



FREDERICK COUNTY BOARD OF APPEALS

November 20, 2025

TITLE: Miles & Stockbridge (Owner Representative)
NJR, LLC (Property Owner)

FILE NUMBER: B-25-27 B277934

REQUEST: Requesting Approval to modify the existing Special Exception for a camp known as Mountainside, for the purpose of making certain recreational, operational and safety improvements. The existing special exception is an approved Rustic Retreat/Camp/ Outdoor Club In RC and A Districts, most recently approved in 2012, in accordance with the Frederick County Code, Sections 1-19-3.230 Special Exceptions, 1-19-8.327 Rustic Retreat/Camp/ Outdoor Club In RC and A Districts, and Section 1-19-11.100 Definitions for a property located at 2914 Roderick Road, Frederick, MD 21704 (the "Property").

PROJECT INFORMATION:

ADDRESS/LOCATION: 2914 Roderick Road, Frederick, MD 21704
MAP/PARCEL: Tax Map 096, Parcel 0055
COMP. PLAN: Agricultural/Rural
ZONING: (A) Agricultural
PLANNING REGION: Urbana
WATER/SEWER: NPS/NPS

APPLICANT/REPRESENTATIVES:

APPLICANT: Miles & Stockbridge¹
OWNER: NJR LLC
ENGINEER: N/A
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Michael A. Paone, Zoning Planner

RECOMMENDATION: Staff does not object to the approval to modify the existing Special Exception for a camp known as Mountainside, for the purpose of making certain recreational, operational and safety improvements. The existing special exception is an approved Rustic Retreat/Camp/Outdoor Club In RC and A Districts, in accordance with Section 1-19-3.230 Special Exceptions, Section 1-19-8.327 Rustic Retreat/Camp/ Outdoor Club In RC and A Districts, and Section 1-19-11.100 Definitions.

Attachments:

Attachment #1 – Aerial of Subject Property
Attachment #2 – Site Plan of Subject Property
Attachment #3 – Lower Level Platform
Attachment #4 – High Tunnel
Attachment #5 – Jumping Pillow
Attachment #6 – Aerial Map
Attachment #7 – Zoning Map
Attachment #8 – Comprehensive Plan Map
Attachment #9 - Environmental Features Map

¹ The term Applicant refers collectively to both the Applicant and the Property Owner.
Note: All code references herein are to the Frederick County Code, unless otherwise specified.

BACKGROUND

The Property is zoned Agricultural (A). The Maryland State tax records for this Property indicate that the Property consists of approximately 105 acres and is zoned (A) Agricultural and the Comprehensive Plan designation is Agricultural/Rural.

Frederick County Code, Section 1-19-11.100 defines ***Rustic Retreat/Camp*** as “A facility or land used for outdoor skills instruction, recreation, temporary lodging, or a retreat for group meetings or instruction, located in a rural setting which may provide meals, rudimentary facilities, and recreational amenities of a rural nature for participants during the period of the retreat or program only.”

The approved Special Exceptions are B-02-22, which approved the camp, B-06-38, approving the replacement of the proposed 90-person bunk house with yurts, and B-12-06, approving the expansion and conversion of the approved multi-purpose building into a larger “living building”.

§ 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 is Miles & Stockbridge. The Property Owner is NJR, LLC.

- 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 Applicant states that the proposed modifications to the approved camp are consistent with the purpose and intent of the Comprehensive Development Plan and the Zoning Ordinance. The Property is zoned A and is also designated as Agricultural/Rural in the 2012 Comprehensive Plan Map, as amended. The A district is intended “to preserve productive agricultural land and the character and quality of the rural environment and to prevent urbanization where roads and other public facilities are scaled to meet only rural needs.” Zoning Ordinance § 1-19-5.220. Section 1-19-8.327 of the Zoning Ordinance allows a camp within the A district with the approval of a special exception and site plan. The Board approved the Camp Special Exception in 2002. This Application merely proposes eight (8) minor modifications to the Property to add amenities that will elevate the unique camp experience at Mountainside and enhance access and safety for the staff, parents and campers.

All eight (8) modifications are inherent of the camp use because they add outdoor recreational activities typically associated with a camp or agritourism uses (e.g. play structure, lower-level platforms, jumping pillow); improve the use of the existing outdoor camp amenities (e.g. the structures with individual changing stalls for the pool); or improve existing operational efficiencies (e.g. the replacement of on-site storage sheds). (Attachments #2 – #5)

2. The nature and intensity of the operations involved in 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; and

The Applicant states that the nature and intensity of the camp and the size of the Property in relation to those uses are such that they are in harmony with the appropriate and orderly

development of the surrounding neighborhood. The improvements proposed by the Application will maintain this finding of harmony because they are located at the rear of the Property (high tunnel and lower-level platforms). (Attachment #2)

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; and

The Applicant states that the modifications proposed by the Application will not produce any noise, fumes, vibrations or other characteristics beyond those inherently associated with a camp at any other location within the A zoning district. The Application proposes additional outdoor recreational equipment and structures inherent of a camp, as well as agricultural activities, and will not produce any fumes, vibrations or other characteristics deemed adverse for these uses.

4. 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 parking areas at Mountainside comply with the off-street parking requirements in the Zoning Ordinance and will be screened from confronting residential uses, and the driveway achieves maximum safety.

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

The Applicant states that the road system providing access to the Property is typical for a rural residential area and is adequate to serve the site for the approved uses. In addition, the Applicant previously widened Roderick 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 §§ [1-19-8.320](#) through [1-19-8.355](#) of the County Code.

The Applicant understands and agrees to this requirement.

Site Plan Approval will be required for the proposed modifications to the existing Rustic Retreat.

- D. 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 this requirement.

- 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 has complied with this requirement.

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

The Applicant has made a written application stating the grounds upon which it is requested and is complying with the process.

- 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 will not expand the Rustic Retreat beyond the area shown in the application and approved by the BOA.

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.

- H. 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.

Frederick County Code, Section 1-19-8.327. RUSTIC RETREAT/CAMP/OUTDOOR CLUB IN RC AND A DISTRICTS.

The following provisions shall apply to rustic retreat/camp/outdoor club in RC and A Districts.

- A. A minimum 10-acre lot size is required.

The Applicant states that the Property is approximately 105 acres in size and therefore exceeds the minimum lot size for a camp in the A zoning district.

- B. Rustic retreat/camp/outdoor club with a planned capacity of 100 persons or more must have a minimum of 50 feet of frontage with access on a public road having a minimum pavement width of 20 feet to the nearest paved road. If the planned capacity is under 100 persons, there will be no specific road requirements other than the provisions contained in § 1- 19-3.210(B)(5).

The Applicant states that the Board found in its approval of the Camp Special Exception that Mountainside, which is approved for a capacity of over 100 persons, exceeds the 50-foot minimum frontage requirement with approximately 1,140 feet of frontage on Roderick Road, which has a

paved width of 20 feet. The Application does not propose any modifications that would impact the Property's satisfaction of this requirement.

- C. The project will be designed so that an overall density of 3 persons per acre is not exceeded.

The Applicant states that the Board found in its approval of the Camp Special Exception that Mountainside is designed to serve 315 persons on site at any one time consistent with the density threshold of 3 persons per 105 acres of the Property. The original maximum allowable persons of 345 was reduced once the Property size was surveyed as 105 acres, rather than 115 acres.

- D. Total impervious surface area for buildings and parking shall be limited to 4,000 square feet for every 1 acre of lot area up to a maximum of:

- (1) 3 acres for lots of 100 acres or less; or
- (2) 4 acres for lots between 101 and 250 acres; or
- (3) 5 acres for lots of 251 acres or larger.

The Applicants states that the Application does not propose an increase to the amount of impervious area for buildings or parking on the Property.

- E. The requirement for all yards is 50 feet.

The Applicant states that the location of all buildings on site and proposed by the Application exceed this 50-foot setback requirement as depicted on the plans filed with this Application.

- F. One freestanding on-premises identification sign no more than 25 square feet in area and subject to a minimum setback of 15 feet is permitted.

The Applicant states that Mountainside has one (1) freestanding sign at the entry driveway off Roderick Road that is less than 25 square feet in area and meets the minimum 15-foot setback.

- G. Parking shall be limited to that number required by the Frederick County Code and co-located adjacent to the access drive. An increase in the number of parking spaces may be granted by the Planning Commission where the applicant can demonstrate need based on characteristics of the proposed use, hourly parking demand studies published by the Institute of Transportation Engineers (ITE), or other documentation as approved by the Planning Commission. Parking approved beyond that number required by Frederick County Code, shall be constructed of pervious materials

The Applicant states that they do not propose any modifications to the existing parking facility at Mountainside, which will continue to meet all Zoning Ordinance requirements and continue to be primarily used for the drop and pick up of children via bus or shuttle.

- H. Permanent residential occupancy shall be limited to the resident owner, manager, or caretaker. Applicant's Response: This criterion for approval is satisfied because the Applicant agrees to limit any permanent residential occupancy of the Rustic Retreat premises to the resident owner, manager, or caretaker.

The Applicant states they do not propose any new resident owner, manager or caretaker residences, beyond those identified on the Applicant's approved site plan.

- I. Caretaker residence(s) is permitted as an accessory use to a rustic retreat/camp/outdoor club where a specific plan is presented and approved by the Board of Appeals

The Applicant states they do not propose any new resident owner, manager or caretaker residences, beyond those identified on the Applicant's approved site plan.

Site Plan Approval will be required for the proposed modifications to the existing Rustic Retreat.

CONCLUSION

Based on the findings and conclusions in the staff report, Staff does not object to the approval of the requested modification to the existing Special Exception for a camp known as Mountainside, for the purpose of making certain recreational, operational and safety improvements in accordance with the Frederick County Code, Sections 1-19-3.230 Special Exceptions, 1-19-8.327 Rustic Retreat/Camp/Outdoor Club In RC and A Districts and Section 1-19-11.100 Definitions.

§ 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 the 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: Aerial of Subject Property

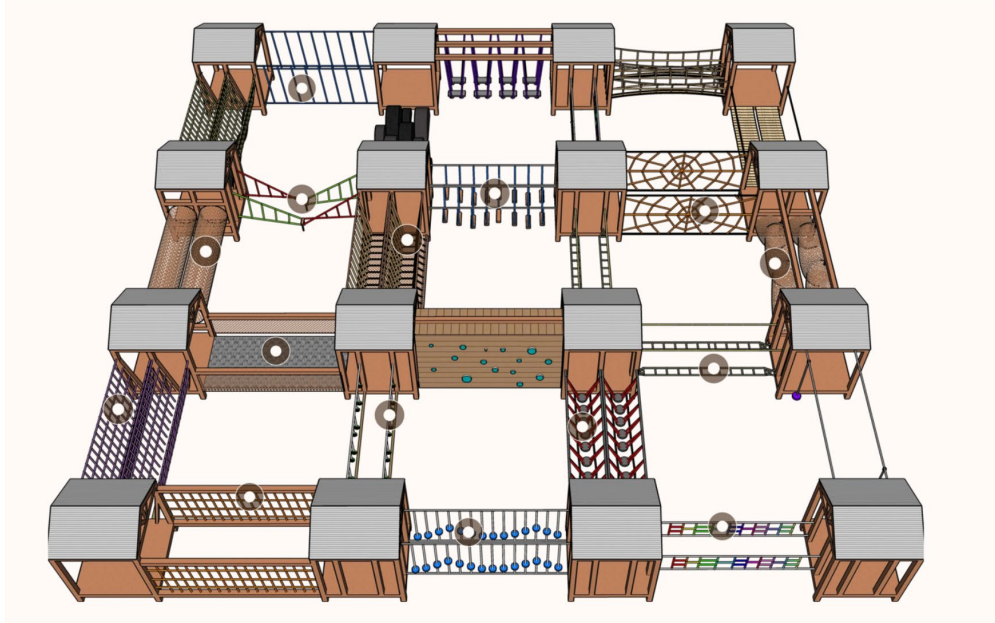


MAP 95, PARCEL 55
 NJR, LLC
 R 3245 FOLIO 1418
 S.F. OR 105.0293 ACRES±

The map shows a complex site plan with various proposed and existing features. Key elements include:

- Proposed Developments:**
 - Prop. High Tunnel
 - Prop. Low Ropes Platform
 - Prop. Changing Rooms
 - Prop. Pillow Topper
 - Electric GoKart - Mowed Paths
- Existing Features:**
 - SEPTIC AREA "A" PRIMARY SEPTIC FIELD (4.25 AC ±)
 - SEPTIC AREA "A" RESERVE AREA (7.50 AC ±)
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Attachment #3: Lower Level Platform



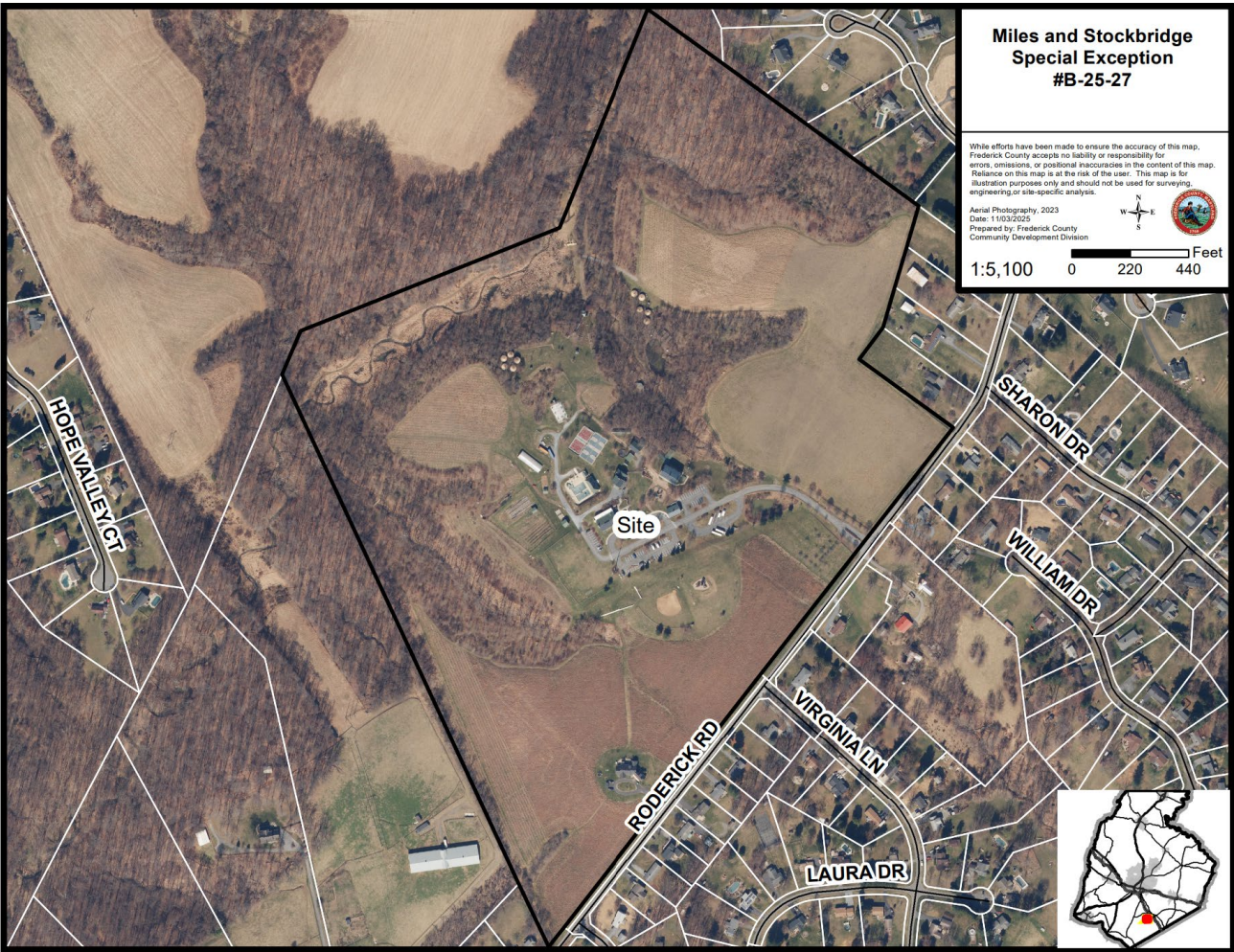
Attachment #4: High Tunnel



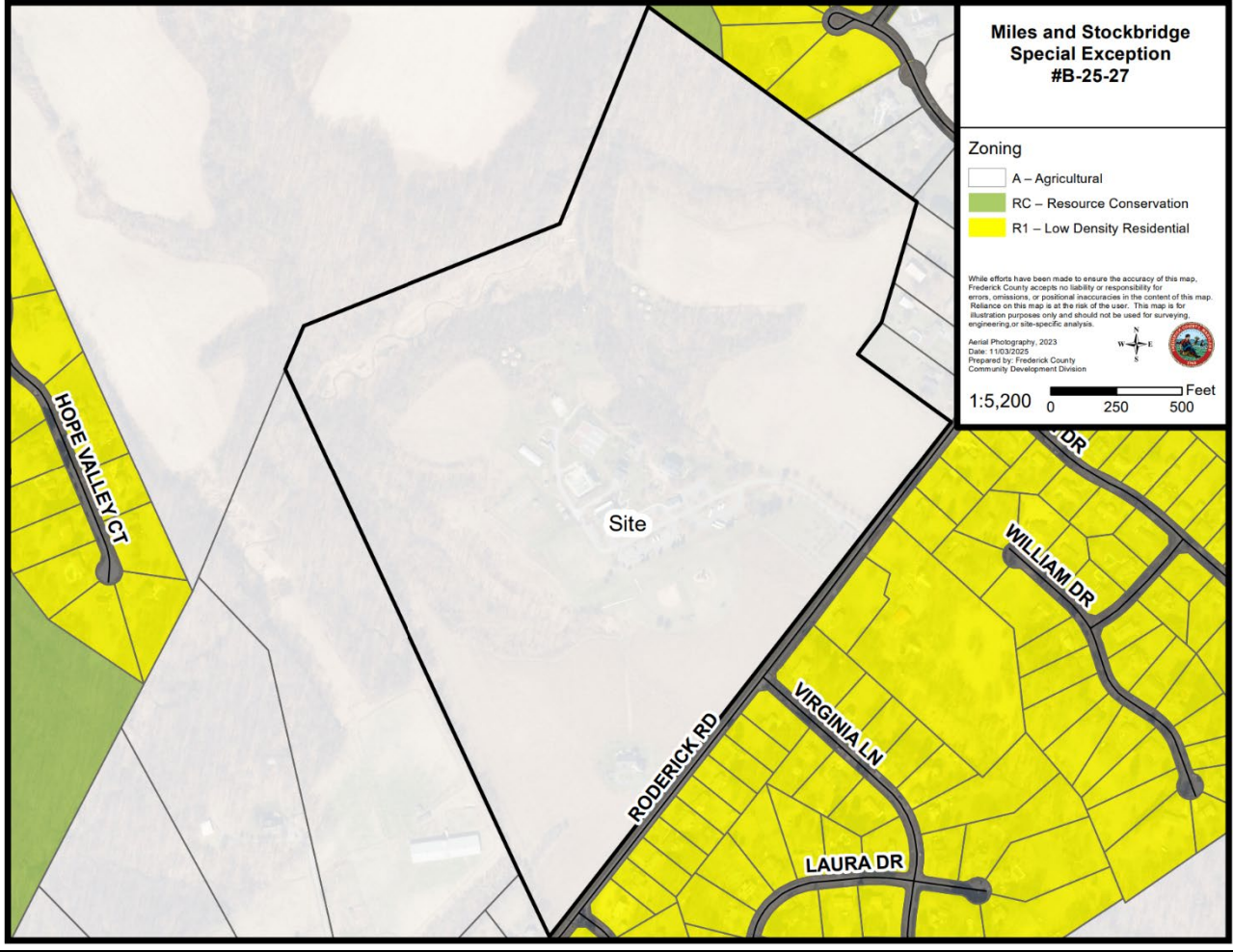
Attachment #5: Jumping Pillow



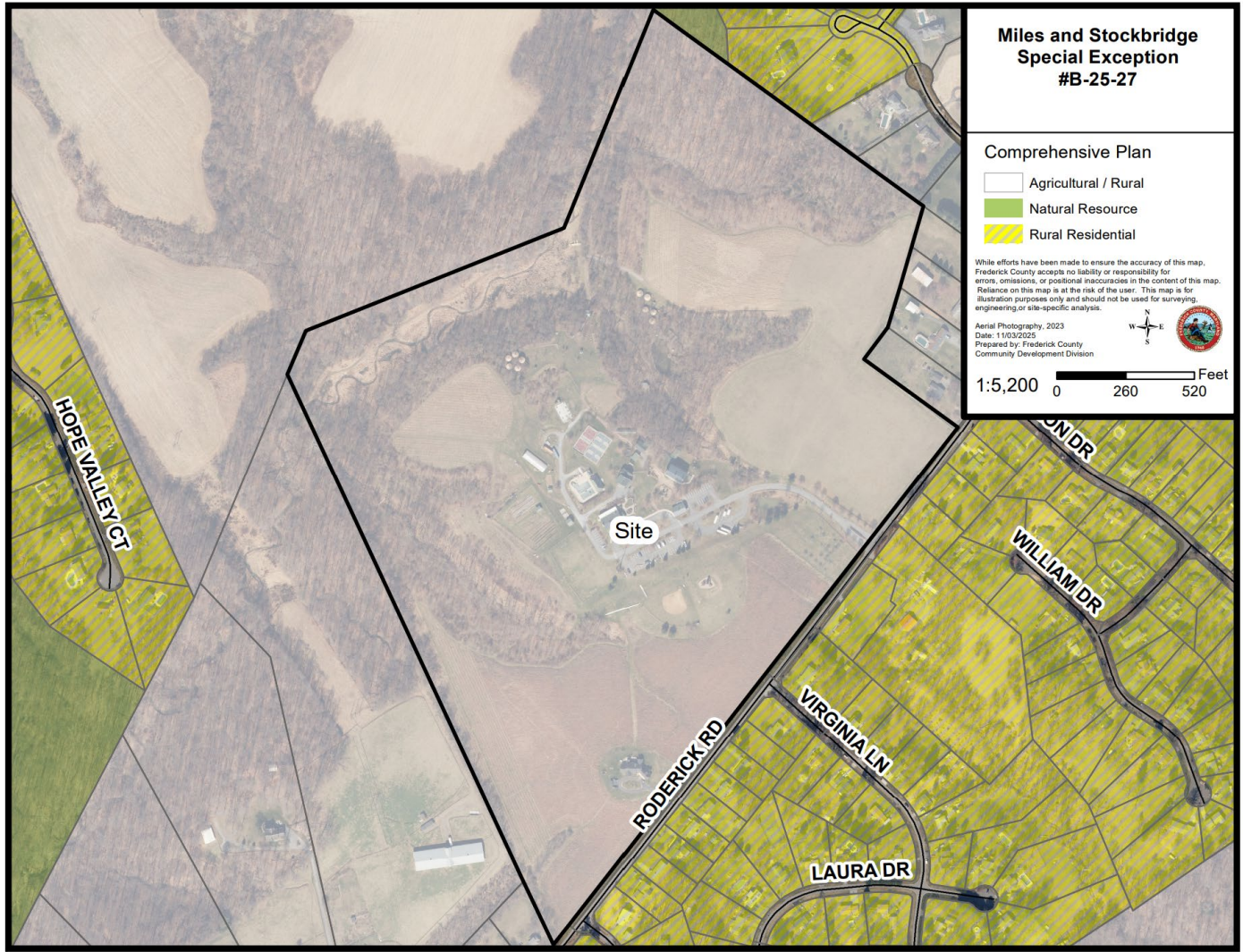
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