



FREDERICK

PLANNING

January 25, 2022

Jamie Noriega
Partner Engineering and Science Inc.
1141 W Sheridan Ave, 1st floor, Suite A
Oklahoma City, OK 73106

Re: 22-20ZD Zoning Determination: 8908 Gas House Pike – Parcel 3

Dear Ms. Noriega:

In response to your letter received on January 12, 2022, Staff has prepared the following information:

The subject property was annexed on October 19, 2017, in accordance with Resolution 17-20 as part of 327 acres of Frederick County farmland. The annexation area comprised of three Parcels:

1. Tax Map 68, Parcel 3- 165.309 acres
2. Tax Map 68, Parcel 5- 104.952
3. Tax Map 68, Parcel 47- 116.929 acres

Parcels 3 and 5 are located on the north side of Gas House Pike and were zoned M-1 (Light Industrial) and fall within the AO (Airport Overlay). A Deed of Perpetual Easement has been executed and recorded on July 20, 2021 (L.15106, F. 358-367) containing an exhibit to demonstrate the protected airspace limits.

A final plat (STF21-498FSU) was recorded on November 30, 2021 (Bk 106/Pg 149) to transfer land area from Parcel 5 to Parcel 3 for a new Parcel 3 total of 133.06 acres, the subject property at 8908 Gas House Pike.

A Preliminary Plat (PC21-205PSU) was conditionally approved by the Planning Commission on July 29, 2021, proposing to subdivide the 327 acres into three lots, containing subject property as Lot 1. The property is not part of a planned development. A site plan (PC21-206FSI) was conditionally approved for the Lot 1 property on July 29, 2021, in accordance with the 2005 Land Management Code (LMC) and all applicable City

regulations. The site plan proposed to construct a 638,985 s.f. distribution center consisting of offices and logistics/warehouse space as permitted in the M-1 zone. With the site plan approval, a modification to Section 605, Table 605-6 to the minimum percentage of interior parking lot landscaping requirement was approved. The site plan contains no off-street parking and complies with LMC Table 405-1 *Dimensional Regulations*. There are no variances or special exceptions associated with the site plan approval.

The Historic Preservation Commission reviewed the request for demolition in April of 2021 (case 21-332) and found that the site did not warrant designation with a Historic Preservation Overlay (HPO) and therefore, demolition without delay was granted on April 9, 2021, for all the applicable structures requested on site.

Per LMC Section 902 *Nonconforming Structures*, in all other districts except DB, DBO and DR zones, “any building destroyed, damaged, or deteriorated by any means to the extent of 50 percent or more of its market value, or if relocated, no such structure shall be reconstructed or relocated except in conformance with this Code.”

To staff’s knowledge there are no outstanding fire, building or zoning violations associated with the property.

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

Pam Reppert
Pam Reppert
Planner III

In Concurrence,


Joseph A. Adkins, AICP
Deputy Director for Planning

January 12, 2022

City of Frederick

Subject: Zoning Verification Letter

To whom it may concern,

I would like to request a Zoning Verification Letter for the following property:

Property Name:	Frederick Site
Property Address:	8908 Gas House Pike Frederick, Maryland 217021
Parcel Number:	1113296243, 1113302456
Project Number:	22-353265.2

Please include as much of the following information as possible, or how to obtain the following:

- Subject property Zoning District and any Overlay Districts
- Open Zoning Code Violations and/or Notices-of-Violation
- If the property is a Planned Development, please include development approvals, resolutions, and ordinances
- Information on Area Regulations:
 - Front, Rear and Side Yard Setbacks / Minimum Width, Depth / Density and Lot Area
 - Maximum Impervious Lot Coverage / Maximum Floor Area Ratio / Height and Stories
- Any known variances, special exceptions, or conditions
- If the current use is Permitted
 - If the property was approved with a Conditional or Special Use Permit, please provide a copy
- Required off-street parking regulations
- Site/zone development requirements
- Legal Nonconforming issues and regulations on rebuilding after damage and destruction

Upon completion of the letter, please email a copy to Jnoriega@partneresi.com. If you have any questions or concerns, please do not hesitate to contact us. Thank you!

Addressed to:

Jamie Noriega

Partner Engineering and Science, Inc.

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