



FREDERICK COUNTY BOARD OF APPEALS

April 24, 2025

TITLE:

**Seven Springs Farm Living Trust
Glenda Player - Trustee**

FILE NUMBER:

B-25-09 (B277207)

REQUEST:

Requesting Special Exception Approval to establish a Country Inn in the A and RC zoning district, at Seven Springs Farm, in accordance with Sections 1-19-3.210 Special Exceptions and 1-19-8.333 Country Inn.

PROJECT INFORMATION:

ADDRESS/LOCATION: 11721 Green Valley Road, Union Bridge, MD 21791
MAP/PARCEL: Tax Map 043, Parcel 0181
COMP. PLAN: Agricultural/Rural
ZONING: A (Agricultural)
PLANNING REGION: Walkersville
WATER/SEWER: NPS/NPS

APPLICANT/REPRESENTATIVES:

APPLICANT: Glenda Player (Trustee)
OWNER: Seven Springs Farm Living Trust
ENGINEER: John Mazelon (Fox and Associates)
ARCHITECT: N/A
ATTORNEY: N/A

STAFF:

Michael A. Paone, Zoning Planner

RECOMMENDATION: Staff recommends approval of the requested Special Exception for a Country Inn in the RC and A zoning districts at Seven Springs Farm, in accordance with Sections 1-19-3.210 Special Exceptions and 1-19-8.333 Country Inn.

Attachments:

Attachment #1 – Site Plan of Property
Attachment #2 – Site Plan of Building on Property
Attachment #3 – Aerial Map
Attachment #4 – Zoning Map
Attachment #5 – Comprehensive Plan Map
Attachment #6 - Environmental Features Map

The term Applicant refers to both the Representative and the Property Owner(s).

Note: All code references herein are to the Frederick County Code, unless otherwise specified.

BACKGROUND

The Applicant is requesting a Special Exception approval to establish a Country Inn in the A and RC zoning district, at Seven Springs Farm, in accordance with Sections 1-19-3.210 Special Exceptions and 1-19-8.333 Country Inn.

The Property is zoned Agricultural which allows for a Country Inn, subject to approval by the Board of Appeals (BOA) in accordance with Section 1-19-8.333 Country Inn in the A and RC zoning district.

Section 1-19-11.100 of the Frederick County Code defines **COUNTRY INN** as the use of a structure that existed on January 24, 1977, in which overnight or otherwise temporary lodging and meals are provided in exchange for compensation, to transient guests in not more than eight guest rooms, along with one or more of the following services: restaurant, banquet facility, catering service, and may include meeting rooms.

§ 1-19-3.210 – GENERAL CRITERIA – SPECIAL EXCEPTION

- A. An application for a special exception may be made only by persons with a financial, contractual, or proprietary interest in the property for which a special exception is requested.

The Applicant states that the property is legally owned by the Trust with Glenda Player as sole trustee.

- B. A grant of a special exception is basically a matter of development policy, rather than an appeal based on administrative error or on hardship in a particular case. The Board of Appeals should consider the relation of the proposed use to the existing and future development patterns. A special exception shall be granted when the Board finds that:

1. The proposed use is consistent with the purpose and intent of the Comprehensive Development Plan and of Chapter 1-19 of the Frederick County Code; and

The Frederick County Comprehensive Plan designates the Property as Agricultural/Rural and it is zoned Agricultural on the Zoning map. A Country Inn is a permitted use as a special exception in the Agricultural zoning district, subject to Board of Appeals approval. The proposed Country Inn use is consistent with the Comprehensive Plan's vision and goal of protecting and preserving the County's natural and historic resources.

2. Operations in connection with the special exception at the proposed location shall not have an adverse effect such as noise, fumes, vibration, or other characteristics on neighboring properties above and beyond those inherently associated with the special exception at any other location within the zoning district; and

The Applicant states that the proposed Country Inn and associated activities will be conducted in an area of about 4 acres in approximately the center of the Property, which is 41 acres. The Country Inn "use area" is screened to east and west by existing tree lines and forestation and is set back from Green Valley Road approximately 1000 feet. Events at the County Inn will be held primarily on weekends and if during the week, in the middle of the day. The events will be scheduled, private and by invitation only.

Staff Comment: The Country Inn must hold all events within qualifying indoor buildings in accordance with Sections 1-19-8.333.(D) COUNTRY INNS IN (RC) AND (A) zoning districts. They shall be located only within a structure that existed on January 24, 1977. Conversion of existing structures may include the expansion of such structures; however, the existing external appearance of the structure must be maintained although it may be upgraded, repaired or expanded.

3. Parking areas will comply with the off-street parking regulations of Chapter 1-19 of the County Code and will be screened from adjoining residential uses, and the entrance and exit drives shall be laid out to achieve maximum safety.

The Applicant states that the proposed use will be required to go through the County site development plan review and approval process and will therefore have the required number of parking spaces as well as screening. Likewise, the proposed entrances associated with this use will undergo and be subject to review by the County Department of Development Review and Planning as well as State Highway (Green Valley Road/ MD 75). The Applicant has begun the process of having a Site Plan prepared for this proposed use.

4. The road system providing access to the proposed use is adequate to serve the site for the intended use.

The Applicant states that the site is served by Green Valley Road, which, under the County Road Classification system, is a minor arterial road. The proposed use will generate a minor traffic load, however it will still be well within the traffic capacity for Green Valley Road.

- C. In addition to the general requirements listed above, uses requiring a special exception shall be subject to the specific requirements for each use outlined in Sections 1-19-8.320 through 1-19-8.355 of the County Code.

The Applicant understands and agrees to this requirement.

- D. A special exception approval may be granted in accordance with the general and specific requirements enumerated in this section. The Board of Appeals may, in addition to other requirements imposed under Chapter 1-19 and is hereby authorized to add to the specific requirements any additional conditions that it may deem necessary to protect adjacent properties, the general neighborhood, and its residents or workers. Violation of such additional conditions, when made a part of the terms under which the special exception permit is granted, is a violation of Chapter 1-19 and may be grounds for termination of the special exception.

The Applicant understands and agrees to comply with any additional conditions imposed by the BOA.

- E. The Board of Appeals shall not grant a special exception unless and until:

1. A written application for a special exception is submitted indicating the section of Chapter 1-19 of the County Code under which the special exception is sought and stating the grounds on which it is requested; and

The Applicant states that she has complied with this requirement.

2. A public hearing has been held; and the Board had made a finding of fact that the special exception requested meets the general and specific requirements outlined in this section.

The Applicant states that a BOA Hearing is scheduled for April 24, 2025.

- F. The grant of special exception may include approval of customary incidental accessory uses as reviewed and approved by the Zoning Administrator.

The Applicant understands and agrees to this requirement.

- G. No use or activity permitted as a special exception shall be enlarged or extended beyond the limits authorized in the grant of special exception. All enlargements, extensions, and changes in use shall require grants of special exception, as in the case of an original petition.

The Applicant states that the Country Inn use will not be expanded beyond what is approved by the BOA.

- H. If a grant of special exception is denied, no new petition for the denied use on the same property shall be accepted by the Board of Appeals for 1 year after the date of denial of the petition.

The Applicant understands and agrees to this requirement.

- I. A decision of the Board of Appeals granting a special exception will be void 5 years from date of approval by the Board of Appeals unless the use is established, a building permit is issued, construction has begun, or final site development plan approval has been received in accordance with the terms of the decision. Upon written request submitted to the Zoning Administrator no later than 1 month prior to the expiration date and for good cause shown by the applicant, a 1-time extension may be granted by the Zoning Administrator for a period not to exceed 6 months.

The Applicant understands and agrees to this requirement.

Zoning Ordinance Section 1-19-8.333-Country Inns in Ag and RC Zones

- A. Minimum Lot Size - 1 acre for Country Inn in Ag Zone with setbacks the same as a single family home in the A District.

The Applicant states that the site is 42 acres, and the proposed use will meet or exceed all required setbacks.

- B. No parking will be permitted within the required setback areas.

The Applicant states that parking as shown on the site plan provided for this Application can be accomplished without encroaching into the setback areas.

- C. The property will have frontage and access on a paved public road.

The Applicant states that the subject property fronts on, and has access to, Green Valley Road which is a paved public minor arterial road.

- D. The Country Inn shall only be within a structure that existed on January 24, 1977. Conversion of existing structures may include the expansion of such structures; however, the existing external appearance of the structure must be maintained although it may be upgraded, repaired or expanded.

The Applicant plans to maintain the existing external appearance of the manor house which was constructed in 1796. Any upgrades would be to the interior and it is noted

that the Applicant currently resides in the manor house. The Applicant will reserve 1 bedroom for overnight stays for patrons of the Country Inn. The barns on the property were also constructed prior to January 24, 1977.

Staff Comment: The Country Inn must hold all events within qualifying indoor buildings in accordance with Sections 1-19-8.333.(D) COUNTRY INNS IN (RC) AND (A) zoning districts. They shall be located only within a structure that exists on January 24, 1977. Conversion of existing structures may include the expansion of such structures; however, the existing external appearance of the structure must be maintained although it may be upgraded, repaired or expanded.

E. One freestanding sign of no more than 15 feet in height and 25 square feet in area is permitted and shall be subject to the normal setback requirement for natural resources uses.

Any signage proposed by the Applicant will be in compliance with this section and shown on the Site Plan in the Site Plan process. The sign will be in compliance with the applicable setback requirements.

F. Within the RC District, the requirements of section 1-19-7.300 of the County Code will be met.

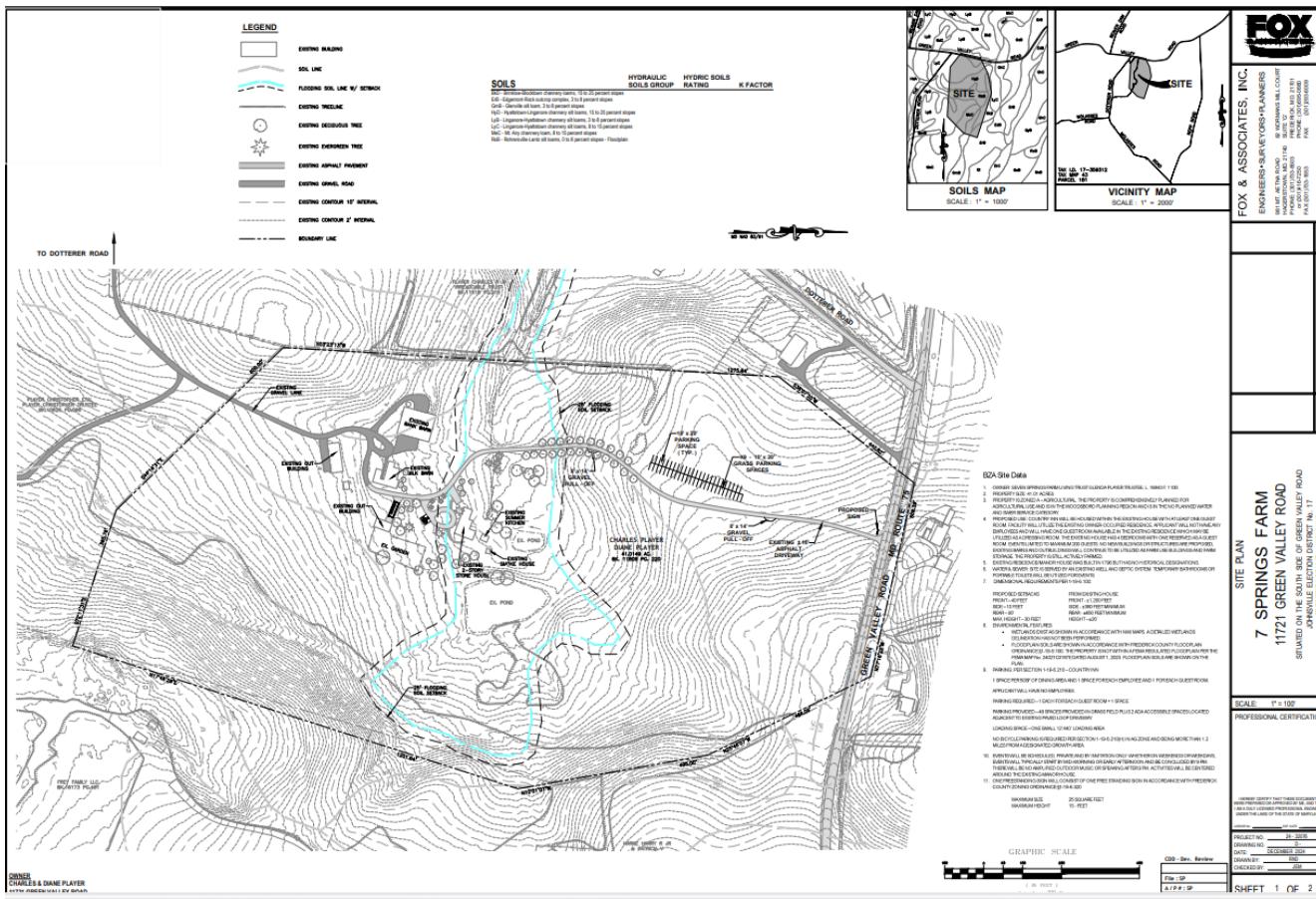
The Applicant understands and agrees to this requirement.

Based on the findings and conclusions in the staff report, Staff does not object to the approval of the requested Special Exception for a Country Inn in the RC and A zoning districts at Seven Springs Farm, in accordance with Sections 1-19-3.210 Special Exceptions and 1-19-8.333 Country Inn.

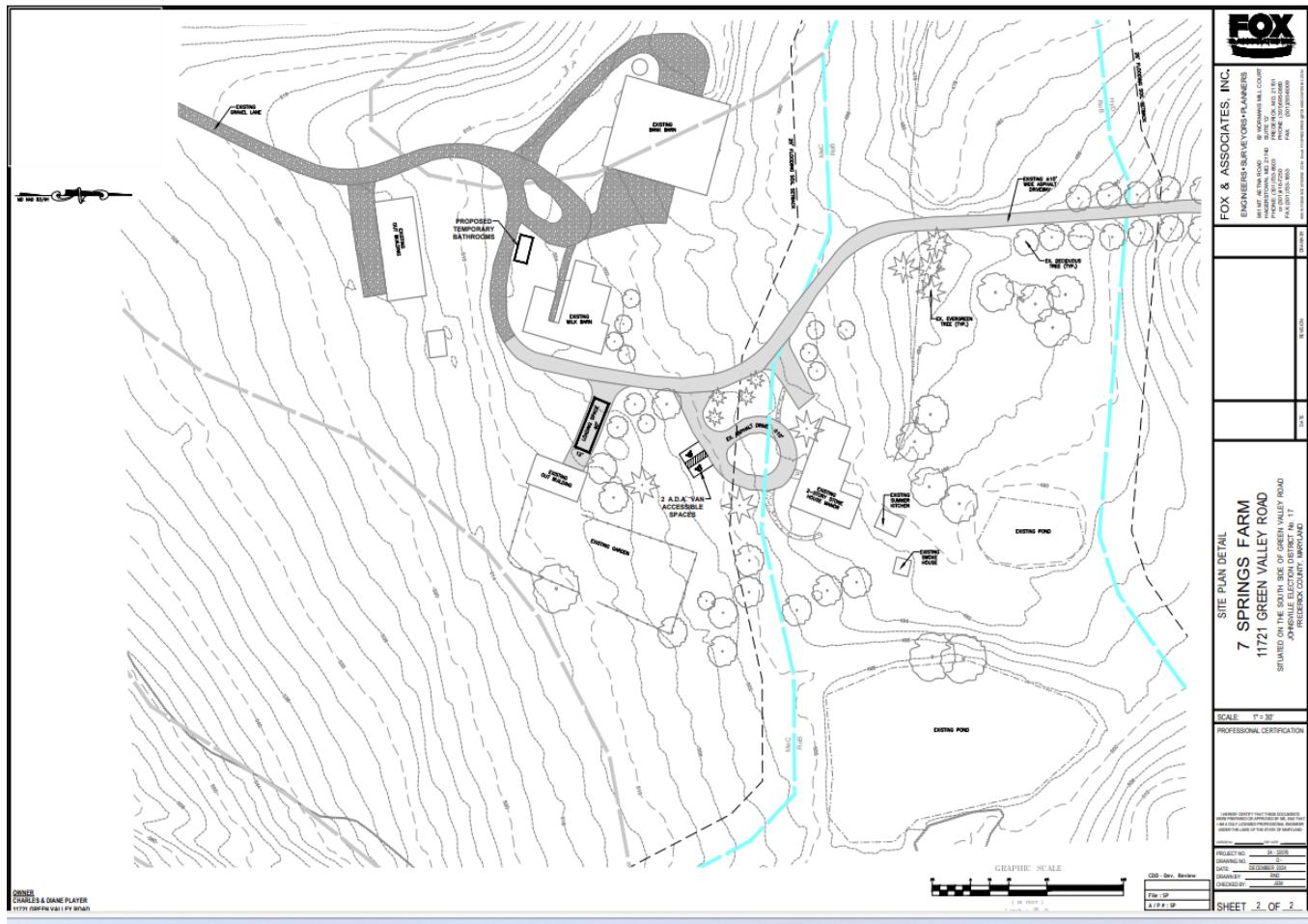
Please note that this use must receive site development plan approval as well as building permit approval prior to any use of the structure(s) for a Country Inn.

§ 1-19-3.210. SPECIAL EXCEPTIONS. A decision of the Board of Appeals granting a special exception will be void 5 years from the date of approval by the Board of Appeals unless the use is established, a building permit is issued, construction has begun, or final site development plan approval has been received in accordance with the terms of the decision. Upon written request submitted to the Zoning Administrator no later than 1 month prior to the expiration date and for good cause shown by the Applicant, a time extension may be granted by the Zoning Administrator for a period not to exceed 6 months.

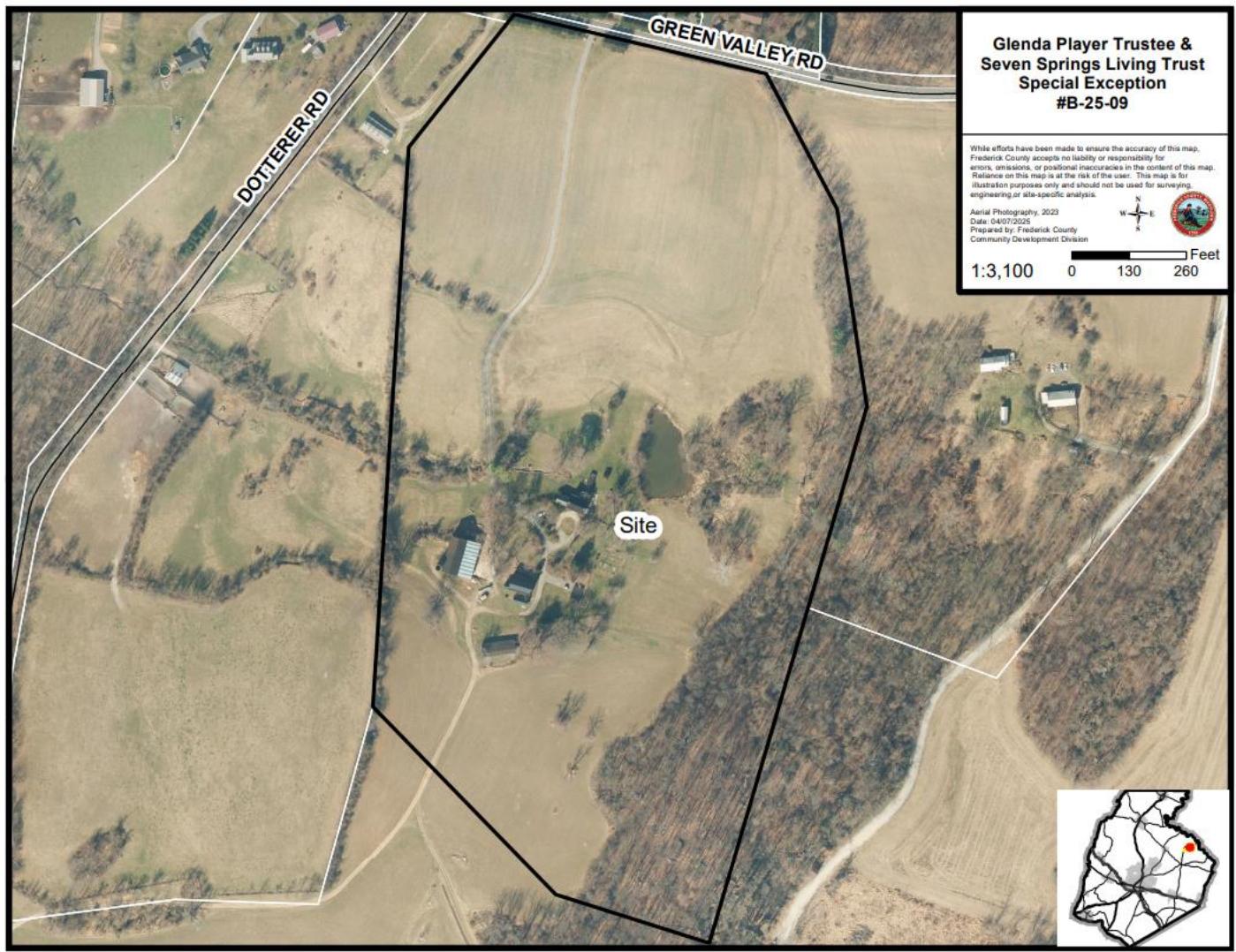
Attachment #1: Site Plan Of Property



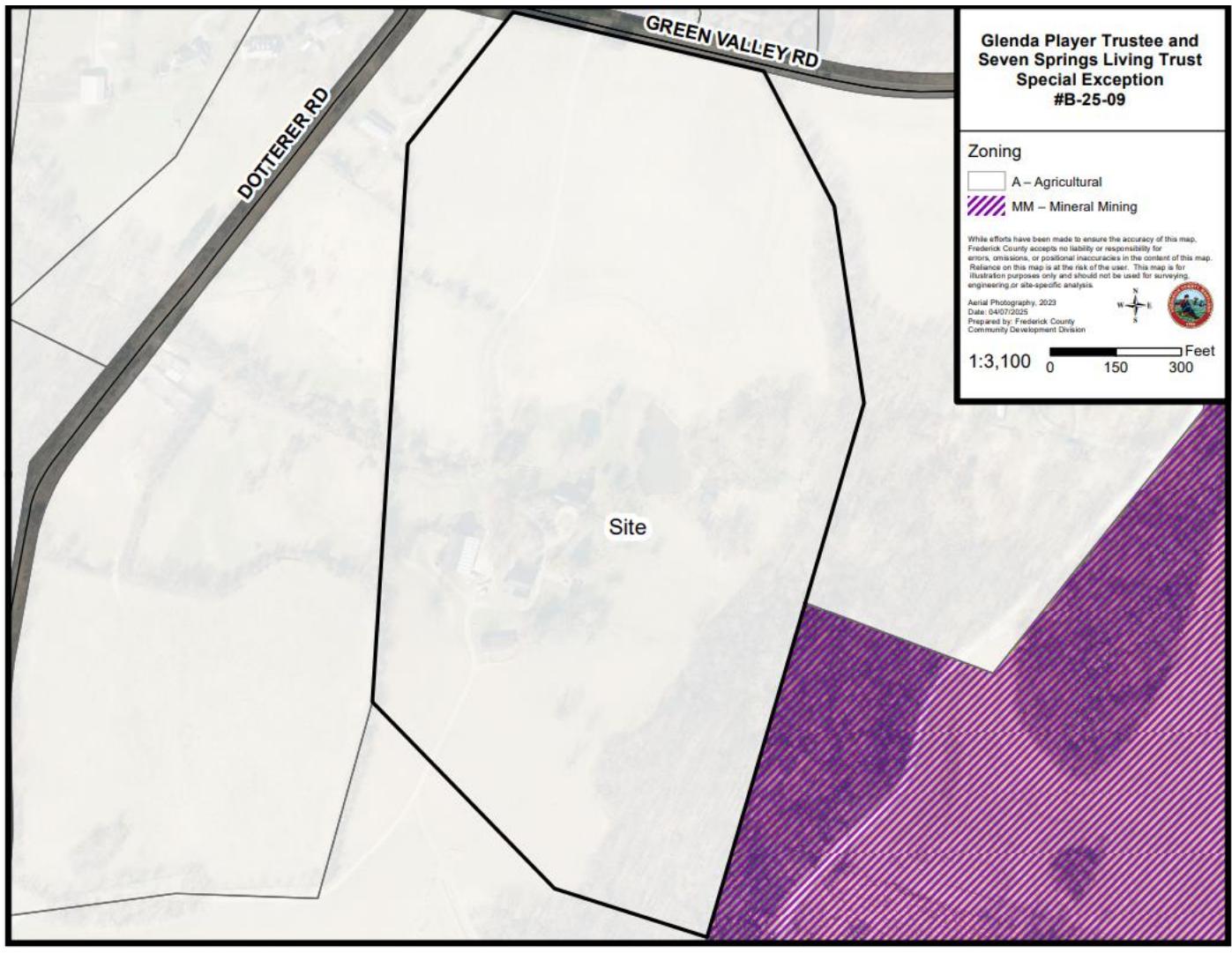
Attachment #2: Site Plan of Buildings on Property



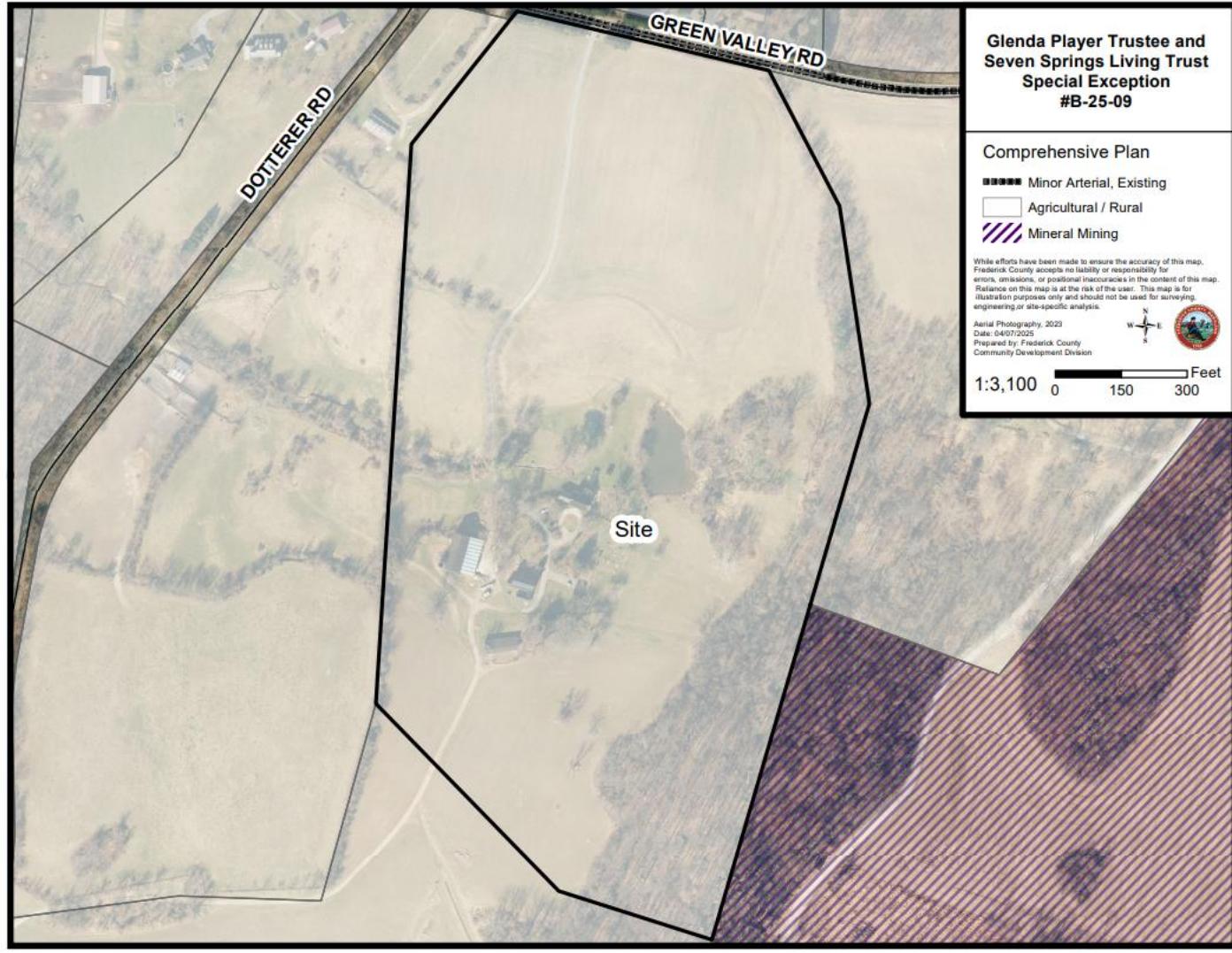
Attachment #3: Aerial Map



Attachment #4: Zoning Map



Attachment #5: Comprehensive Plan Map



Attachment #6: Environmental Features Map

