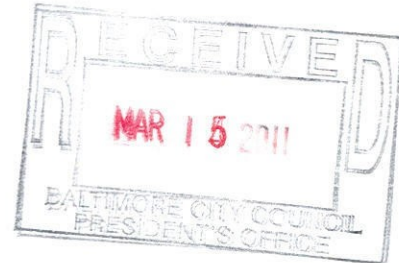




March 15, 2011

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

Attn: Karen Randle
Executive Secretary



Re: City Council Bill 11-0654 – Zoning – Conditional Use
Convalescent, Nursing, and Rest Home (Assisted Living) – 2926
Harford Road

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 11-0654 for form and legal sufficiency. The bill permits the establishment, maintenance, and operation of a convalescent, nursing, and rest home at 2926 Harford Road, subject to certain conditions; namely, that the home complies with all federal, state, and local licensing and certification requirements. The bill also repeals the conditional uses granted for the property by two previous ordinances: Ordinances 03-594 & 85-510.

This property is zoned R-8 (General Residence District). *See Plat.* The conditional uses that require the enactment of an ordinance in an R-8 zone are the same as those in an R-7 zone (General Residence District). City Zoning Code, § 4-1104. The conditional uses in an R-7 District that require the enactment of an ordinance include conditional uses approved by ordinance in an R-1 District (Single Family Residence District). Baltimore City Code, § 4-1004. One of the conditional uses in an R-1 District is a convalescent, nursing, and rest home. City Zoning Code, § 4-204. A convalescent, nursing, and rest home is the conditional use that is the subject of this bill, which can only be approved by ordinance enacted with the approval of the Mayor and Council. City Zoning Code, § 14-102. In compliance with § 14-103 of the City Zoning Code, the conditional use restrictions are set forth in the bill.

The bill is subject to the Legislative Authorization provisions of Subtitle 16 of the Zoning Code.

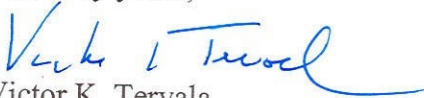
F/A

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You should be aware that Ordinance 03-594 repealed Ordinance 85-510. Consequently, the repeal of Ordinance 85-510 by Council Bill 11-0654 is unwarranted. Any reference to Ordinance 85-510 in Council Bill 11-0654 should be deleted.

With the above deletions, the Law Department will approve Council Bill 11-0654 for form and legal sufficiency.

Sincerely yours,



Victor K. Tervalo
Assistant Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Hillary Ruley, Assistant Solicitor
Ashlea Brown, Assistant Solicitor