Planning's analysis that vehicle access to the rear of the property is not possible due to the lack of a connection to a wider alley or public street. PABC agrees that a variance for off-street parking is needed. PABC has also determined that the passage of this bill will not negatively impact parking in the area. The applicant is requesting a variance for off-street parking.

The Department of Transportation has no objection to passage of the bill.

- (ii) This impact would be unnecessarily burdensome OR would unreasonably prevent the applicant from using the property for a permitted purpose (describe):

The PABC investigated the alley and rear yard and concurs with the Department of Planning's analysis that vehicle access to the rear of the property is awkward.

**(3) The hardship/difficulty is not self-imposed**

As described below, 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:

The Planning Commission finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0203 be amended to authorize 2 dwelling units, and be passed as amended accordingly by the City Council.



**(4) Substantial justice to applicant and nearby owners**

Granting the variance will do substantial justice to the applicant and nearby owners because:

Amendment and approval of the bill would be consistent with residential use in the area and would not prevent continuing use of a structure that is a contributing element in the Harwood community.

OR

The following lesser form of relief would ensure justice because:

**(5) Impact of variance on profitability of the property**

The purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property, rather, an additional purpose is to:

- Expand housing choices for all residents;
- Provide housing resources for families of all income levels through rehabilitation and new construction;
- Convert a dwelling to an adaptive reuse.

**(6) Impact on neighboring properties**

The variance will not be injurious to the use and enjoyment of other property in the immediate vicinity or substantially diminish and impair property values in the neighborhood for the following reasons:

The proposed 2-unit dwelling will be residential and is consistent with neighboring properties.

**(7) Consistency with the Spirit of the Zoning Code**

Granting the variance is in harmony with the purpose and intent of this Code in the following ways:

Granting the variance will allow re-use of the structure consistent with its current zoning. The proposed use meets all other applicable standards and requirements of



the Code and serves the stated purpose of preserving and enhancing the value of structures, communities and neighborhoods.

**(8) Impact on other City Plans**

The variance is **not** precluded by and **will not** adversely affect any Urban Renewal Plan, the City's Comprehensive Master Plan or any Historical and Architectural Preservation District.

The property is located on a residential street in the R-7 district. This conditional use would benefit the Harwood neighborhood by creating a diverse stock of housing options of a variety of shapes and sizes that can suitably accommodate neighborhood residents. The adaptive re-use of the property will provide affordable housing and allow for a more diverse variety of choices for residents hoping to move into the neighborhood.

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

**(9) Public Health, Safety, Welfare etc.**

The variance **WILL NOT** adversely affect/endanger the public health, safety, or welfare; or be in any way contrary to the public interest.

**SOURCE OF FINDINGS** (Check all that apply):

[ X ] Planning Report – Memoranda Dated June 1, 2018

[ X ] Testimony presented at the Committee hearing:

Oral – Witness Name:

- Mr. Martin French, Staff, Department of Planning
- Mr. Victor Tervalá, Law Department
- Ms. Hazel Thornton, Property Owner

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

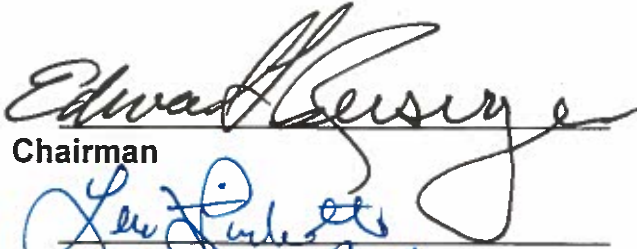
- Planning Commission – Agency Report – Dated 6/1/18





- Department of Planning – Staff Report – Dated 5/31/18
- Parking Authority of Baltimore City – Agency Report – Dated 6/14/18
- Department of Transportation – Agency Report – Dated 3/26/18
- Law Department – Agency Report – Dated 10/12/18

**LAND USE AND TRANSPORTATION COMMITTEE:**



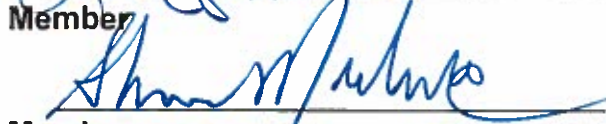
**Chairman**

\_\_\_\_\_ **Member**



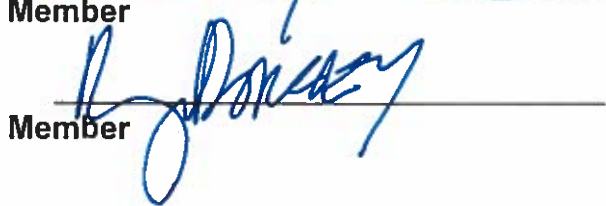
**Member**

\_\_\_\_\_ **Member**



**Member**

\_\_\_\_\_ **Member**



**Member**

\_\_\_\_\_ **Member**



# BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION VOTING RECORD

DATE: October 17, 2018

BILL#: 18-0203

**BILL TITLE:** Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District - Variances - 301 East 28th Street

MOTION BY: Dorsey      SECONDED BY: Costello

- 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
<b>TOTALS</b>	<u>5</u>		<u>2</u>	

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

1950

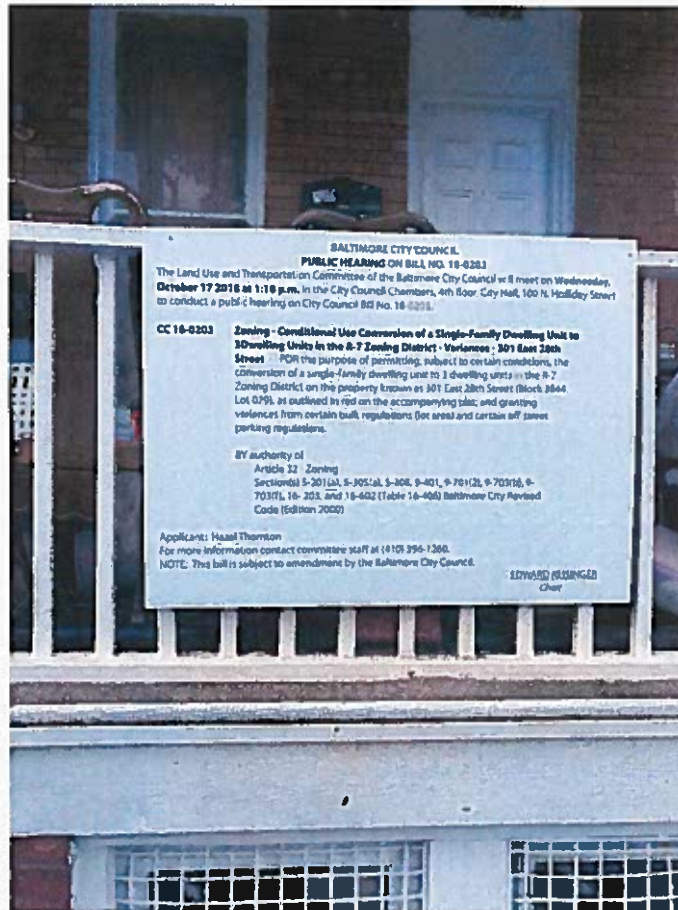
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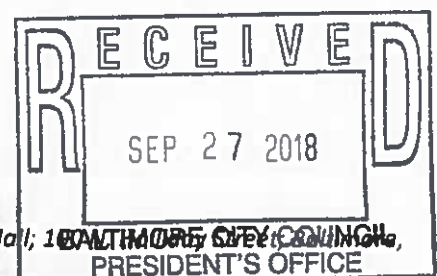
**Baltimore City Council**  
**Certificate of Posting - Public Hearing Notice**  
**City Council Bill No.: 18-0203**  
*Today's Date: September 26, 2018*



**Address: 301 East 28<sup>th</sup> Street**

**Date Posted: September 26, 2018**

**Name: Ms. Hazel Thornton**  
**Address: 301 East 28<sup>th</sup> Street; Baltimore, MD 21218**  
**Telephone: (410) 554-1031**



- Email to: [Natawnab.Austin@baltimorecity.gov](mailto:Natawnab.Austin@baltimorecity.gov)
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 North Holliday Street, Baltimore, MD 21202



FROM

NAME & TITLE

THOMAS J. STOSUR, DIRECTOR

AGENCY NAME & ADDRESS

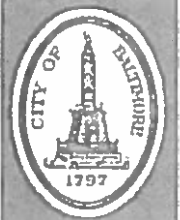
DEPARTMENT OF PLANNING  
8<sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET

SUBJECT

CITY COUNCIL BILL #18-0203/ ZONING – CONDITIONAL USE  
CONVERSION – VARIANCES – 301 EAST 28<sup>TH</sup> STREET

CITY of  
BALTIMORE

**MEMO**



DATE:

TO

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

June 1, 2018

At its regular meeting of May 31, 2018, the Planning Commission considered City Council Bill #18-0203, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area), and certain off-street parking regulations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval of City Council Bill #18-0203, and adopted the following resolution, seven members being present (five in favor, and two abstaining):

RESOLVED, That the Planning Commission finds, in accordance with §5-406(a) and §5-406(b) of the Zoning Code of Baltimore City, that use of this property as 2 dwelling units:

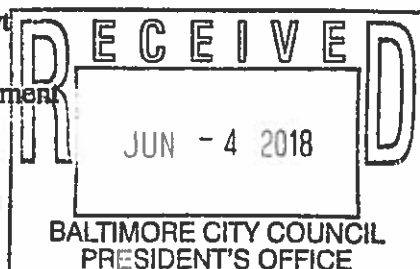
- would not be detrimental to or endanger the public health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest; and
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in §5-406(b) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0203 be amended to authorize 2 dwelling units, and be passed as amended accordingly by the City Council.

If you have any questions, please contact Mr. Martin French in the Land Use and Urban Design Division at 410-396-1354.

TJS/ewt

Attachment



*Fav w/ Amend*





**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. Derek Baumgardner, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Sharon Daboin, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Ms. Katelyn McCauley, DoT  
Ms. Natawna Austin, Council Services  
Ms. Hazel Thornton, Kasey Corporation**





Catherine E. Pugh  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chairman

### STAFF REPORT



Thomas J. Stosur  
Director

May 31, 2018

**REQUEST:** City Council Bill #18-0203 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District – Variances – 301 East 28<sup>th</sup> Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

**RECOMMENDATION:** Amendment, and Approval with amendment

**Amendment:**

- Amend the Bill title to authorize 2 Dwelling Units, in lieu of 3 Dwelling Units; and revise all text references now stating 3 dwelling units to state 2 dwelling units.

**STAFF:** Martin French

**PETITIONERS:** Councilmember Stokes, at the request of Kasey Corporation

**OWNER:** Kasey Corporation

**SITE/GENERAL AREA**

**Site Conditions:** 301 East 28<sup>th</sup> Street is located on the south side of the street, approximately 130' east of the intersection with Guilford Avenue. This property measures approximately 16' by 85' and is currently improved with a two-story end-of-row residential building measuring approximately 16' by 62'. This site is zoned R-7.

**General Area:** This is a predominantly residential area known as Harwood, with most commercial uses being in the Greenmount Avenue corridor commercial area east of this site. Most of the housing in this area was originally developed in the second decade of the 20<sup>th</sup> Century. 28<sup>th</sup> Street is a major cross-town arterial road linking this area to the Jones Falls Expressway and more westerly parts of Baltimore City.

**HISTORY**

There is no recent legislative history relating specifically to this property or its immediate area.



## **CONFORMITY TO PLANS**

If amended to authorize conversion of the single-family dwelling unit to two dwelling units, this action would be consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

## **ANALYSIS**

**Project:** This legislation as introduced would allow the petitioner to use the existing structure as three dwelling units; however, as noted in the following analysis, this large a number would be inappropriate for this property. As an alternative, adaptive re-use as a two-family attached dwelling would allow preservation of part of Harwood's traditional architectural fabric while offering a more affordable housing alternative to persons who wish to live in an area convenient to downtown Baltimore.

**Zoning Analysis:** This property is improved with a rowhouse containing approximately 1,700 square feet of floor area. Through this bill, the owner sought authorization to divide a two-story rowhouse used since its construction as a single dwelling unit. In this context, the proposed conversion to three dwelling units would not assist realization of LIVE Goal 1, Build Human and Social Capital by Strengthening Neighborhoods, since this portion of the Harwood area is already stable and not beset by abandonment or similar problems that would call for the remedy of substantially increasing residential density.

**Conditional Use – Required findings:** In accordance with §5-406 of Article 32 (the Zoning Code of Baltimore City), the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 5 {"Applications and Authorizations"}, subtitle 4 {"Conditional Uses"} of the Zoning Code:

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 article (§5-406).

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 rowhouse, is not appropriate for the Bill's proposed two additional dwelling units, as noted under "Variances" below;
- using the existing structure as three dwelling units would not assist preservation of the traditional character of the neighborhood, which is predominantly single-family; and,
- the proposed 3-dwelling unit use does not meet all other applicable standards and requirements of the Code, thereby requiring substantial variances of those standards and requirements, as noted under "Variances" below.



### Variations:

- The Zoning Code requires, for conversion of a single-family property in the R-8 District, at least 750 square feet of lot area per dwelling unit, and also 1,100 square feet of lot area per dwelling unit in the R-7 zoning district (BCZC §9-703.d., citing Table 9-401). A lot area of 2,750 square feet is thus required for the proposed use. This lot has 1,360 square feet, so a 50% variance of this lot area requirement is needed for three dwelling units. If the conversion authorization would be amended to two dwelling units, a lot area of 2,200 square feet would be required, for which a 20% lot area variance would be needed.
- The Code also requires that the premises have a floor area of at least 1,500 square feet (BCZC §9-703.b.); this building has 1,730 square feet of gross floor area, and thus needs no variance of this requirement. The first floor dwelling unit would contain 850 square feet of gross floor area and the second floor dwelling unit would contain 880 square feet of gross floor area, thus not needing variances of gross floor area per dwelling unit if two dwelling units are authorized. This would not be the case for many of the other houses in Harwood, which are up to 3 feet narrower, and many of which are also not as deep as this property's house, which has a building footprint equal to many of the three-story rowhouses in the Charles Village area immediately west of this property.
- A rear yard setback of 20' is required (Table 9-401). This property has a 23' deep rear yard. No variance of this requirement is needed.
- The maximum lot coverage allowed is 80% (Table 9-401). This structure covers 73% of the lot, so no variance of that requirement is needed.
- One off-street parking space is required to serve each newly-created dwelling unit (§9-703.f.). The property has a rear yard sufficient for providing one off-street parking space, with access from a 10' wide alley; however, this alley has no close connection to a wider alley or public street (such as Guilford Avenue to its west), hence no rear parking pad. A variance for off-street parking is therefore required and has been included in the bill without reference to number of spaces. The impact of the variance would be reduced if it related to only one additional dwelling unit rather than two additional dwelling units.

Review of this site and its possible use as two dwelling units has determined that establishment and operation of that conditional use would not be detrimental to or endanger public health, safety, or welfare, nor be precluded any Urban Renewal Plan (there being none here), nor be contrary to the public interest. Alternative authorization of conversion to two dwelling units would be in harmony with the purpose and intent of the Zoning Code.

In addition, review of this site and its proposed use as two dwelling units has determined that:

- the nature of the proposed site, including its size and shape, are adequate for use as two dwelling units;
- there will be no negative impact to traffic patterns in the immediate area;
- use as two dwelling units will not impair the present and future development of this lot or the surrounding area;

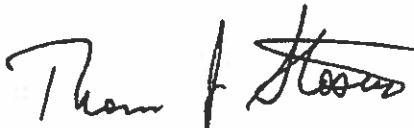




- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to emergency vehicles;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- use as two dwelling units would not interfere with preservation of cultural and historic landmarks and structures;
- use as two dwelling units would not alter the character of the neighborhood;
- use as two dwelling units would be consistent with provisions of the City's Comprehensive Master Plan; and
- the use of the property as two dwelling units meets all other applicable standards and requirements of this Code (§5-406).

Amending this bill to authorize use of 301 East 28<sup>th</sup> Street as a 2-family dwelling would be consistent with residential use in the area and would not prevent continuing use of a structure that is a contributing element in the Harwood community. The unusually large size of the existing structure in relation to the relatively smaller size of the lot on which it stands creates a condition that is not generally applicable to other property within the same zoning classification, and thus is indicative of a practical difficulty. The heavy traffic level on 28<sup>th</sup> Street makes it difficult to maintain this property as a viable single-family dwelling of three-bedroom size, as it is not a preferred location for raising children, a fact also indicative of practical difficulty. As much of the housing stock in Harwood is of a smaller scale than this particular property, this action would not constitute a precedent for conversion of smaller structures from single-family to multi-family use.

Notification: The Harwood Community Association and Councilman Stokes were notified of this action.



**Thomas J. Stosur**  
Director





**MEMORANDUM**

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

**FROM:** William H. Cole, President and CEO *[Signature]*

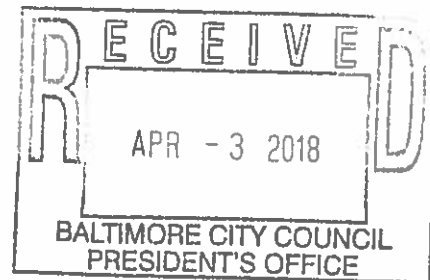
**DATE:** March 28, 2018

**SUBJECT:** City Council Bill No. 18-0203  
Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3  
Dwelling Units in the R-7 Zoning District – Variances – 301 East 28th Street

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0203, an ordinance for the purpose of permitting, subject to certain conditions, the conversion of a single family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 E. 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.


BDC has reviewed the ordinance and will defer to the Department of Planning in response to Bill No. 18-0203.

cc: Kyron Banks



*Defers to planning*



FROM	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 18-0203		

TO Mayor Catherine E. Pugh

DATE: March 26, 2018

TO: Respective City Land Use and Transportation Committee

FROM: Department of Transportation

POSITION: No Objections

RE: City Council Bill 18-0203 - Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District – Variances – 301 East 28th Street

**INTRODUCTION** – FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28th Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

**PURPOSE/PLANS** – The conversion of a single family home to a triplex, located on a corner lot before an alleyway on the west side of the property that is parallel to homes located along Guilford Avenue. East 28<sup>th</sup> street is located between Guildford Avenue to the West, Whitridge Avenue to the South, Barclay Street to the East, and Ilchester Avenue to the North.

**FISCAL IMPACT** – Not available at this time.

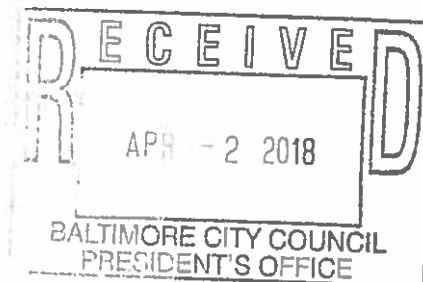
**AGENCY/DEPARTMENT POSITION –**

The Department of Transportation has no objections to City Council Bill 18-0203.

If you have any questions, please do not hesitate to contact Katelyn McCauley at Katelyn.McCauley@baltimorecity.gov, (443) 677-9391.

Sincerely,

  
Michelle Pourciau  
Director



*no obj*



**CITY OF BALTIMORE**

**CATHERINE E. PUGH,**  
Mayor

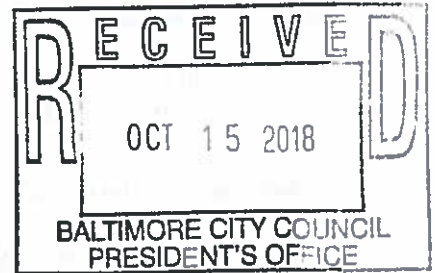


**DEPARTMENT OF LAW**  
ANDRE M. DAVIS, CITY SOLICITOR  
100 N. HOLLIDAY STREET  
SUITE 101, CITY HALL  
BALTIMORE, MD 21202

October 12, 2018

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

*Favorable*



Attn: Natawna B. Austin,  
Executive Secretary

Re: City Council Bill 18-0203 – Zoning – Conditional Use Conversion of a  
Single Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District  
- Variances - 301 East 28th Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0203 for form and legal sufficiency. Subject to certain conditions, the bills permits the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28th Street and grants variances from certain bulk regulations (lot area) and certain off-street parking regulations.

Conditional Use Standards

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, Art. 32, § 9-701(2). To approve a conditional use, the City Council must find:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; and
- (4) the authorization would be in harmony with the purpose and intent of this Code.

Baltimore City Code, Art. 32, § 5-406(a). In making these findings, the City Council must be guided by 14 “considerations” involving such things as the “nature of the surrounding area and the extent to which the proposed use might impair its present and future development,” “the character of the neighborhood,” and “the resulting traffic patterns and adequacy of proposed off-street parking.” Baltimore City Code, Art. 32, § 5-406(b).

### Variance Standards

The bill also contains variances for lot area and off-street parking requirements. In general, dwellings in an R-7 must have a lot area of 3,300 square feet for 3 dwelling units and a gross floor area of 1,500 square feet. Baltimore City Code, Art. 32, §§ 9-401; 9-703(b). For a 3-bedroom unit, the dwelling must have 1250 square feet gross floor space per dwelling unit and one off-street parking space per dwelling unit. Baltimore City Code, Art. 32, §§ 9-703(c); 9-703(f). Since the property does not meet the applicable requirements, the bill seeks a variance from them.

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.” Baltimore City Code, Art. 32, § 5-308(a). The City Council must also make seven other findings:

- (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.

Baltimore City Code, Art. 32, § 5-308(b).

### Hearing Requirements

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 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. It makes favorable conclusory findings concerning the conditional use standards for a 2-dwelling unit, rather than a 3-dwelling unit provided in the bill. The Report concludes that a 3-unit dwelling is not suited to the neighborhood, a conclusion also reached by the Planning Commission. The Planning Commission approved the Planning staff's recommendation to amend the bill to provide for a 2-dwelling unit. *See discussion*, Report at 1-3.

**The Report does not supply facts to support granting a conditional use for a 3-unit dwelling. Instead it supplies facts to support granting a conditional use for a 2-unit dwelling. If a 3-unit dwelling is to be approved, the City Council must establish the necessary facts at the bill's public hearing. On the other hand, if the City Council intends to approve a conditional use for a 2-unit dwelling, the Report presents facts that can be relied on by the City Council to lawfully approve this conditional use.**

**The Report also makes certain factual findings regarding the proposed variances. In particular, the Report presents facts to suggest that the uniqueness of the property makes it a proper candidate for a lot area variance. The Report also presents facts to suggest that practical difficulties would result if this variance is not granted. Thus, the City Council may rely on the facts presented in the Report to approve the lot area variance, if all the other conditions outlined in Article 32, § 5-308 of the Baltimore City Code are met.**

**Finally, the Report presents facts to suggest the off-street parking variance is needed because a practical difficulty would otherwise result. It presents no evidence, however, that the property's need for an off-street parking variance is created by the uniqueness of the property. If the proposed off-street parking variance is to be lawfully granted, the City Council must establish these necessary facts at the bill's public hearing and satisfy all the other conditions required by § 5-308.**

Finally, certain procedural requirements apply to this bill beyond those discussed above because both conditional uses and variances are considered "legislative authorizations." Baltimore City Code, 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. Baltimore City Code, Art. 32, §§ 5-504, 5-506, 5-602. Finally, certain limitations on the City Council's ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507.

The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standard for a conditional use and variances have been met. Assuming the required findings are made at the hearing and all procedural requirements are satisfied, the Law Department approves the bill for form and legal sufficiency.

Sincerely,



Victor K. Terval  
Chief Solicitor

cc: Andre M. Davis, City Solicitor  
Karen Stokes, Director, Mayor's Office of Government Relations  
Kyron Banks, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Ashlea Brown, Assistant City Solicitor

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:** June 11, 2018

**Re:** City Council Bill 18-0203 - Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District – Variances – 301 East 28th Street

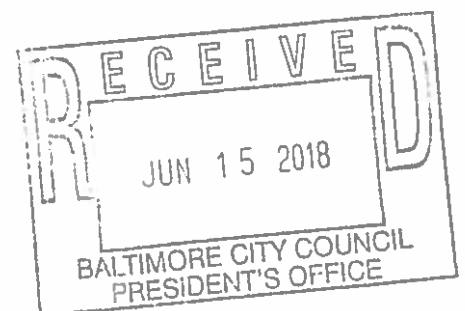
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The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0203, for the purpose permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28th Street (Block 3844, Lot 079) and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

The Department of Housing and Community Development supports the Planning Department's recommendation of converting the property to two dwelling units instead of the proposed three dwelling units.

MB:sd

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









Baltimore City Department of  
HOUSING & COMMUNITY  
DEVELOPMENT

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

Ref: 301 E. 28<sup>th</sup> Street

Date: Nov. 09, 2017

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 three 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 determined that the following variances per the Zoning Code of Baltimore City are required and should be incorporated in the bill for approval of the Mayor and City Council:

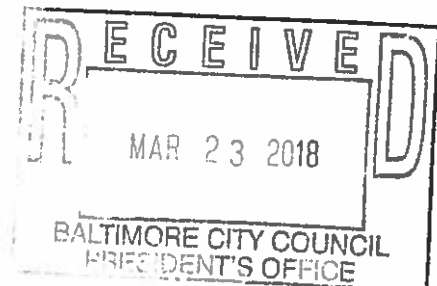
- Subsections 9-703(b) & 9-401: Bulk regulations (lot area) in the R-7 District. A lot area of 3,300 square feet is required for three dwelling units. Lot is only 1,360 square feet.
- Subsections 9-703(f), 16-203 & 16-602: Off-street parking in the R-7 District (Table 16-406). Two off-street parking spaces would be required. None are provided.

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  
Ms. Hazel Thornton, Owner  
Councilman Robert Stokes





<b>FROM</b>	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>1119</i>	CITY OF BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. 21202		
	SUBJECT	City Council Bill #18-0203 Response to Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District - Variances - 301 East 28th Street		

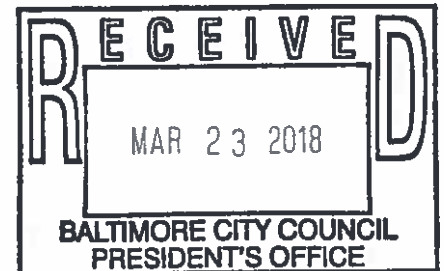
**TO** The Honorable Bernard C. Young, President  
And All Members of the Baltimore City Council  
City Hall, Room 408

DATE: March 21, 2018

**FOR** the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28th Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations

The Fire Department does not object to City Council Bill 17-0203 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 objection*







# City of Baltimore

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

## Meeting Minutes - Final

### Land Use and Transportation Committee

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Wednesday, October 17, 2018

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

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18-0203

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

- Present** 5 - Member Edward Reisinger, Member Sharon Green Middleton, Member Eric T. Costello, Member Ryan Dorsey, and Member Leon F. Pinkett III
- Absent** 2 - Member Mary Pat Clarke, and Member Robert Stokes Sr.

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

##### 18-0203

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District - Variances - 301 East 28th Street**  
For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28th Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

**Sponsors:** Robert Stokes, Sr.

**A motion was made by Member Dorsey, seconded by Member Costello, that the bill be recommended favorably with amendment. The motion carried by the following vote:**

- Yes:** 5 - Member Reisinger, Member Middleton, Member Costello, Member Dorsey, and Member Pinkett III
- Absent:** 2 - Member Clarke, and Member Stokes Sr.

#### **ADJOURNMENT**



**CITY OF BALTIMORE**

CATHERINE E. PUGH, Mayor



**OFFICE OF COUNCIL SERVICES**

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

**HEARING NOTES**

**Bill: 18-0203**

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District - Variances - 301 East 28th Street**

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

**Hearing Date:** October 17, 2018  
**Time (Beginning):** 1:20 PM  
**Time (Ending):** 1:30 PM  
**Location:** Clarence "Du" Burns Chamber  
**Total Attendance:** ~30  
**Committee Members in Attendance:**  
Reisinger, Edward, Chairman  
Middleton, Sharon, Vice Chair  
Costello, Eric  
Dorsey, Ryan  
Pinkett, Leon

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		
Seconded by:.....	Councilmember Costello		
Final Vote: .....	Favorable/Amend		



**Major Speakers**  
*(This is not an attendance record.)*

- Mr. Martin French, Department of Planning
  - Mr. Kyron Banks, Office of the Mayor
  - Mr. Victor Tervalo, Department of Law
  - Ms. Sharon DaBoin, Department of Housing and Community Development
  - Ms. Hazel Thornton, Property Owner
- 

**Major Issues Discussed**

1. Councilman Reisinger introduced committee members and read the bills number, title and purpose.
  2. Mr Martin French presented the Planning Commission's report and provided information from the Department of Planning's staff report. Mr. French provided background information about the property. He provided findings of fact for the conditional use and variances. He also presented an amendment to the bill to authorize two rather than three dwelling units for the property.
  3. Agency representatives testified in support of their respective agency's position on the bill.
  4. Mr. Victor Tervalo presented the Law Department's report and reiterated that findings of fact must be able to support the conditional use for two dwelling units. He confirmed that applicable findings were contained in the Department of Planning's report.
  5. Ms. Sharon DaBoin presented the Department of Housing's report in support of the Planning Department's analysis that indicated that three dwelling units would present a practical difficulty.
  6. Ms. Hazel Thornton, the owner, testified in support of the bill and explained her desire to create affordable housing opportunities. Ms. Thornton agreed with reducing her request to two dwelling units.
  7. The committee discussed the bill.
  8. The committee approved finding of facts and amendments for the bill.
  9. The committee voted to recommend the bill favorable with amendments.
  10. The hearing was adjourned.
- 

**Further Study**

Was further study requested?  
If yes, describe.

Yes  No

---

**Committee Vote:**

Reisinger, Edward, Chairman.....	Yea
Middleton, Sharon, Vice Chair.....	Yea
Clarke, Mary Pat.....	Absent
Costello, Eric.....	Yea

---



Dorsey, Ryan ..... **Yea**  
Pinkett, Leon..... **Yea**  
Stokes, Robert:.....**Absent**

---

Jennifer L. Coates, Committee Staff



Date: October 18, 2018

cc: Bill File  
OCS Chrono File







# CITY OF BALTIMORE

## CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation

Chairperson: Edward Reisinger

Date: October 17, 2018

Time: 1:10 PM

Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District - Variances - 301 East 28th Street

CC Bill Number: 18-0203

**PLEASE PRINT**

**IF YOU WANT TO TESTIFY PLEASE CHECK HERE**



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO	WHAT IS YOUR POSITION ON THIS BILL?	LOBBYIST: ARE YOU REGISTERED IN THE CITY
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Hazel	Thornthorn		309 East 28th St	21218	Hazel.Thornthorn@comcast.net	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sharon	Dobson		HCD			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Tyrell	Dixon		HCD	21201	tyrell.dixon@baltimorecity.gov	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mica	Fetz		BDC			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Jen	Taylor		DOT			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Octavia	Dargyan				Octavia.dargyan@gmail.com	<input type="checkbox"/>	<input type="checkbox"/>	<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 HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation      Chairperson: Edward Reisinger

Date: October 17, 2018      Time: 1:10 PM      Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District - Variances - 301 East 28th Street      CC Bill Number: 18-0203

**PLEASE PRINT**

**IF YOU WANT TO TESTIFY PLEASE CHECK HERE**

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<i>Martin</i>		<i>French</i>			<input checked="" type="checkbox"/>	<input checked="" 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

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Wednesday, October 17, 2018

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

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18-0203

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

18-0203

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District - Variances - 301 East 28th Street**  
For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28th Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

Sponsors:

Robert Stokes, Sr.

#### **ADJOURNMENT**

**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, October 17, 2018  
1:10 PM**

***City Council Bill # 18-0203***

***Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit  
to 3 Dwelling Units in the R-7 Zoning District - Variances -  
301 East 28th 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  
Kristofer Burnett  
Ryan Dorsey  
*Staff: Matthew Peters*

### EXECUTIVE APPOINTMENTS

Robert Stokes – Chair  
Kristofer 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  
Kristofer 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: Matthew Peters*

### 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  
Kristofer 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 18-0203**

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**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units  
in the R-7 Zoning District - Variances - 301 East 28th Street**

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**Sponsor: Councilmember Stokes**

**Introduced: March 12, 2018**

**Purpose:**

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28th Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations..

**Effective: 30<sup>th</sup> day after the date of enactment**

**Hearing Date/Time/Location: October 17, 2018 /1:10 p.m./Clarence "Du" Burns Chambers**

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**Agency Reports**

Planning Commission	Favorable/Amend
Board of Municipal and Zoning Appeals	
Department of Transportation	Favorable
Department of Law	
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Defers to Planning
Fire Department	No Objection
Parking Authority of Baltimore City	Comments

## Analysis

### Current Law

Article 32 – Zoning ;Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and 16-602 (Table 16-406); Baltimore City Revised Code (Edition 2000)

### Background

If approved, Bill 18-0203 will authorize a conditional use conversion of a single-family dwelling unit to three dwelling units at the property located at 301 East 28<sup>th</sup> Street. The bill would also grant variances from:

- (bulk regulations) lot area size
- off-street parking

The Zoning Administrator has determined that the variances are needed.

Kasey Corporation owns the property. Situated at the end of a row, the property lies on the south side of the 300 block of East 28<sup>th</sup> Street. The property is surrounded by residential properties and is zoned R-7. The property is in the Harwood neighborhood. 28<sup>th</sup> Street is a major east-west arterial roadway. Greenmount Avenue, a commercial corridor, lies to the east of the site.

### Existing Dwelling

The property measures approximately 16' x 85' and is currently improved with a two-story residential building. For conversion of a single-family dwelling in an R-7 Zoning District, the existing structure must have at least 1,500 square feet or more in gross floor area (excluding the basement area). The property has 1,730 square feet of gross floor area. A variance for the gross floor area requirement is not needed

### Variance - Lot Area

In the R-7 Zoning District, 1,100 feet of lot area is required for one dwelling unit. Per the Zoning Administrator, 3,300 square feet is required for three dwelling units. The property's lot area is only 1,360 square feet, not enough to comply with Article 32, Table 9-401 Bulk and Yard Regulations. A variance for the lot area requirement is needed for three dwelling units. If the conversion is amended to two dwelling units then a lot area of 2,200 square feet would be required. The Planning Commission has recommended amending the bill to two dwelling units.

Variance – Off-street Parking

One off-street parking space is required for each newly-created dwelling unit. The rear yard has ample space for one off-street parking space, however, due to the design of the rear alleyway access from the rear yard to a public street is blocked. Consequently, off-street parking cannot be provided. A variance for the off-street parking requirement is needed.

The applicant’s request for the conditional use conversion and variance is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

Companion Bills and Amendments

There is no companion bill. The Planning Commission has recommended amending the bill to allow for two dwelling units due to insufficient lot area.

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**Additional Information**

**Fiscal Note:** Not Available

**Information Source(s):** Department of Planning

Analysis by: Jennifer L. Coates  
Analysis Date: October 9, 2018



Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE  
COUNCIL BILL 18-0203  
(First Reader)**

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Introduced by: Councilmember Stokes

At the request of: Kasey Corporation

Address: c/o Hazel Thornton, 309 East 28<sup>th</sup> Street, Baltimore, Maryland 21218

Telephone: 410-554-1031

Introduced and read first time: March 12, 2018

Assigned to: Land Use and Transportation Committee

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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, Department of Transportation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2                   **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**  
3                   **3 Dwelling Units in the R-7 Zoning District – Variances – 301 East 28<sup>th</sup> Street**

4 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family  
5 dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301  
6 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and  
7 granting variances from certain bulk regulations (lot area) and certain off-street parking  
8 regulations.

9 BY authority of

10 Article 32 - Zoning

11 Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and  
12 16-602 (Table 16-406)

13 Baltimore City Revised Code  
14 (Edition 2000)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That  
16 permission is granted for the conversion of a single-family dwelling unit to 3 dwelling units on  
17 the property known as 301 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the plat  
18 accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-201(a) and  
19 9-701(2), subject to the condition that the building complies with all applicable federal, state, and  
20 local licensing and certification requirements.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-  
22 305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the  
23 requirements of §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-7 Zoning District.

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

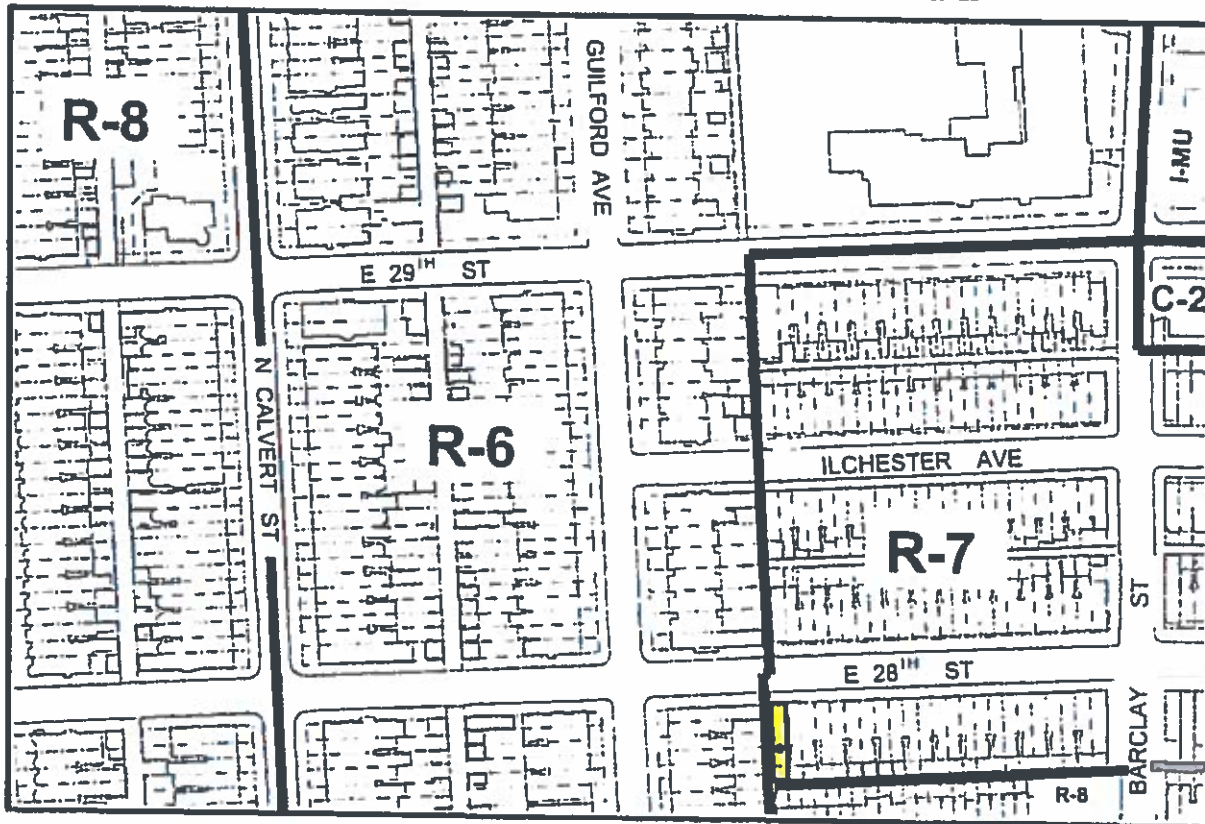
**Council Bill 18-0203**

1       **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-  
2 305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the  
3 requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-7 Zoning District  
4 (Table 16-406).

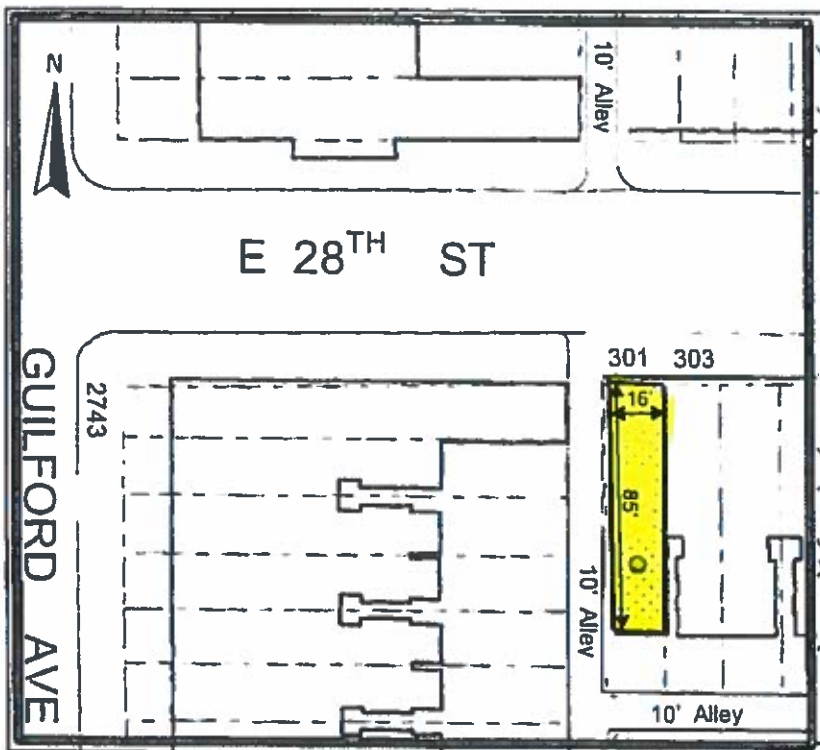
5       **SECTION 4. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the  
6 accompanying plat and in order to give notice to the agencies that administer the City Zoning  
7 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council  
8 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;  
9 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the  
10 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of  
11 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and  
12 the Zoning Administrator.

13       **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
14 after the date it is enacted.

**SHEET NO. 36 OF THE ZONING DISTRICT MAP OF  
THE BALTIMORE CITY ZONING CODE**



Scale: 1" = 200'



**Note:**

In Connection With The Property Known As No. 301 EAST 28TH STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Family Dwelling Unit To Three Dwelling Units In The R-7 Zoning District, As Outlined In Red Above.

WARD 12 SECTION 17  
BLOCK 3844 LOT 79

\_\_\_\_\_

MAYOR

\_\_\_\_\_

PRESIDENT CITY COUNCIL

Scale: 1" = 50'

RPE 11-17-17

## Coates, Jennifer

---

**From:** Coates, Jennifer  
**Sent:** Tuesday, August 07, 2018 4:23 PM  
**To:** 'Hazel.Thornton1@comcast.net'  
**Cc:** Stokes, Robert; Austin, Natawna B.; Bishop, Ervin  
**Subject:** Hearing on City Council Bill 18-0203  
**Attachments:** PNI - Letter - 18-0203 - CU Conversion - Variance -301 East 28th Street.docx; Sign Posting Contacts.pdf; Sample - Certificate of Posting - Attachment C.docx

Good Afternoon Ms. Thornton:

Attached is the information you will need to post a public hearing sign for the subject bill to be heard by the Land Use and Transportation Committee on **September 26, 2018 at 1:10 p.m.** at City Hall in the City Council Chamber. I have also attached a contact list for sign makers and a sample certification template.

Thank you and feel free to call me if you need more information.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL.**



**Jennifer L. Coates**

*Senior Legislative Policy Analyst  
Office of Council Services*

100 N. Holliday Street, Room 415  
Baltimore, MD 21202

[jennifer.coates@baltimorecity.gov](mailto:jennifer.coates@baltimorecity.gov)

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596

### Confidentiality Notice:

This e-mail, including any attachment(s), is intended for receipt and use by the intended addressee(s), and may contain legal or other confidential and privileged information. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail is strictly prohibited, and requested to delete this communication and its attachment(s) without making any copies thereof and to contact the sender of this e-mail immediately. Nothing contained in the body and/or header of this e-mail is intended as a signature or intended to bind the addressor or any person represented by the addressor to the terms of any agreement that may be the subject of this e-mail or its attachment(s), except where such intent is expressly indicated.





CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

TO: Ms. Hazel Thornton

FROM: Jennifer L. Coates, Committee Staff, Land Use and Transportation Committee,  
Baltimore City Council

Date: August 7, 2018

RE: INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING –CONDITIONAL USE AND  
VARIANCES

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

Bill: City Council Bill No. 18-0203

Date: Wednesday, September 26, 2018

Time: 1:10 p.m.

Place: City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

**Article 32. Zoning § 5-602 – Major variances: Conditional uses.**

For helpful information about the public notice requirements under Article 32 - Zoning (*pages 129 – 130*) - see *Attachment B*. You can access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

**Disclaimer.** The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising from accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers



## Wording for the Sign to be Posted

The information that must be posted on a sign, at least 21 days before the public hearing, appears between the double lines on the attached page (*see Attachment A*). The deadline date is indicated in **BOLD** characters at the top of Attachment A. Instructions for posting the sign can be found in Article 32. Zoning § 5-602 – Major variances: Conditional uses

## Certification of Postings

Certification of the sign posting, in duplicate, must be received four (4) days prior to the hearing to:

Ms. Natawna Austin, Executive Secretary  
Baltimore City Council  
100 N. Holliday Street, Fourth Floor, Room 400  
Baltimore, MD 21202

If the required certification is not received as specified above, the public hearing will be cancelled without notice to the applicant. **Important dates are as follows:**

***Sign Posting Deadline:*** ***September 5, 2018***  
***Certificate of Posting Due:*** ***September 21, 2018***

Please note that **ALL** of these requirement **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your notice requirements please contact:

Ms. Jennifer L. Coates, Committee Staff  
Baltimore City Council  
Land Use and Transportation Committee  
410-396-1260  
[Jennifer.Coates@baltimorecity.gov](mailto:Jennifer.Coates@baltimorecity.gov).



THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY **BY WEDNESDAY, SEPTEMBER 5, 2018**, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

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**BALTIMORE CITY COUNCIL**  
**PUBLIC HEARING ON BILL NO. 18-0203**

The Land Use and Transportation Committee of the Baltimore City Council will meet on **Wednesday, September 26, 2018 at 1:10 p.m.** in the City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 18-0203.

**CC 18-0203 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District - Variances - 301 East 28<sup>th</sup> Street** - FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

By authority of

Article 32 - Zoning

Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16- 203, and 16-602 (Table 16-406) Baltimore City Revised Code (Edition 2000)

Applicant: Hazel Thornton

For more information contact committee staff at (410) 396-1260.

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

EDWARD REISINGER

Chair

---

**SEND CERTIFICATION OF PUBLICATION TO:**

**SEND BILL FOR THIS SIGN POSTING TO:**

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

Ms. Hazel Thornton  
309 E. 28<sup>th</sup> Street  
Baltimore, MD 21218  
(410) 554-1031  
(410) 664-6500



**ZONING  
SUBTITLE 6 – NOTICES**

**ARTICLE 32, § 5-602**

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

**§ 5-602. Major variances; Conditional uses.**

*(a) Hearing required.*

For major variances and conditional uses, the Board of Municipal and Zoning Appeals or the City Council, as the case may be, must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be read.

*(b) Notice of hearing required.*

Notice of the hearing must be given by posting in a conspicuous place on the subject property.

*(c) Contents of notice.*

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed variance or conditional use;
- (3) the name of the applicant; and
- (4) how additional information on the matter can be obtained.

*(d) Number and manner of posted notices.*

(1) The number and manner of posting is as follows:

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;





(iii) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and

(iv) each sign must be at least 3 feet by 4 feet in size.

(2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

(e) *Timing of notice.*

The posted notice must be:

(1) posted at least 21 days before the public hearing; and

(2) removed within 48 hours after conclusion of the public hearing.

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



**Baltimore City Council**  
**Certificate of Posting - Public Hearing Notice**

**City Council Bill No.:**

*Today's Date: [Insert Here]*

*(Place a picture of the posted sign in the space below.)*

**Address:**

**Date Posted:**

---

**Name:**

**Address:**

**Telephone:**

- Email to: [Natawnab.Austin@baltimorecity.gov](mailto:Natawnab.Austin@baltimorecity.gov)
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202



**ADVERTISING SIGNS MAY BE OBTAINED FROM THE FOLLOWING:**

RICHARD HOFFMAN  
AMERICAN DRAFTING SERVICE  
904 DELLWOOD DRIVE  
BALTIMORE, MARYLAND 21047

PHONE: (410) 879-3122  
E-MAIL: DICK\_E@COMCAST.NET

---

LA GRANDE VISION  
JAMES EARL REID  
408 E. EAGER STREET  
BALTIMORE, MARYLAND 21202

PHONE: (410) 448-4913 or (410) 783-1555

FAX (410) 783-1559

---

SIGNS BY ANTHONY  
ANTHONY L. GREENE  
2815 TODKILL TRACE  
EDGEWOOD, MD 21040

PHONE: 443-866-8717

FAX: 410-676-5446

E-MAIL: bones\_malone@comcast.net

---

LINDA O'KEEFE  
523 PENNY LANE  
HUNT VALLEY, MD 21030

PHONE: 410-666-5366

CELL: 443-604-6431

E-MAIL: LUCKYLINDA1954@YAHOO.COM

---

OR ANY OTHER COMPANY OF YOUR CHOICE. THE SIGNS MUST BE MADE IN ACCORDANCE WITH THE RULES OF THE BOARD OF MUNICIPAL AND ZONING APPEALS.

**THIS OFFICE IS NOT ASSOCIATED WITH ANY OF THE ABOVE DRAFTING COMPANIES, NOR DO WE RECOMMEND ANY SPECIFIC ONE.**



**Coates, Jennifer**

---

**From:** Coates, Jennifer  
**Sent:** Tuesday, September 18, 2018 12:40 PM  
**To:** 'Hazel.Thornton1@comcast.net'  
**Cc:** 'Stokes, Robert'; Christian, Kathy  
**Subject:** Hearing on City Council Bill 18-0203  
**Attachments:** PNI - Letter - 18-0203 - CU Conversion - Variance -301 East 28th Street 2.docx; Sign Posting Contacts.pdf; Sample - Certificate of Posting - Attachment C.docx

Good Afternoon Ms. Thornton:

**PLEASE USE THE INFORMATION IN THIS EMAIL TO POST A SIGN FOR THE UPCOMING HEARING. PLEASE DISREGARD ALL OTHER COMMUNICATIONS.**

Attached is the information you will need to post a public hearing sign for the subject bill to be heard by the Land Use and Transportation Committee on **October 17, 2018 at 1:10 p.m.** at City Hall in the City Council Chamber. I have also attached a contact list for sign makers and a sample certification template.

Thank you and feel free to call me if you need more information.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL.**



---

**Jennifer L. Coates**  
*Senior Legislative Policy Analyst*  
*Office of Council Services*  
100 N. Holliday Street, Room 415  
Baltimore, MD 21202  
[jennifer.coates@baltimorecity.gov](mailto:jennifer.coates@baltimorecity.gov)

OFFICE OF COUNCIL SERVICES Office: (410) 396-1260  
Fax: (410) 545-7596

**Confidentiality Notice:**

This e-mail, including any attachment(s), is intended for receipt and use by the intended addressee(s), and may contain legal or other confidential and privileged information. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail is strictly prohibited, and requested to delete this communication and its attachment(s) without making any copies thereof and to contact the sender of this e-mail immediately. Nothing contained in the body and/or header of this e-mail is intended as a signature or intended to bind the addressor or any person represented by the addressor to the terms of any agreement that may be the subject of this e-mail or its attachment(s), except where such intent is expressly indicated.





CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

**TO:** Ms. Hazel Thornton

**FROM:** Jennifer L. Coates, Committee Staff, Land Use and Transportation Committee,  
Baltimore City Council

**Date:** September 11, 2018

**RE:** INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING –CONDITIONAL USE AND  
VARIANCES

---

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

**Bill:** City Council Bill No. 18-0203

**Date:** Wednesday, October 17, 2018

**Time:** 1:10 p.m.

**Place:** City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

**Article 32. Zoning § 5-602 – Major variances: Conditional uses.**

For helpful information about the public notice requirements under Article 32 - Zoning (*pages 129 – 130*) - see *Attachment B*. You can access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

**Disclaimer.** The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising your accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers





## Wording for the Sign to be Posted

The information that must be posted on a sign, at least 21 days before the public hearing, appears between the double lines on the attached page (*see Attachment A*). The deadline date is indicated in **BOLD** characters at the top of Attachment A. Instructions for posting the sign can be found in Article 32. Zoning § 5-602 – Major variances: Conditional uses

## Certification of Postings

Certification of the sign posting, in duplicate, must be received four (4) days prior to the hearing to:

Ms. Natawna Austin, Executive Secretary  
Baltimore City Council  
100 N. Holliday Street, Fourth Floor, Room 400  
Baltimore, MD 21202

If the required certification is not received as specified above, the public hearing will be cancelled without notice to the applicant. **Important dates are as follows:**

***Sign Posting Deadline: September 26, 2018***  
***Certificate of Posting Due: October 11, 2018***

Please note that **ALL** of these requirement **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your notice requirements please contact:

Ms. Jennifer L. Coates, Committee Staff  
Baltimore City Council  
Land Use and Transportation Committee  
410-396-1260  
[Jennifer.Coates@baltimorecity.gov](mailto:Jennifer.Coates@baltimorecity.gov).



THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY **BY WEDNESDAY, SEPTEMBER 26, 2018**, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

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**BALTIMORE CITY COUNCIL**

**PUBLIC HEARING ON BILL NO. 18-0203**

The Land Use and Transportation Committee of the Baltimore City Council will meet on **Wednesday, October 17 2018 at 1:10 p.m.** in the City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 18-0203.

**CC 18-0203 Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-7 Zoning District - Variances - 301 East 28<sup>th</sup> Street** - FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

By authority of

Article 32 - Zoning

Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16- 203, and 16-602 (Table 16-406) Baltimore City Revised Code (Edition 2000)

Applicant: Hazel Thornton

For more information contact committee staff at (410) 396-1260.

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

EDWARD REISINGER

Chair

---

**SEND CERTIFICATION OF PUBLICATION TO:**

**SEND BILL FOR THIS SIGN POSTING TO:**

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

Ms. Hazel Thornton  
309 E. 28<sup>th</sup> Street  
Baltimore, MD 21218  
(410) 554-1031  
(410) 664-6500



**ZONING  
SUBTITLE 6 – NOTICES**

**ARTICLE 32, § 5-602**

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

**§ 5-602. Major variances; Conditional uses.**

**(a) *Hearing required.***

For major variances and conditional uses, the Board of Municipal and Zoning Appeals or the City Council, as the case may be, must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be read.

**(b) *Notice of hearing required.***

Notice of the hearing must be given by posting in a conspicuous place on the subject property.

**(c) *Contents of notice.***

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed variance or conditional use;
- (3) the name of the applicant; and
- (4) how additional information on the matter can be obtained.

**(d) *Number and manner of posted notices.***

(1) The number and manner of posting is as follows:

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;





(iii) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and

(iv) each sign must be at least 3 feet by 4 feet in size.

(2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

(e) *Timing of notice.*

The posted notice must be:

(1) posted at least 21 days before the public hearing; and

(2) removed within 48 hours after conclusion of the public hearing.

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



**ADVERTISING SIGNS MAY BE OBTAINED FROM THE FOLLOWING:**

RICHARD HOFFMAN  
AMERICAN DRAFTING SERVICE  
904 DELLWOOD DRIVE  
BALTIMORE, MARYLAND 21047

PHONE: (410) 879-3122  
E-MAIL: DICK\_E@COMCAST.NET

---

LA GRANDE VISION  
JAMES EARL REID  
408 E. EAGER STREET  
BALTIMORE, MARYLAND 21202

PHONE: (410) 448-4913 or (410) 783-1555

FAX (410) 783-1559

---

SIGNS BY ANTHONY  
ANTHONY L. GREENE  
2815 TODKILL TRACE  
EDGEWOOD, MD 21040

PHONE: 443-866-8717

FAX: 410-676-5446

E-MAIL: bones\_malone@comcast.net

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LINDA O'KEEFE  
523 PENNY LANE  
HUNT VALLEY, MD 21030

PHONE: 410-666-5366

CELL: 443-604-6431

E-MAIL: LUCKYLINDA1954@YAHOO.COM

---

**OR ANY OTHER COMPANY OF YOUR CHOICE. THE SIGNS MUST BE MADE IN ACCORDANCE WITH THE RULES OF THE BOARD OF MUNICIPAL AND ZONING APPEALS.**

**THIS OFFICE IS NOT ASSOCIATED WITH ANY OF THE ABOVE DRAFTING COMPANIES, NOR DO WE RECOMMEND ANY SPECIFIC ONE.**



**Baltimore City Council**  
**Certificate of Posting - Public Hearing Notice**

**City Council Bill No.:**

*Today's Date: [Insert Here]*

*(Place a picture of the posted sign in the space below.)*

**Address:**

**Date Posted:**

---

**Name:**

**Address:**

**Telephone:**

- Email to: [Natawnab.Austin@baltimorecity.gov](mailto:Natawnab.Austin@baltimorecity.gov)
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202



**CITY OF BALTIMORE  
COUNCIL BILL 18-0203  
(First Reader)**

Introduced by: Councilmember Stokes

At the request of: Kasey Corporation

Address: c/o Hazel Thornton, 309 East 28<sup>th</sup> Street, Baltimore, Maryland 21218

Telephone: 410-554-1031

Introduced and read first time: March 12, 2018

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, Department of Transportation, *Parking Authority Board*

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**  
3 **3 Dwelling Units in the R-7 Zoning District – Variances – 301 East 28<sup>th</sup> Street**

4 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family  
5 dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301  
6 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and  
7 granting variances from certain bulk regulations (lot area) and certain off-street parking  
8 regulations.

9 BY authority of

10 Article 32 - Zoning  
11 Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and  
12 16-602 (Table 16-406)  
13 Baltimore City Revised Code  
14 (Edition 2000)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That  
16 permission is granted for the conversion of a single-family dwelling unit to 3 dwelling units on  
17 the property known as 301 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the plat  
18 accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-201(a) and  
19 9-701(2), subject to the condition that the building complies with all applicable federal, state, and  
20 local licensing and certification requirements.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-  
22 305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the  
23 requirements of §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-7 Zoning District.

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

**Council Bill 18-0203**

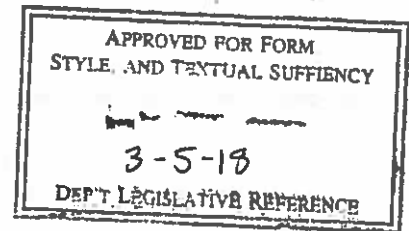
1       **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-  
2 305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the  
3 requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-7 Zoning District  
4 (Table 16-406).

5       **SECTION 4. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the  
6 accompanying plat and in order to give notice to the agencies that administer the City Zoning  
7 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council  
8 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;  
9 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the  
10 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of  
11 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and  
12 the Zoning Administrator.

13       **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
14 after the date it is enacted.



**INTRODUCTORY\***  
**CITY OF BALTIMORE**  
**COUNCIL BILL \_\_\_\_\_**



---

Introduced by: Councilmember Stokes  
At the request of: Kasey Corporation  
Address: c/o Hazel Thornton, 309 East 28<sup>th</sup> Street, Baltimore, Maryland 21218  
Telephone: 410-554-1031

---

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to  
3 Dwelling Units in the R-7 Zoning District – Variances – 301 East 28<sup>th</sup> Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-7 Zoning District on the property known as 301 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area) and certain off-street parking regulations.

BY authority of

Article 32 - Zoning  
Section(s) 5-201(a), 5-305(a), 5-308, 9-401, 9-701(2), 9-703(b), 9-703(f), 16-203, and  
16-602 (Table 16-406)  
Baltimore City Revised Code  
(Edition 2000)

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That permission is granted for the conversion of a single-family dwelling unit to 3 dwelling units on the property known as 301 East 28<sup>th</sup> Street (Block 3844, Lot 079), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies with all applicable federal, state, and local licensing and certification requirements.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(b) and 9-401: Bulk regulations (lot area) in the R-7 Zoning District.

**SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-703(f), 16-203, and 16-602: Off-street parking in the R-7 Zoning District (Table 16-406).

**SECTION 4. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council

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

shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

**SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.

STATEMENT OF INTENT

FOR

301 East 28th Street Baltimore D. 21218  
{Address}

1. Applicant's Contact Information:

Name: Hazel Thornton  
Mailing Address: 309 East 28th St  
Baltimore MD 21218  
Telephone Number: 410-554-1031  
Email Address: Hazel.Thornton@comcast.net

2. All Proposed Zoning Changes for the Property:

NA

3. All Intended Uses of the Property:

Conditional Use Conversion of a  
single family dwelling unit to 3 dwelling unit in  
the R-1 zoning District on the property known  
as 301 East 28th Street.

4. Current Owner's Contact Information:

Name: Hazel Thornton  
Mailing Address: 309 East 28th St  
Baltimore MD 21218  
Telephone Number: 410-554-1031  
Email Address: Hazel.Thornton@comcast.net

5. Property Acquisition:

The property was acquired by the current owner on \_\_\_\_\_ by deed recorded in the Land Records of Baltimore City in Liber \_\_\_\_\_ Folio \_\_\_\_\_.

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

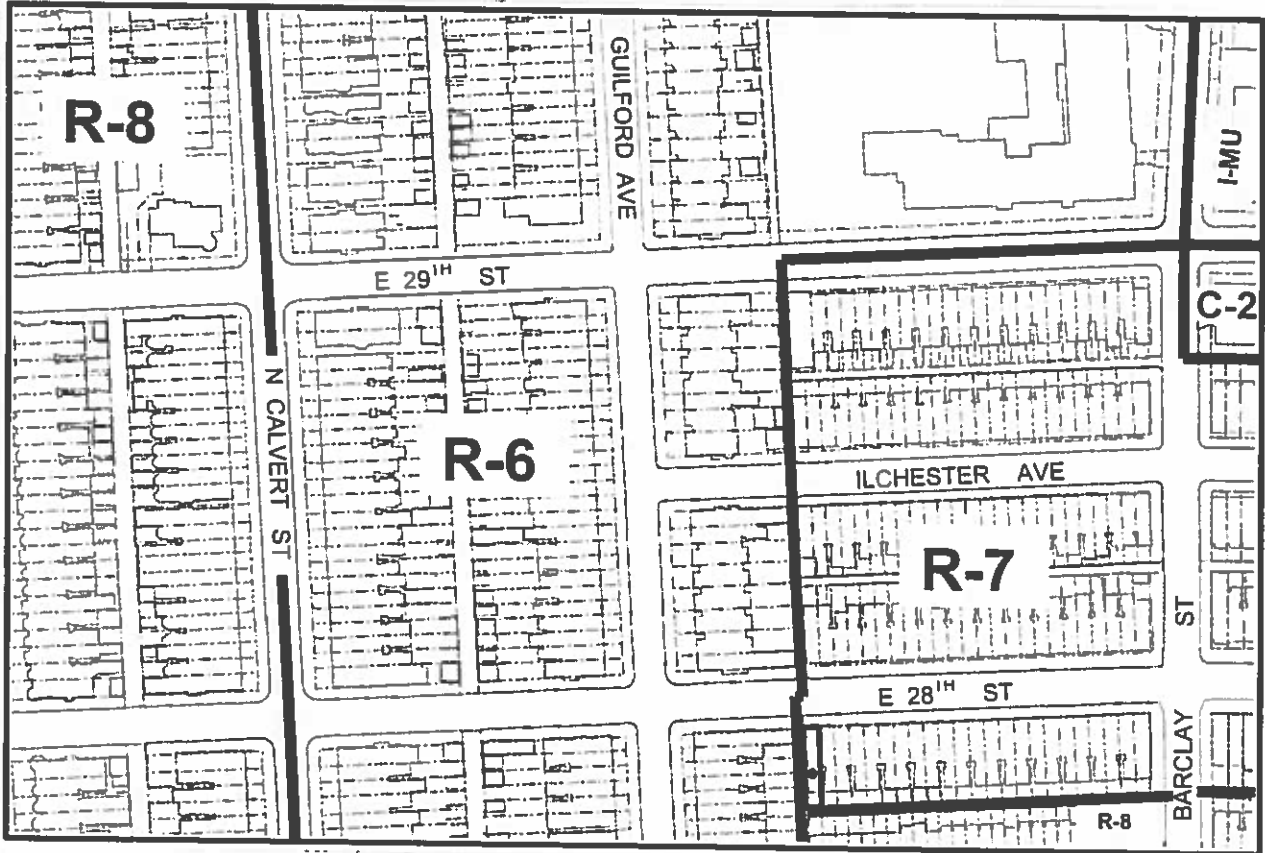
I, Hayel Thornton solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

Hayel Thornton  
Applicant's signature

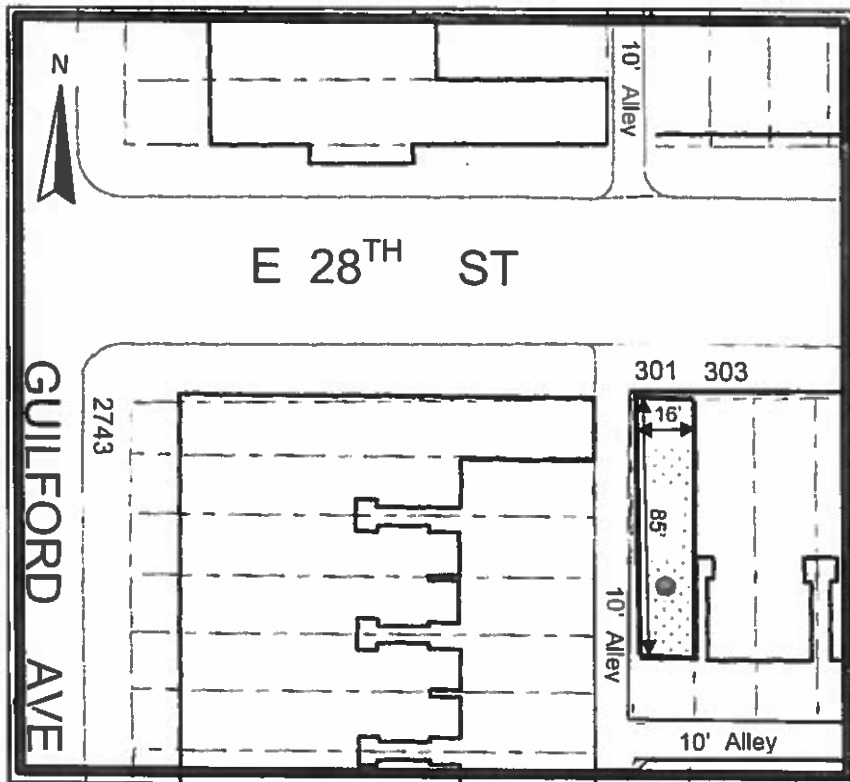
\_\_\_\_\_  
Date



**SHEET NO. 36 OF THE ZONING DISTRICT MAP OF  
THE BALTIMORE CITY ZONING CODE**



Scale: 1" = 200'



**Note:**

In Connection With The Property Known As No. 301 EAST 28TH STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single Family Dwelling Unit To Three Dwelling Units In The R-7 Zoning District, As Outlined In Red Above.

WARD 12 SECTION 17  
BLOCK 3844 LOT 79

\_\_\_\_\_

MAYOR

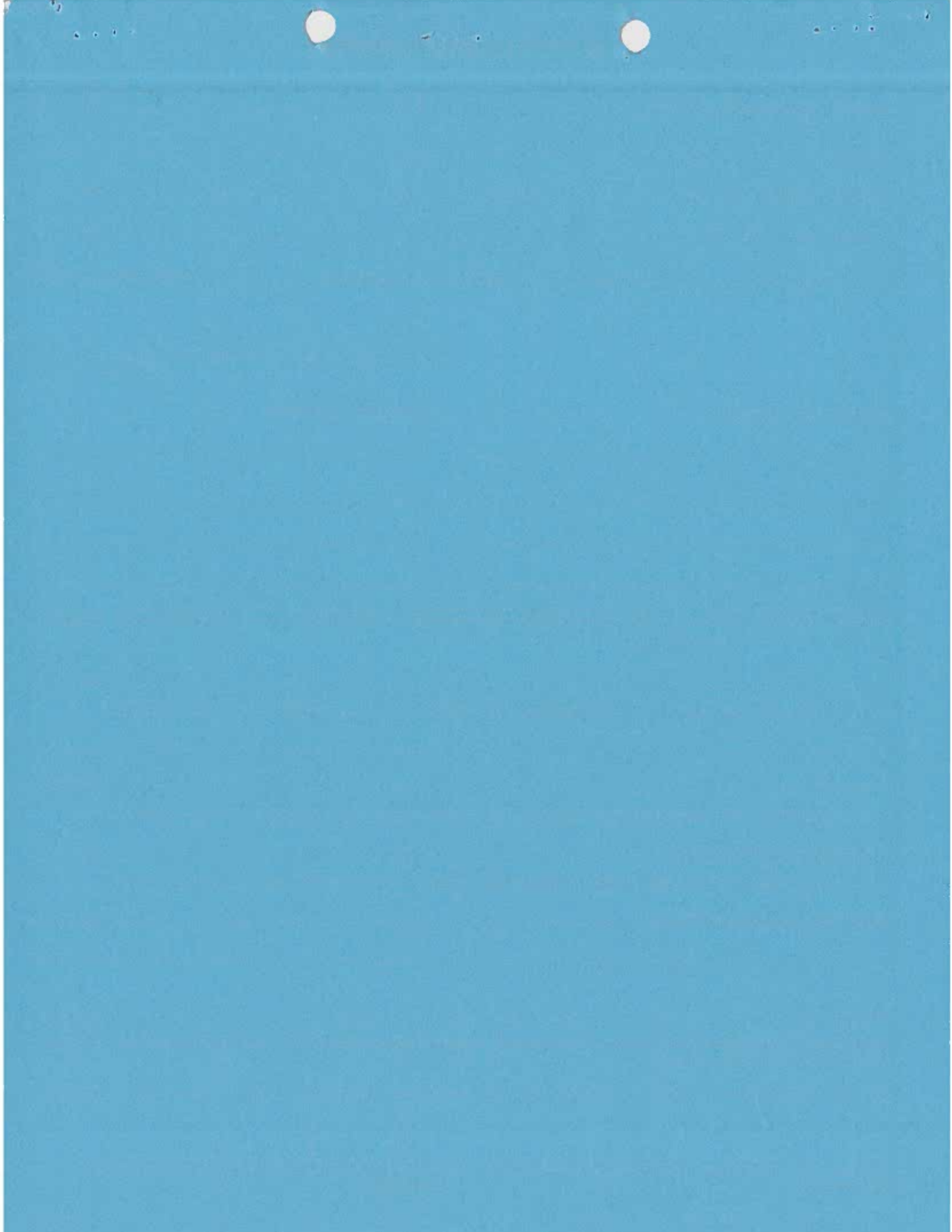
\_\_\_\_\_

PRESIDENT CITY COUNCIL

Scale: 1" = 50'







ACTION BY THE CITY COUNCIL

MAR 12 2018  
20

FIRST READING (INTRODUCTION) \_\_\_\_\_

PUBLIC HEARING HELD ON October 17, \_\_\_\_\_ 20 18

COMMITTEE REPORT AS OF October 29, \_\_\_\_\_ 20 18

\_\_\_\_\_ FAVORABLE \_\_\_\_\_ UNFAVORABLE  FAVORABLE AS AMENDED \_\_\_\_\_ WITHOUT RECOMMENDATION

  
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:

OCT 29 2018  
20

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

THIRD READING \_\_\_\_\_ NOV 19 2018

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

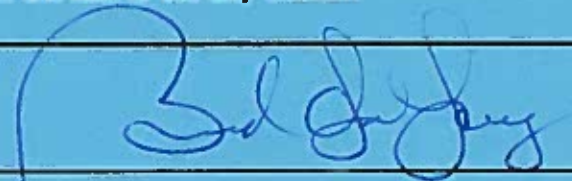
THIRD READING (ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

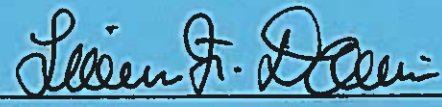
\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

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.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Chief Clerk