



Legislation Text

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Cole

At the request of: Wylie Funeral Homes, P.A.

Address: c/o Stanley S. Fine, Esquire, Rosenberg ? Martin ? Greenberg, LLP, 25 South Charles
Street, Suite 2115, Baltimore, Maryland 21201

Telephone: 410-727-6600

A BILL ENTITLED

AN ORDINANCE concerning

Planned Unit Development - Designation - Wylie Funeral Home

FOR the purpose of approving the application of the Mayor and City Council of Baltimore and Wylie Funeral Homes, P.A., which are either the owner, potential owner, developer, and/or contract purchaser of the following properties: 1602, 1604, 1606, 1606 ½, 1608, 1610, 1612, 1614, 1616, 1618, 1620, 1622, 1624, and 1626 Harlem Avenue; 703, 705, 707, 709, 711, 713, 715, 717, 719, 721, 723, and 725 North Mount Street; and 634, 636, and 638 North Gilmore Street (collectively, the "Property"), to have the Property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

Recitals

The Mayor and City Council of Baltimore and Wylie Funeral Homes, P.A. are either owner, potential owner, developer, and/or contract purchaser of the following properties: 1602, 1604, 1606, 1606 ½, 1608, 1610, 1612, 1614, 1616, 1618, 1620, 1622, 1624, and 1626 Harlem Avenue; 703, 705, 707, 709, 711, 713, 715, 717, 719, 721, 723, and 725 North Mount Street; and 634, 636, and 638 North Gilmore Street. Wylie Funeral Homes, P.A. plans to develop the Property, consisting of 2.18 acres, more or less, for residential and business uses.

On November 16, 2009, representatives of the applicant met with the Department of Planning of Baltimore City to hold a preliminary conference to explain the scope and nature of existing and proposed development on the Property in order to institute proceedings to have the Property designated a Residential Planned Unit Development.

The representatives of the applicant have now applied to the Baltimore City Council for designation of the

property as a Residential Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore approves the application of the Mayor and City Council of Baltimore and Wylie Funeral Homes, P.A. to designate the properties known as 1602, 1604, 1606, 1606 ½, 1608, 1610, 1612, 1614, 1616, 1618, 1620, 1622, 1624, and 1626 Harlem Avenue; 703, 705, 707, 709, 711, 713, 715, 717, 719, 721, 723, and 725 North Mount Street; and 634, 636, and 638 North Gilmore Street, consisting of 2.18 acres, more or less, as outlined on the accompanying Development Plan, as a Residential Planned Unit Development under Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan entitled “Wylie Funeral Home” submitted by the applicant, Wylie Funeral Homes, P.A., consisting of Sheet 1, “Existing Conditions”, dated November 16, 2009; Sheet 2, “Proposed Site Plan”, dated November 16, 2009; Sheet 3, “Preliminary Landscape Plan,” dated November 16, 2009; and Sheet 4, “Exterior Elevations”, dated November 16, 2009, is approved.

SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 2, the following uses are permitted within the Planned Unit Development:

- (a) The following principal uses are permitted within the Planned Unit Development:
 - (1) all permitted, accessory, and conditional uses as allowed in the R-8 Zoning District;
 - (2) undertaking establishments and funeral parlors; and
 - (3) offices: business, governmental, and professional.

SECTION 4. AND BE IT FURTHER ORDAINED, That the properties designated as being part of the Residential Planned Unit Development under this Ordinance shall not be regulated by this Ordinance until the City or Wylie Funeral Homes, P.A., or its successors or assigns, has acquired title to the properties.

SECTION 5. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the Property within the Planned Unit Development 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 6. AND BE IT FURTHER ORDAINED, That the Planning Department may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying 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 Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the 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 8. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date

it is enacted.

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