

Introduced by: Councilmember Bullock

At the request of: The Tiger Team Properties, LLC

Address: c/o Lance Edwards, P.O. Box 70176, Washington D.C. 20024

Telephone: 301-741-9891

Prepared by: Department of Legislative Reference

Date: May 6, 2019

Referred to: LAND USE Committee

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

CITY COUNCIL 19-0392

A BILL ENTITLED



AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District – Variance –
2132 West Baltimore Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting a variance from certain bulk (lot area size) regulations.

BY authority of

Article 32 - Zoning

Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2) and 9-703(d)

Baltimore City Revised Code

(Edition 2000)

****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

Agency	Other:
Baltimore City Public School System	Other:
Baltimore Development Corporation	Other:
City Solicitor	Other:
Comptroller's Office	Other:
Department of Audits	Other:
Department of Finance	Other:
Department of General Services	Other:
Department of Housing and Community Development	Other:
Department of Human Resources	Other:
Department of Planning	Other:
Other:	Other:
Other:	Other:
Other:	Other:
Department of Public Works	Other:
Department of Real Estate	Other:
Department of Recreation and Parks	Other:
Department of Transportation	Other:
Fire Department	Other:
Health Department	Other:
Mayor's Office of Employment Development	Other:
Mayor's Office of Human Services	Other:
Mayor's Office of Information Technology	Other:
Office of the Mayor	Other:
Police Department	Other:
Other:	Other:
Other:	Other:
Other:	Other:
Environmental Control Board	Other:
Fire & Police Employees' Retirement System	Other:
Labor Commissioner	Other:
Parking Authority Board	Other:
Planning Commission	Other:
Wage Commission	Other:
Board of Estimates	Other:
Board of Ethics	Other:
Board of Municipal and Zoning Appeals	Other:
Comm. for Historical and Architectural Preservation	Other:
Commission on Sustainability	Other:
Employees' Retirement System	Other:
Other:	Other:
Other:	Other:
Other:	Other:

Boards and Commissions

CITY OF BALTIMORE
ORDINANCE **19-312**
Council Bill 19-0392

Introduced by: Councilmember Bullock

At the request of: The Tiger Team Properties, LLC

Address: c/o Lance Edwards, P.O. Box 70176, Washington, D.C. 20024

Telephone: 301-741-9891

Introduced and read first time: May 13, 2019

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: October 7, 2019

AN ORDINANCE CONCERNING

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District – ~~Variance~~ Variances –
2132 West Baltimore Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting a ~~variance~~ variances from certain off-street parking bulk (lot area size) regulations, and gross floor area per unit type requirements.

BY authority of

Article 32 - Zoning

Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), and 9-703(c), 9-703(d), 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 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the plat accompanying this Ordinance, in accordance with the 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 §§ 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk and Yard Regulations) and § 9-703(d) for the lack of the required lot size.

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 19-0392


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(c) for gross floor area per unit type.

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

8 SECTION 3 5. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the
9 accompanying plat and in order to give notice to the agencies that administer the City Zoning
10 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
11 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
12 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
13 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
14 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
15 the Zoning Administrator.

16 SECTION 4 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th
17 day after the date it is enacted.

Certified as duly passed this _____ day of OCT 28 2019, 20____



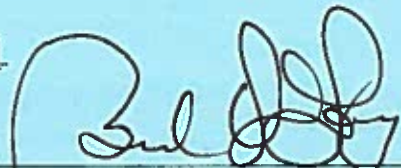
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of OCT 28 2019, 20____

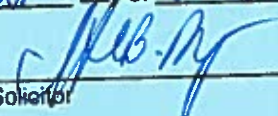


Chief Clerk

Approved this 4th day of Nov., 2019

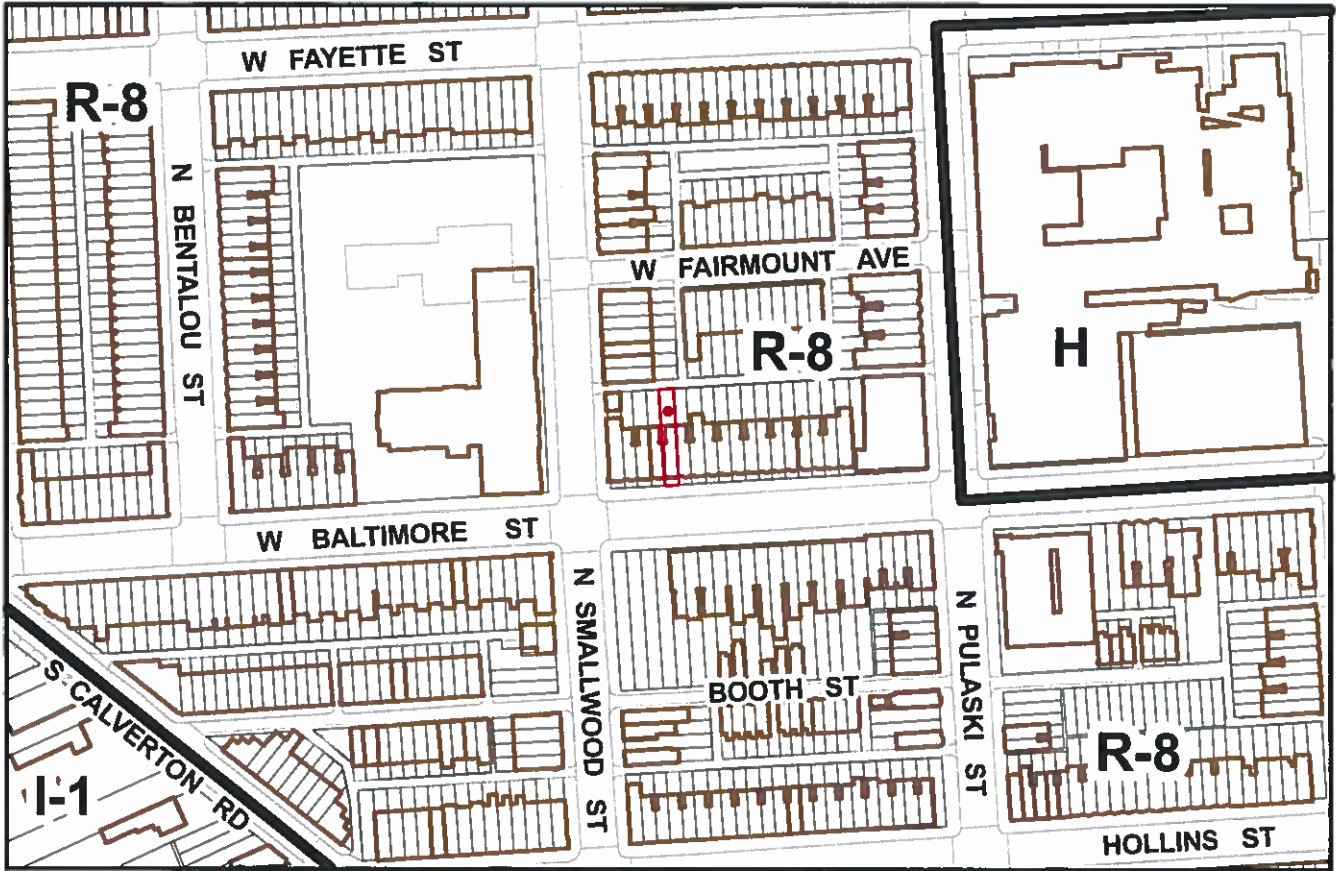


Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 29th Day of October 2019.


Chief Solicitor

**SHEET NO. 54 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

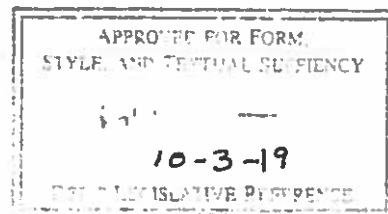
In Connection With The Property Known As No. 2132 WEST BALTIMORE STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Two Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 20 SECTION 14
BLOCK 190 LOT 15

[Signature]
MAYOR

[Signature]
PRESIDENT CITY COUNCIL

AMENDMENTS TO COUNCIL BILL 19-0392
(1" Reader Copy)



By: Land Use Committee

Amendment No. 1

On page 1, in line 3, strike “**Variance**” and substitute “**Variances**”; on page 1, in line 8, strike “a variance” and substitute “**variances**”; in the same line, after “certain”, insert “**off-street parking,**”; and, in the same line, strike “regulations” and substitute “**, and gross floor area per unit type requirements**”.

Amendment No. 2

On page 1, in line 11, after “9-701(2),” strike “and” and substitute “**9-703(c),**”; and, in the same line, after “9-703(d),” insert “**, 9-703(f), 16-203, and 16-602 (Table 16-406)**”.

Amendment No. 3

On page 2, after line 4, insert

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(c) for gross floor area per unit type.

SECTION 4. 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 (Table 16-406: Required Off-Street Parking) for off-street parking.

Amendment No. 4

On page 2, in lines 5 and 13, strike “3” and “4”, respectively, and substitute “**5**”, and “**6**”, respectively.

ADOPTED

**BALTIMORE CITY COUNCIL
LAND USE COMMITTEE
VOTING RECORD**

DATE: October 2, 2019

BILL#: 19-0392

BILL TITLE: Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore Street

MOTION BY: Costello SECONDED BY: Sneed

- 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"/>
Sneed, Shannon - Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>8</u>			

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

LAND USE COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE COMMITTEE, AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO ARTICLE 32, SECTION 5-406 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A CONDITIONAL USE FOR:

City Council Bill No.19-0392

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore 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 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;

The use would not be precluded by any other law. There is no Urban Renewal Plan for this area.

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

The proposed authorization would not be contrary to the public interest (in fact, it would advance the public interest by creating more housing affordable to moderate-income families). Therefore, Planning staff conclude that the authorization would be in harmony with the purpose and intent of the Zoning Code.

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

Planning staff concluded that the authorization would be in harmony with the purpose and intent of the Zoning Code.

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

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

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

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

There will be no negative impact to traffic patterns.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. A site visit was conducted during the first week of June 2019. The PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC investigated the alley and rear of the property and determined that there is not sufficient access for any off-street parking spaces. Therefore, the PABC has determined that passage of this bill will not negatively impact parking in the area. PABC does not oppose the passage of City Council Bill 19-0392.

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

The proposed use will not impair the present and future development of this lot or the surrounding area.

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

There will be no negative impact resulting from proximity to dwellings, churches, schools, public structures, and 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 these 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;

Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided.

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

The proposed use will not interfere with preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

The proposed use would not alter the character of the neighborhood.

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

The proposed use is consistent with provisions of the City's Comprehensive Master Plan.

According to the Planning Department, the proposed action is consistent with the City of Baltimore's Comprehensive Master Plan, 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;

The proposed use is consistent with the provisions of any applicable Urban Renewal Plan.

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

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

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

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

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

Is consistent with any other matters that may be considered to be in the interest of the general welfare.

SOURCE OF FINDINGS (Check all that apply):

Planning Report

- Planning Commission, Chris Ryer, Director – Memorandum Dated June 24, 2019
- Department of Planning, Staff Report – Dated June 20, 2019

Testimony presented at the Committee hearing

Oral – Witness Name:

- Planning Commission representative
- Department of Law representative

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

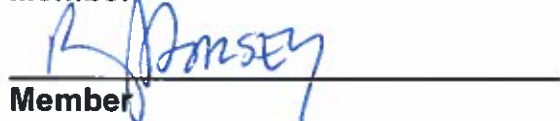
- Mr. Chris Ryer, Director, Department of Planning, Memorandum Dated June 24, 2019
- Mr. Martin French, Staff, Department of Planning, Report Dated June 20, 2019
- Mr. Peter Little, Parking Authority of Baltimore City, Memorandum Dated June 13, 2019
- Mr. Derek J. Baumgardner, Executive Director, Board of Municipal Zoning Appeals, Memorandum Dated September 3, 2019

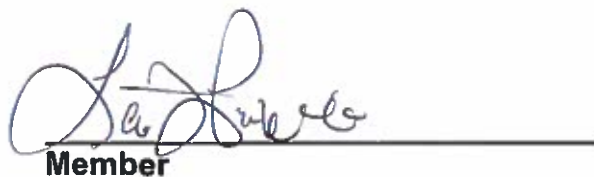
LAND USE COMMITTEE:


Chairman


Member


Member


Member


Member

Member

Member

Member

LAND USE COMMITTEE

FINDINGS OF FACT FOR VARIANCE

City Council Bill No. 19-0392

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 THE APPLICABLE SECTIONS OF ARTICLE 32 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING ANY VARIANCES OF APPLICABLE STANDARDS FOR THE PROPERTY LOCATED AT:

Zoning - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore Street

VARIANCE FOR: LOT AREA

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

THRESHOLD QUESTION:

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

HARDSHIP OR PRACTICAL DIFFICULTY:

*The City Council has considered at least one of the following:
(check all that apply to evidence consideration)*

- The physical surroundings around the STRUCTURE / LAND involved;
(underline one)
- The shape of the STRUCTURE / LAND involved;
(underline one)
- The topographical conditions of the STRUCTURE / LAND involved.
(underline one)

and finds either that:

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

or that:

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

According to the Department of Planning staff report, the Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC subsection 9-703. d., citing Table 9-401). A lot area of 1,500 square feet is thus required for the proposed use. This lot has 1,400 square feet and thus does not meet the lot area requirement for conversion. A variance of this requirement is therefore included in this bill. The variance amounts to approximately 6.7% of the Zoning Code requirement.

There is a practical difficulty with complying with the bulk standards in the Zoning Code that has not been caused by action or inaction of any person with a present interest in this property. The purpose of the variance requested is not based exclusively on a desire to increase the value or income potential of the property.

The variance that would be granted would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. The variance is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

SOURCE OF FINDINGS:

(*check all that apply*)

Planning Report

- Planning Commission, Chris Ryer, Director – Memorandum Dated June 24, 2019
- Department of Planning, Staff Report – Dated June 20, 2019

Testimony presented at the Committee hearing:

Oral – Witnesses Names:

- Planning Commission representative
- Department of Law representative

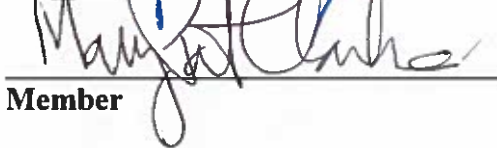
Written – Submitted by: (Include documents that have relevant facts only)

- Mr. Chris Ryer, Director, Department of Planning, Memorandum Dated June 24, 2019
- Mr. Martin French, Staff, Department of Planning, Report Dated June 20, 2019
- Mr. Peter Little, Parking Authority of Baltimore City, Memorandum Dated June 13, 2019
- Mr. Derek J. Baumgardner, Executive Director, Board of Municipal Zoning Appeals, Memorandum Dated September 3, 2019

LAND USE AND TRANSPORTATION COMMITTEE:


Chairman


Member


Member

Member


Member


Member

Member

Member

LAND USE COMMITTEE

FINDINGS OF FACT FOR VARIANCE

City Council Bill No. 19-0392

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 THE APPLICABLE SECTIONS OF ARTICLE 32 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING ANY VARIANCES OF APPLICABLE STANDARDS FOR THE PROPERTY LOCATED AT:

Zoning - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore Street

VARIANCE FOR: GROSS FLOOR AREA

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

THRESHOLD QUESTION:

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

HARDSHIP OR PRACTICAL DIFFICULTY:

The City Council has considered at least one of the following:
(check all that apply to evidence consideration)

- The physical surroundings around the STRUCTURE / LAND involved;
(underline one)
- The shape of the STRUCTURE / LAND involved;
(underline one)
- The topographical conditions of the STRUCTURE / LAND involved.
(underline one)

and finds either that:

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

or that:

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

According to the Department of Planning staff report, the Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 750 square feet of floor area per 1-bedroom dwelling unit and 1,250 square feet of floor area per 3-bedroom dwelling unit (BCZC subsection 9-703.c.). There being no separate category of “efficiency” dwelling unit in the current Zoning Code, the 1-bedroom standard must be used for this purpose. The existing structure contains approximately 1,300 square feet of floor area classified as “above-ground floor area” to be used for the 3-bedroom dwelling unit, and 500 square feet of basement floor area to be used for the efficiency dwelling unit. A variance of this floor area requirement (for the benefit of the basement unit) should therefore be added to this bill.

There is a practical difficulty with complying with the bulk standards in the Zoning Code that has not been caused by action or inaction of any person with a present interest in this property. The purpose of the variance requested is not based exclusively on a desire to increase the value or income potential of the property.

The variance that would be granted would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. The variance is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

SOURCE OF FINDINGS:

(check all that apply)

Planning Report

- Planning Commission, Chris Ryer, Director – Memorandum Dated June 24, 2019
- Department of Planning, Staff Report – Dated June 20, 2019

Testimony presented at the Committee hearing:

Oral – Witnesses Names:

- Planning Commission representative
- Department of Law representative

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

- Mr. Chris Ryer, Director, Department of Planning, Memorandum Dated June 24, 2019
- Mr. Martin French, Staff, Department of Planning, Report Dated June 20, 2019
- Mr. Peter Little, Parking Authority of Baltimore City, Memorandum Dated June 13, 2019

- Mr. Derek J. Baumgardner, Executive Director, Board of Municipal Zoning Appeals, Memorandum Dated September 3, 2019

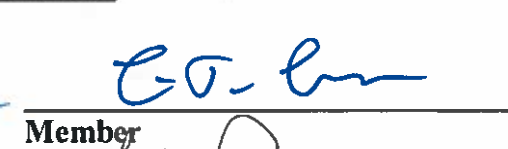
LAND USE AND TRANSPORTATION COMMITTEE:

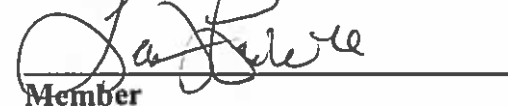

Chairman


Member


Member

Member


Member


Member

Member

Member



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LAND USE COMMITTEE

FINDINGS OF FACT FOR VARIANCE

City Council Bill No. 19-0392

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 THE APPLICABLE SECTIONS OF ARTICLE 32 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING ANY VARIANCES OF APPLICABLE STANDARDS FOR THE PROPERTY LOCATED AT:

Zoning - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore Street

VARIANCE FOR: OFF-STREET PARKING

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

THRESHOLD QUESTION:

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

HARDSHIP OR PRACTICAL DIFFICULTY:

*The City Council has considered at least one of the following:
(check all that apply to evidence consideration)*

- The physical surroundings around the **STRUCTURE / LAND** involved;
(underline one)
- The shape of the **STRUCTURE / LAND** involved;
(underline one)
- The topographical conditions of the **STRUCTURE / LAND** involved.
(underline one)

and finds either that:

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

or that:

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

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. A site visit was conducted during the first week of June 2019. The PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC investigated the alley and rear of the property and determined that there is not sufficient access for any off-street parking spaces. Therefore, the PABC has determined that passage of this bill will not negatively impact parking in the area. PABC does not oppose the passage of City Council Bill 19-0392.

According to the Department of Planning staff report, one additional off-street parking space is required to serve the one newly created dwelling unit (BCZC subsection 9-703.f.). This property cannot provide any off-street parking spaces meeting Zoning Code standards for accessibility, as the rear alley is only 10' wide, and therefore a variance of this requirement should be added to this bill

The proposed use as a two-family dwelling would be consistent with other residential uses in the area. While no off-street parking meeting Zoning Code standards can be provided on this property, the site is located in a dense, walkable neighborhood that is served by public transportation.

There is a practical difficulty with complying with the bulk standards in the Zoning Code that has not been caused by action or inaction of any person with a present interest in this property. The purpose of the variance requested is not based exclusively on a desire to increase the value or income potential of the property.

The variance that would be granted would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. The variance is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

SOURCE OF FINDINGS:

(check all that apply)

Planning Report

- Planning Commission, Chris Ryer, Director – Memorandum Dated June 24, 2019
- Department of Planning, Staff Report – Dated June 20, 2019

Testimony presented at the Committee hearing:

Oral – Witnesses Names:

- Planning Commission representative

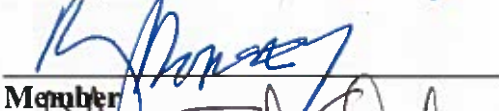
- Department of Law representative

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

- Mr. Chris Ryer, Director, Department of Planning, Memorandum Dated June 24, 2019
- Mr. Martin French, Staff, Department of Planning, Report Dated June 20, 2019
- Mr. Peter Little, Parking Authority of Baltimore City, Memorandum Dated June 13, 2019
- Mr. Derek J. Baumgardner, Executive Director, Board of Municipal Zoning Appeals, Memorandum Dated September 3, 2019

LAND USE AND TRANSPORTATION COMMITTEE:


Chairman


Member


Member

Member


Member


Member

Member

Member

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

Today's Date: [Insert Here] 9/11/19

City Council Bill No.: 19-0392

(Place a picture below.)



I HEREBY CERTIFY, under penalty of perjury, that a sign was posted at:

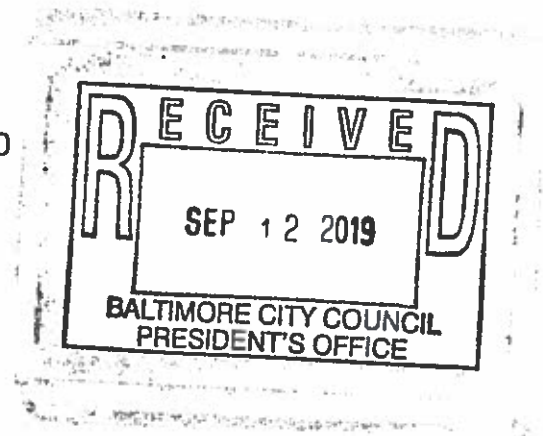
Address: 2132 W. Baltimore St. Baltimore Md 21233

Date Posted: 9/11/19

Name: Lance Edwards

Address: 2920 Southern Ave Se Washington DC 20020

Telephone: 301-741-9891




- Email to: 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



3

4

5

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR <i>CR</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #19-0392 / ZONING – CONDITIONAL USE CONVERSION TO 2 DWELLING UNITS – VARIANCE – 2132 WEST BALTIMORE STREET		

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

DATE: June 24, 2019

At its regular meeting of June 20, 2019, the Planning Commission considered City Council Bill #19-0392, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting a variance from certain bulk (lot area size) regulations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval of City Council Bill #19-0392 and adopted the following resolution, nine members being present (nine in favor):

RESOLVED, That the Planning Commission finds, in accordance with subsections 5-406(a) and 5-406(b) of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

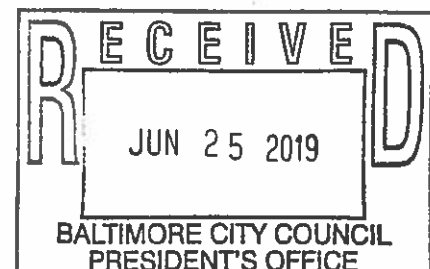
- would not be detrimental to or endanger the public, health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest;
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in subsection 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 and shape of the specific structure, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements were carried out; and further recommends that City Council Bill #19-0392 be amended and approved by the City Council.

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

CR/ewt

Attachment



Fav w/ Amends

cc: Mr. Jeff Amoros, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Mr. Bob Pipik, DCHD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Michael Castagnola, DOT
Ms. Natawna Austin, Council Services
Mr. Lance Edwards, The Tiger Team Properties LLC



Bernard C. "Jack" Young
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



*Chris Ryer
Director*

June 20, 2019

REQUEST: City Council Bill #19-0392/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variance – 2132 West Baltimore Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting a variance from certain bulk (lot area size) regulations.

RECOMMENDATION: Amendment, and Approval as amended

Amendments: Add (1) a variance of floor area standards for conversion of a single-family dwelling to a multi-family dwelling; and (2) a variance of off-street parking regulations.

STAFF: Martin French

PETITIONER: Councilmember Bullock, at the request of The Tiger Team Properties LLC c/o Lance Edwards

OWNER: The Tiger Team Properties LLC

SITE/GENERAL AREA

Site Conditions: 2132 West Baltimore Street is located on the north side of the street, approximately 58' east of the intersection with Smallwood Street. This property measures approximately 14' by 100' and is currently improved with a two-story attached residential building measuring approximately 14' by 50'. The site is zoned R-8 and is located in the Operation Reach Out Southwest (OROSW) Strategic Neighborhood Action Plan area.

General Area: Most of the housing in this area was originally developed in the late 19th Century or first decade of the 20th Century. One block east of the property is the Bon Secours Hospital site that is the focal point for redevelopment of the Penrose / Fayette Street Outreach community. There are also scattered nonresidential uses such as churches and small businesses in the area.

HISTORY

There are no previous Planning Commission or legislative actions relating specifically to this property. This block retained its R-8 zoning during the comprehensive rezoning mapping process associated with adoption of the current Zoning Code effective on June 5, 2017.

CONFORMITY TO PLANS

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

ANALYSIS:

Background: This legislation would allow the petitioner to use the existing structure as two dwelling units, one 3-bedroom unit on the two original habitable levels of the structure, and one efficiency unit in the basement of the structure. Adaptive re-use as a two-family multi-family dwelling would allow preservation of a piece of the community's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown for residents of the two dwelling units.

Zoning Analysis: This property is a mid-row residential structure containing approximately 1,300 square feet of gross floor area. This bill would encourage re-use of a structure consistent with its current zoning.

- The Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC subsection 9-703.d., citing Table 9-401). A lot area of 1,500 square feet is thus required for the proposed use. This lot has 1,400 square feet and thus does not meet the lot area requirement for conversion. A variance of this requirement is therefore included in this bill. The variance amounts to approximately 6.7% of the Zoning Code requirement.
- The Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 750 square feet of floor area per 1-bedroom dwelling unit and 1,250 square feet of floor area per 3-bedroom dwelling unit (BCZC subsection 9-703.c.). There being no separate category of "efficiency" dwelling unit in the current Zoning Code, the 1-bedroom standard must be used for this purpose. The existing structure contains approximately 1,300 square feet of floor area classified as "above-ground floor area" to be used for the 3-bedroom dwelling unit, and 500 square feet of basement floor area to be used for the efficiency dwelling unit. A variance of this floor area requirement (for the benefit of the basement unit) should therefore be added to this bill.
- The maximum lot coverage allowed is 80% (Zoning Code Table 9-401). This structure covers approximately 50% of the lot. No variance of this requirement is needed.
- One additional off-street parking space is required to serve the one newly-created dwelling unit (BCZC subsection 9-703.f.). This property cannot provide any off-street parking spaces meeting Zoning Code standards for accessibility, as the rear alley is only 10' wide, and therefore a variance of this requirement should be added to this bill.

Conditional Use: Per subsection 5-406 ("Approval standards") of Article 32 – Zoning:

- (a) *Limited criteria for denying.*

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

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

The establishment, location, and operation of this property as a multi-family dwelling containing two dwelling units would not be detrimental to or endanger public health, safety, or welfare. The proposed use is not precluded by any other law, and there is no Urban Renewal Plan for this area. The proposed authorization would not be contrary to the public interest (in fact, it could advance the public interest by creating housing affordable to moderate-income families). Therefore, Planning staff conclude that the authorization would be in harmony with the purpose and intent of the Zoning Code.

In making the above recommendation, Planning staff reviewed subsection 5-406(b) {"Required considerations"} of Article 32 – *Zoning*, and finds that the proposed use meets these additional criteria for approval of a conditional use:

1. The nature of the proposed site, including its size and shape, are adequate for the proposed use;
2. There will be no negative impact to traffic patterns;
3. The proposed use will not impair the present and future development of this lot or the surrounding area;
4. There will be no negative impact resulting from proximity to dwellings, churches, schools, public structures, and other places of public gathering;
5. There is adequate accessibility of the premises to emergency vehicles;
6. There is adequate light and air to the premises and to properties in the vicinity;
7. Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
8. The proposed use will not interfere with preservation of cultural and historic landmarks and structures;
9. The proposed use would not alter the character of the neighborhood;
10. The proposed use is consistent with provisions of the City's Comprehensive Master Plan;
11. The proposed use is consistent with the provisions of any applicable urban renewal plan;
12. The proposed use meets all other applicable standards and requirements of the Zoning Code;
13. The proposed use is consistent with the intent and purpose of the Zoning Code; and

14. Is consistent with any other matters that may be considered to be in the interest of the general welfare.


Planning staff recommend that the Planning Commission also find:

- The proposed use as a two-family dwelling would be consistent with other residential use in the area.
- While no off-street parking meeting Zoning Code standards can be provided on this property, the site is located in a dense, walkable neighborhood that is served by public transportation.
- There is a practical difficulty with complying with the bulk standards in the Zoning Code that has not been caused by the action or inaction of any person with a present interest in this property. The purpose of the variances requested is not based exclusively on a desire to increase the value or income potential of the property.
- Each of the variances that would be granted would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. The variances are in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

Notification: Fayette Street Outreach and Councilman Bullock have been notified of this item.



Chris Ryer
Director

FROM	NAME & TITLE	Steve Sharkey, Acting Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0392		

TO: Mayor Bernard C. "Jack" Young
TO: Land Use Committee
FROM: Department of Transportation
POSITION: No Objection
RE: Council Bill – 19-0392

DATE: 8/7/19

INTRODUCTION – Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore Street

PURPOSE/PLANS – For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting a variance from certain bulk (lot area size) regulations.

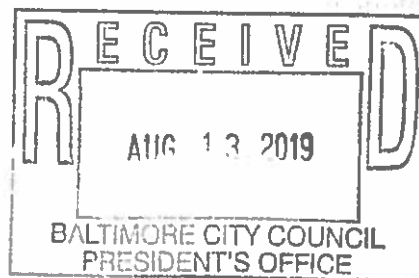
COMMENTS – City Council Bill 19-0392 looks to convert 2132 West Baltimore Street from a single-family dwelling to a two-dwelling unit. The proposed conversion would allow for an efficiency in the property's basement and a three bedroom unit on the upper two floors. The Department of Transportation does not foresee any direct fiscal or operational impact in relation to this bill.

AGENCY/DEPARTMENT POSITION – The Department of Transportation has no objection to City Council Bill 19-0392.

If you have any questions, please do not hesitate to contact Liam Davis via email at Liam.Davis@baltimorecity.gov or by phone (410) 545-3207.

Sincerely,


Steve Sharkey
Acting Director



no objection

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



BOARD OF MUNICIPAL AND ZONING APPEALS

DEREK J. BAUMGARDNER, Executive Director
417 E. Fayette Street, Suite 922
Baltimore, Maryland 21202

September 3, 2019

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

Re: **CC Bill #19-0392 Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variance – 2132 West Baltimore Street**

Ladies and Gentlemen:

City Council Bill No. 19-0392 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

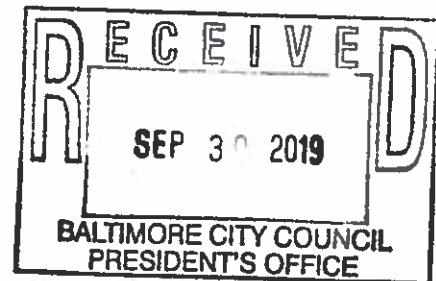
The purpose of City Council Bill No. 19-0392 is to convert a single-family dwelling unit to two dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015); and grant a variance from certain bulk (lot area size) regulations.

The BMZA has reviewed the legislation and recommends approval of City Council Bill No. 19-0392 with the amendments currently proposed by the Planning Department.

Sincerely,

Derek J. Baumgardner
Executive Director

CC: Mayor's Office of Council Relations
City Council President
Legislative Reference



Fav of Planning's Awards



100
100

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG
Mayor



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

September 27, 2019

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 19-0392 - Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District — Variance — 2132 West Baltimore Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0392 for form and legal sufficiency. The bill permits, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street. It also grants a variance from certain bulk (lot area size) regulations.

Conditional Use Standards

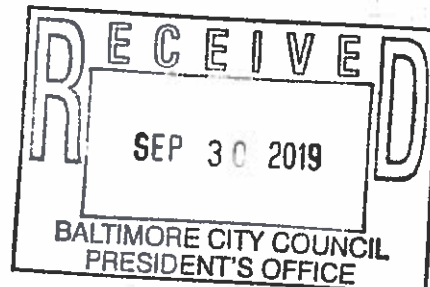
Under the Zoning Article of the City Code, the conversion of a single-family dwelling to a multi-family dwelling in an R-8 District requires conditional-use approval by ordinance. Baltimore City Code, Art. 32, § 9-701(2). Further, approval of a conditional use must be based on the following findings:

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

§ 5-406(a). Moreover, the above findings must be guided by 14 "considerations" involving, for example, such things as the "nature of the surrounding area and the extent to which the proposed use might impair its present and future development," "the character of the neighborhood," and "the resulting traffic patterns and adequacy of proposed off-street parking." Art. 32, § 5-406(b).

Variance Standards

Fav of Comments



The bill also contains variances from off-street parking requirements. For a 2-bedroom unit, the dwelling must two off-street parking space. Art. 32, § 9-703(f). Since the property does not meet the applicable requirements, the bill seeks a variance from the requirement.

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.” 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.

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 four variances sought, it may adopt these findings and the legal requirements will be met.

The Law Department notes that the Planning Staff Report (“Report”) provides facts sufficient to approve the conditional use. The Report, however, does not provide facts sufficient to approve the lot area variance or Planning’s proposed variances for floor area and parking spaces. Missing are facts to support assertions that the conditions on which the application for these variances are based are unique to the property for which the variances are sought and are not generally applicable to other property within the same zoning classification.

These missing facts must be supplied for each requested variance at the public hearing before they can lawfully be granted.

Law Department notes further that a bill authorizing a conditional use is classified as a "legislative authorization." Art. 32, § 5-501. Legislative authorizations require that certain procedures be followed in the bill's passage. Specifically, certain notice requirements apply to the bill. See Art 32, § 5-602. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. See Art. 32, §§ 5-504, 5-506, 5-604. Finally, certain limitations on the City Council's ability to amend the bill apply. See Art. 32 § 5-507.

Assuming all the procedural requirements are satisfied, and the missing fact elements discussed above are supplied, the Law Department is prepared to approve the bill for form and legal sufficiency.

Sincerely,



Victor K. Tervalo
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Nicholas Blendy, MOGR
Matt Stegman, Mayor's Legislative Liaison
Caylin Young, President's Legislative Director
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor



MEMORANDUM

DATE: June 4, 2019
TO: Land Use and Transportation Committee
FROM: Kimberly Clark, Interim President and CEO *Clark*
POSITION: No Objection
SUBJECT: Council Bill 19-0392-Zoning- Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District-Variance-2132 West Baltimore Street

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 19-0392 introduced by Councilmember Bullock, at the request of The Tiger Team Properties, LLC.

PURPOSE

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting variances from the certain bulk (lot area), and off-street parking regulations.

BRIEF HISTORY

As noted, the property is in the R-8 district in the Penrose/Fayette Street Neighborhood. The zone is intended to maintain the traditional form of urban rowhouse development. According to the zoning code, the R-8 district is less restrictive and accommodates other residential types. The proposed conversion will result in the potential for additional residents to live in the neighborhood while maintaining the existing structure.

FISCAL IMPACT

None

AGENCY POSITION

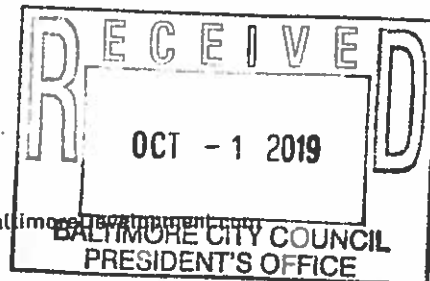
The Baltimore Development Corporation has **No Objection** to City Council Bill 19-0392.

If you have any questions, please do not hesitate to contact Kim Clark at 410-837-9305.

cc: Jeffrey Amoros

[NAD]

No obj



TRANSMITTAL MEMO

TO: Council President Brandon M. Scott
FROM: Peter Little, Executive Director
DATE: June 13, 2019
RE: Council Bill 19-0392



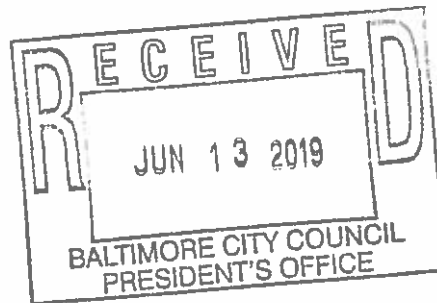
I am herein reporting on City Council Bill 19-0392 introduced by Councilmember Bullock at the request of The Tiger Team Properties, LLC.

The purpose of this bill is for permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street; and granting a variance from certain bulk (lot area size) regulations.

According to Baltimore City Code Art. 32 § 9-701(2), the R-8 Zoning District allows for the conversion of a single-family dwelling to a multi-family dwelling through conditional-use approval by Ordinance of the Mayor and City Council. Conversion standards in Baltimore City Code Art. 32 § 9-703(f) require that at least 1 off-street parking space be provided for each dwelling unit. However, this proposed legislation does not request a variance for the off-street parking requirement.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. A site visit was conducted during the second week of June 2019. The PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. In addition, the PABC investigated the alley and rear of the property and determined that there is not sufficient access for any off-street parking spaces. Therefore, the PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, the PABC does not oppose the passage of City Council Bill 19-0392.



Does not oppose



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: September 30, 2019

Re: **City Council Bill 19-0392, Zoning — Conditional Use Conversion of a Single-family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District — Variance — 2132 West Baltimore Street**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0392, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street; and granting a variance from certain bulk (lot area size) regulations.

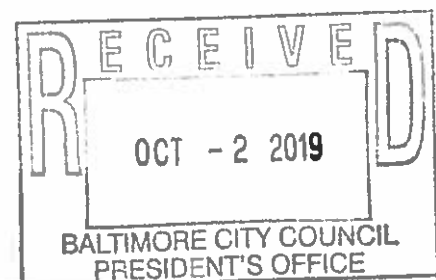
If enacted, this bill will allow the property at 2132 West Baltimore Street to be converted from a single-family dwelling to 2 dwelling units. At its regular meeting of June 20, 2019, the Planning Commission concurred with the Department of Planning staff and found that because of its particular surroundings and shape of the specific structure, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements were carried out; and recommended that City Council Bill 19-0392 be amended and approved by the City Council.

The Planning staff determined that the establishment, location and operation of this property as two dwelling units would not be detrimental to or endanger public health, safety or welfare. The conversion would advance the public interest by increasing the housing stock that is affordable to moderate-income families. A key strategy of the DHCD Framework for Community Development is to promote access and equity by expanding affordable housing. This bill would potentially increase the number of affordable private units.

DHCD has reviewed City Council Bill 19-0392 and **supports the passage of the bill** with adoption of an amendment to add a variance of floor area standards for conversion of a single-family dwelling to 2 dwelling units; and a variance of off-street parking.

MB:sm

cc: Mr. Nicholas Blendy, Mayor's Office of Government Relations



City of Baltimore

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

Meeting Minutes - Final

Land Use Committee

Wednesday, October 2, 2019

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0392

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 8 - Edward Reisinger, Shannon Sneed, Mary Pat Clarke, Ryan Dorsey, Sharon Green Middleton, Leon F. Pinkett III, Robert Stokes Sr., and Eric T. Costello

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0392

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting a variance from certain bulk (lot area size) regulations.

Sponsors: John T. Bullock

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

Yes: 8 - Reisinger, Sneed, Clarke, Dorsey, Middleton, Pinkett III, Stokes Sr., and Costello

ADJOURNMENT



HEARING NOTES

Bill: 19-0392

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore Street

Committee: Land Use

Chaired By: Councilmember Edward Reisinger

Hearing Date: October 2, 2019

Time (Beginning): 1:12 PM

Time (Ending): 1:24 PM

Location: Clarence "Du" Burns Chamber

Total Attendance: ~20

Committee Members in Attendance:

Reisinger, Edward - Chairman

Sneed, Shannon - Vice Chair

Clarke, Mary Pat

Costello, Eric

Dorsey, Ryan

Middleton, Sharon

Pinkett, Leon

Stokes, Robert

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 <u>audio-digitally</u> 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 Costello		
Seconded by:	Councilmember Sneed		
Final Vote:	Favorable/Amend		

Major Speakers
(This is not an attendance record.)

- Mr. Eric Tiso, Department of Planning
- Mr. Liam Davis, Department of Transportation
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Mr. Victor Tervalá, Department of Law
- Ms. Stephanie Murdock, Department of Housing and Community Development
- Mr. Taylor LaFave, Parking Authority for Baltimore City
- Mr. Matthew Stegman, Office of the Mayor
- Mr. Lance Edwards, applicant.

Major Issues Discussed

1. Councilmember Reisinger read the bill's number, title and purpose.
2. Councilmember Bullock provided comments about the purpose for introducing the bill.
3. Mr. Eric Tiso presented the Planning Commission's recommendation of favorable with amendments. He provided findings of fact for the conditional use and variances. He explained that the Zoning Code does not define "efficiency" dwelling units.
4. There was a brief discussion about the use and occupancy permit and prior use of the structure as a multi-family dwelling.
5. Mr. Lance Edwards testified in support of the bill and answered general questions.
6. Agency representatives confirmed their respective agency's positions on the bill.
7. Mr. Lance Edwards testified in support of the application/bill.
8. The committee approved findings of facts.
9. The committee approved amendments for the bill.
10. The committee approved a favorable recommendation for the bill.

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

Reisinger, Edward, Chairman.....	Yea
Sneed, Shannon, Vice Chair	Yea
Clarke, Mary Pat.....	Yea
Costello, Eric	Yea
Dorsey, Ryan	Yea
Middleton, Sharon	Yea

Pinkett, Leon..... **Yea**
Stokes, Robert: **Yea**

Jennifer L. Coates, Committee Staff

Date: October 2, 2019

cc: Bill File;
OCS Chrono File

City of Baltimore

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

Meeting Agenda - Final

Land Use Committee

Wednesday, October 2, 2019

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0392

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0392

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting a variance from certain bulk (lot area size) regulations.

Sponsors:

John T. Bullock

ADJOURNMENT

ITEMS SCHEDULED FOR PUBLIC HEARING



**BALTIMORE CITY COUNCIL
LAND USE COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use 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 2, 2019
1:05 PM**

***City Council Bill # 19-0392
Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit
to 2 Dwelling Units in the R-8 Zoning District -
Variance - 2132 West Baltimore Street***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Isaac "Yitzy" Schleifer
Shannon Sneed
Danielle McCray
Staff: Marguerite Currin

CYBERSECURITY AND EMERGENCY PREPAREDNESS

Eric Costello – Co-chair
Isaac "Yitzy" Schleifer – Co-
chair
Sharon Green Middleton
Staff: Samuel Johnson

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Leon Pinkett
Staff: Matthew Peters

EXECUTIVE APPOINTMENTS

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

HEALTH

Kristerfer Burnett – Chair
Bill Henry - Vice Chair
Mary Pat Clarke
Edward Reisinger
Isaac "Yitzy" Schleifer
Staff: Marguerite Murray

HOUSING AND URBAN AFFAIRS

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

JUDICIARY

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Shannon Sneed
Robert Stokes
Staff: Matthew Peters

LABOR

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

LEGISLATIVE INVESTIGATIONS

Kristerfer Burnett – Chair
Danielle McCray – Vice Chair
Ryan Dorsey
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Matthew Peters

LAND USE

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

PUBLIC SAFETY

Isaac "Yitzy" Schleifer – Chair
Kristerfer Burnett – Vice Chair
Zeke Cohen
Danielle McCray
Leon Pinkett
Shannon Sneed
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

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

TRANSPORTATION

Ryan Dorsey – Chair
Leon Pinkett – Vice Chair
John Bullock
Staff: Jennifer Coates



BILL SYNOPSIS

Committee: Land Use

Bill 19-0392

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore Street

Sponsor: Councilmember Bullock
Introduced: May 13, 2019

Purpose:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting a variance from certain bulk (lot area size) regulations.

Effective: On the 30th day after date of enactment

Hearing Date/Time/Location: October 2, 2019 / 1:05 p.m. / City Council Chambers

Agency Reports

Planning Commission	Favorable/Amendment
Board of Municipal and Zoning Appeals	
Department of Transportation	No Objection
City Solicitor	
Department of Housing and Community Development	
Baltimore Development Corporation	
Parking Authority of Baltimore City	No Objection

Analysis

Current Law

Article 32 – Zoning; Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), and 9-703(d); Baltimore City Revised Code (Edition 2000)

Background

If approved, Bill 19-0392 would permit the conversion of a single-family dwelling unit to two (2) dwelling units on the property known as 2132 West Baltimore Street. The property is situated on Baltimore Street between North Pulaski Street to the east and North Smallwood Street to the west. The property is currently zoned residential R-8 and is located in the Operation Reach Out Southwest (OROSW) Strategic Neighborhood Action Plan area. Bon Secours Hospital lies one block east.

The owner of the property is Lance Edwards. The applicant is The Tiger Team Properties LLC. The owner acquired the property on February 8, 2019. The 14' by 100' property is improved with a two-story, attached residential building which measures 14' by 50."

The applicant intends on using the property for two (2) dwelling units. One dwelling units will have three (3) bedrooms containing 1300 square feet and occupy the first and second floors of the structure. The additional efficiency dwelling unit will be in the basement and have 500 square feet of floor area.

Prior to the passage of Transform Baltimore, the City's comprehensive rezoning legislation, the property was zoned Residential R-8. Upon passage of Transform, zoning for the property remained R-8. The area is generally residential with scattered businesses and churches.

Property	Zoning	
	Prior to Transform	Current
2132 West Baltimore Street	R-8	R-8

The applicant is requesting three variances from:

- Lot Area (Included in Section 2 of Bill 19-0392)
- Gross floor area requirements (Amendment Needed)
- Off-street parking requirements (Amendment Needed)

Variance – Lot Area

According to *Article 32, 9-703d Residential Conversion Standards; Table 9-401*, the lot area required is 1,500 square feet for 2 dwelling units. The property has only 1,400 square feet of lot area. The variance for the lot area has been requested via Section 2 of Bill 19-0367.

Variance – Gross Floor Area

According to *Article 32, Title 9-703c*, the gross floor area per dwelling unit required is as follows:

- 1 – bedroom unit requires 750 SF of Gross Floor Area Per Dwelling Unit
- 2 – bedroom unit requires 1,000 SF of Gross Floor Area Per Dwelling Unit
- 3 – bedroom unit requires 1,250 SF of Gross Floor Area Per Dwelling Unit

The property has a total of 1,800 square feet of floor area. 1,300 square feet is to be used for the 3-bedroom unit. The remaining while 500 square feet will be used for the basement, efficiency unit. The applicant needs a variance for the gross floor area requirement. A variance should be added to the bill.

Variance – Off-street Parking

According to *Article 32 – Zoning, Section 16-203, 16-602 and Table 16-406: Required Off-Street Parking*: one (1) off-street parking space is required for the one newly-created dwelling unit. Due to the particular surroundings and shape of the specific structure this property, the applicant is unable to provide any off-street parking spaces meeting Zoning Code standards for size or accessibility. The applicant is therefore requesting a variance for off-street parking.

Amendment

The Planning Commission recommends amending the bill to add variances of:

- Off-street parking and
- Gross Floor Area

Additional Information

Fiscal Note: Not Available

Information Source(s): Statement of Intent; Planning Commission Report; Department of Planning Staff Report; Maryland State Department of Assessment and Taxation

Analysis by: Jennifer L. Coates
Analysis Date: September 29, 2019

Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE
COUNCIL BILL 19-0392
(First Reader)**

Introduced by: Councilmember Bullock

At the request of: The Tiger Team Properties, LLC

Address: c/o Lance Edwards, P.O. Box 70176, Washington, D.C. 20024

Telephone: 301-741-9891

Introduced and read first time: May 13, 2019

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, Baltimore Development Corporation, Department of Transportation, Baltimore City Parking Authority Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning -- Conditional Use Conversion of a Single-Family Dwelling Unit to**
3 **2 Dwelling Units in the R-8 Zoning District -- Variance --**
4 **2132 West Baltimore Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132
7 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat;
8 and granting a variance from certain bulk (lot area size) regulations.

9 BY authority of
10 Article 32 - Zoning
11 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), and 9-703(d)
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 2 dwelling units in**
16 **the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot**
17 **015), as outlined in red on the plat accompanying this Ordinance, in accordance with the**
18 **Baltimore City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building**
19 **complies with all applicable federal, state, and local licensing and certification requirements.**

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

Coates, Jennifer

From: Coates, Jennifer
Sent: Tuesday, August 20, 2019 3:27 PM
To: 'lance edwards'
Cc: Bullock, John; Austin, Natawna B.; McAlily, Dominic
Subject: Public Notice Instructions for Hearing on Bill 19-0392
Attachments: LU Form - Contacts for Sign Posting CU VAR Art 32.docx; PNI - Letter - 19-0392 - CU VAR - 2132 W Baltimore St.docx; Sample - Certificate of Posting - Attachment C.docx

Mr. Lance Edwards:

Attached is the information you will need to post a public hearing notice for the subject bill to be heard by the Baltimore City Council's Land Use Committee on **October 2, 2019 at 1:05 PM.**

I have also attached a contact list for sign makers and a sample certification template.

Feel free to contact 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

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, 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: The Tiger Team Properties, LLC c/o Mr. Lance Edwards

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

Date: August 20, 2019

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

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

Bill: City Council Bill No. 19-0392

Date: Wednesday, October 2, 2019

Time: 1:05 p.m.

Place: City Council Chambers, 4th 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>

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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 (*see example on Attachment C*), 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. **The deadline dates are as follows:**

Sign Posting Deadline: September 11, 2019
Certificate of Posting Deadline: September 27, 2019

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 Committee
410-396-1260
Jennifer.Coates@baltimorecity.gov.

ATTACHMENT A

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY BY **SEPTEMBER 11, 2019**, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 19-0392

The Land Use Committee of the Baltimore City Council will meet on Wednesday, October 2, 2019 at 1:05 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0392.

CC 19-0392 ORDINANCE - Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variance - 2132 West Baltimore Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting a variance from certain bulk (lot area size) regulations.

By authority of

Article 32 - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2),
and 9-703(d)
Baltimore City Revised Code
(Edition 2000)

Applicant: The Tiger Team Properties, LLC

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:

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

SEND BILL FOR THIS SIGN POSTING TO:

The Tiger Team Properties, LLC
c/o Mr. Lance Edwards
P.O. Box 70176
Washington, D.C. 20024
301-741-9891

**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

Today's Date: [Insert Here]

City Council Bill No.:

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

I HEREBY CERTIFY, under penalty of perjury, that a sign was posted at:

Address:

Date Posted:

Name:

Address:

Telephone:

- Email to: 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

THE NOTICE OF HEARING SIGN(S) MUST BE POSTED IN ACCORDANCE WITH ARTICLE 32; SECTION 5-602 (See Attachment B), WHICH CAN ALSO BE OBTAINED FROM THE FOLLOWING WEBSITE:

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

SIGNS MAY BE OBTAINED FROM A VENDOR OF YOUR CHOICE OR ANY OF THOSE LISTED BELOW:

RICHARD HOFFMAN
904 DELLWOOD DRIVE
BALTIMORE, MARYLAND 21047
PHONE: (443) 243-7360
E-MAIL: DICK_E@COMCAST.NET

JAMES EARL REID
LA GRANDE VISION
5517 HADDON AVENUE
BALTIMORE, MARYLAND 21207
PHONE: (443) 722-2552
E-MAIL: JamesEarlReid@aol.com or JamesEarlReid@aim.com

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

This office is not associated with any of the above drafting companies, nor do we recommend any specific one.

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**CITY OF BALTIMORE
COUNCIL BILL 19-0392
(First Reader)**

Introduced by: Councilmember Bullock

At the request of: The Tiger Team Properties, LLC

Address: c/o Lance Edwards, P.O. Box 70176, Washington, D.C. 20024

Telephone: 301-741-9891

Introduced and read first time: May 13, 2019

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, Baltimore Development Corporation, Department of Transportation, Baltimore City Parking Authority Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**
3 **2 Dwelling Units in the R-8 Zoning District – Variance –**
4 **2132 West Baltimore Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132
7 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat;
8 and granting a variance from certain bulk (lot area size) regulations.

9 BY authority of

10 Article 32 - Zoning

11 Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2), and 9-703(d)

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 2 dwelling units in
16 the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot
17 015), as outlined in red on the plat accompanying this Ordinance, in accordance with the
18 Baltimore City Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building
19 complies with all applicable federal, state, and local licensing and certification requirements.

<p>Explanation: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law.</p>

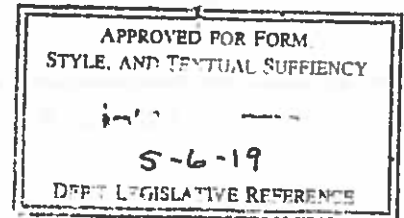
Council Bill 19-0392

1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
2 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
3 requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk
4 and Yard Regulations) and § 9-703(d) for the lack of the required lot size.

5 **SECTION 3. 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 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
14 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Bullock
At the request of: The Tiger Team Properties, LLC
Address: c/o Lance Edwards, P.O. Box 70176, Washington D.C. 20024
Telephone: 301-741-9891

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to
2 Dwelling Units in the R-8 Zoning District – Variance –
2132 West Baltimore Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), as outlined in red on the accompanying plat; and granting a variance from certain bulk (lot area size) regulations.

BY authority of

Article 32 - Zoning
Sections 5-201(a), 5-305(a), 5-308, 9-401 (Table 9-401), 9-701(2) and 9-703(d)
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 2 dwelling units in the R-8 Zoning District on the property known as 2132 West Baltimore Street (Block 0190, Lot 015), 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 §§ 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk and Yard Regulations) and § 9-703(d) for the lack of the required lot area size.

SECTION 3. 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 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.

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

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

STATEMENT OF INTENT

FOR

2132 W. Baltimore St. Baltimore MD 21223
{Address}

1. Applicant's Contact Information:

Name: The Tiger Team Properties LLC . C/O Lance Edwards
Mailing Address: P.O. Box 70176 Washington DC 20024
Telephone Number: 301-741-9891
Email Address: lanceedwards@thetigerteam.org

2. All Proposed Zoning Changes for the Property: Convert a Single unit Dwelling to a 2 unit Dwelling

3. All Intended Uses of the Property: 2 Unit Rental property. (3 bedroom unit on top two levels , efficiency in the basement.)

4. Current Owner's Contact Information:

Name: LANCE EDWARDS
Mailing Address: P.O. BOX 70176 , WASHINGTON DC 20024
Telephone Number: 301-741-9891
Email Address: LANCEEDWARDS@THETIGERTEAM.ORG

5. Property Acquisition:

The property was acquired by the current owner on The Tiger Team Property deed recorded in the Land Records of Baltimore City in Liber 20043 Folio 135.

6. Contract Contingency:

- (a) There is ___ is not x 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}: _____

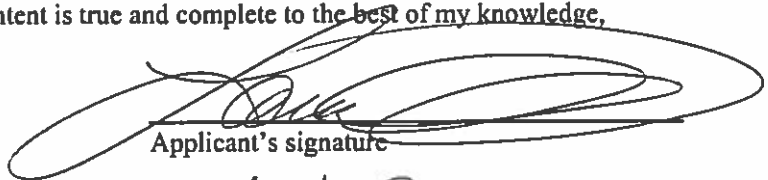
(ii) The purpose, nature, and effect of the contract are: _____

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, Lance Edwards, 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.


Applicant's signature

5/2/19
Date

**SHEET NO. 54 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With The Property Known As No. 2132 WEST BALTIMORE STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Two Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 20 SECTION 14

BLOCK 190 LOT 15

MAYOR

PRESIDENT CITY COUNCIL

100
100
100

100

100

100

100

ACTION BY THE CITY COUNCIL

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON October 2, _____ 20 19

COMMITTEE REPORT AS OF October 7, _____ 20 19

_____ FAVORABLE _____ UNFAVORABLE FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

Edmund Perry
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 07 2019
20 _____

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

OCT 28 2019
20 _____

THIRD READING _____ 20 _____

_____ 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