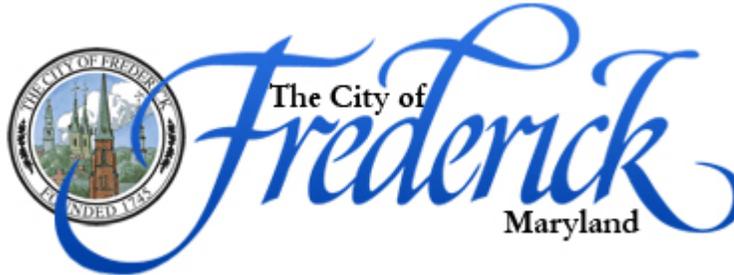


Mayor

Michael C. O'Connor



Aldermen

Kelly Russell
President Pro Tem

Derek T. Shackelford

Roger A. Wilson

Donna Kuzemchak

Ben MacShane

January 16, 2019

Secretary of Housing and Urban Development
c/o Baltimore Office
Bank of America Building, Tower II
100 South Charles Street, 5th Floor
Baltimore, MD 21201

M&T Realty Capital Corporation
One Light Street, 12th Floor
Baltimore, MD 21202

Re: 19-24ZD Zoning Determination: East of Market Phase II

Dear Sirs:

In response to the request dated January 3, 2019, Staff has prepared the following information:

1. The subject property, Lot 2, Section One on a plat entitled, *Lot 1R- Northampton Manor, Lot 2, Section One -- East of Market Phase 2* recorded in Plat Book 101, Page 99, is zoned R16 (High Density Residential), under the Official Zoning Map. The R16 zone permits single-family, duplex, two-family and multi-family units with a maximum of 16 dwelling units per acre under the Land Management Code (LMC) which was adopted in 2005. The Property is also within the Wellhead Protection Overlay (WHO) district.
2. A Final Site Plan (PC17-429FSI) received unconditional approval on May 22, 2018, for one building with 49 multi-family units along North East Street with access through East 14th Street (Lot 201); the Preliminary Plat (PC17-428PSU) received unconditional approval on May 24, 2018 to create the 3.07-acre lot; and the Final Plat (STF18-290FSU) was recorded on December 6, 2018.
3. Staff has no knowledge of any citations or violations in regard to the subject property and most probable there should be no violations since this is raw land in the predevelopment stage.

If you have any further questions please don't hesitate to call me at (301) 600-1718 or email me at preppert@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,

In Concurrence,

Pam Reppert
City Planner

Joe Adkins
Deputy Director for Planning/Zoning
Administrator

Cc: ZBA File



1/3/18

City of Frederick Planning Department
Attn: Joe Adkins, Deputy Director for Planning
140 West Patrick St.
Frederick, MD 21701

Re: Request for Zoning Letter of Approval (East of Market Phase II)

Dear Mr. Adkins

The Duffie Companies, who are the Developers of East of Market Phase I, are currently undergoing the HUD loan application process for the second phase of this development, East of Market Phase II. As part of the approval process, HUD and M&T are requesting a letter of zoning approval from the City of Frederick.

The letter should outline the zoning classification under the current Land Management Code as well as its permitted uses. References to previously approved subdivision and site plans should also be included. Finally, confirmation that staff has no knowledge of any citations or violations regarding the subject property should sufficiently close out the letter.

Enclosed as reference is a previously accepted Zoning Approval Letter which both HUD and M&T have found acceptable. Please note that both HUD and M&T have changed addresses since the reference letter was drafted. Please see the updated addresses below.

A letter similar in nature to the attached should sufficiently meet their requirements. Additionally enclosed is a check in the amount of \$200 made out to the City of Frederick for the drafting of the approval letter.

If you have any questions, concerns or need further clarity, please feel free to reach out to me and I will be happy to provide any information that I can.

Respectfully,

Goyer Roberts
Development Manager
Ralph J. Duffie, Inc.
(240) 638-1279

Updated Addresses

U.S. Department of Housing and Urban Development

Baltimore Office

Bank of America Building, Tower II

100 South Charles Street, 5th Floor

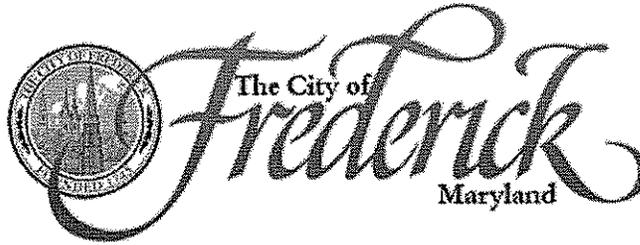
Baltimore, MD 21201

M & T Realty Capital Corporation

One Light Street, 12th Floor

Baltimore, Maryland 21202

Randy McClement
Mayor



Aldermen

Karen Lewis Young
President Pro Tem

Michael C. O'Connor
Shelley M. Aloj
Carol L. Krimm
Kelly M. Russell

July 3, 2013

Secretary of Housing and Urban Development
c/o Baltimore Multi-family Program Center
10 S. Howard Street, 5th Floor
Baltimore, MD 21201

M&T Realty Capital Corporation
25 S. Charles Street, 22nd Floor
Baltimore, MD 21201

**Re: 13-480ZD Zoning Determination: Canterbury Station Apartments
North East Street and East 14th Street**

Dear Sirs:

In response to the request dated July 1, 2013, Staff has prepared the following information:

1. The subject property is part of the Canterbury Station subdivision which initially contained two (2) Euclidean zones, R5 and R6 (High Density Residential), under the 1986 Zoning Ordinance. The subject property, Lot 201, was zoned R5. The High Density zones permitted single-family, duplex, two-family and multi-family dwellings. Currently, the entire Canterbury Station subdivision is zoned R16 (High Density Residential) which permits 16 dwelling units per acre and is the comparable zoning classification under the Land Management Code (LMC) which was adopted in 2005. The property is also within the Wellhead Protection Overlay (WHO) zoning district.
2. The Planning Commission approved the Preliminary Subdivision Plan (PC09-344PSU) and the Final Site Plan (PC09-346FSI) on December 14, 2009, for 160 multi-family units at the North East Street and East 14th Street location (Lot 201). The proposed five (5) multi-family buildings are not to exceed 60 feet in height. A clubhouse and pool is also planned on Lot 201 as associated amenities.

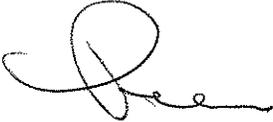
3. Staff has no knowledge of any citations or violations in regard to the subject property and most probable there should be no violations since this is raw land in the predevelopment stage.

If you have any further questions please don't hesitate to call me at (301) 600-1718 or email me at preppert@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,



Pam Reppert
City Planner

In Concurrence,



Gabrielle Dunn
Division Manager of Current Planning

Cc: ZBA File