

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 12-0039

Introduced by: Councilmember Holton

At the request of: Project PLASE

Address: c/o Mary C. Slicher, 1814 Maryland Avenue, Baltimore, Maryland 21202

Telephone: 443-980-0526

Introduced and read first time: March 5, 2012

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: June 4, 2012

AN ORDINANCE CONCERNING

**Zoning – Conditional Use Convalescent, Nursing, and Rest Home – Variances –
A Portion of 3549-3555 Old Frederick Road**

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a convalescent, nursing, and rest home on a portion of the property known as 3549-3555 Old Frederick Road, being all of such property with frontage on Old Frederick Road and located north of the line at N 78° 32' 24" W on the preliminary development plan dated 5-15-2012 attached hereto, consisting of 1.6967 acres more or less, currently part of a larger property known as 3549-3555 Old Frederick Road, as outlined in red on the accompanying plat; and granting variances from certain setback and floor area ratio requirements.

BY authority of

Article - Zoning

Section(s) 4-804, and 14-102, 15-101, 15-203, and 15-204

Baltimore City Revised Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a convalescent, nursing, and rest home on a portion of the property known as 3549-3555 Old Frederick Road, being all of such property with frontage on Old Frederick Road and located north of the line at N 78° 32' 24" W on the preliminary development plan dated 5-15-2012 attached hereto, consisting of 1.6967 acres more or less, currently part of a larger property known as 3549-3555 Old Frederick Road, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-804 and 14-102, subject to the condition that the convalescent, nursing, and rest home complies with all applicable federal, state, and local licensing and certification requirements.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by Title
2 15 of the Zoning Code of Baltimore City and, specifically, by §§ 15-101, 15-203, and 15-204 of
3 the Zoning Code, the City Council grants a variance to permit a rear yard setback of 30 feet and a
4 variance to permit an increase in floor area ratio from 0.7 to 0.81, for a portion of the property
5 known as 3549-3555 Old Frederick Road, being all of such property with frontage on Old
6 Frederick Road and located north of the line at N 78° 32' 24" W on the preliminary development
7 plan dated 5-15-2012 attached hereto, consisting of 1.6967 acres more or less.

8 **SECTION 3.** **AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
9 accompanying plat and in order to give notice to the agencies that administer the City Zoning
10 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
11 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
12 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
13 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
14 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
15 the Zoning Administrator.

16 **SECTION 4.** **AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th
17 day after the date it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City