

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



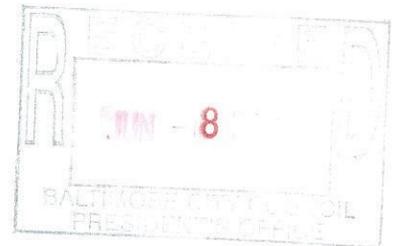
DEPARTMENT OF LAW

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

June 8, 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: Supplemental Report City Council Bill No. 11-0676 –Zoning –
Conditional Use Housing for the Elderly – 4300 Frederick Avenue

Dear President and City Council Members:

This is a supplemental Report from the Law Department. The Law Department has received a lot of conflicting information regarding the status of the properties at issue in City Council Bill 11-0676. There was some doubt as to whether the properties would be acquired as described and whether the City's Property Location Office would be able to assign the address designated in the bill. These issues have been clarified and although the consolidation process is not complete, everything is in place for this to happen as proposed by the Applicant.

Under these circumstances, the Law Department is prepared to approve the bill subject to an amendment. Since the consolidation process is not complete and 4300 Frederick Ave. does not exist at this time, the City Council the City Council can not grant the conditional use to 4300 Frederick Ave. To remedy this, the Law Department recommends that the bill be amended to insert in both the title of the bill and the body the current legal descriptions of the parcels as they exist in the records at this time. Those descriptions are:

WARD: 28 SECTION: 05 BLOCK: 8127A LOT: 001
WARD: 28 SECTION: 05 BLOCK: 8127A LOT: 002A

In addition, the Law Department was able to review the contents of the posting and the

F/A

City Council Bill 11-0676

June 8, 2011

Page 2

advertisement and determined that they both included references to the plat which accompanied the bill. The plat contained the correct descriptions of the property. Under thee circumstances, the Law Department is of the opinion that the notices are adequate to give reasonable people notice of what property was the subject of the legislation.

Subject to amendment as described above, the Law Department approves City Council Bill 10-0676 for form and legal sufficiency.

Sincerely yours,



Elena R. DiPietro
Chief Solicitor

cc: George A. Nilson, City Solicitor
Angela Gibson, City Council Liaison, Mayor's Office
Hilary Ruley
Ashlea Brown
Victor Tervalá

LAW DEPARTMENT AMENDMENTS TO CITY COUNCIL BILL 11-0676

1. In Line 3, before "4300" insert "**WARD: 28 SECTION: 05 BLOCK: 8127A LOT: 001 and
WARD: 28 SECTION: 05 BLOCK: 8127A LOT: 002A** to be known as"
2. In Line 14 before "4300" insert "**WARD: 28 SECTION: 05 BLOCK: 8127A LOT: 001 and
WARD: 28 SECTION: 05 BLOCK: 8127A LOT: 002A** to be known as" and after "Avenue"
insert "upon consolidation".