



# FREDERICK COUNTY BOARD OF APPEALS

Winchester Hall • Frederick, Maryland 21701 • (301) 600-1138

The next hearing of the Board of Appeals of Frederick County will be held on **March 24, 2022 at the hour of 7:00 p.m.** THIS WILL BE A VIRTUAL MEETING ONLINE. For additional information, please visit <https://www.frederickcountymd.gov/7993/Board-of-Appeals> or contact County staff at (301) 600-1351. The Board will visit each applicant's property prior to the **March 24, 2022 BOA Meeting**. The phone number for calling into the virtual BOA Hearing and commenting on an application being discussed is **1-855-925-2801** Enter Code: **9277**. Press \* for meeting options. Press \*1 to listen to the meeting. If you would like to make a live comment on a particular agenda item, please use option 1 until the Board of Zoning Appeals specifically calls for comment on that agenda item, at which time press \*3. You will be placed in a muted queue until it is your turn to speak. Do not press \*3 until comment is called for by the BZA Chair for the agenda item on which you would like to comment. **PLEASE NOTE, when you are called upon to provide your live comments please press \*3. To leave a recorded comment Press \*2 to record your comment.** Please clearly indicate on which agenda item you are commenting. Please state your name and address but do not identify your phone number, as your message will be played during the live meeting.

## I. Introductions

## II. Approval of Minutes

## III. B267842 (B-22-05) **Brendan Mullaney**

Requesting an Appeal of the November 17, 2021 Zoning Administrator's Determination that in accordance with Section 1-19-2.140 and Section 1-19-2.150 of the Frederick County Zoning Ordinance. Specifically, this application appeals the November 17, 2021 Zoning Administrator's determination ("Determination") that the "Solar Facility, Community Energy Generating System" known generally as Persistence Solar ("Project") is not permitted as an accessory use on the property. The property located at 12301 Catoctin Furnace Road, Frederick, Maryland (Tax Map 32, Parcels 19, 70, and 125), Tax ID# 15326034, Zoning Agricultural (A), Size 136.86 Acres.

## IV. B267866 (B-22-06) **Miles and Stockbridge**

Requesting approval from the Board of Appeals for the special exception use, to allow an RV storage facility with approximately 225-spaces, pursuant to Zoning Ordinance §§ 1-19-3.210 & 1-19- 8.344. This property is located at 11214 Angleberger Road, Thurmont, Maryland, on the east side of US Route 15, Map 32, Lot 29, Tax ID# 20392770, Zoning Agricultural (A), Size 25.84 Acres.

## V. B267939 (B-22-07) **Go Baby Go Daycare**

Requesting Special Exception allow a Child Care Center/Nursery School in the (A) zoning district in accordance with Sec. 1-19-3.210 Special Exceptions Sec. 1-19-8.323. Childcare Center/Nursery School in the (A) zoning District Sec and 1-19-11.100 Definitions. The property identified as 11109 Angleberger Road, Thurmont, Maryland, Parcel 0029, Tax ID # 20-392770, Zoning (R1), Size 19.3 Acres.

**VI. B267949 (B-22-08)****Myron and Kristen Custer B267728**

Requesting a Variance of 10 feet from the 50 foot front yard setback and 20 feet from the 50 foot rear setback requirement to construct a single-family dwelling as per Ordinance Section 1-19-3.220, located at 4969 Old Swimming Pool Road, Map 76, Parcel 411, Tax ID #24466329, Zoning Agricultural (A), Size 2.74 acres., Zoned Resource Conservation (RC)

**VII. B267830 (B-22-09)****Philip Keller**

The Applicant is requesting a Special Exception in accordance with the Frederick County Zoning Ordinance, Section 1-19-3.210 and Section 1-19-8.321, to permit the construction of an Accessory Dwelling Unit (ADU) greater than 1000 square feet and located within an existing structure. The Applicant is proposing a 1,085 sq. ft. ADU. The property is described as 12770 Barnett Road, Mt. Airy, MD 21771, Tax Map 80, Parcel 0170, Tax ID #18388677, Zoned Agricultural (A), Size 28.91 Acres.

**VIII. B267917 (B-22-10)**

Requesting an Appeal of a Lot of Record Determination by the Zoning Administrator's Determination that in accordance with Section 1-19-2.140 and Section 1-19-2.150 of the Frederick County Zoning Ordinance. Specifically, this application appeals the December 18, 2018 Zoning Administrator's determination ("Determination") that the property was created by deed on December 26, 1976 and is not eligible to subdivide. The property is described as the north side of Gravel Hill Road, Tax Map 60, Parcel 0030, Tax ID # 11281176 Zoned Agricultural (A), Size 32.29 Acres.

**IX. B-22-11 (B-19-13)****Double M, LLC**

Review of revised Findings & Decisions as required by the Maryland Court of Special Appeals in its Unreported Opinion dated October 7, 2021, and by Order of the Frederick County Circuit Court dated October 14, 2021.



Tolson DeSa  
Zoning Administrator