

April 2018

Frederick County Division of Planning & Permitting  
**Zoning Map Amendment**  
**Application Instructions and Procedures**

Applications for zoning map amendments, including applications for floating zones and Euclidean zones may be submitted at any time during the year. All application material should be submitted to the Frederick County Division of Planning & Permitting, 30 N. Market St., Frederick.

**Prior to, at least 24 hours, the full submission please provide Development Review either by fax (301-600-1645) or email [DevelopmentReviewIntake@FrederickCountyMD.gov](mailto:DevelopmentReviewIntake@FrederickCountyMD.gov) the application form only to verify the correct fees. For any questions contact Development Review at 301-600-1138.**

**Required Application Material:** Refer to Zoning Ordinance: *Section 1-19-3.110.2 APPLICATION*

Provide one hard copy original, a PDF (emailed, CD, or thumb drive), and 20 hard copies of the entire application

1. Application Form: should be included with each copy of the complete application.
2. Applicant Disclosure Form: need only submit one (1) original.
3. Fees: must accompany application submission. Check made payable to *Treasurer of Frederick County*
4. Ownership Verification: Applicant must be owner or contract purchaser. If contract purchaser, submit copy of contract.
5. Names and Address of All Adjoining and Confronting Property Owners: List of ALL adjoining/confronting property owners, whether or not separated by streets, railroad, or other rights-of-way. MUST HAVE HOUSE NUMBERS OR P.O. NUMBERS and must be obtained from the latest Frederick County Property Assessment Records.
6. Boundary Plat: Plat must be prepared and sealed by a registered surveyor and certified to be the correct metes and bounds (courses and distances) of the land proposed to be rezoned.
7. Vicinity Map: Provide a **page size** vicinity map showing existing zoning for an area within 1,000 feet of the subject property. Can be incorporated into the justification statement.
8. Justification Statement: A written explanation of the reasons why the map amendment is sought should be submitted, setting forth in sufficient detail to the justification for the rezoning change. Applications for PUD or MXD floating zones shall include such information as found in the Zoning Ordinance *Section 1-19-10.500 PLANNED DEVELOPMENT DISTRICTS*. For applications other than floating zones, such explanations should address the following information:
  - A. A statement as to whether or not there is evidence of mistake in the current zoning, and, if so, the nature of the mistake and the facts to support the allegation.
  - B. A statement as to whether or not there is evidence of a substantial change in the character of the neighborhood subsequent to the most recent comprehensive rezoning. If a change is alleged, the nature of the change and the facts to support the allegation.

- C. A statement as to whether or not such amendment is consistent with the County Comprehensive Plan.
- D. Any other factors or findings which the applicant desires the Council to consider prior to evidence being presented at the hearing.

### **Review Process and Procedures**

The Planning Director will review the application and if all required information has been submitted, he will accept the application and schedule a public hearing before the Planning Commission.

1. **Posting of Property:** At least thirty (30) days prior to both the Planning Commission and County Council public hearings, the applicant shall erect a sign provided by the Planning & Permitting Division. **IT IS THE APPLICANTS RESPONSIBILITY TO ENSURE THIS IS DONE PROPERLY.** If not posted properly, the hearing will be rescheduled. The applicant shall file a notarized affidavit certifying the posting of the property.
2. **Planning Commission Hearing:** The hearing will be held on the date as determined by the Division. The staff report will be available the Wednesday prior to the hearing date. Applicant will have 30 minutes to present their case with a 5-minute rebuttal following public comments.
3. **County Council Hearing:** The County Council's review will hold a public hearing and may make their decision at the public hearing or at a subsequent meeting. Applicant will have 30 minutes to present the case with a 5-minute rebuttal following public comments.  
***SPECIAL NOTE: Bill 17-08 effective on August 12, 2017 prohibits the Council from considering an individual zoning map amendment or floating zone reclassification from July 1 before the general election for County Council members to one (1) day after the Council assumes office.***
4. **Decision:** Following the public hearing the County Council will decide whether to enact the zoning map amendment.

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**WITHDRAWALS:** The applicant may withdraw, in writing to the Planning & Permitting Division, a case from consideration prior to the public hearing of the County Council or Planning Commission. Any new application for rezoning of said property shall be subject to all procedures and fees of an original application.

**CONTINUANCES:** No requests for continuances of map amendments will be granted except that the County Council may, on their own motion, continue a request.

**DENIALS:** An application for a map amendment shall not be accepted by the Zoning Administrator if the application of the whole or any part of land subject to a prior amendment request which has been opposed or denied by the County Council on the merits within twelve (12) months from the date of the County Council decision.



# DIVISION OF PLANNING AND PERMITTING FREDERICK COUNTY, MARYLAND

## Office of the Zoning Administrator

30 North Market Street • Frederick, Maryland 21701  
301-600-2572 • FAX 301-600-2309 • TTY: Use Maryland Relay

[www.FrederickCountyMD.gov/planning](http://www.FrederickCountyMD.gov/planning)

### Zoning Map Amendment-APPLICATION (Phase 1)

#### Required for Submission

- Prior to, (at least 2 business days) your submission, email [DevelopmentReviewIntake@FrederickCountyMD.gov](mailto:DevelopmentReviewIntake@FrederickCountyMD.gov) or fax 301-600-1645  
Completed application for processing and fees generated, to be paid upon initial submission.  
Questions: contact Development Review at 301-600-1138
- Print out from the Maryland Department of Assessments and Taxation Real Property Data, (301) 815-5350  
Website: [www.dat.state.md.us](http://www.dat.state.md.us) of property.
- Fill out and attach Zoning and Planning Public Ethics Law- Applicant Disclosure Form

Tax Map(s) \_\_\_\_\_ Parcel(s) \_\_\_\_\_ Lot # \_\_\_\_\_ Acreage \_\_\_\_\_ Tax ID# \_\_\_\_\_

Yes or No - Property Located *ON* or *Along* a State Highway

#### Property

Address / Location \_\_\_\_\_

#### Amendment Request

Current Zoning District \_\_\_\_\_

Requested Zoning District \_\_\_\_\_

Property Owner  Contract Purchaser  
(Attach letter of consent from Owner)

Printed Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

**Signature** \_\_\_\_\_

Check one for notification:

Mail  Email \_\_\_\_\_

Attorney  Agent Contact

Printed Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

**Signature** \_\_\_\_\_

Check one for notification:

Mail  Email \_\_\_\_\_

#### NOTARY PUBLIC

Subscribed and sworn to before me the day and year from above written.

**SEAL**

\_\_\_\_\_  
NOTARY PUBLIC-printed name

\_\_\_\_\_  
NOTARY PUBLIC-signature

\_\_\_\_\_  
My Commission expires:

#### FEES

Checks made payable to Treasurer of Frederick County-Additional fees may be due per fee schedule FY2019

<input type="checkbox"/>	1. Piecemeal Euclidean Request(REZONE)	\$2290.00+ \$20.00 per ac.
<input type="checkbox"/>	2. Floating Zone Request (FLOAT)	\$2290.00+ \$20.00 per ac.
<input type="checkbox"/>	3. Amendment to Phase I (MAP) (PUD/MXD)	\$1262.00
Total =		

Case#
Filed Date:
A/P#
Planning Region: