



## BILL SYNOPSIS

Committee: Land Use

Bill: 20-0567

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### Rezoning - 407 Benninghaus Road

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**Sponsor:** Councilmember Henry

**Introduced:** July 20, 2020

**Purpose:**

For the purpose of changing the zoning for the property known as 407 Benninghaus Road (Block 5014C, Lot 004A), as outlined in red on the accompanying plat, from the R-3 Zoning District to the OR-1 Zoning District.

**Effective:** The 30<sup>th</sup> day after the date it is enacted

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### Agency Reports

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Unfavorable
Department of Transportation	
City Solicitor	Favorable with Comments
Department of Housing and Community Development	
Baltimore Development Corporation	

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## Analysis

### Current Law

Article 32 – Zoning, Zoning District Map Sheet 6. Baltimore City Revised Code (Edition 2000).

Under § 5-508(b)(1) of Article 32 – Zoning, and the State Land Use Article, the City Council may approve a rezoning based on a finding that there was either:

- (1) a substantial change in the character of the neighborhood where the property is located; or
- (2) a mistake in the existing zoning classification.

### Background

The bill would change the zoning for the property known as 407 Benninghaus Road from the R-3 Zoning District to the OR-1 Zoning District. The property is located on the southwest corner of the intersection with Hess Avenue. The property is irregularly shaped, contains approximately 0.078 acres, and is currently improved with a two-story building. The existing structure was originally residential but has been converted for use as an office (a nonconforming use).

The property is located on the eastern edge of the Homeland Neighborhood, which is bounded by Bellona Avenue and York Road on the east, Homeland Avenue on the south, North Charles Street on the west, and East Melrose Avenue on the north. The property was zoned residential prior to the Transform Baltimore comprehensive rezoning and it retained residential zoning afterwards. Properties to the west are generally residentially zoned. To the east of Hess Avenue are the backs of the commercially zoned properties that front on York Road or Bellona Avenue.

The intended purposes for the current and proposed zoning districts, as described in Article 32, are below:

#### Current Zoning District – R-3

The R-3 Detached Residential Zoning District is intended for neighborhoods of detached dwellings located on lots of at least 5,000 square feet.

Proposed Zoning District – OR-1

OR Office-Residential Zoning Districts are intended for areas where there is a mix of office and residential uses. The regulations for these Districts are designed to ensure that office uses remain compatible with residential uses, thereby permitting the area to maintain a more residential character.

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**Additional Information**

**Fiscal Note:** Not Available

**Information Source(s):** Reporting Agencies, Statement of Intent, Bill 20-0567.

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Analysis by: Matthew Peters

Direct Inquiries to: 410-396-1268

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