

Tax Map/Block/Parcel
No. 31-16-242
Case 5822

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: The Royer House, LLC
308 Holleybrooke Court
Walkersville, MD 21793

ATTORNEY: Bradley Bauhof, Esq.

REQUEST: Request for a Conditional Use for a country inn with catering facilities.

LOCATION: The site is located at 817 Fridinger Mill Road, Westminster, Maryland 21157, on property zoned "A" Agricultural in Election District 6.

BASIS: Code of Public Local Laws and Ordinances, Section 158.070 (E)(T).

HEARING HELD: March 24, 2015

FINDINGS AND CONCLUSION

On March 24, 2015, the Board of Zoning Appeals (the Board) convened to hear the request for a Conditional Use for a country inn with catering facilities. Based on the testimony and evidence presented, the Board made the following findings and conclusions.

The Royer House, LLC is a company composed of a mother and her three daughters. It is a woman owned business. The mother is Jennifer Snyder. Two of the daughters are Brittany Clay and Alexandra Campbell. All of the daughters have some experience in event planning. The present owners of the property have been absent for about two years. Since the law required that someone actually live on the property, Alexandra and her husband intend to live in the log cabin on the property. Ms. Snyder stated that the wedding season would be from approximately May to October. Initially, most of the weddings occurring there would be outside. The company would allow day weddings from noon to five pm. Five rooms are available for rent over the weekends. An outside source such as caterers would bring in the food for the weddings. She stated that most weddings occurred over the weekend. She also stated that she intended to use high end port a pots. She stated that traffic control mechanisms would be used for catered events.

Brittany Clay is one of the owners of the company. She has a degree related to recreation and tourism.

Alexandra Campbell attended a culinary school. She has worked in the hospitality industry since high school. She and her husband will be living on the property.

Jacqueline Hicks testified that she lived in the property closest to the subject property. She was concerned that weddings might occur every weekend. She stated that she could hear voices from her house when people talked in the large pavilion. She lives on a higher elevation and can see down to the pavilion and the property. Although there are forty foot pine trees separating the properties, she stated that there were breaks in the pine trees.

Steve Hicks testified that he lived at the property at the higher elevation with his wife Jacqueline. He was concerned about seeing portable potties on the property.

Michelle Millberger testified in the case. She stated that the site was one of the oldest buildings in the county. She wanted fundraisers to be held on the property. She wanted the property to be reserved more as a museum. She was not sure that the property should be owned by a private citizen.

Nokomis Ford, planning technician, wrote a March 13, 2015 memorandum for the Board. The memo stated that the request is compatible with the vision and goals for the area as expressed in the Master Plan. On the property there is a historic site, The Christian Royer House, or Brethren Meeting House, which is on the National Register of Historic Places. Bureau staff is supportive of this appeal as long as measures are taken to make sure historic features are minimally affected and any potential traffic issues are addressed.

The Board was convinced that authorization of the request with regard to a conditional use was consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered regarding conditional uses of the zoning ordinance, and would not unduly affect the residents of adjacent properties, the values of those properties, or public interests. Based on the findings of fact made by the Board above, the Board found that the proposed project would not generate adverse effects (i.e. noise, traffic, dust, water issues, lighting issues, property depreciation, etc.) greater here than elsewhere in the zone. The Board approved the conditional use requested by the applicant on the condition that the applicant is fully aware of the conditions set forth in Joint Exhibit 1.

Date

Gary Dunkleberger, Chairman

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Article 66B, Section 4.08 of the Annotated Code of Maryland Rules of Procedure.

Pursuant to Section 158.133 (H)(3) of the County Code, this approval will become void unless all applicable requirements of this section are met. Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.

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