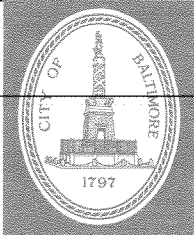


CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

September 12, 2008

The Honorable Edward Reisinger, Chair  
Land Use and Transportation Committee  
Attn: Karen Randle, Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 08-0031 {Rezoning – 5901 Falls Road}

Dear Madame President and City Council Members:

Upon further review, the Law Department has determined that the rezoning of 5901 Falls Road, as proposed in City Council Bill 08-0031, would not constitute illegal spot zoning.

The Law Department's earlier opinion, stated in its letter to the City Council dated May 27, 2008, was based on preliminary information, such as written reports and basic zoning maps. Upon being asked to reconsider its opinion, the Law Department conducted a more extensive review of the issue that included an examination of the site itself and an examination of the existing surrounding uses, in addition to a consideration of the underlying zoning.

In light of this new information, the Law Department has determined that a rezoning of 5901 Falls Road is not arbitrary or unreasonable and would be consistent with and in harmony with the uses in the surrounding areas as well as with the comprehensive plan. Therefore, the Law Department approves the rezoning proposed in City Council Bill 08-0031.

Sincerely,

Deepa Bhattacharyya  
Assistant Solicitor

cc: The Honorable Sheila Dixon, Mayor  
Demaune Millard, Chief of Staff  
Andrew Frank, Deputy Mayor  
The Honorable James Kraft  
The Honorable William Cole  
The Honorable Belinda Conaway  
The Honorable Sharon Green Middleton  
The Honorable Rikki Spector  
The Honorable Jack Young



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Angela C. Gibson, Mayor's Legislative Liaison  
George Nilson, City Solicitor  
Sandra Gutman, Chief Assistant Solicitor  
Elena DiPietro, Assistant Solicitor  
Ashlea Brown, Assistant Solicitor  
Hilary Ruley, Assistant Solicitor