

THE EFFECTIVE DATE OF THIS ORDINANCE IS October 7 2025

ORDINANCE NO. 25-05-005

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

**RE: LONGVIEW REZONING AMENDMENT
REZONING CASE R-25-03**

OPINION/FINDINGS

I. HISTORY

Longview Lot 1-B, LLC (Applicant) filed this application to request a modification in order to remove a previously approved rezoning condition that requires the Applicant to incorporate Lots 1-A and 1-B into the Linganore Planned Unit Development (PUD) before additional lots can be recorded.

The 10-acre site is located within the Linganore Community Growth Area and borders the Town of New Market. The site is adjacent to the Summerfield community and Deer Crossing Elementary School. The Applicant requests an amendment to Ordinance No. 89-57-588, dated December 11, 1989, to remove Condition #2 imposed by the Board of County Commissioners. In a letter dated April 16, 2024, the Lake Linganore Association indicated that the Board of Directors did not wish to incorporate Lot 1-B into the Lake Linganore Association as stipulated by Condition #2.

The Frederick County Planning Commission considered this request in a public hearing on July 16, 2025 and recommended approval of the application.

The County Council of Frederick County, Maryland, held a public hearing on the application on September 2, 2025. The application was approved by a majority vote of the County Council (7-0) on September 16, 2025.

Based upon all of the evidence submitted in this case, the County Council makes the following specific findings of fact for the items below as identified in the Annotated Code of Maryland, Land Use Article §4-204(b) and in Chapter 1-19 of the County Code:

II. PROPOSED DEVELOPMENT

Approval Criteria

§ 1-19-3.110.4 (A) – Approval Criteria for Zoning Map Amendments

(1) Consistency with the comprehensive plan;

The site is located within the Linganore Community Growth Area and has a Comprehensive Plan Land Use designation of Low Density Residential, like the adjacent Lake Linganore Planned Unit Development. The proposed residential subdivision to create six lots for single-family detached dwellings is consistent with this designation.

(2) Availability of current and planned public facilities;

The proposed development is considered a minor subdivision and is not subject to Adequate Public Facilities Ordinance (APFO) review and consideration. The site is within the enrollment areas of Deer Crossing Elementary School, Oakdale Middle School, and Oakdale High School. The Urbana Regional Library is 8 miles from the site. Water would be supplied by the New Design Water Treatment Plant. Sewer would be treated by the Ballenger McKinney Wastewater Treatment Plant. Both systems currently have adequate treatment and supply capacity to serve the proposed residential uses. Fire and rescue services to the site are provided by the New Market Fire Department. Police service is provided by the Frederick County Sheriff's Office and Maryland State Police.

(3) Adequacy of existing and future transportation systems;

The proposed PUD use should not affect existing and future road networks. The site is currently accessed via Finn Place, a privately-maintained unimproved roadway with a north-south orientation that intersects Finn Drive, a public street. Currently, access is limited to a single approach that requires travel past Deer Crossing Elementary. Improvements to Finn Place will be required, including paving, grass shoulders, drainage, and road frontage improvements. A sidewalk connection to the asphalt trail on the western side of Finn Place will also be required.

(4) Compatibility with existing and proposed development;

The proposed low density residential use is compatible with the adjacent Summerfield community in Lake Linganore and the Calumet development proposed in New Market, as well as the adjacent elementary school.

(5) Population change;

The proposed development would create 6 new dwelling units. With a Countywide average household of 2.65 persons per dwelling unit, the projected population increase is approximately 16 persons.

(6) The timing of development and facilities;

The Applicant has not indicated when development of Lot 1-B will occur. Transportation network adequacy is anticipated to be achieved through frontage improvements and the construction of sidewalks along the eastern side of Finn Place, connecting to existing pedestrian infrastructure. Water and sewer infrastructure exists in the area of this site.

(7) Sensitive environments resources have been identified and impacts to these resources are avoided or minimized to the maximum extent practicable;

There are no sensitive environmental resources on the site. Lot 1-B is currently undeveloped and consists primarily of partially wooded areas.

(8) Historic resources have been identified and impacts to these resources are avoided or minimized to the maximum extent practicable.

There are no historic resources on the site.

§ 1-19-3.110.4 (B) – Additional approval criteria

In addition to the criteria above, approval or disapproval of a request for an individual zoning map amendment shall be granted only where a finding has been made that there was a substantial change in the character of the neighborhood where the property is located or a mistake in the existing zoning classification.

(1) A substantial change in the character of the neighborhood where the property is located; or

Ordinance No. 89-57-588 notes that the character of the neighborhood substantially changed from agricultural to residential. Specifically, three nearby properties – located within one mile of the site – were rezoned from Agricultural to R-1 or PUD and subsequently developed.

(2) A mistake in the existing zoning classification.

The site was zoned Agricultural in 1959. Ordinance No. 89-57-588 states that there was no mistake in zoning classification.

Based upon the findings herein and the record evidence, the County Council has determined that it is appropriate to grant the rezoning request in Case No. R-25-03.

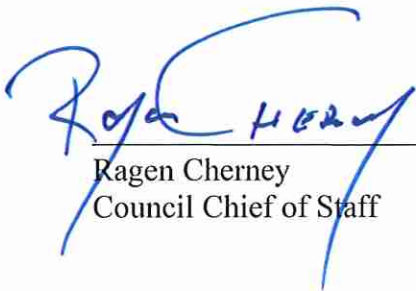
ORDINANCE

BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF
FREDERICK COUNTY, MARYLAND, that for the reasons set forth above, the request by the
Applicant to remove Condition #2 from Ordinance No. 89-57-588, a previously approved
rezoning condition that requires the Applicant to incorporate Lot 1-A and Lot 1-B into the Lake
Linganore Planned Unit Development, is hereby granted.

AND BE IT FURTHER ENACTED AND ORDAINED, that the Zoning
Administrator is hereby authorized and directed to make the appropriate changes to the zoning
map as reflected in this decision.

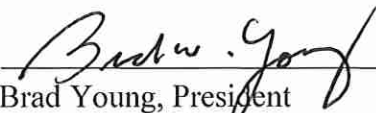
The undersigned hereby certify that this Ordinance was approved and adopted on the 7th
day of October, 2025.

ATTEST:



Ragen Cherney
Council Chief of Staff

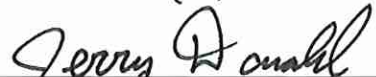
COUNTY COUNCIL OF
FREDERICK COUNTY, MARYLAND

By: 


Brad Young, President



Kavonte Duckett, Vice President




Jerry Donald, Council Member




Renee Knapp, Council Member



M.C. Keegan-Aygr, Council Member



Steve McKay, Council Member



Mason Carter, Council Member

Received by the County Executive on 10/15/2025.

County Executive Action: ✓ Approved Vetoed

Jessica Fitzwater
Jessica Fitzwater, County Executive
Frederick County, Maryland

10/16/25
Date