

Mayor

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February 11, 2019

Yahaya Bah & LaDoona McLean
Focus Recovery Center, LLC
107 Spring Street
Gaithersburg, MD 20877

Re: 19-034ZD: Zoning Determination 950 E. Patrick Street

Dear Mr. Bah & Ms. McLean:

In response to your letter dated December 24, 2018 and submitted January 14, 2019, Staff has prepared the following information:

The subject property (the "Property") is zoned Light Industrial (M1). Per Section 401, Table 401-1, of the Land Management Code (LMC), the M1 district is intended to provide for offices and those industrial activities which do not require special measures to control odor, dust or noise and which do not involve hazardous materials and whose environmental impact are contained within the property limits. The Property is also located within the Airport Overlay,(AO) which is designated for lands around the Frederick Municipal Airport to control land uses to address safety issues and to notify contract purchasers of noise and other impacts on lands near the Airport. The site is surrounded by Light Industrial (M1) zoning to the north, west and east and General Commercial (GC) zoning is located to the south of the Property.

The leased area in question is located on a 10 acre site identified as the Patrick East Business Center. There are four buildings on the site and access to the site is from both E. Patrick Street and Monocacy Boulevard. Your determination has requested confirmation that the specific use of an outpatient substance use disorder medication assisted treatment program facility is permitted as a tenant at this location. Table 404-1 of the LMC, the Use Matrix, outlines permitted uses within the M1 zoning district. The proposed use is best classified as "Offices, Business and Professional" which are permitted "by-right in the M1 zoning district.

Based on the last approved final site plan, Case PC02-108FSI, Buildings 1 and 2 were constructed prior to 1988. State Tax Assessment records indicate that construction on the Property occurred as early as 1986, although this date cannot be confirmed for the specific leased space. As such, the Property was developed prior to the adoption of the LMC which occurred in 2005 and there may be features of the site which are nonconforming. A complete

site inspection of the Property was not conducted as part of this evaluation and therefore, Staff cannot confirm compliance with all applicable standards of the LMC. Per Section 900, nonconforming features may be continued provided that no action shall be taken that increases the degree or extent of the nonconforming feature. Any enlargement, extension or structural alteration shall conform to all current requirements of this Code. In addition, per Section 902(d), in all districts, excluding Downtown Commercial/Residential (DB), Downtown Residential (DR) and Downtown Office Commercial (DBO), any building that is destroyed, damaged, or deteriorated by any means to the extent of 50 percent or more of its market value, or if relocated, no such structure shall be reconstructed or relocated except in conformance with the LMC.

There are no open zoning or building code violations on record at this time.

If you have any further questions please don't hesitate to contact me at (301) 600-3187 or tbutler@cityoffrederick.com.

The purpose of the service provided by the Zoning Administrator regarding determinations/interpretations is to identify the zoning of a particular property, to verify that a use is permitted or permissible in a specific Zoning District and to clarify and interpret the Land Management Code. Any questions regarding specific regulations and requirements for a site or sites' compliance with the Land Management Code not addressed in this letter shall not be the responsibility of the Zoning Administrator. It is the responsibility of the applicant, property owner and/or property purchaser to review the project site plan and the Land Management Code for compliance.

This determination applies solely to the referenced property and is not binding upon the City, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property. Please be advised that any person aggrieved, or any officer, department or agency of The City of Frederick affected by an order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of the provisions of the Land Management Code may appeal said decision within thirty days to the Zoning Board of Appeals.

Sincerely,



Tierre Butler
City Planner

In Concurrence,



Joseph A. Adkins, AICP
Zoning Administrator/ Deputy Director for
Planning

cc: Gabrielle Collard, Division Manager of Current Planning

19-034

Yahya Bah and LaDonna McLean
107 Spring Street
Gaithersburg, MD 20877
Cell: 240-707-4780 Email: focus recoverycenter@gmail.com

December 24, 2018

Mr. Joe Atkin
City of Frederick Planning Department
140 West Patrick Street
Frederick, MD 21701

Dear Mr. Joe Atkin,

This letter is to verify zoning of operation/ occupancy for the property located at 95 Monocacy Blvd, Suite B18, Frederick Maryland. The approximent 2,080 SF space will be for commercial use and the realtor has advised that it is classified M1 zoning.

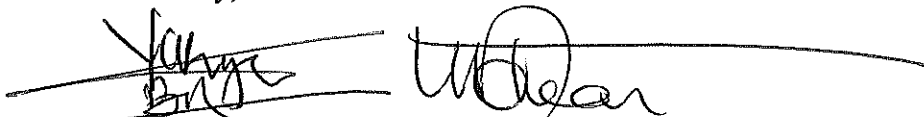
The use of this property will be used as an Outpatient Substance Use Disorder Medication Assisted Treatment Program (Focus Recovery Center, LLC.)

Focus Recovery Center, LLC. (FRC) is a partnership owned by Yahya Bah and LaDonna McLean established in 2017. Combined we have over 30 years of professional experience treating clients that have Substance Use Disorders throughout the State of MD.

Our goal is to provide the FRC client with a healthy environment that promotes a positive treatment experience through medication, information and collaborative care.

Our Tax ID number and LLC certificate information are available upon request.

Sincerely,



Yahya Bah and LaDonna McLean

cc: Jessica Murphy