

**RESOLUTION OF THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND**

**RESOLUTION NO. 22-35**

**RE: SPRING 2022 WATER AND SEWER AMENDMENTS – CASE WS-22-04**

Applicant: Division of Planning and Permitting (Libertytown Land, LLC)

**RECITALS**

Pursuant to the authority contained in §9-503 of the Environment Article of the Maryland Code, the governing body of Frederick County, Maryland has the authority to approve or deny amendments to the Frederick County Water and Sewerage Plan (“W/S Plan”) after a duly advertised public hearing.

Case WS-22-04 proposes the reclassification of 5-acres of land on Tax Map 51, Parcel 19, Part of Tract 1, located on Daysville Road at MD 26, Liberty Road in Libertytown, from S-1 to S-5. The property is designated General Commercial within the Libertytown Community Growth Area, and is currently zoned General Commercial.

The S-5 classification is assigned through the Comprehensive Planning Process where improvements to, or construction of, publicly-owned community sewerage or water systems are planned within the 7-10 year time period. The Planning Commission conditionally approved the Mayne Property Preliminary Subdivision Plan for development of single-family residential lots on 62 of the total 67 acres. The remaining 5-acre General-Commercial zoned portion of the property has no site plan or subdivision approvals. Currently, this 5-acre portion is not connected to or served by public water and sewer, however water and sewer infrastructure improvements are approved and under construction for the residential portion of the property. The reclassification will align with the W-5 category in this section of the property.

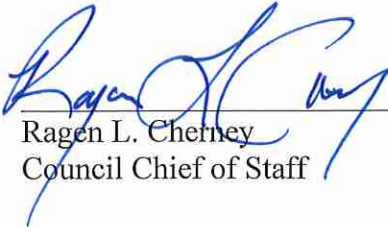
The County Council of Frederick County, Maryland, held a duly advertised public hearing on the proposed Water and Sewer Plan amendments on September 6, 2022, at which time the public had the opportunity to comment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND that the following W/S Plan amendment requested in Case WS 22-04 is necessary and hereby approved: reclassification of 5-acres of land on Tax Map 51, Parcel 19, Part of Tract 1, located on Daysville Road at MD 26, Liberty Road in Libertytown, from S-1 to S-5.

There undersigned hereby certifies that the amendment described in this Resolution was approved and adopted (by a vote of 9-0) on September 6, 2022.

ATTEST:

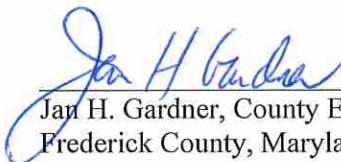
COUNTY COUNCIL OF  
FREDERICK COUNTY, MARYLAND

  
Ragen L. Cherney  
Council Chief of Staff

By:   
M.C. Keegan-Ayer, President 

Received by the County Executive on September 8, 2022

COUNTY EXECUTIVE ACTION: ☒ Approved ☐ Vetoed ☐ No Action

  
Jan H. Gardner, County Executive  
Frederick County, Maryland

9/12/2022  
Date