



March 14, 2013

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 12-0166 – Zoning – Conditional Use Conversion of 1-Family Dwelling Unit to 2-Family Dwelling Unit in the R-8 Zoning District – 400 East Cross Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0166 for form and legal sufficiency. The bill permits the conversion of a 1-family dwelling unit to 2-family dwelling unit at 400 East Cross 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).

Assuming all the procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.

Sincerely yours,

Elena R. DiPietro
Chief Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Hilary Ruley, Assistant Solicitor
Victor Tervalá, Assistant Solicitor

