

Mayor

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August 27, 2019

Makala Pittman  
Research Analyst  
Zoning Info, Inc.  
3555 NW 58<sup>th</sup> Street, Suite 400  
Oklahoma City, OK 73112

**Re: ZD19-851: Owner: Vista View Condominium Business Trust  
Property: 3.86 acres +/-, Section 10 Whittier PND, W.  
Greenleaf Drive, Frederick, MD, Tax Map 0425, Parcel 0001,  
Tax ID# 02-590108, 02-590109, 02-590110, 02-590111, 02-  
590364, 02-590365, 02-590366, 02-590363, 02-590483, 02-  
590484, 02-590485, 02-590486, 02-590551, 02-590552, 02-  
590553, 02-590554, 02-590555, 02-590556, 02-590557, 02-  
590558**

Dear Ms. Pittman:

In response to your letter dated August 15, 2019, Staff has prepared the following information:

A review of our records and the City of Frederick Land Management Code (LMC), indicate that the property referenced above is zoned R4 (Low Density Residential). The R4 zoning district is intended to provide for residences in an urban residential environment with a maximum density of four (4) dwellings per acre. In addition, this district is intended to accommodate a complement of residential support uses normally utilized during the daily activities of residents, to protect these areas from the encroachment of incompatible uses and to guide development within the district to occur in a manner that complies with the Comprehensive Plan. The property in question is not located in any special, restrictive or overlay districts, and not considered a historical property.

However the property in question is a Planned Neighborhood Development (PND). A PND allows flexibility and creative design of a variety of land uses and housing types by requiring an overall master plan. The master plan compensates for the absence of the conventional zoning requirements of the said district. All development must adhere to the

approved Master Plan (Case PC03-160PND) approved by the City of Frederick Planning Commission on July 14, 2003.

The proposed development of the Property consists of five (5) residential condominium buildings, consisting of fourteen (14) units each with twenty-two (22) accessory garage units to be located in two, one-story garage buildings as further shown and depicted on the Final Site Plan (Case PC12-490FSI) approved by the City of Frederick Planning Commission on October 8, 2012, is permitted in the R4 zoning classification under the PND development technique.

The subject property is adjacent to R4 zones on three sides as part of the Whittier PND and adjacent to County property to the west zoned R-1, residential.

Copies of the Certificates of Occupancy for each building shell are enclosed. All the units have separately been issued Certificates of Occupancy within all five buildings.

If you have any further questions please do not hesitate to call me at (301) 600-1718 or email me at [preppert@cityoffrederick.com](mailto:preppert@cityoffrederick.com).

*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  
City Planner

In Concurrence,



Joseph A. Adkins, AICP  
Deputy Director for Planning

Cc: Gabrielle Dunn, Division Manager of Current Planning  
ZBA File  
ZD19-851



08/15/2019

Joe Adkins, AICP  
Planning Department  
140 W Patrick St  
Frederick, MD 21701

**RE:**

**Vista View**

**2401 Highpoint View Court, (AKA 0, 2403,2405,2407,2409 Highpoint View Court)**

**02590108-02590111; 02590363-02590366; 02590108-02590111; 02590363-02590366; 025904863-02590486;  
02590551-02590558**

Joe Adkins, AICP

Please find this to be a formal request for zoning verification on the above stated property. We are researching these matters for a Zoning Compliance Report. Please incorporate the answers to the following questions in a letter on municipal letterhead.

- What is the current zone of the property?
- Are there any overlay districts?
- Is this property a permitted use in this district?
- Did the property receive site plan approval, and if so, can you provide a copy?
- What are the abutting zoning districts?
- Are there any outstanding building, zoning, or fire violations on file?
- Were any variances or special permits issued?
- Was a certificate of occupancy issued and if so, may we obtain a copy of it?
- Is there any record of any pending condemnation proceedings for the above listed property. In other words, are there any plans for construction, sidewalk improvements, or any other work that would cause this property to lose any land for improvements?
- Is this property listed as a Historical Property?

**If you can not Fax or E-mail**

**Please return the letter to:**

Zoning Info, Inc.  
3555 N.W. 58th Street  
Suite 400  
Oklahoma City, OK 73112  
Phone: 405-525-2998  
Fax: 405-528-4878

Thank you,

Makala Pittman

Research Analyst  
Extension: [profile:field\_employee\_extension]  
mpittman@zoning-info.com

**Our clients deadline for this information is 08/24/2019.**

**64762**

City of Frederick  
Building Department

### Customer Receipt

Operator: Jessica Murphy

Date: 08/21/2019  
Tender Detail

Receipt no: 64065

Item	Description	Payment	Reference	Paid
PZ-19-00851 Vista View Condos 2401 HIGHPOINT VIEW CT	ZBA DETERMINATIONS	CHECK	14009	\$200.00
<b>Total:</b>				<b>\$200.00</b>

Paid By: Zoning-Info, Inc.

Time: 07:40:54 EDT  
Transaction Date: 08/20/2019