

**FREDERICK COUNTY BOARD OF APPEALS**  
**STAFF REPORT FOR MARCH 28, 2019 @ 7pm**

**Case Number:** **B-19-08, AP 19187**

**Appellant:** **Frey Family LLC**

**Appeal:** **County Lot of Record Determination in accordance with Section 1-19-11.100, Section 1-19-2.140 and Section 1-19-2.150 and Section 1-19-3.230 of the Frederick County Zoning Ordinance.**

**Location:** **Property described as Emerson Burrier Road, Tax Map 60, Parcel 30, Tax ID 19-387534, Zoned Agricultural (AG), 225.48. Acres**

**Planning Region:** **Frederick**

**Zoning District:** **Agricultural (A)**

**Comp. Plan Designation:** **Natural Resource and Agriculture/Rural**

**Applicable Ordinances:** **Sec. 1-19-3.230 Appeals  
Sec. 1-19-2.140 Questions of Interpretation and Enforcement  
Sec. 1-19-2.150 Board of Appeals  
Sec. 1-19-11.100 Definitions**

**Background:**

The Appellants is appealing a County Lot of Record Determination letter from Steven C. Horn, Planning and Permitting Division Director, dated December 18, 2018 determining that the lot was a single lot of record in accordance with Section 1-19-2.140 and Section 1-19-2.150 of the Frederick County Zoning Ordinance.

On December 18, 2018, the Director of the Division of Planning and Permitting sent a determination letter to the Appellant's attorneys, stating that staff cannot agree with the arguments and conclusions offered, and confirmed the determination that the Property is a single lot of record. [See Appellant's Exhibit D.] The Appellant filed a timely appeal of this determination with the Board of Appeals in accordance with Section 1-19-2.150 of the Zoning Ordinance.

**Action Needed:**

Staff requests that the Board review the request for Appeal as per Sections 1-19-3.230 (Appeals) and render a decision on the Appellant's request.

**Submission:**

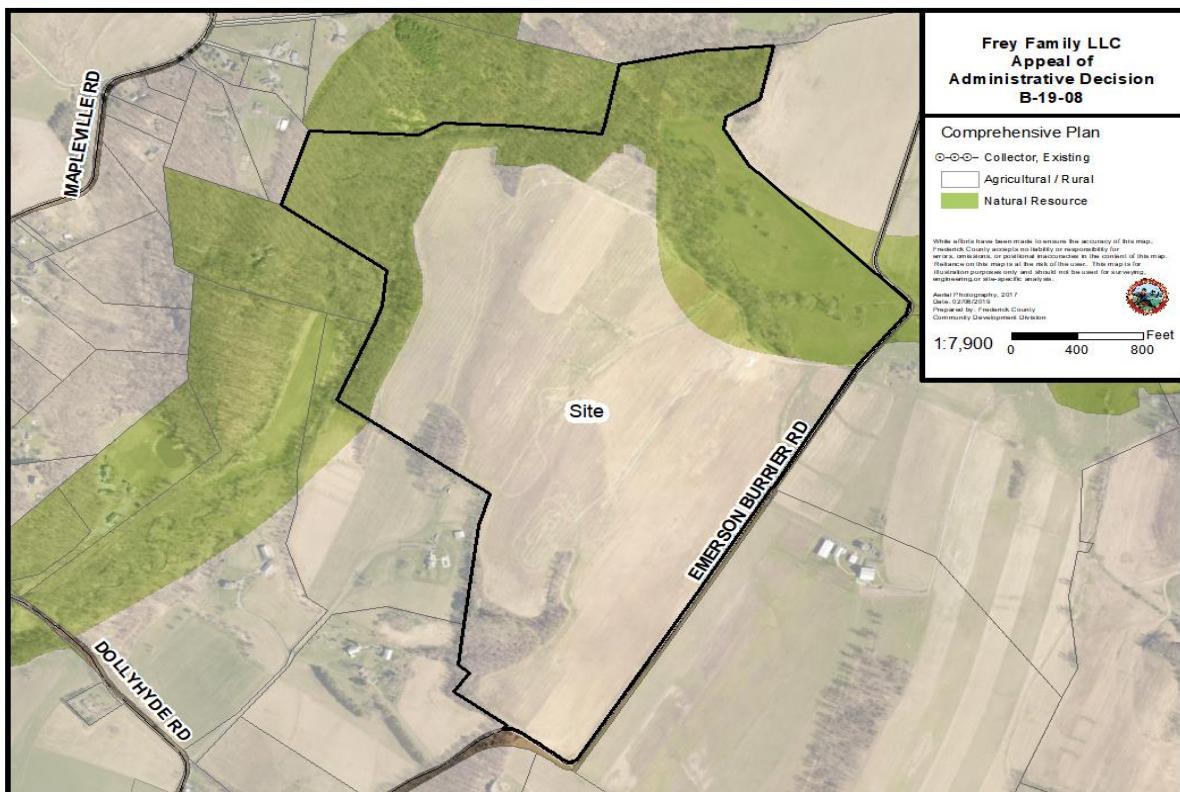
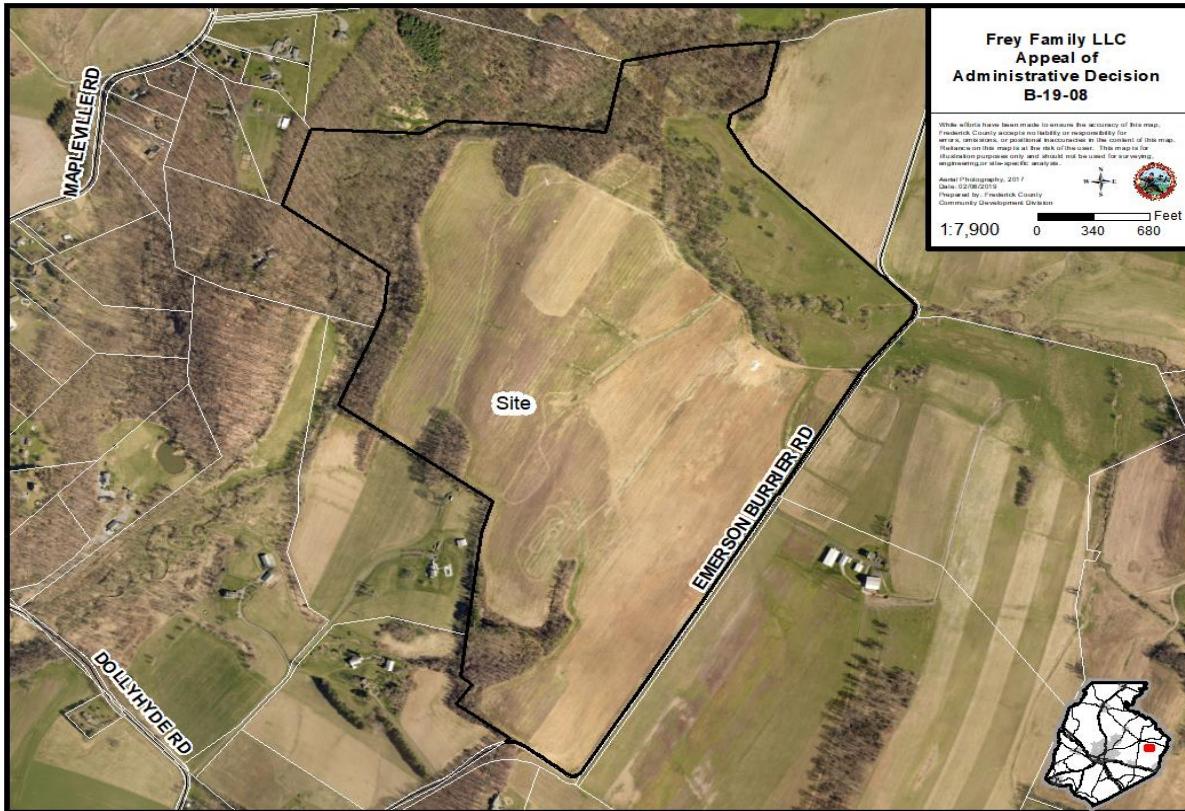
1. Memorandum from Kathy L. Mitchell, Assistant County Attorney
2. Memorandum and Attachments signed by:

Ran D. Weinberg, Miles and Stockbridge

Noel S. Manalo, Miles and Stockbridge

Kelly E. Lynch, Miles and Stockbridge

## Site Maps:



## Site Maps (cont.)

