



October 10, 2013

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 13-0257 – Zoning – Conditional Use Conversion of a 2-Family Dwelling Unit to a 9-Family Dwelling Unit in the R-7 Zoning District – 4227 Frederick Avenue

Dear President and City Council Members:

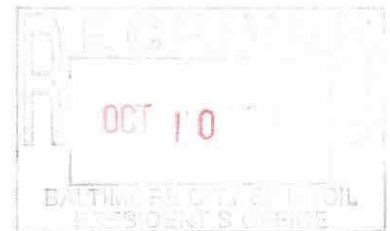
The Law Department has reviewed City Council Bill 13-0257 for form and legal sufficiency. The bill permits the conversion of 2-family dwelling units to 9-family dwelling units at 4227 Frederick Avenue, which is in an R-7 Zoning District. Conversions from 2 to 9 family dwelling units are permitted in an R-7 Zoning District 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. The Law Department further notes that the Report of the Planning Commission provides findings of fact to support the conditional use conversion.

There are, however, certain procedures which must be followed for any conditional use, including conversions to 9-family dwelling units. *See* ZC §§14-208; 16-101(c)(2), 16-101(d)(1) (conditional use is a type of legislative authorization); 16-203, 16-402 (notice and posting requirements); 16-301 *et. seq.* (referral to certain City agencies, which are obligated to review the bill in a specified manner); 16-403 (limitations on the City Council’s ability to amend the bill); *see also* Md. Code Ann., Land Use Article, §10-303. Assuming all the procedural requirements are met, the Law Department approves this bill for form and legal sufficiency.

Sincerely,

Jennifer Landis
Special Assistant Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor’s Legislative Liaison
Elena DiPietro, Chief Solicitor
Hilary Ruley, Assistant Solicitor
Victor K. Tervalva, Assistant Solicitor



F/Comments