

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:

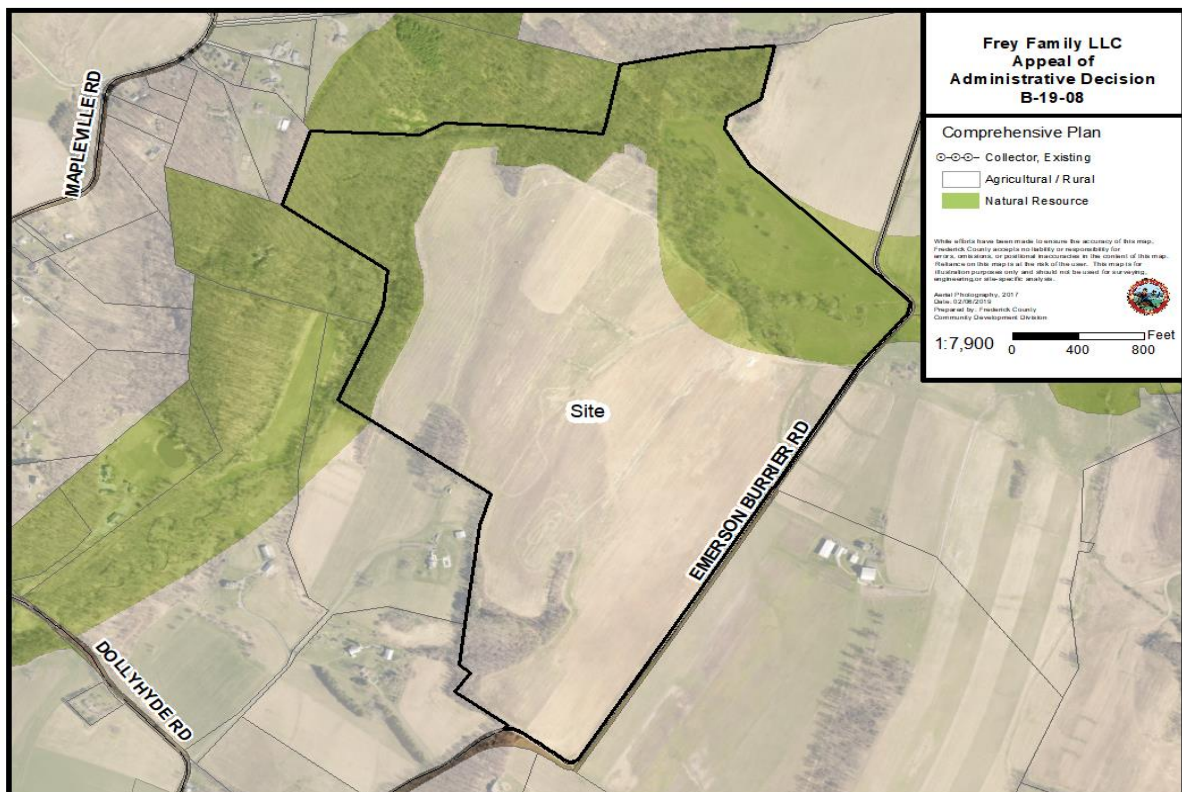
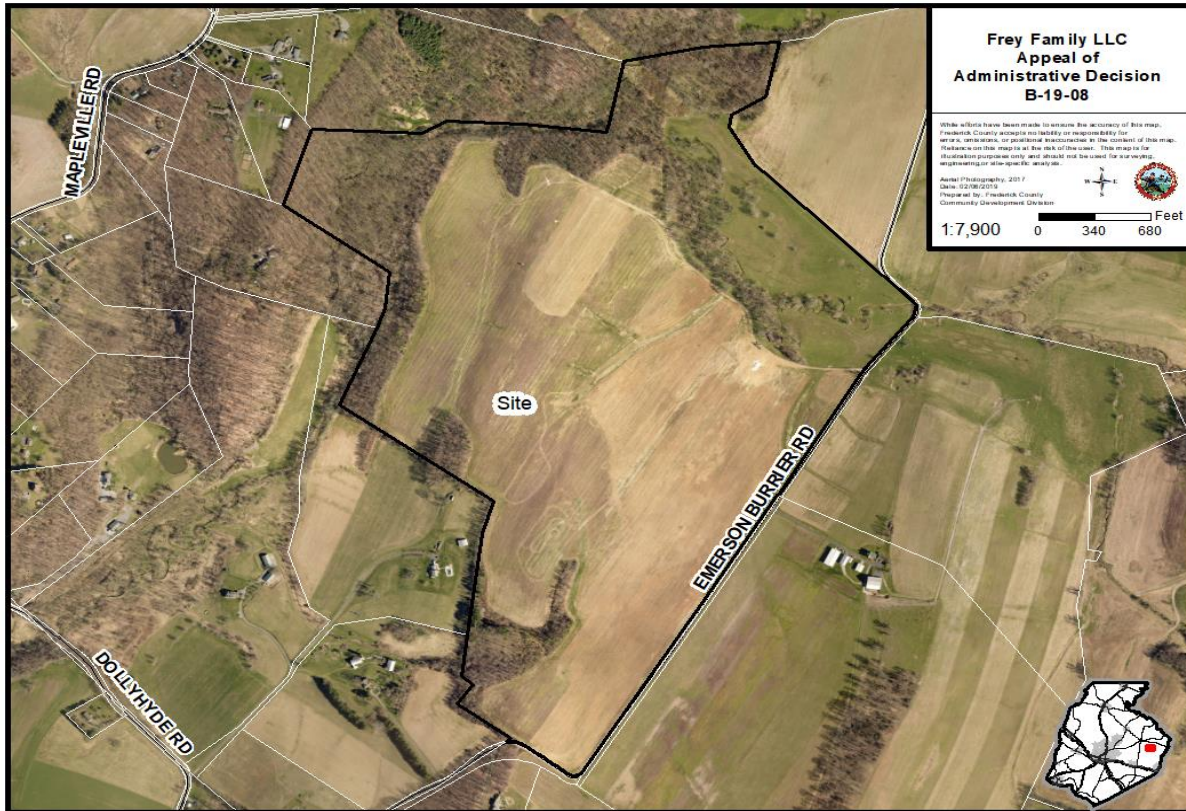
1. Memorandum from Kathy L. Mitchell, Assistant County Attorney
2. Memorandum and Attachments signed by:

Ran D. Weinberg, Miles and Stockbridge

Noel S. Manalo, Miles and Stockbridge

Kelly E. Lynch, Miles and Stockbridge

Site Maps:



Site Maps (cont.)

