



Legislation Details (With Text)

**File #:** 23-0402      **Version:** 0      **Name:** Board of Municipal and Zoning Appeals - Consent Agenda - Establishment

**Type:** Ordinance      **Status:** Withdrawn

**File created:** 6/12/2023      **In control:** Baltimore City Council

**On agenda:**      **Final action:** 6/24/2024

**Enactment date:**      **Enactment #:**

**Title:** Board of Municipal and Zoning Appeals - Consent Agenda - Establishment  
For the purpose of requiring that the Board of Municipal and Zoning Appeals establish a consent agenda at certain public hearings; establishing certain standards for the consent agenda; and defining a certain related term.

**Sponsors:** Isaac "Yitzzy" Schleifer, Eric T. Costello

**Indexes:** Board of Municipal and Zoning Appeals (BMZA), Consent Agenda

**Code sections:**

**Attachments:** 1. 23-0402~1st Reader, 2. 23-0402 Finance, 3. 23-0402 OECR

Date	Ver.	Action By	Action	Result
6/24/2024	0	Baltimore City Council	Withdrawn	
6/15/2023	0	Baltimore City Council	Refer to City Solicitor	
6/15/2023	0	Baltimore City Council	Refer to Board of Municipal and Zoning Appeals	
6/15/2023	0	Baltimore City Council	Refer to Dept. of Finance	
6/15/2023	0	Baltimore City Council	Refer to Office of Equity and Civil Rights	
6/12/2023	0	Baltimore City Council	Assigned	
6/12/2023	0	Baltimore City Council	Introduced	
6/12/2023	0	Rules and Legislative Oversight	Scheduled for a Public Hearing	

**Explanation:** Capitals indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

\* **Warning:** This is an unofficial, introductory copy of the bill.  
The official copy considered by the City Council is the first reader copy.

**Introductory\***

**City of Baltimore  
Council Bill**

Introduced by: Councilmember Schliefer

A Bill Entitled

An Ordinance concerning  
**Board of Municipal and Zoning Appeals - Consent Agenda - Establishment**  
 For the purpose of requiring that the Board of Municipal and Zoning Appeals establish a consent agenda at certain public hearings; establishing certain standards for the consent agenda; and defining a certain related

term.

By repealing and re-ordaining, with amendments

Article 32 - Zoning  
Section 3-202(g)  
Baltimore City Code  
(Edition 2000)

By adding

Article 32 - Zoning  
Section 1-304(n-1)  
Baltimore City Code  
(Edition 2000)

**Section 1. Be it ordained by the Mayor and City Council of Baltimore,** That the Laws of Baltimore City read as follows:

**Baltimore City Code**

**Article 32. Zoning**

**Title 1. General Provisions**

**Subtitle 3. Definitions**

§ 1-304. “Chimney” to “Day-care center: Child ”.

(n-1) *Consent agenda.*

“Consent agenda” means 1 or more matters grouped as a single item on a meeting or hearing calendar that are presented for a vote without debate or amendment.

**Title 3. Outline of Code Administration**

**Subtitle 2. Administrative Agencies and Officials**

§ 3-202. **Board of Municipal and Zoning Appeals.**

(g) *Public hearings - Scheduling, notices, decision.*

(1)The Board of Municipal and Zoning Appeals must:

(i) [(1)] fix a reasonable time and place for the public hearing of an application, appeal, or other matter;

(ii) [(2)] give public notice of the hearing in accordance with Title 5 of this Code;  
[and]

(iii) [(3)] require the applicant, appellant, or other person initiating the hearing to

post the subject property with a notice of the time, place, and purpose of the hearing, as follows:

(A) [(i)] for a hearing on a variance or conditional use, as provided in § 5-602 {"BMZA - Major variances; conditional uses} of this Code; and

(B) [(ii)] in all other cases, at least 21 days before the hearing[.]; and

(iv) establish a separate consent agenda at every public hearing, as follows:

(A) every application, appeal, or other matter for which there is no community opposition shall be placed on the consent agenda;

(B) every consent agenda item shall be independently reviewed by the Board of Municipal and Zoning Appeals for compliance and conformance with the technical requirement necessary for filing of such application, appeal, or other matter; and

(C) every consent agenda item that complies with item (B) of this subparagraph shall be approved by the Board of Municipal and Zoning Appeals without any independent scrutiny of the Board of the technical legal review requirements that would otherwise typically apply to the requisite application, appeal, or other matter, if it were to be contested.

(2)It is the express intent of this subsection that every uncontested application, appeal, or other matter that is properly filed with the Board of Municipal and Zoning Appeals shall be approved by the Board.

**Section 2. And be it further ordained,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.