



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

August 8, 2013

REQUEST: Subdivision Waiver Request/6000 Radecke Avenue

RECOMMENDATION: Approval

STAFF: Natasha Becker

PETITIONER: Mount Pleasant Church & Ministries

OWNER: Same

SITE/GENERAL AREA

Site Conditions: The property known as 6000 Radecke Avenue is improved with the Mount Pleasant Church and Ministries building and related surface parking. Adjoining 5225 Hamilton Avenue is improved with the Faith Christian Fellowship Church of East Baltimore and related surface parking. Both sites span the City's eastern boundary line and are located within the Cedonia neighborhood.

General Area: The immediately surrounding area is developed with a mix of garden-style apartments and single-family attached homes. The site directly abuts a 100'-wide BG&E right-of-way for electric transmission lines.

HISTORY

There have been no past Planning Commission actions concerning the subject sites.

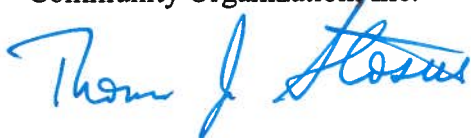
ANALYSIS

Mount Pleasant Church and Ministries was recently in the process of refinancing property that it owns at 6000 Radecke Avenue, when a standard title search revealed discrepancies between their recorded deed and City records. At issue is a 0.1474 acre strip of land that, according to the City's property location maps is part of Block 6072-J, Lot 17 (5225 Hamilton Avenue). However, the recorded deed shows that area to have been conveyed to adjoining Lot 16 (6000 Radecke Avenue). This discrepancy has stalled the refinancing, and the church approached the Department of Planning for advice on how to correct the error. Staff advised that the standard process would be to submit plans in accordance with the Baltimore City Subdivision Regulations, specifically those sections that deal with "lot line adjustments", which are a category of Minor Subdivision.

This option was not agreeable to their desired timeline for refinancing, so they have requested a waiver from all requirements contained in the Subdivision Regulations. Their request is pursuant to section 1.6 of the Baltimore City Subdivision Regulations, which states: "... the Planning Commission may grant waivers of the requirements of these Subdivision Regulations in cases where it finds that undue hardships or practical difficulties may result from strict compliance, or in cases in which it is determined that the purposes of these Subdivision Regulations may be better served by an alternate proposal." Should the Planning Commission approve the waiver, the effect would be to authorize an administrative lot line adjustment. The applicant would present the deed and its accompanying survey plat to the Department of General Services' Property Location office for updating of the City's records.

In this case, there is no new development proposed, and the resulting lots have no zoning or building code compliance issues. The lot line adjustment is being pursued solely to reflect a land conveyance that has already taken place, which has already been recorded, and which impacts only the parties involved. Staff has reviewed this matter with the City's Law Department, which has advised that the request meets legal standards for granting the waiver. As such staff is supportive of the waiver request.

The following groups have been notified of this action: Eastern Community Action Center, Frankford Improvement Association, Gardenville/Belair Road Business Association, and Harbel Community Organization, Inc.



Thomas J. Stosur
Director