



## Legislation Text

---

File #: 23-0399, Version: 0

---

**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 Schleifer

At the request of: Kol Torah of Baltimore, Inc. c/o Chase Hoffberger, Al Barry, AB Associates

Address: 225 E. Redwood Street, Suite 400G, Baltimore, Maryland 21202

Telephone: (512) 536-0783

### A Bill Entitled

An Ordinance concerning

#### **Planned Unit Development - Amendment - Benhurst Park**

For the purpose of repealing Ordinance 09-161; approving certain amendments to the Development Plan of the Benhurst Park Planned Unit Development; and providing for a special effective date.

By authority of

Article - Zoning

Section 5-201(a) and Title 13

Baltimore City Revised Code

(Edition 2000)

### **Recitals**

By Ordinance 73-417, as amended by Ordinances 78-690, 83-1127, 07-384, and 09-161, the Mayor and City Council (i) approved the application of Carl M. Freeman Associates, Inc. And Ralph DeChiaro Enterprises, Inc., to have certain property located on the south side of Fallstaff road, north and east of Bartol Avenue, north and south of Benhurst Park, and east of Clarks Lane, consisting of 50 acres, more or less, designated as a Residential Planned Unit Development and (ii) approved the Development Plan submitted by the applicant.

Kol Torah of Baltimore, Inc. wishes to repeal Ordinance 09-161 and to amend the Development Plan, as previously approved by the Mayor and City Council, to change the boundaries of the planned unit development.

On March 8, 2023, representatives of Kol Torah of Baltimore, Inc. met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

The representatives of Kol Torah of Baltimore, Inc. have now applied to the Baltimore City Council for approval of these amendments, and they have submitted amendments to the Development Plan intended to

satisfy the requirements of Section 5-201(a) and Title 13 of the Baltimore City Zoning Code.

**Section 1. Be it ordained by the Mayor and City Council of Baltimore,** that Ordinance 09-161 is repealed.

**Section 2. And be it further ordained,** That the Mayor and City Council approves the amendments to the Development Plan submitted by the Developer, removing all that parcel of land situate in Baltimore City, State of Maryland, and described as follows, from the boundaries of the Benhurst Park Planned Unit Development:

Being known and designated as Lot 67 on the plat entitled, “Final Subdivision Plan, Kol torah, Liber SEB 168, folio 419, Ward 27 - Section 22 - Block 4324 - Lot 67/68” which plat is recorded among the Land Records of Baltimore City as Plat FMC No. 4047.

Being the same property described in Deed dated October 20, 2009, and recorded among the Land Records of Baltimore City in Liber FMC 12113, Page 0510 from Heather Ride Condominium Council, Inc. to Kol Torah of Baltimore, Inc.

**Section 3. And be it further ordained,** That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

**Section 4. And be it further ordained,** That as evidence of the authenticity of the accompanying amended Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the amended Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the amended Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

**Section . And be it further ordained,** That this Ordinance takes effect on the date it is enacted.