



BILL SYNOPSIS

Committee: Economic and Community Development

Bill: 22-0213

Street Encroachment - 1707 Eastern Avenue

Sponsor: *The Council President for the Administration (Department of Transportation)*

Introduced: *April 4, 2022*

Purpose:

For the purpose of permitting, subject to certain conditions, the construction and maintenance of a portion of a building, to project into the public right-of-way on the east side of Henry Street on the property known as 420 East Randall Street; and providing for a special effective date.

Effective: Date of Enactment

Agency Reports

City Solicitor	
Department of Transportation	
Department of Planning	Favorable/Comments
Board of Municipal and Zoning Appeals	
Department of Housing and Community Development	
Parking Authority of Baltimore City	
Fire Department	

Analysis

Current Law

Article - Building, Fire, and Related Codes; Section(s) 2-103 (BC § 3202.3); Baltimore City Revised Code (Edition 2000).

Background

According to the *Baltimore City Building Code; Chapter 32 – Encroachments into the Public Right-of Way; Section 3202 – General; Subsection 3202.3.1 - Permission needed for encroachments.:*

No person may use, encroach on, or connect to any street, highway, alley, or other public right-of-way for any purpose unless that person first obtains permission to do so by:

1. an ordinance of the Mayor and City Council,
2. a minor privilege permit issued by or under the authority of the Board of Estimates, or
3. an appropriate permit issued by the Department of Transportation

The property at 420 East Randall Street is located in the Riverside neighborhood. In 2021, the Board of Municipal Zoning Appeals (BMZA) granted Mr. Brinkman a variance to construct a two-story rear addition, full-third-floor addition, deck at rear of second and third floors, and a rooftop deck at the property. BMZA approved the variance on the condition that the proposed third-floor addition is completed in accordance with plans approved by the Department of Planning. According to standards set forth in the Baltimore City Design Manual, the rowhouse must include additional architectural features that define a corner structure for the area.

Bill 22-0213 would allow the Department of Transportation to grant Paul T. Brinkman authority for an encroachment 8' or more above grade (*BC Section 3202.3*) in order to comply with *Baltimore City Design Manual standards*.

Additional Information

Fiscal Note: Not Available

Information Source(s): Reporting Agencies, Bill 22-0213, Right of Entry Agreement between Baltimore City and Paul T. Brinkman dated October 22, 2021.

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Analysis Date: July 7, 2022