

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

November 26, 2014

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

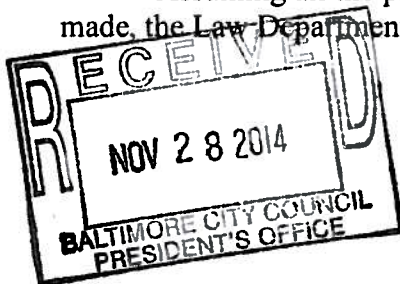
Re: City Council Bill 14-0435 – Zoning – Conditional Use Conversion of 1-Family Dwelling Unit to a 3-Family Dwelling Unit in the R-8 Zoning District – 2437 Madison Avenue

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 14-0435 for form and legal sufficiency. The bill permits the conversion of 1-family dwelling unit to a 3-family dwelling unit at 2437 Madison Avenue, which is in an R-8 Zoning district. Such conversions are permitted in R-8 only by ordinance. Baltimore City Zoning Code (“ZC”), §3-305(b)(2). This is the requisite ordinance to permit this change. No variances are needed.

There are certain procedures that must be followed. *See* ZC §§3-305(c)(plans and advice required), 14-208 (conditional uses must follow procedures in Title 16), 15-302 (variances in conjunction with conditional uses must follow procedures in Title 16); 16-101(c)(2), 16-101(d)(1) (conditional use is a type of legislative authorization, which is a type of zoning legislation); 16-203, 16-401, 16-402 (notice, posting and hearing requirements); 3-305(c), 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,); *see also* Md. Code, Land Use, §10-303. A Third Reading hold-over before final passage is not needed because the bill includes a conditional use but does not include variances.

Assuming all the procedural requirements are met and the appropriate findings of fact are made, the Law Department can approve the bill for form and legal sufficiency.



Very truly yours,


Hilary Ruley
Chief Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor’s Legislative Liaison
Elena DiPietro, Chief Solicitor, Legal Advice & Opinions
Victor Tervalá, Chief Solicitor
Jennifer Landis, Assistant Solicitor

F w/ comm.

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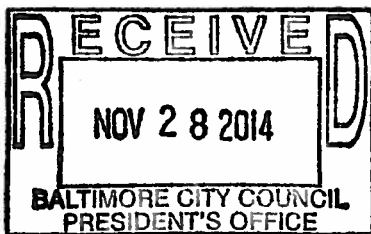
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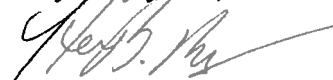
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