



FREDERICK

PLANNING

November 9, 2020

Brandon Cannon
5021 Wesley Square
Frederick, MD 21703

Re: 20-883ZD Zoning Determination: 1220 W. Patrick Street

Dear Mr. Cannon:

In response to your letter dated October 26, 2020, Staff has prepared the following information:

The subject property is zoned General Commercial (GC). The Land Management Code (LMC) Table 404-1 *Use Matrix* shows that General Restaurant and Fast-Food Restaurant are permitted in the GC zone. By LMC definition, General Restaurant is “an establishment which accommodates the public, which is equipped with a dining room with facilities for preparing and serving regular meals; and in which the average daily receipts from the sale of foods exceed the average daily receipts from the sale of alcoholic beverages”; and Fast Food restaurant is “any place or establishment merchandising or dispensing food or drink at which customers are served:

- (a) *While sitting in an automobile or other motor vehicle, or*
- (b) *Through an interior or exterior sales window, counter, or serving area and at which the food or drink served is packaged to facilitate its consumption outside the structure in which the food or drink is dispensed.”*

Under Table 607-1 *Parking Schedule*, the minimum parking for the General Restaurant and Fast-Food Restaurant is based on 1 parking space per 4 seats and 1 space per 3.5 seats, respectively. Under Section 903 *Nonconforming Parking*, if the parking is currently noncompliant, “a use with nonconforming parking may change to another use without adding parking.”

Staff has no knowledge of open cases for violations attached to this 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
City Planner

In Concurrence,



Joseph A. Adkins, AICP
Deputy Director for Planning

cc: Gabrielle Collard, Division Manager of Current Planning

October 26, 2020

Mr. Joe Adkins
Deputy Director of Planning
140 W. Patrick St.
Frederick, MD 21701

RE: Zoning Verification Request for the Property Located at 1220 W. Patrick St., Frederick, MD

Dear Mr. Adkins,

Please allow this letter to serve as a formal request to obtain a verification of the zoning of the above-referenced property. This property is currently being used as a Pizza Hut restaurant. Please see below for the specific information that we are requesting a response to:

- **Please confirm that the zoning of this property in the City of Frederick is General Commercial**
- **Please confirm that there are no outstanding zoning violations for this property.**
- **Please confirm that the current use of a restaurant is a permitted use under the current zoning**
- **Please confirm that the current zoning ordinance would allow this property to continue as a restaurant use if the current tenant were to vacate and a new user was to occupy the property.**

Please feel free to contact me with any questions on the above. Thank you for your time and consideration.

Best regards,



Brandon Cannon
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Brandon.L.Cannon@gmail.com