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May 24, 2022

Sharon Green Middleton, Chair
Economic and Community Development (ECD)
Baltimore City Council
100 N. Holliday Street
Baltimore, MD 21202
VIA E-mail to: testimony@baltimorecity.gov
Sharon.Middleton@baltimorecity.gov

Re: Bill 21-0113, Opposition to Planning's Proposed Amendment to 15-301

Dear Committee Chair Middleton:

In 2012, under "Transform," Planning proposed a new methodology for determining allowable height when structures are not sited close to the curb. The new methodology, adopted by the City Council as part of Zoning Code 15-301, expressly accommodates large properties that slope up or down from the street. The allowable height of a proposed building is measured from the average elevation of the ground between the wall and the curb.

This topography-based methodology satisfies the purpose of height limitations, which is to mitigate the impact of new structures and encourage compatible development. The current methodology seems reasonable and fair. A structure built on a high spot is allowed to be taller than its neighbors, but not excessively so (as it could have been under the old Code). A structure built on a low spot might have to be shorter relative to its neighbors, but not excessively so (as it could have been under the old Code).

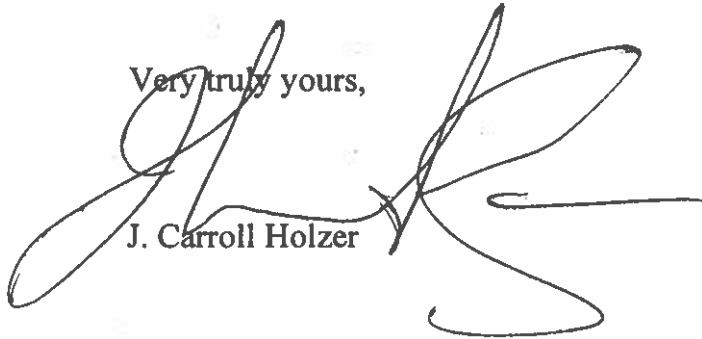
Planning is proposing a return to the old Code's measurement methodology. This is a significant change; it is not a "clarification" and does not correct a problem in the Code. Reinstating the old method would advantage property owners with higher elevation sites, would disadvantage those with lower elevation sites, and would be inconsistent with the purpose of height limitations. The current methodology should be seen as an improvement over the old, and should not be abandoned.

Planning's presentation of the amendment to the Planning Commission on October 7, 2021 betrayed a prejudice toward property owners who wish to build on sites with higher elevations, such as the property adjoining that of my clients, Hunter and Margaret Cochrane. Planning appeared to ignore the fact that the current methodology is more fair and equitable where land is sloped, as it is in the Cochranes' North Baltimore neighborhood.

JRC
5/24/22

Please reject the amendment and preserve the existing fair methodology.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a long horizontal stroke that ends in a small hook.

J. Carroll Holzer

JCH:mlg