

Frederick County Board of Appeals Submission

Date: February 10, 2025
To: Frederick County Board of Appeals
Project: PB Dye Banquet Hall
Applicant: Michael Kim
Re: Frederick Cty Special Exception Application

Address: 9526 Doctor Perry Rd. Ijamsville, MD
Existing Zoning: Agricultural
Proposed Land Use: Agricultural/Rural
Applicable Sections: § 1-19-3.200.I. APPLICATION
 § 1-19-3.210. SPECIAL EXCEPTIONS
 § 1-19-4.230. NONCONFORMING USES

BOA Review Submission includes:

1. Narrative information noting general and specific intent and criteria.
2. Site plan showing existing buildings, the proposed structure, required parking spaces, conservation areas and existing/potential septic fields.

Background, Intention & Criteria:

1. PB Dye Golf Club (PBD), located at 9526 Dr. Perry Rd, Ijamsville, MD, in Frederick County, MD is a 218.856 acre golf course within Election District 07 and has Tax Account No. 188587. The property is situated within Tax Map 105, Grid 16, and identified as Parcel 50.
2. By definition from the Frederick County Code, a golf course is a non-conforming use in the Agricultural Zone. PBD wants to expand its non-conforming use by adding to its facilities and constructing a new building which will serve as a banquet hall.
3. Currently PB Dye has facilities for and hosts banquets and other functions similar in size to the functions that will be served by the proposed building.
4. The new building will be a little over 7,500 sq.ft. and will allow improvement and minor expansion of existing uses and services. It will be located to the south of the existing Club House with direct access to the existing parking lot and driveways that will have several new parking spaces added. The development of this facility will not impede into the existing stormwater facility to the south nor the Forest Conservation Area.
5. Hours of Operation: Primarily weekends from 12:00 pm – 10:30 pm. There may be very limited weekday use from 12:00 pm – 10:30 pm.
6. Number of Anticipated Employees: 10
7. Maximum number of Anticipated Patrons: 150
8. Equipment: Kitchen equipment and appliances typically used in a commercial kitchen; tables and chairs for patrons; and audio and visual equipment for presentations and music.

Code – 1-19-3.210 Special Exceptions

- A. The conditions that need to be met for the Board to grant a special exception are outlined in County Code 1-19-3.210.B. Specifically, *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 of this chapter;*
The proposed new building will not change the use of the PBD facility and will have no effect on how PBD comports with the Comprehensive Development Plan. PBD currently holds banquet events in the form of weddings, corporate outings and fundraisers. The new building will allow PBD to hold these same services at a higher standard.
 2. *The nature and intensity of the operations involved or conducted in connection with it and the size of the site in relation to it are such that the proposed use will be in harmony with the appropriate and orderly development of the neighborhood in which it is located;*
As the new building will allow functions and services currently provided by PBD to be offered in a better and more comprehensive way, we see no adverse effect on the neighborhood.
 3. *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;*
As stated above in item #2, it is not intended that the new banquet hall will be modifying or expanding already allowed uses at PBD. We see no adverse effect on the neighborhood as specified in the code language above.
 4. *Parking areas will comply with the off street parking regulations of this chapter and will be screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum safety.*
Sixty-two (62) additional parking spaces will be required. The existing property has the area to accommodate any additional parking spaces; parking will not be on neighborhood roads. **Refer to the attached site plan showing the additional parking spaces.** PBD will not move or change the existing entry and exits driveway.
 5. *The road system providing access to the proposed use is adequate to serve the site for the intended use.*
PBD already hosts events in kind, size and frequency as it intends to serve with the new building. The new banquet hall will allow PBD to provide these same services at a higher level of quality. There will be no change in use. The existing road system is adequate to serve the site for the intended use.

Code – 1-19-4.230 Nonconforming Uses

- A. *Section A - A nonconforming use is a use which legally exists on January 24, 1977 or at the time of amendment of this chapter but that does not comply with the regulations of the district in which it is located. Nonconforming uses are incompatible with permitted uses in the same district and will not be modified or enlarged, except with the approval of the Board of Appeals.*
All golf clubs and courses in Frederick County are nonconforming uses. PBD is a golf club.
- B. *Section C - The Board of Appeals may grant an approval to expand a nonconforming use. Expansion is limited to the lot that exists on January 24, 1977. Additional acreage or dwelling units will not be added to expand a nonconforming use.*
There will be no change to the lot.

