

For Internal Use Only



**BALTIMORE CITY COUNCIL
WAYS AND MEANS
COMMITTEE**

Mission Statement

The Committee on Ways and Means (WM) is responsible for ensuring taxpayer dollars are expended prudently and equitably. WM will exercise regular oversight of the City's budget, expenditures, loans, and other financial matters. The committee's areas of jurisdiction include: budget & appropriations, taxation, financial services, consumer protection, audits, and the Comptroller's Office.

**The Honorable Eric T. Costello
Chairman**

PUBLIC HEARING

**TUESDAY, JULY 23, 2024
10:19 AM**

COUNCIL CHAMBERS

Council Bill #24-0548

***Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit
to 3 Dwelling Units in the R-8 Zoning District - Variances
2035 McCulloh Street***

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BILL SYNOPSIS

Committee: Ways and Means

Bill 24-0548

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units
in the R-8 Zoning District - Variances - 2035 McCulloh Street**

Sponsor: *Councilmember Costello at the request of David Carl*

Introduced: *June 10, 2024*

Purpose:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2035 McCulloh Street (Block 0316, Lot 022), as outlined in red on the accompanying plat; and granting a variance from off-street parking requirements; and providing for a special effective date.

Effective: On the date it is enacted.

Agency Reports

Law Department	Favorable
Department of Housing & Community Development	None as of this writing
Planning Commission	Favorable
Baltimore Development Corporation	None as of this writing
Department of Transportation	None as of this writing
Fire Department	None as of this writing
Board of Municipal & Zoning Appeals	None as of this writing
Parking Authority of Baltimore City	None as of this writing

Analysis

Current Law

Article 32 – Zoning, Sections -201(a), 5-305(a), 5-308, 9-701(2), 9-703(f), 16-203, and 16-602 Table (16-406) – Baltimore City Code.

To approve a conditional use, the City Council must find, based on facts presented at a hearing on the bill:

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 the Baltimore City Zoning Code.

Background

If enacted this bill would permit the property 2035 McCulloh Street to be converted from a single-family dwelling unit to three (3) dwelling units.

The property is owned by 2035 McCulloh Street LLC, as is a single asset entity with Black Jumbo Investments LLC as its sole member, located in the 7th Council District in the McCulloh Homes neighborhood of Baltimore City. *See Certificate of Posting included in this writing for picture of said property.*

For three (3) dwelling units, at least two (2) off-street parking spaces are required. If not provided, a **parking variance will be required.**¹

Additional Information

Fiscal Note: None

Information Source(s): City Code, Bill 24-0548 and all agency reports and correspondence received as of this writing.

Analysis by: *Marguerite M. Currin*
Analysis Date: July 19, 2024

Direct Inquiries to: (443) 984-3485

¹ Memorandum dated January 9, 2024 from the Office of the Zoning Administrator, DHCD

**CITY OF BALTIMORE
COUNCIL BILL 24-0548
(First Reader)**

Introduced by: Councilmember Costello
At the request of: David Carl
Address: 933 S Street NW, Washington, DC 20001
Telephone: (202) 271-4570

Introduced and read first time: June 10, 2024

Assigned to: Ways and Means Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to**
3 **3 Dwelling Units in the R-8 Zoning District – Variances**
4 **2035 McCulloh Street**

5 FOR the purpose of permitting, subject to certain conditions, the conversion of a single-family
6 dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as
7 2035 McCulloh Street (Block 0316, Lot 022), as outlined in red on the accompanying plat;
8 and granting variances from off-street parking requirements; and providing for a special
9 effective date.

10 BY authority of

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

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
16 permission is granted for the conversion of a single-family dwelling unit to 3 dwelling units in
17 the R-8 Zoning District on the property known as 2035 McCulloh Street (Block 0316, Lot 022),
18 as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City
19 Zoning Code §§ 5-201(a) and 9-701(2), subject to the condition that the building complies with
20 all applicable federal, state, and local licensing and certification requirements.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by
22 §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
23 requirements of §§ 9-703(f), 16-203, and 16-602 (Table 16-406: Required Off-Street Parking) for
24 off-street parking.

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

Council Bill 24-0548

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

9 **SECTION 4. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it is
10 enacted.

Council Bill 24-0548

AGENCY REPORTS

See attached

CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



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

July 17, 2024

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

Re: City Council Bill 24-0548– Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 2035 McCulloh Street

Dear President and City Council Members:

The Law Department reviewed City Council Bill 24-0548 for form and legal sufficiency. The bill would permit the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2035 McCulloh Street (Block 0316, Lot 022). The bill would also grant a variance for off-street parking requirements. The ordinance would take effect on the date of enactment.

Conditional Use Standards

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). To approve a conditional use, the City Council must find:

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

Baltimore City Code, Art. 32, § 5-406(a). In making these findings, the City Council must be guided by fourteen “considerations” involving such things as the “nature of the surrounding area and the extent to which the proposed use might impair its present and future

development,” “the character of the neighborhood,” and “the resulting traffic patterns and adequacy of proposed off-street parking.” Baltimore City Code, Art. 32, § 5-406(b).

Variance Standards

The bill contains a variance for off-street parking. The Planning report notes that two off-street parking spaces are required by the Zoning Code (Table 16-406) to serve the two newly created dwelling units. The report notes one parking space is provided in the rear yard, and that the required variance for the other two parking spaces is included in the bill.

To grant a variance, the City Council must find that, “because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out.” Baltimore City Code, Art. 32, § 5-308(a). The City Council must also make seven other findings:

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

Baltimore City Code, Art. 32, § 5-308(b). All seven of these criteria must be found, in addition to a finding of unnecessary hardship or practical difficulty. Baltimore City Code, Art. 32, § 5-308(a). The variance will not be legal if the conditions requiring this variance are generally applicable to other properties in the same zoning classification.

Planning Commission Recommendation

The Planning Staff Report (“Staff Report”) recommends approval of the conversion of the property to three dwelling units. The Planning report contains facts to support the necessary findings to approve a variance for parking and notes that the property otherwise complies with area and density requirements. The Planning report also provides facts in support of the

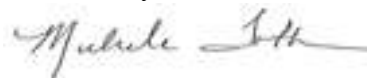
conditional use standards for the requested conversion. The Staff Report notes that the property is located in the Old West Baltimore National Register Historic District and is currently vacant. Conversion of the home will not have a detrimental impact on the surrounding community because the vacant property would be renovated and returned to productive use. Finally, the Planning report contains an analysis of the equity considerations relating to the proposed conversion of this dwelling to three units. The Staff Report notes that the renovation of the home will support the tax base, increase neighborhood population and create more affordable housing units.

Hearing Requirements

Certain procedural requirements apply to this bill beyond those discussed above because an ordinance that authorizes a conditional use or a variance is considered a “legislative authorization.” Baltimore City Code, Art. 32, § 5-501(2)(i) and (ii). Specifically, notice requirements apply to the bill, and the bill must be referred to certain City agencies which are obligated to review the bill in a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506, 5-602. Finally, certain limitations on the City Council’s ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507.


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

Sincerely,



Michele Toth
Assistant Solicitor

cc: Stephen Salsbury
Nina Themelis
Tiffany Maclin
Elena DiPietro
Hilary Ruley
Ashlea Brown

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR <i>Chris Ryer</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #24-0548/ ZONING – CONDITIONAL USE CONVERSION OF A SINGLE-FAMILY DWELLING UNIT TO 3 DWELLING UNITS IN THE R-8 ZONING DISTRICT – VARIANCES – 2035 MCCULLOH STREET		

DATE:

July 15, 2024

TO

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

At its regular meeting of July 11, 2024, the Planning Commission considered City Council Bill #24-0548, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2035 McCulloh Street (Block 0316, Lot 022), as outlined in red on the accompanying plat; and granting variances from off-street parking requirements; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #24-0548, and adopted the following resolution, with eight members being present (eight in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-406 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; and
- meets all criteria for approval specified in §5-406(b) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and finds that because of its particular surroundings 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 therefore recommends that City Council Bill #24-0548 be **approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Ms. Rebecca Witt, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

July 11, 2024

REQUEST: City Council Bill #24-0548/ Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances 2035 McCulloh Street:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2035 McCulloh Street (Block 0316, Lot 022), as outlined in red on the accompanying plat; and granting variances from off-street parking requirements; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Eric Tiso

PETITIONER: David Carl

OWNER: 2035 McCulloh St, LLC

SITE/GENERAL AREA

Site Conditions: 2035 McCulloh Street is located on the northeastern side of the street, approximately 34'6" southeast of the intersection with Bloom Street. This property measures approximately 17' by 115' and is currently improved with a three-story rowhome measuring approximately 17' by 67'. This site is zoned R-8 and is located within the Old West Baltimore National Register Historic District.

General Area: This property is located within the eastern part of the Druid Heights neighborhood, which is predominantly residential in character, with a majority of the housing stock comprised of rowhomes. There are scattered commercial and institutional uses throughout the neighborhood.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

ANALYSIS

Permitted Use: In this Residential zoning district, multi-family homes are listed as a permitted use, and so are generally allowed (Table 8-301).

Lot Area Requirement and Measurement of Density: In this zoning district, multi-family dwellings require 750 square feet of lot area per dwelling unit (Table 9-401). In the residential districts, the maximum number of permitted dwelling units on a lot is determined by dividing the total area of the lot by the lot area requirement that applies to the district in which the lot is located. On a lot with 3 or more dwelling units, a fraction of the total area that is 50% or more of the required lot area factor counts as an additional permitted dwelling unit (§15-302). In this case, for three dwelling units, 1,875 square feet of lot area is required. The lot encloses 1,955 square feet, which meets this requirement.

Residential Conversions: In the Residence Districts, the conversion of a single-family dwelling to a multi-family dwelling is allowed only in the R-7, R-8, R-9, and R-10 Districts, subject to: (1) the requirements of this subtitle; and (2) in the R-7 and R-8 Districts, conditional-use approval by Ordinance of the Mayor and City Council (§9-701).

Conditional Use Approval Standards: *Limited criteria for denying.* The Board of Municipal and Zoning Appeals or the City Council, may not approve a conditional use or sign unless, after public notice and hearing and on consideration of the standards required by this subtitle, the Board or Council finds that: (1) the establishment, location, construction, maintenance, or operation of the conditional use or sign would not be detrimental to or endanger the public health, safety, or welfare; (2) the use or sign 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 (b))

Staff believes that there will not be any detrimental impact to the surrounding community as a result of this request, instead a vacant home will be renovated and returned to productive use. We are not aware of any other law or plan that would preclude this application. The public interest is served by encouraging the redevelopment of a vacant structure. Lastly, this proposal meets all of the bulk requirements for this zoning district once the variance for one off-street parking space is approved. For these reasons, staff believes that the conditional use should be approved.

Conversion standards: The existing dwelling must be: (i) a structure originally constructed as a single-family dwelling; and (ii) 1,500 square feet or more in gross floor area, not including any basement area (§9-703.b.). The existing structure contains a total of about 3,300 sqft of floor area, which meets this requirement.

The converted dwelling must meet the following gross floor area per unit type: (1) 1-bedroom unit: 750 square feet; (2) 2-bedroom unit: 1,000 square feet; (3) 3- or more bedroom unit: 1,250 square feet (§9-703.c.). Each of the proposed two-bedroom dwelling units will contain approximately 1,000 square feet in gross floor area, which meets this requirement.

Off-Street Parking: In this zoning district, multi-family dwellings require one off-street parking space per dwelling unit (Table 16-406). For three dwelling units, two additional parking spaces are required; one parking space will be provided in the rear yard, and so a variance for one parking space is required and is included in the bill.

Variance Approval Standards:

Per § 5-308, the following standards apply for the approval of variances:

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

For the variance needed for the two additional parking spaces that can't be provided, staff finds the following: This property is only 17' in width, and while the rear yard is about 43' in depth (sufficient for a driveway for two cars), the parking spaces must be independently accessible. Given that the property is less than 18' for two parking spaces, which is further narrowed by the two telephone poles at the rear property line, providing parking in the rear yard is a practical difficulty that is unlike any other property on this block. We are not aware of any other law or plan that would impact this request, and we do not believe that granting of this variance will negatively impact the surrounding community. For all of these reasons, staff believes approval of the parking variance is reasonable and it should be approved.

Equity:

There will be no discernible negative impacts to the surrounding community from this project. The renovation of this home will support the tax base, increase the population of the neighborhood, and possibly create naturally-occurring affordable housing units. Staff does not anticipate any impact to staff time or resources devoted to this project beyond routine requirements of development review.

Notification: The Druid Heights CDC has been notified of this action.



Chris Ryer
Director

Council Bill 24-0548

ADDITIONAL DOCUMENTS

See attached

Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: # 24-0548

Today's Date: 7/2/2024

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



Address: 2035 McCulloh Street, Baltimore, MD

Date Posted: July 1, 2024

Name: David Carl

Address: 933 S Street, NW Washington DC 20001

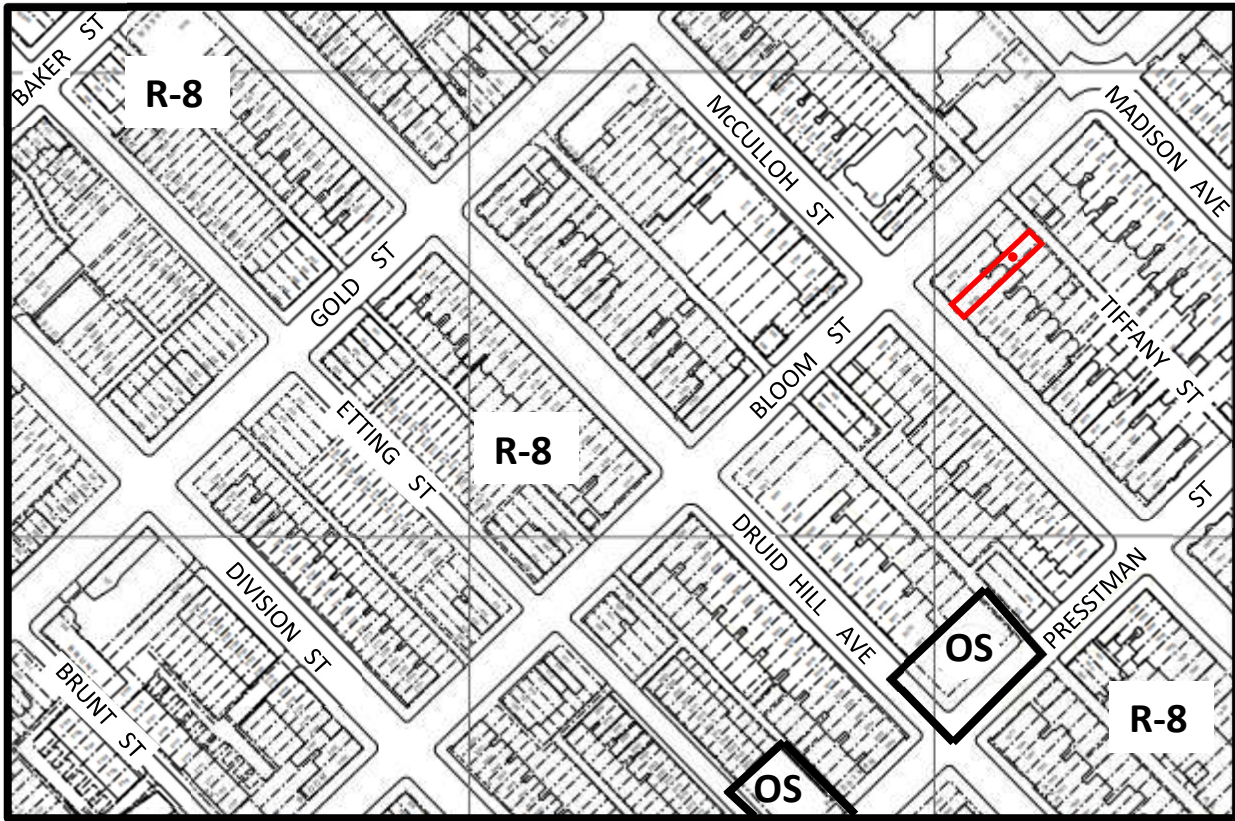
Telephone: 202-271-4570

A handwritten signature in blue ink, appearing to read "David L. Carl".

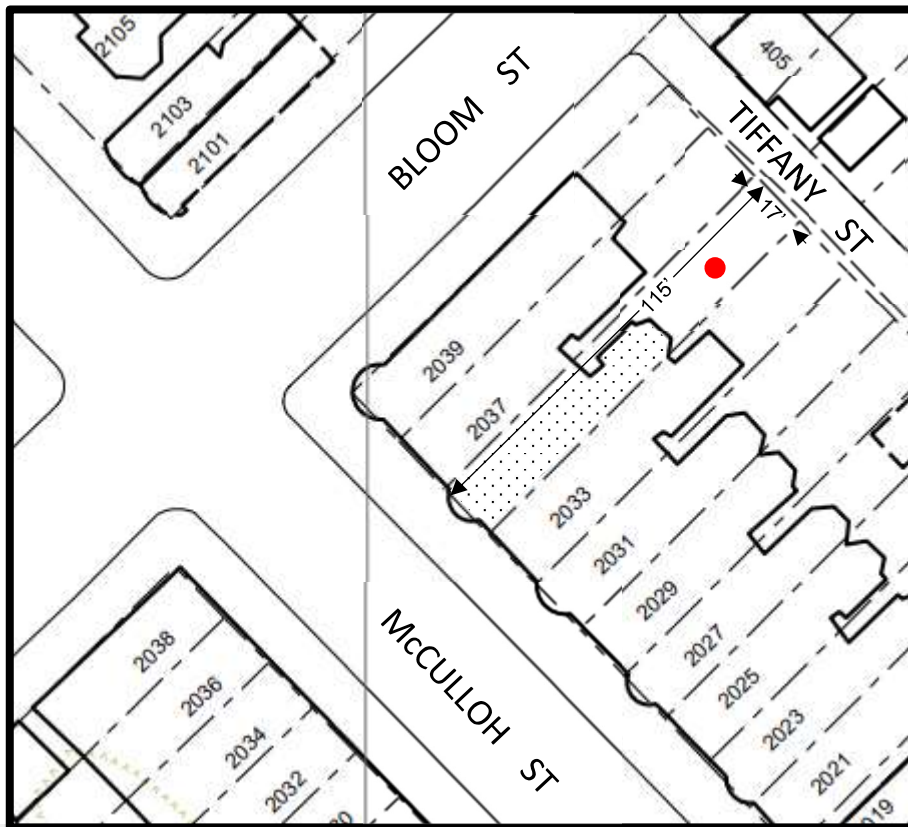
David L. Carl

Email to: Natawnab.Austin@baltimorecity.gov

SHEET NO. 44 OF THE ZONING MAP OF THE ZONING CODE OF BALTIMORE CITY



Scale: 1" = 200'



Note:

In Connection With The Property Known As No. 2035 McCULLOH STREET. The Applicant Wishes To Request The Conditional Use Conversion Of The Aforementioned Property From A Single-Family Dwelling Unit To Three Dwelling Units In The R-8 Zoning District, As Outlined In Red Above.

WARD 14 SECTION 4
BLOCK 316 LOT 22

MAYOR

PRESIDENT CITY COUNCIL

ZONING ORDINANCE REQUEST

STATEMENT OF INTENT

FOR

2035 McCulloh Street, Baltimore, MD 21217-3528

{Property Address; Block 0316 Lot 022}

1. Applicant's Contact Information:

Name: David Carl

Mailing Address: 933 S Street NW Washington, DC 20001

Telephone Number: 202-271-4570

Email Address: dcarl@thecolumbiaco.com

2. All Proposed Zoning Changes for the Property:

Reclassification from a single family rowhome to a three unit residential rowhome to conform with its existing use.

3. All Intended Uses of the Property:

Residential flat.

4. Current Owner's Contact Information:

Name: 2035 McCulloh Street LLC

Mailing Address: 933 S Street, NW, Washington, DC 20001

Telephone Number: 202-271-4570

Email Address: dcarl@thecolumbiaco.com

5. Property Acquisition:

The property was acquired by the current owner on 9/24/2021 by deed recorded in the
Land Records of Baltimore City in Liber 24035 Folio 0028 .

6. Contract Contingency:

(a) There is is not a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties to the contract are as follows *{use additional sheet if necessary}*:

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

7. Agency:

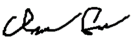
(a) The applicant is is not acting as an agent for another.

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

The property is owned wholly by 2035 McCulloh Street LLC, as is a single asset entity with Black Jumbo Investments LLC as its sole member. David Carl is the authorized agent and president of both the parent and subsidiary companies.

AFFIDAVIT

I, David Carl, 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.

DocuSigned by:

77BD5067ACB3439...

Applicant's signature

11/8/2022

Date



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

Ref: 2035 McCulloh Street

Date: January 9, 2024

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

Convert existing premises into three dwelling units - R-8 Zoning District

Please be advised that the Office of the Zoning Administrator has determined that the authorization requested above (in whole or in part) requires approval by Ordinance of the Mayor and City Council of Baltimore. In the furtherance of said Ordinance approval, the Zoning Administrator has determined that the following variances per the Zoning Code of Baltimore City are required or needed to be incorporated into the bill for approval.

- Subsection 9-703(f) and Table 16-406: Parking. For three dwelling units, at least two off-street parking spaces are required. If not provided, a parking variance will be required.

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

Respectfully,

A handwritten signature in blue ink, appearing to read "Geoffrey M. Veale", is written over the word "Respectfully,".

Geoffrey M. Veale
Zoning Administrator

cc: Department of Legislative Reference
David Carl, Applicant
Councilmember Eric Costello
Department of Planning

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the “**Memorandum**”) is entered into this 16th day of May, 2022 by 2035 McCulloh Street LLC (the “**Owner**”), the Druid Heights Community Development Corporation (“**Druid Heights CDC**”), and its residents of the Druid Heights neighborhood.

WHEREAS, the Owner has a property located at 2035 McCulloh Street, Baltimore, MD in the Druid Heights neighborhood (the “**Property**”), which Owner desires to redevelop and convert from a single-family flat into a multi-family improvement with 3 residential apartments (the “**Conversion**”);

WHEREAS, Owner desires to connect with the neighbors and is committed joining local residents in supporting efforts to keep the community clean and healthy;

WHEREAS, Druid Heights CDC is a non-profit organization which promotes and encourages community development and a stable, safe community environment in the Property’s neighborhood; and

WHEREAS, This Memorandum shall be included in the City Council Resolution granting approval of the Ordinance and the Baltimore City Board of Municipal and Zoning Appeals resolution granting approval for any variance noted above.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Owner hereby agrees as follow for the Property:

1. Druid Heights CDC shall support all necessary governmental permits and approvals associated with the proposed Conversion of the Property, including but not limited to the Owner’s request for an ordinance permitting this conversion, and any request for a variance from the Baltimore City Board of Municipal and Zoning Appeals, in exchange for upholding the terms below during redevelopment of the Property and throughout its use as an apartment building.
2. Owner shall perform all exterior and interior work in accordance with the Baltimore City Code (the “**City Code**”), obtain all necessary construction permits; obtain all licenses and registrations associated required for multi-unit dwellings in Baltimore City; and comply with any applicable local, State, or Federal regulations or codes.
3. Owner shall ensure the Property maintains sufficiently sized durable trash and recycling receptacles with secure fitting lids to adequately accommodate any and all trash and recycling at the Property per City Code.
4. Trash and recycling receptacles shall be stored and maintained on the Property and placed in the public alley for collection per the City Code.
5. In the event the Property generates more trash per week than the amount permitted for pickup by Baltimore City, Owner shall use a private vendor for trash removal (“**Hauler**”). Owner shall provide the Druid Heights CDC with the name and contact information for Hauler, and any account number or identifier associated with the Property, if applicable.
6. Owner will keep the Property free and clear of debris and any grass or vegetation will be maintained at standard lawn height.
7. Owner will provide the Druid Heights CDC with the name and contact information of a designated representative or property manager for the Property (“**Representative**”), including an email and mobile telephone number. The Representative shall be available to respond to all reasonable inquiries by the Druid Heights CDC related to the Property. In the event of a problem


at the Property that affects the community, Owner or its Representative shall attend the community meeting of the Druid Height's CDC as reasonably requested.

8. Owner shall reasonable forward communications from the Druid Heights CDC to its tenants and provide tenants with the website address of the Druid Heights CDC.
9. This Memorandum shall be transferrable to any owner of the Property.

{Signature Page to Follow}


IN WITNESS WHEREOF, the undersigned hereby enter into this Memorandum of Understanding effective as of the date first above written.

Druid Heights Community Development Corporation

DocuSigned by:

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By: JohnDre Jennings
Its: Executive Director

2035 McCulloh Street LLC

DocuSigned by:

77BD5067ACB3439...

By: David Carl
Its: Authorized Representative