

Mr. Charles C. G. Evans, City Solicitor (cont'd)

This theatre was erected in 1914 pursuant to the authorization contained in Ordinance No. 445 approved May 29, 1914. The theatre was closed in 1917, at which time Thomas D. Goldberg, the owner of 3117-3119 W. North Avenue, opened the new Walbrook Theatre, which is on the north side of North Avenue not far from the "locus in quo". From 1917 to the present time the building has been vacant most of the time, but has been used occasionally for the storage of theatre supplies and equipment, and for the storage and light repair of automobiles.

I have investigated the property in question, and I find that it is in substantially its original form. The front is the same, the box offices are still there; the projection room is still intact; the heating plant used in the original theatre is the same, and the ceiling is the same. The seats have been removed, but the sloping concrete floor is, of course, still there.

As pointed out by Mr. Brooks in his letter, Ordinance No. 445 granted permission to Mr. Goldberg "to construct, remodel and convert the building on the present site known as No. 3107 W. North Avenue for the purpose of exhibiting motion picture shows, vaudeville and theatrical performances" The Property Location Division has advised Mr. Brooks that the property known as No. 3107 W. North Avenue in 1914 is now known as No. 3117-3119 W. North Avenue, so that the property involved in Ordinance No. 445 is the same property as that for which the present application for use as a motion picture theatre is made.

In my opinion there has been no substantial change in the property in question from the time of the approval of Ordinance No. 445, and if the building can be made structurally safe for the purpose, I see no reason why the Buildings Engineer should not issue a permit for its use as a motion picture theatre without another ordinance of the Mayor and City Council of Baltimore.

Respectfully submitted,

(signed) WILSON K. BARNES

Assistant City Solicitor

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