


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 #24-0578/ ZONING – CONDITIONAL USE CONVERSION OF A SINGLE-FAMILY DWELLING UNIT TO 3 DWELLING UNITS IN THE R-8 ZONING DISTRICT – 2732 REISTERSTOWN ROAD		

TO

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

DATE: September 13, 2024

At its regular meeting of September 12, 2024, the Planning Commission considered City Council Bill #24-0578, 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 2732 Reisterstown Road (Block 3250, Lot 017), 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 of City Council Bill #24-0578 and adopted the following resolution:

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #24-0578 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

September 12, 2024

REQUEST: City Council Bill #24-0578/ Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - 2732 Reisterstown Road:

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 2732 Reisterstown Road (Block 3250, Lot 017), 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: Harford Holdings LLC, c/o Jade Naylor

OWNER: Harford Holdings LLC

SITE/GENERAL AREA

Site Conditions: 2732 Reisterstown Road is located on the southwest side of the street, approximately 75' southeast of the intersection with Tioga Parkway. This property measures approximately 25' by 145' and is currently improved with a three-story building measuring approximately 25' by 56'. This site is zoned R-8.

General Area: This site is located in the eastern tip of the Liberty Square neighborhood, which is bounded by the triangular area of Reisterstown Road, Liberty Heights Avenue, and Druid Park Drive. The eastern side of the neighborhood is residential in nature, while the western side of the neighborhood is developed by commercial uses. The Ashburton Plant is located in the western corner of the neighborhood. The Mondawmin transit station and mall is located immediately south of the area.

HISTORY

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

ANALYSIS

Background: The applicant informed Planning staff that they had purchased this property as a fully functional triplex in March 2024. They were not informed that it was rezoned as a single dwelling until earlier this summer. The existing building does not appear to be a single-family home as it has three separate kitchens, entrances, and exits, etc. The building also has four BGE

meters (one for each unit, and one that is public). This building is set up similarly to all the other properties on the block which all have three units as well.

In staff's research, there were several permits filed and voided or finalized that would have changed the use of the property, but none were issued:

- COM2002-06781 (Voided) – “Reduce occupancy from 3 dwelling units to a single family dwelling with kitchen facilities removed from the second and third floor 5 persons under ADA”
- USE2006-02828 (Voided) – “Reduce occupancy from 3 dwelling units to a single family dwelling with kitchen facilities removed from the 2nd and 3rd floors.”
- USE2008-02174 (Voided) – “To use multiple family dwelling (3 DUs) for a group home for 5 people.”
- USE2008-05742 (Final) – “Reduce occupancy from three dwelling units to a single family dwelling for four unrelated people living together, with kitchen facilities removed from the 2nd and 3rd floors.”

Staff suspects that the use of the property was reset to single-family status based on the filing of COM2002-06781, though neither it, nor any of the following permits listed above were ever issued. Staff believes that the last authorized use of the property was for three dwelling units (c/o #B14416, issued 13 Mar 1987).

Use: In this Rowhouse and Multi-Family Residential zoning district, multi-family dwellings are listed as a permitted use, and so are generally allowed (Table 9-301). In this case, the property was last authorized for use as a single-family dwelling, which is a permitted use in this R-8 District.

Insufficient Lot Area and Variance: In this zoning district, multi-family dwellings require 750 square feet of lot area per dwelling unit (Table 9-401). In this case, for three dwelling units, 1,875 square feet of lot area is required. The lot contains 3,625 square feet of land, which meets this requirement.

Measurement of density: 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).

Off-Street Parking and Variance: 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 to serve the new units; none are to be provided. Given that this property has been previously approved for three units, there will be no increase in density, and so no parking should be required (§16-203.a). A variance for parking is included in the bill, but is likely not needed.

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 significant detrimental impact to the surrounding community as a result of this request, given its prior use as three units reaching back to 1957. We are not aware of any other law or plan that would preclude this application, as this site is not located within an applicable Urban Renewal Plan (URP) area. The public interest is served by encouraging the renovation and productive use of this building. 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 approximately 3,400 square feet in gross 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.). For this proposal, Unit 1 will have two bedrooms and two baths. Unit 2 will have bedrooms and one bath. Unit 3 will have two bedrooms and one bath. Each unit will contain approximately 1,100 sqft in area, which meets this requirement.

Equity:

This project will provide for the renovation and continued use of this home. Given its history of use as three units, there should be no additional or different negative impacts to the surrounding community. Staff does not anticipate any impact to staff time or resources devoted to this project beyond routine requirements of development review.

Notification: The Liberty Square Neighborhood Association and the Greater Mondawmin Coordinating Council have been notified of this action.



Chris Ryer
Director