



FREDERICK

PLANNING

July 27, 2023

The Law offices of Kirk Halpin & Associates
c/o Abigail Allen
6100 Day Long Lane
Suite 100
Clarksville, MD
21029

Re: PZ-23-00632: 107 Storage Way

Dear Ms. Allen:

In response to your letter dated June 19, 2023, Staff has prepared the following information:

1. The property located at 107 Storage Way is zoned GC, General Commercial. The purpose of this zone 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.”* Fast food restaurants, such as a Dunkin Donuts/Baskin Robins restaurant with drive-through service is permitted in the GC zone by right.
2. This property is located within the Highway Noise overlay, which indicates that you may have higher than normal noise from the close proximity of this site to I-70 (see Section 422 of the LMC).
3. This property is also located with the Airport Overlay District, which will require additional steps in the development review process, including submitting a Notice

for construction to the Federal Aviation Administration and the Maryland Aviation Administration (see Section 419 of the LMC).

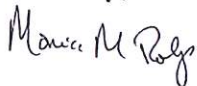
4. The Property is a parcel of land known as Parcel 1086 on tax map 077C.
5. There are no outstanding zoning or code violations currently pending or known to be in existence with regard to the property. No permits have been issued to this address.
6. A sketch plan was recently submitted and given the case number 23-786. This plan is currently under City review by Planner Sharon Suarez.

If you have any further questions please don't hesitate to contact me at (301) 600-1770 or mrobyns@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,



Monica Robyns
City Planner

In Concurrence,



Joseph A. Adkins, AICP
Deputy Director for Planning

cc: Gabrielle Collard, Division Manager of Current Planning



The Law Offices of
Kirk Halpin & Associates, P.A.

Kirk Halpin, Managing Partner
e-mail: kirk@halpinlawfirm.com

6100 Day Long Lane, Suite 100
Clarksville, Maryland 21029
Tel: (410) 531-1700
Fax: (410) 531-9009
Website: halpinlawfirm.com

June 19, 2023

VIA EMAIL zbadigital@cityoffrederickmd.gov
Citizen Portal Account Name: Abigail Allen, abbi@halpinlawfirm.com

Mr. Joe Adkins
Deputy Director for Planning, Department of Planning
City of Frederick
140 W. Patrick Street
Frederick, Maryland 21701-5415

Re: 107 Storage Way, Frederick, MD 21701, Parcel 1086, Tax Map 077C (the "Property")

Dear Mr. Adkins:

We represent MKSP, LLC, the potential developer of the Property, which is located on Storage Way, near the intersection of Monocacy Boulevard and East Patrick Street, in the City of Frederick and comprises 0.958± acres. The Property is undeveloped land. We request that the City advise us on the current status of the Property relative to the City of Frederick Zoning Ordinance, and other land use policies, guidelines, regulations, and laws in effect which would regulate the development of a quick service restaurant with one or more drive-thrus on the Property.

Specifically, we would like confirmation of the following:

1. The Property is zoned GC, General Commercial under the City of Frederick Zoning Ordinance, which permits use as a Dunkin Donuts / Baskin Robbins quick service restaurant with one or more drive-thrus by right subject to site plan and zoning certificate approval.
2. The Property is a parcel of land known as Parcel 1086 on tax map 077C.
3. There are no outstanding zoning or code violations currently pending or known to be in existence with regard to the property.

We will pay the fee online at the Citizen Access Portal via credit card in the amount of Two Hundred Dollars (\$200.00) for processing this request. We would appreciate your response as

soon as possible so that our client can move forward with developing the Property. Please contact me if you have any questions or need additional information.

Very truly yours,
The Law Offices of Kirk Halpin & Associates, P.A.

By: Abigail Allen
Abigail Allen, Law Clerk

Citizen Portal Account Name: Abigail Allen
abbi@halpinlawfirm.com