

Mayor

Michael C. O'Connor



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February 25, 2019

Fracassi, Mahdavi, Sissman, and Rand  
C/O Lachina Dovodova  
8133 Leesburg Pike, Suite 400  
Tysons Corner, VA 22182

**RE: 19-145ZD: Zoning Determination for 100 Baughmans Lane, Frederick, MD 21701**

Ms. Dovodova:

In response to your letter dated February 14, 2019, Staff has prepared the following information:

The subject property (the "Property") is zoned General Commercial (GC). Per Section 401, Table 401-1 of the *Land Management Code* (LMC), the purpose and intent of the GC district is "to provide for a variety of retail use and services in free-standing parcels or shopping centers to serve the community's general commercial needs... applied at appropriate locations that conveniently meet these needs; conform to the goals, objectives and policies and locational criteria of the *Comprehensive Plan*; are compatible with the surrounding land uses and zoning districts; do not adversely impact the facilities and services of the City; do not set a precedent for the introduction of inappropriate uses into an area; and do not encourage non-residential strip development along streets." The Property is also partially covered by the Highway Noise Overlay (HNO), which "establishes setback, lot and structure design standards for 'noise impacted residential uses' from certain highways."

State records indicate that the structure on the Property was constructed in 1973. At the time of the building's construction, the Property was zoned General Business (B-3), as depicted on the City's 1962 and 1982 Zoning Maps. During the City's 2005 comprehensive rezoning, the Property was rezoned to the General Commercial (GC) designation. The Board of Aldermen adopted the City's LMC by Ordinance G-05-12, under which the provisions of the current zoning regulations are codified. Any features, structures, parking, signs, or uses present on the Property which do not conform to the current LMC but were in conformance with the prevailing regulations at the time they were established are subject to Article 9, *Nonconforming Uses, Vested Rights, and Scope of Approvals*. Any proposed development or redevelopment of the Property will be subject to the regulations of the current LMC, as amended.

While a site inspection was not conducted by City Staff for the purposes of this letter, the City's database shows no open code enforcement cases pending for the Property. According to our records, there have been code enforcement violations issued on the Property in the past concerning Property Maintenance and City Code violations, including:

- CE-11-00291, "CC004 Snow & Ice (sidewalks) 22-16"
- CE-18-00486, "PMC041 Rubbish and Garbage (Int & Ext) 308.1"

All prior code enforcement cases, as of the date of this letter, are closed. For more information regarding these violations, please contact the City's Code Enforcement office at (301) 600-3825.

If you have any further questions please don't hesitate to call me at (301) 600-1770 or email me at [mbrown@cityoffrederick.com](mailto:mbrown@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,



J. Marshall Brown, AICP  
City Planner

In Concurrence,



Joseph A. Adkins, AICP  
Deputy Director for Planning

CC: Gabrielle Collard, Division Manager of Current Planning



19-145

8133 LEESBURG PIKE  
SUITE 400  
TYSONS CORNER, VIRGINIA 22182

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February 14, 2019

**BY HAND DELIVERY**

Planning and Zoning Department  
City of Frederick  
140 W. Patrick Street  
Frederick, Maryland 21701

**RE: Property: 100 Baughmans Lane, Frederick  
Maryland 21701 ("Property")**

To Whom It May Concern:

This firm represents SRB Properties, LLC with respect to a potential purchase of the aforementioned Property.

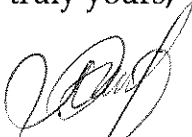
Please accept this letter as a written request for a zoning determination letter addressing zoning matters related to the Property. Please be advised that although this Property has the postal service address of 100 Baughmans Lane, Frederick, Maryland 21701, it is known as 102 Baughmans Lane, Frederick, Maryland with the parcel ID 02191423 for tax purposes. A copy of the Real Property Tax Assessment referencing this Property is attached for your information. Attached also is a copy of the plat. The is identified on the plat as Lot 5.

In addition, in the zoning determination letter, please include any and all violations, zoning or otherwise, resolved or unresolved, pertaining to the Property.

If you have any questions, please do not hesitate to contact me.

Planning and Zoning Department  
February 14, 2019  
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Very truly yours,

A handwritten signature in black ink, appearing to be 'Lachina Dovodova', written in a cursive style.

Lachina Dovodova

Real Property Data Search ( w4)

Search Result for FREDERICK COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration					
Tax Exempt: Exempt Class:		Special Tax Recapture: NONE							
Account Identifier:		District - 02 Account Number - 191423							
Owner Information									
Owner Name:		WEINBERG DANYCE LLC WEINBERG ALDAN LLC		Use: Principal Residence: COMMERCIAL NO					
Mailing Address:		6140 JEFFERSON BLVD P O BOX 16 BRADDOCK HEIGHTS MD 21714-0016		Deed Reference: /08507/ 00120					
Location & Structure Information									
Premises Address: 100 <del>702</del> BAUGHMANS LN FREDERICK 21701-0000			Legal Description: ✓ LOT 5 SECTION 1 3.471 ACRES WEINBERG SUB.						
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0412	0005	1770		0000	1		5	2018	Plat Ref: 0053/ 0183
Special Tax Areas:			Town:		FREDERICK CITY				
			Ad Valorem:		104				
			Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1973		13710				3.4700 AC		000000	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
		CINEMA							
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2018		07/01/2018		07/01/2019	
Land:		875,000		741,100					
Improvements		423,600		361,500					
Total:		1,298,600		1,102,600		1,102,600		1,102,600	
Preferential Land:		0						0	
Transfer Information									
Seller: HUFFMAN DANYCE W & Type: NON-ARMS LENGTH OTHER			Date: 09/12/2011 Deed1: /08507/ 00120			Price: \$0 Deed2:			
Seller: WEINBERG, DAN-ESTATE Type: NON-ARMS LENGTH OTHER			Date: 12/20/1999 Deed1: /02663/ 00843			Price: \$0 Deed2:			
Seller:			Date:			Price:			
Type:			Deed1:			Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:				Special Tax Recapture:					
Exempt Class:				NONE					

