

CITY OF BALTIMORE, BOARD OF MUNICIPAL AND ZONING APPEALS
 ZONING APPEALS MINUTES FOR TUESDAY April 16, 2024
 IN-PERSON HEARING 417 E. FAYETTE ST, 8TH FLOOR PLANNING DEPT. BOARDROOM

12:30PM ±1:00PM GENERAL MEETING

Call to Order: Present: James Fields (Chair), Victor Clark, Leland Shelton, David Marcozzi, Elizabeth Cornish
 Reconsideration(s) BMZ 2018-323, 1000 Eastern Ave, HSN, LLC. Reconsideration was unanimously denied.
 Draft Resolutions review All draft resolutions were approved unanimously.

1:00PM ZONING APPEAL DOCKET

Call to Order

Attendance: Present: James Fields, Leland Shelton, Victor Clark, David Marcozzi, Elizabeth Cornish

Appeal No.	Address	JF	LS	VC	DM	LC	Notes/Conditions
2023-150	2005 Fleet ST	Approve	Approve	Approve	Approve	Approve	
2024-045	4201 Pennington Ave	Approve	Approve	Approve	Approve	Approve	
2024-051	2601 N. Charles	Approve	Approve	Approve	Approve	Approve	Approved variance for one off-street parking space
2024-053	1900 W. Saratoga	Approve	Approve	Approve	Approve	Approve	
2024-057	5002 York Rd	Approve	Approve	Approve	Approve	Approve	Subject to condition MOU between the Property Owner and community are incorporated into the % R D U G ¶ V D S S
2024-061	3211 Frisby St	-	-	-	-	-	Application withdrawn
2024-067	5060 Wabash Ave	-	-	-	-	-	Request to postpone granted
2024-068	813 W 36 th St.	Approve	Approve	Approve	Approve	Approve	
2024-069	846 N. Eutaw	Approve	Approve	Approve	Approve	Approve	
2024-071	608 Berry St (Negative Appeals)	Denied	Denied	Denied	Denied	Denied	
2024-072	1209 Myrtle Ave	-	-	-	-	-	Postponed
2024-075	604 S. Milton Ave	Approve	Approve	Approve	Disapprove	Approve	
2024-075	508 S. Bradford St	Approve	Approve	Approve	Approve	Approve	

3:00 P.M. DOCKET

2017-073, 5715 Roland Ave Board voted 5-0 to deliberate to the case on July 2, 2024. Board met in closed session at 5:55 PM at 417 E. Fayette Street for the purpose of seeking legal advice pursuant to § 3-305(b)(7) of the Maryland Open Meetings Act.

Adjournment

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)
with Instructions**

Instructions to presiding officer: To meet in a closed session under the Act, the public body must first meet in open session, after providing proper notice. Make sure that the open session is attended by a member designated to receive open meetings training. If a designated member cannot attend, complete the Compliance Checklist.¹ If the public body has never designated a member for training, it must do so **before closing the session**.

Before closing the session, take two steps: (1) conduct a recorded vote on a motion to close; and (2) make a written "closing" statement. If the public body might return to open session afterwards, be sure to tell the public that. *During* the closed session, keep the discussion topics within the confines of the closing statement. *After* the closed session, the events of the closed session must be disclosed in the next open-session minutes.

The top part of this form is a model closing statement. **It has two sides. Before closing the open session, complete items 1 through 4 on this form or in any writing with the same information.** If someone pre-prepared the form for you, make sure it reflects the public body's own intended topics and reasons for closing the meeting. A member of the public may inspect the closing statement at the time of the closing and may object to the decision to close the meeting. Once the meeting is closed, the closing statement sets the agenda and may not be changed.

The bottom part of the form is a worksheet that provides a checklist of the disclosures that must be made in the next open-session minutes. The worksheet is not part of the closing statement.

1. Recorded vote to close the meeting: Date: 6/4/24; Time: 5:56 pm; Location: 417 E. Fayette St.
Motion to close meeting made by: 1/2 Council; Seconded by: Leland Shelton
Members in favor: All members; Opposed: None
Abstaining: None; Absent: None

2. Statutory authority to close session (check all provisions that apply):

This meeting will only be closed under the provision or provisions checked below, all from General Provisions Art. § 3-305(b):

- (1) "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2) "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) "To consider the investment of public funds"; (6) "To consider the marketing of public securities"; (7) "To consult with counsel to obtain legal advice"; (8) "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) "To prepare, administer, or grade a scholastic, licensing, or qualifying

¹ http://www.marylandattorneygeneral.gov/OpenGov/%20Documents/Openmeetings/COMPLIANCE_CHECKLIST%20.pdf

examination"; (12) "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14) "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process"; (15) "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to" (i) "security assessments or deployments relating to information resources technology"; (ii) "network security information," such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) "deployments or implementation of security personnel, critical infrastructure, or security devices."

3. For each provision checked above, the corresponding topic to be discussed and the public body's reason for discussing that topic in closed session, in as much detail as possible without disclosing the information that may be discussed behind closed doors:

4. This statement is made by James Fields, Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION THAT MUST BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN SESSION (§ 3-306)(c)(2) or § 3-104

For meetings closed under an exception, as disclosed above:

Time of closed session: 5:56 PM Place: 417 E. K. Hestcock

Purpose(s): Seeking to get out of

Members who voted to meet in closed session: 1 member

Persons attending closed session: All members because they are direct and BMCA was almost 45 minutes long BMCA are civil and individual office

Authority under § 3-305 for the closed session (see chart above): 305(b)(7) Md. CPA &

Topics actually discussed: BMCA 2017-073. Discuss case list of case & sure Bon & my on rain of case 155917

Each action Taken: na