



Brandon M. Scott
Mayor

PLANNING COMMISSION

Jon Laria, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Tim Keane
Director

February 5, 2026

LEGISLATION: City Council Bill #25-0128/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – 1118 North Carey Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 3 dwelling units on the property known as 1118 North Carey (Block 0055B, Lot 010), as outlined in red on the accompanying plat; and providing for a special effective date

SUMMARY OF REQUEST: CCB #25-0128 authorizes, via conditional use, the conversion of a single-family rowhouse dwelling into a three-unit multifamily dwelling. Per § 9-701 of the Zoning Code, residential conversions from single-family to multifamily use in the R-8 district must be approved by ordinance of the Mayor and City Council. The bill also grants a variance from the requirements of Table 9-401, which requires a minimum lot area of 1,250 square feet.

RECOMMENDATION: Approve with the following amendment:

- Update lot area calculation in Section 2 to reflect changes of Ord. 25-063 to read as follows:
 - SECTION 2. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by § 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of §§ 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk and Yard Regulations) and 9-703(d), as the minimum lot size requirement for 3 dwelling units in the R-8 Zoning District is ~~1,500~~ 1,250 square feet and the existing lot area size is approximately 1,097.6 square feet, requiring a variance of ~~27%~~ 12%.

STAFF: Justin Walker

PETITIONER/ OWNER: Derrick Shaw

COUNCIL DISTRICT: 9

SITE/GENERAL AREA

Site Conditions: 1118 North Carey Street is located on the west side of the street, approximately 150' north of the intersection with Riggs Avenue. This property measures approximately 13'9" by 80' and is currently improved with a three-story building measuring approximately 13'9" by 55'. This site is zoned R-8 and located within the Sandtown-Winchester neighborhood.

General Area: The property is located within a block of rowhouse dwellings. The surrounding blocks are also predominantly rowhouses within an R-8 zoning district.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

CONFORMITY TO PLANS

The 2024 Comprehensive Master Plan for the City of Baltimore was enacted by Ordinance #24-426, dated December 2, 2024. The subject property is designated in the Residential: Higher Density group in the General Land Use Plan. This proposed development conforms to that designation.

APPLICANT'S PROPOSAL AND CODE CONTEXT:

The proposed conversion would change the single-family dwelling into three apartments, all containing a single bedroom. The units would measure approximately 750 square feet each. A conditional use is required under § 9-701 of the Zoning Code. In this R-8 zoning district, three dwelling units require 1,250 sqft of lot area per Table 9-401. This lot only contains 1,097 sqft, and so a variance of 12% is needed.

CONDITIONAL USE:

§ 5-406. Approval standards.

(a) *Evaluation criteria.*

As a guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals or the City Council 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.

(b) *Limited criteria for denying.*

The Board of Municipal and Zoning Appeals or the City Council, may not approve a conditional use or sign unless, after public notice and hearing and on consideration of the standards required by this subtitle, the Board or Council finds that:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use or sign would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use or sign 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.
 - (i) be in any way contrary to the public interest.

ANALYSIS AND RECOMMENDATION:

As noted above, for Conditional Uses, the Board of Municipal and Zoning Appeals or the City Council must consider the following, where appropriate. Staff's assessment follows each of these criteria.

§ 5-406 (a) Evaluation criteria:

- 1. The nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;**
The size and shape of the site, as well as the proposed arrangement of structures, are adequate to accommodate the use without creating any adverse impacts.
- 2. The resulting traffic patterns and adequacy of proposed off-street parking and loading;**
The proposal is not expected to create adverse traffic patterns, and the site is exempt from off-street parking requirements under § 16-601(b)(1).
- 3. The nature of the surrounding area and the extent to which the proposed use might impair its present and future development;**
The proposed use is compatible with the surrounding area and is not expected to impair its present or future development.
- 4. The proximity of dwellings, churches, schools, public structures, and other places of public gathering;**
While there are dwellings and places of public gathering in the vicinity, no adverse impacts to these places of public gathering are anticipated beyond what is regularly associated with this type of land use.
- 5. Accessibility of the premises for emergency vehicles;**
The premises are adequately accessible for emergency vehicles.
- 6. Accessibility of light and air to the premises and to the property in the vicinity;**
The use will be contained entirely within the existing structure, having no impact on light or air to nearby properties.
- 7. The type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;**
The change of use within the existing building will be adequately served by existing utilities and access roads.
- 8. The preservation of cultural and historic landmarks and structures; The character of the neighborhood;**
The use will not change the exterior of the building nor impact any nearby landmarks or historic structures.
- 9. The provisions of the City's Comprehensive Master Plan;**
The use is in harmony with the Master Plan, as it may be authorized as a conditional use in this zoning district
- 10. The provisions of any applicable Urban Renewal Plan;**
The use is not precluded by any Urban Renewal Plan.
- 11. All applicable standards and requirements of this Code;**
The request aligns with all code requirements.

12. The intent and purpose of this Code; and Any other matters considered to be in the interest of the general welfare.

Staff is unable to identify any reason why approval would be detrimental to the general welfare of the City.

§ 5-406 (b) Limited criteria for denying:

1. The establishment, location, construction, maintenance, or operation of the conditional use or sign would not be detrimental to or endanger the public health, safety, or welfare;

Staff is unable to identify any reason why approval would be detrimental to public health, safety, or welfare.

2. The use or sign would not be precluded by any other law, including an applicable Urban Renewal Plan;

No law or Urban Renewal Plan preclude this use.

3. The authorization would not be contrary to the public interest; and

Staff is unable to identify any reason why approval would be contrary to public interest.

4. The authorization would be in harmony with the purpose and intent of this Code.

Approval of this conditional use is in harmony with the purpose and intent of this code.

VARIANCE:

§ 5-308. Approval standards.

(a) *Required finding of practical difficulty.*

To grant a variance, the Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, shall find that:

- (1) because of the conditions peculiar to the property, including particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, a practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out; or
- (2) because of exceptional circumstances related to the specific structure or land involved, a practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out.

(b) *Other required findings.*

The Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, must also find that:

- (1) the practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property;
- (2) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;
- (3) the variance will not:
 - (i) be injurious to the use and enjoyment of other property in the immediate vicinity; or
 - (ii) substantially diminish and impair property values in the neighborhood;
- (4) the variance is in harmony with the purpose and intent of this Code;
- (5) the variance is not precluded by and will not adversely affect:
 - (i) any Urban Renewal Plan;
 - (ii) the City's Comprehensive Master Plan; or
 - (iii) any Historical and Architectural Preservation District; and
- (6) the variance will not otherwise:
 - (i) be detrimental to or endanger the public health, safety, or welfare; or
 - (ii) be in any way contrary to the public interest.

Below is the staff's review of Article 32 – Zoning, §5-308 {“Approval standards”}:

§ 5-308 (a) Variance approval standards and finding of practical difficulty:

To grant a variance, the Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, shall find that:

1. **Because of the conditions peculiar to the property, including particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, a practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out; or**

The existing structure is already framed for three dwelling units. Requiring the full gutting and rehab of the property would be a practical difficulty for the applicant.

2. **because of exceptional circumstances related to the specific structure or land involved, a practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out.**

When the applicant purchased the property, the building was already framed for three dwelling units. The applicant bought the property under the impression it was already legally converted into three units. When attempting to apply for BGE meters, it was discovered that the property was still classified as a single-family dwelling. This exceptional circumstance justifies some relief from the strict letter of the Code. A 12% lot area variance is a reasonable form of relief to remedy this practical difficulty.

§ 5-308 (b) Other required findings:

The Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, must also find that:

1. **The practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property;**

The practical difficulty results from the application of the Zoning Code to the property's exceptional circumstances and was not created by the intentional actions or inaction of any person with a present interest in the property.

2. **The purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;**

The variance request is driven by site-specific conditions and is not based solely on a desire to increase the property's value or income potential.

3. **The variance will not be injurious to the use and enjoyment of other property in the immediate vicinity;**

The variance will not be injurious to the use or enjoyment of other properties in the immediate vicinity. The variance will allow a vacant property to be returned to productive use.

4. **The variance will not substantially diminish and impair property values in the neighborhood;**

The variance will not substantially diminish or impair property values in the surrounding neighborhood.

5. **The variance is in harmony with the purpose and intent of this Code;**
The variance is consistent with and in harmony with the overall purpose and intent of the Zoning Code.
6. **The variance is not precluded by and will not adversely affect any Urban Renewal Plan;**
The variance is not precluded by any applicable Urban Renewal Plan.
7. **The variance is not precluded by and will not adversely affect the City's Comprehensive Master Plan;**
The variance does not conflict with and will not adversely affect the City's Comprehensive Master Plan.
8. **The variance is not precluded by and will not adversely affect any Historical and Architectural Preservation District;**
The property is not located in a CHAP district.
9. **The variance will not otherwise be detrimental to or endanger the public health, safety, or welfare;**
Staff find no reason that the variance will be detrimental to or endanger the public health, safety, or general welfare.
10. **The variance will not otherwise be in any way contrary to the public interest.**
The variance is not contrary to the public interest and supports the reuse of the property.

EQUITY: The proposed conversion supports equitable housing outcomes by creating three additional dwelling units within an existing structure in the Sandtown-Winchester neighborhood. The project expands housing choice without altering the exterior of the building or disrupting the established residential character of the block. This small-scale density increase aligns with the goals of the Our Baltimore Comprehensive Plan to promote diverse and attainable housing options, encourage reinvestment in vacant or underutilized buildings, and support incremental growth. The project also has the support of the Sandtown Winchester Community Collective.

NOTIFICATION: In addition to the required posting on site, Sandtown-Winchester Community Collective was informed of this action and provided a letter of support. Staff also sent out notice via GovDelivery.



Tim Keane
Director