



FREDERICK

PLANNING

November 17, 2022

Shawn Rexroad
Royer Cooper Cohen Braunfeld, LLC
Two Logan Square
100 North 18th Street, Suite 710
Philadelphia, PA 19103

Re: 22-982ZD, Zoning Determination, 1220 W. Patrick Street

Dear Mr. Rexroad:

In response to your letter dated October 18, 2022, Staff has prepared the following information:

The subject property, 1220 W. Patrick Street (the "Property"), is zoned General Commercial (GC). Per Section 401, Table 401-1 of the Land Management Code (LMC), the purpose of this 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. This district shall only be 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 within the Highway Noise Overlay (HNO). This overlay district establishes setback, lot, and structure design standards for "noise impacted residential uses" from certain highways.

A restaurant-general or fast food is a permitted use in the GC district. There are no current violations for the Property at this time.

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

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
Deputy Director for Planning/Zoning
Administrator

cc: Gabrielle Collard, Division Manager of Current Planning



Royer Cooper
Cohen Braunfeld LLC

Shawn Rexroad
Associate
Tel. 267-546-0206
Email: srexroad@rcblaw.com

October 18, 2022

Via Electronic Mail

Gabrielle Collard
Division Manager of Current Planning
City of Frederick County Planning Department
Municipal Annex
140 West Patrick Street
Frederick, Maryland 21701

RE: Zoning Verification for 1220 W Patrick Street, Frederick, MD 21704, Tax Parcel ID 02-017555 (the "Property")

Dear Ms. Collard:

This Firm represents 1220 W Patrick LLC, the owner of the Property. I am writing to respectfully request a Zoning Verification Letter for the Property. Specifically, I am requesting 1) a confirmation of the Property's zoning classification, 2) that operation of a restaurant at the Property is a permitted use, and 3) that there are no known zoning violation currently existing at the Property.

Kindly email the Zoning Verification Letter to the undersigned at srexroad@rcblaw.com when it is completed. Should you have any questions, please do not hesitate to contact me at (443) 278-3892 or the email address above.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Rexroad'.

Shawn Rexroad

SR: