

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor  
101 City Hall  
Baltimore, Maryland 21202

September 25, 2012

The Honorable President and Members  
of the Baltimore City Council  
Attn: Karen Randle, Executive Secretary  
Room 409, City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 12-0095 – Zoning – Conditional Use Conversion of 1-Family Dwelling Units in the R-8 Zoning District – 1503 and 1505 East Baltimore Street

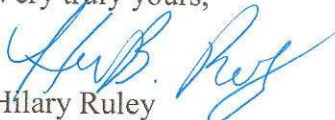
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0095 for form and legal sufficiency. The bill permits the conversion of 1-family dwelling units to 2-family dwelling units at 1503-1505 Baltimore Street, which is in an R-8 Zoning district. Conversions from 1 to 2 family dwelling units are permitted in R-8 only by ordinance. Zoning Code (“ZC”), § 3-305(b)(3). This is the requisite ordinance to permit this change, for which there are no legal impediments. There are, however, certain procedures that must be followed for any conditional use, as well as for conversions to 2-family dwelling units. *See* ZC §§ 14-208; 16-101(b)(2), 16-101(d)(1) (conditional use is a type of legislative authorization); 16-203, 16-402 (notice and posting requirements); 16-301, 16-302 & 16-304 (referral to certain City agencies, which are obligated to review the bill in a specified manner); 16-403, 16-404 (limitations on the City Council’s ability to amend the bill, including a Third Reading hold-over before final passage); *see also* Md. Code, Art. 66B, § 2.04(b)(2)(i).

However, the section references in lines 9 and 16 on page 1 of the bill should be changed to “3-305(b)(3)” to reflect the most recent version of the Zoning Code.

Subject to the foregoing amendment and assuming all the procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.

Very truly yours,

  
Hilary Ruley  
Assistant Solicitor



cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor’s Legislative Liaison  
Elena DiPietro, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Victor Tervalá, Assistant Solicitor

F/A