


<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of <b>BALTIMORE</b> <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #20-0541 / ZONING – CONDITIONAL USE CONVERSION of a Single-Family Dwelling Unit to 2 Dwelling Units In the R-8 Zoning District – 1711 GUILFORD AVENUE		

DATE: July 10, 2020

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

At its regular meeting of July 9, 2020, the Planning Commission considered City Council Bill #20-0541, 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 1711 Guilford Avenue (Block 1103, Lot 006), as outlined in red on the accompanying plat; 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 #20-0541 and adopted the following resolution, eight members being present (eight in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-406 {“Approval standards”} of Article 32 – *Zoning*, 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 recommends that City Council Bill #20-0541 be passed 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/mf

attachment

cc: Mr. Nicholas Blendy, Mayor’s Office  
Mr. Matthew Stegman, Mayor’s Office  
Ms. Nina Themelis, Mayor’s Office

cc, cont.:

Mr. Colin Tarbert, BDC  
Mr. Derek Baumgardner, 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  
Mr. Dominic McAlily, Council Services  
Mr. Umar Moulta Ali





Bernard C. "Jack" Young  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chairman

### STAFF REPORT



Chris Ryer  
Director

July 9, 2020

**REQUEST:** City Council Bill #20-0541/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – 1711 Guilford Avenue:

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 1711 Guilford Avenue (Block 1103, Lot 006), as outlined in red on the accompanying plat; and providing for a special effective date.

**RECOMMENDATION:** Approval

**STAFF:** Martin French

**PETITIONERS:** Councilmember Stokes, at the request of Umar Moulta Ali

**OWNER:** Umar Moulta Ali

#### **SITE/GENERAL AREA**

Site Conditions: 1711 Guilford Avenue is located on the east side of Guilford Avenue, approximately 90' north of the intersection with Lanvale Street. This property measures approximately 17' by 95' and is currently improved with a three-story attached residential structure, constructed before 1900, measuring approximately 17' by 50'.

General Area: This property is part of the Greenmount West community, which grew in the 1890s. This area has predominantly attached housing, with a few commercial uses mixed in closer to Greenmount Avenue to the east and closer to North Avenue to the north. To the north of this area is the North Avenue commercial-office-residential corridor; to the south of this area is the revitalizing commercial area along both sides of the Jones Falls. This community has recently seen considerable redevelopment and revitalization activity associated with the development of new and rehabilitated housing on several blocks in the vicinity of this property.

#### **HISTORY**

This block retained R-8 (Residential) zoning during the comprehensive rezoning mapping process associated with the effective date of the current Zoning Code 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, a 1-bedroom unit in the basement, and a 3-bedroom unit using all other floor levels of the structure. Originally constructed as a single-family dwelling, its use as a two-family multi-family dwelling would allow preservation of a piece of the community's historic fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown via public transit for residents of both dwelling units.

Zoning Analysis: This property is improved with a middle-of-group residential structure containing approximately 2,500 square feet of gross floor area. This bill would encourage re-use (or continuing 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 therefore required for the proposed use. This lot has 1,615 square feet and thus meets the lot area requirement for conversion.
- The Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 1,250 square feet of gross floor area per 3-bedroom dwelling unit and 750 square feet of gross floor area per 1-bedroom dwelling unit (BCZC subsection 9-703.c.). The existing structure contains approximately 2,500 square feet of total gross floor area on the three levels that would be the 3-bedroom unit, with the basement level containing approximately 850 square feet of gross floor area. The 2,500 gross square feet of floor area on the three levels is adequate to meet the combined 1,250 + 750 gross square feet minimum for the two dwelling units to be created.
- The maximum lot coverage allowed is 80% (Zoning Code Table 9-401). This structure covers approximately 53% of the lot. No variance of this requirement is needed.
- One additional off-street parking space is required to serve the newly-created dwelling unit (BCZC subsection 9-703.f.). This property can provide an off-street parking space meeting Zoning Code standards for accessibility, as the lot width is 17', the rear yard is at least 25' deep, and the rear alley is 10' wide, so therefore a variance of this requirement does not need to be included in this bill.

Conditional Use: Per §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 is not in conflict with an Urban Renewal Plan. 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:

(b) *Required considerations.*

As a further guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals must consider the following, where appropriate:

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;
- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
- (5) accessibility of the premises for emergency vehicles;
- (6) accessibility of light and air to the premises and to the property 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;
- (8) the preservation of cultural and historic landmarks and structures;
- (9) the character of the neighborhood;
- (10) the provisions of the City's Comprehensive Master Plan;
- (11) the provisions of any applicable Urban Renewal Plan;
- (12) all applicable standards and requirements of this Code;
- (13) the intent and purpose of this Code; and
- (14) any other matters considered to be in the interest of the general welfare.

Planning staff recommend that the Planning Commission also find that the proposed use as a two-family dwelling would be consistent with other residential use in the area, and that the site is located in a dense, walkable neighborhood served by public transportation.

Notification: Greenmount West Community Development, Inc., and Councilman Stokes have been notified of this action.



**Chris Ryer**  
**Director**