

Mayor

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July 24, 2019

Lisa White
New World Title Company, LLC
1407 York Road
Lutherville, MD 21093

Re: 19-755ZD, Zoning Determination, 321 Ballenger Center Drive

Dear Ms. White:

In response to your letter dated July 19, 2019, Staff has prepared the following information:

The subject property, 321 Ballenger Center Drive (the "Property"), is zoned MO (Manufacturing/Office). The Property is also located within the HNO (Highway Noise) Overlay District. Per Section 401, Table 401-1 of the Land Management Code (LMC), The MO district is intended to provide a park-like setting for a community of industries, having no nuisance factors as a means of protecting investments within the district, and reducing the impact of industrial uses on surrounding districts. Though leeway is provided concerning the type of industry permitted within the district the appearance and means of operation shall be scrutinized and compared to the performance standards of the Code. The HNO overlay district establishes setback, lot and structure design standards for "noise impacted residential uses" from certain highways.

Uses that would be allowed in the MO district can be found in Table 404-1, the *Use Matrix* in the LMC. The LMC can be found online at www.cityoffrederick.com. Examples of these uses include business and professional offices, hotels/motels, laboratories and testing offices in conjunction with scientific or industrial research and development, newspaper printing, electronic equipment assembly and production, appliances assembly production, etc.

There is a previously approved site plan (PC00-104FSI) for the Property that was approved in 2001 in accordance with the 1986 Zoning Ordinance, which was in affect prior to the adoption of the LMC in 2005. Therefore, there may be structures or features of the site that do not conform to the standards of the LMC and may be deemed nonconforming, provided that they were established in accordance with the regulations in

place at the time of approval. Article 9 of the LMC regulates nonconforming features and structures and generally, allows those elements to persist provided that there are no structural alterations that have the effect of more firmly establishing or intensifying the nonconformity.


There are no regulatory or building code violations pending on the Property at this time.

If you have any further questions please don't hesitate to contact me at (301) 600-4588 or skelly@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,


Sherry Kelly, AICP
City Planner

In Concurrence,


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

cc: Gabrielle Collard, Division Manager of Current Planning

New World Title Company, LLC

Galleria Atrium, Suite 304
1407 York Road
Lutherville, Maryland 21093

Lisa White, Closing Coordinator

Lisa@MylesTitle.com

Direct Dial: 410-842-6347

Direct Fax: 410-296-0068

July 19, 2019
VIA OVERNIGHT MAIL

The City of Frederick Maryland
Attn: Joe Adkins, AICP, Deputy Director of Planning
140 West Patrick Street
Frederick, MD 21701
301-600-1499
CC: Jessica Murphy

Re: Request for zoning compliance letter
321 Ballenger Center Drive
Frederick County Tax ID Number 02-232464
Our file 1930760

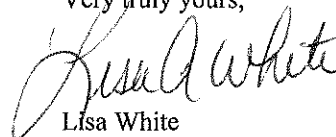
To Whom It May Concern,

Please consider this a request for a zoning compliance letter one the above mentioned property. I have also enclosed our company's check in the amount of \$200.00 payable to City of Frederick as required to issue said letter. Our office is handling a settlement on the above mentioned property and I am writing today to respectfully request a zoning compliance letter be issued as soon as possible to the following parties:

321 Ballenger Owner, LLC, a Maryland limited liability company, 7061 Deepage Drive, Suite 207, Columbia, MD 21045;
Westcor Land Title Insurance Company, 875 Concourse Parkway South, Suite 200, Maitland, FL 32751; and
New World Title Company, LLC, 1407 York Road, Suite 304, Lutherville, MD 21093.

I have included a UPS envelope addressed to our office to be used to send the zoning letters to me. Please contact me if any further information is needed to process this request. Thank you for your consideration in this matter.

Very truly yours,



Lisa White

Enclosures