

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

April 16, 2012

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 12-0039 – Conditional Use Convalescent, Nursing, and  
Rest Home – 3549-3555 Old Frederick Road

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0039 for form and legal sufficiency. The bill permits the establishment, maintenance, and operation of a Convalescent, Nursing and Rest Home at 3549-3555 Old Frederick Road. This is the same as the bill introduced last session, 11-770, which was not able to pass before the end of the last term.

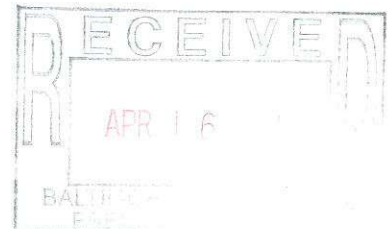
The property is zoned R-5. The conditional uses that require approval by ordinance in an R-5 zone include housing for the elderly. City Zoning Code ("ZC"), § 4-804. This bill is the required legislative authorization for this type of housing in this zone. A bill concerning a conditional use is classified as a "legislative authorization." ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill's passage. Specifically, certain notice requirements apply to the introduction of the bill. *See* ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. *See* ZC §§ 16-301, 16-302, 16-304. Additional public notice and hearing requirements also apply to the bill. *See* ZC § 16-402. Finally, certain limitations on the City Council's ability to amend the bill apply. *See* ZC § 16-403. Assuming all the procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.

Very truly yours,

A handwritten signature in blue ink that reads "Hilary Ruley".

Hilary Ruley  
Assistant Solicitor

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



*Comments*