

Meeting Minutes
Board of Zoning Appeals
Caroline County, MD

DATE: Tuesday, August 15, 2023

PLACE: Health & Public Services Building
403 S. 7th Street, Room 111
Denton, Maryland 21629

BOARD MEMBERS: Karen Hardy, Chair
Benjamin Butler, Vice-Chair
Michael Mann, Sr., Member

OTHERS PRESENT: Patrick Thomas, Board Attorney
Crystal Dadds, Assistant Codes Director
Matthew Kaczynski, Development Review Coordinator
Catherine McCulley, Board Administrative Assistant

Chair Hardy opened the meeting at 6:00 pm.

Ms. Hardy read the following section of the Notice of Public Hearing:

Application No. 23-0042: A request by **Caroline Country Club** for a **Special Use Exception** in accordance with Zoning Chapter 175, Article XVI, §§ 175-13 (Attachment 3) and 175-47 of the Code of Public Local Laws of Caroline County, Maryland for a Rural Special Event Venue and Golf Course. Said property is located at 24820 Pealiquor Road, Denton, Maryland and is further described as Tax Map 37, Grid 2, Parcel 79 and is owned by David H. Dickieson.

Mr. Kaczynski summarized the staff report:

Mr. Dickieson, owner of the Caroline Country Club, has requested a Special Use Exception Approval for a Rural Special Event Venue and a Golf Course. He plans to host community and private events, as well as restore the existing golf course. He purchased the property in 2019 and has all rights to the name and assets of the Caroline Country Club. Currently he plans to use the existing clubhouse to rent out space for events. His business plan specifies three rooms which are available for hosting events. The existing facility has a

commercial kitchen not being used currently, and he plans to have other local businesses cater the events. If he decides to use the kitchen, he will have to get Health Department approvals for that. Regarding the golf course, Mr. Dickieson is doing this in phases due to the associated costs. The first step will be reopening the driving range, then repairing and restoring the irrigation system, then restoring the fairways, the greens, and the bunkers. Both of the uses require a special use exception. If the Board grants this, he will have to go before the Planning Commission for Final Site Plan Approval.

Ms. Dadds read the following exhibits into the record:

- 1 Notice of Public Hearing published in the Times Record on 8.2.2023 and 8.9.2023
- 2 Staff Report
- 3 Application (2 pages)
- 4 Business Plan
- 5 Site Plan (2 pages)
- 6 SDAT Real Property Data Sheet & Tax Map (2 pages)
- 7 Aerial Map
- 8 Adjoining Property Owner Affidavit (4 pages)
- 9 Sign Posting Affidavit & Photographs of Property (10 pages)
- 10 Applicant's Notice to the Property Owner (2 pages)

Third Party Exhibits included:

- 1 Comments submitted to website, 2 in support
- 2 Letter from Harry & Lisa Martin, in support
- 3 Emails sent to applicant, 12 in support

Ms. Hardy administered the oath to David Dickieson (24820 Pealiquor Road, Denton, MD), Alan Visintainer (24730 Woods Drive, Denton, MD), and, joining remotely, Chris Canter (24945 Pealiquor Road, Denton, MD).

Mr. Dickieson told the Board that he has studied the Country Club's history back to when it was first built in 1964. He examined how it has been used and heard from some original members about how it became an important part of the community since the mid-1960s. It's been a site for weddings, high school proms, memorial services and all sorts of community events. He does not intend to change any of that. His goal is to make it a part of the community again. He wants it to be a place where people can come, play golf, and have events. He learned that through the years, the club has been really appreciated by the

community. He gestured to the many people attending the hearing and said he was grateful to have so many neighbors and friends of the Country Club come today.

He stated that there would be one difference from the previous club because he did not intend for it to be a private club. It will be open to the public. There will be some preferred memberships for golf discounts. Mr. Dickieson told the Board he had examined the conditions for approval for a Special Use Exception in the code (Chapter 175-147), and he felt he was doing everything to comply with that. He cited § 175-147 A3(b), "will not substantially diminish or impair property values in the neighborhood" and asserted that since the property was now being mowed and maintained, he believed the neighboring property values were greatly benefiting. He explained that when going through the records of the club, he discovered that the golf course had at one time qualified as an Audubon certified, environmentally-sound and sustainable golf course. Minimizing chemicals and keeping everything environmentally-sound is a goal for Mr. Dickieson. He has worked with Maryland Department of the Environment who tested the wells and found everything satisfactory. He contended he was trying to do everything right, and he believed the people attending the hearing were in support of his application. He offered to answer any questions anyone had.

Ms. Hardy asked if any in the audience had questions.

Alan Visintainer commented that since purchasing the property, Mr. Dickieson had made huge improvements. Mr. Visintainer was astonished at how quickly the golf course turned into an impassible thicket when it was not mowed routinely. The old country club was an asset to the community and there were countless community events held there. Many nonprofits also held fundraising events there. When the club closed down, all of that was lost. It is an asset for the community, and he hopes the Board will approve the application.

Mr. Mann remarked that he had been a member of that community until his house was sold two years ago. He believed after the loss of the Country Club, and the grass was not being cut, it felt as if the community also declined. He has stayed in touch with the community and often works there. He has noticed a more hopeful spirit there since Mr. Dickieson's purchase and maintenance of the property.

Ms. Hardy asked about the hours of operation, parking, and the numbers of people expected to be using the facilities.

Mr. Dickieson used the projected site plan to show the clubhouse location and reported that only the two adjoining properties would be impacted if there were a noisy event. He

stated that there had always been sufficient parking with no need to park along the road. He estimated that there were 80-90 parking spaces.

Ms. Hardy questioned whether most events would end by midnight and if he would be willing to set up screening or a wind break if noise became a problem. Mr. Dickieson answered that one side was planted with bushes, but on the opposite side, the neighbors had cut down the bushes and left the trees. He did not feel this was going to be an issue. Ms. Hardy asked if the noise became an issue, would he be willing to address it. Mr. Dickieson confirmed that he would.

Ms. Hardy inquired if anyone in the audience wanted to object to the project. No one did. She also asked for comments from anyone joining remotely. Chris Canter remarked that he had played golf there as a youth, and he was happy to see the place be brought "back to life" and he "hopes it keeps going."

She asked if there might be some late events, for example a wedding. Mr. Dickieson said no event had gone past 11:30 so far.

Ms. Dadds and Mr. Thomas stated that the Code (§ 175-47. Rural special event venues) addresses the issue of hours of operation. The Board examined this portion of the code. Mr. Butler questioned whether there were any unpaved parking areas. Mr. Dickieson responded there were not. Ms. Hardy pointed out that if and when the club began serving food, the Health Department would have to approve the operations. She emphasized that a liquor license would be required if they wanted to serve alcohol. Mr. Dickieson mentioned the recent change in Maryland law which required only Maryland residency for a Caroline County Liquor License. Mr. Mann confirmed this. Mr. Dickieson added that if he received approval for the Special Use Exception, he planned to apply for a liquor license. Mr. Butler questioned whether the Board needed to state anything about the kitchen use. Mr. Thomas replied that they did not; if the Board grants the Special Use Exception, Mr. Dickieson will be required to follow the requirements of the Code. Mr. Mann added that the club can use caterers who are licensed to provide food and alcohol.

Ms. Hardy asked Mr. Dickieson if he had spoken to the local police and fire authorities to see if any safeguards pertaining to public safety needed to be established. He responded that he had spoken with both the Denton and Ridgely fire departments when he had asked them to supervise the burning of a large brush pile left by the previous owner.

Ms. Hardy, addressing Assistant Codes Director Dadds, wondered if the Board needed to explore public safety issues (such as a fire) at this time. Ms. Dadds clarified that the Board only needed to consider the conditions for approval for the Special Use Exception. If the

Board gives approval for the Special Use Exception, they will move on to the Planning Commission for Site Plan approval, and then Building Code and Permitting. Those issues would be addressed in that process.

Mr. Butler questioned the safety of golf carts crossing the county road. Mr. Mann, having formerly lived in the community, said he had very rarely seen a golf cart crossing the road when he drove by the club. Ms. Dadds remarked that the Technical Advisory Committee would have taken this circumstance into consideration. Mr. Kaczinski noted that there were no issues with the road entrance, and the sightlines along the road are clear there.

Mr. Dickieson offered to post a sign there if needed.

Linda Agreen (24891 Woods Drive, Denton, MD) asked Mr. Dickieson about his plans regarding reopening the restaurant. He answered that would be down the road since it required getting the commercial kitchen up and running and there were no funds for that now. He hoped for the restaurant to be full service and able do the catering for the events.

DELIBERATION

§175-142 A(1) A written application for a special use exception has been submitted indicating the specific special use exception being sought and stating the grounds on which it is requested. The Board cited Application No. 23-0042 as Exhibit 3.

§175-142 A(2) A duly advertised public hearing has been held as prescribed by § 175-179 of this chapter. The Notice of Public Hearing (Exhibit 1) was advertised on 8/2/2023 and 8/9/2023.

§175-142 A(3)(a) Will not be detrimental to or endanger the public health, safety or general welfare. The testimony given expressed that the project had brought some good into the community, including its positive effect on property values. Board members agreed it would not be detrimental.

§175-142 A(3)(b) Will not be injurious to the peaceful use and enjoyment of other property in the neighborhood and will not substantially diminish or impair property values in the neighborhood. The Board remarked that rather than being injurious to the neighborhood, the project had improved it. No one present or submitting comments opposed the project.

§175-142 A(3)(c) Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district. Noting that the

club had been in existence since 1964, the Board maintained that its regeneration would not impede normal and orderly development of the area.

§175-142 A(3)(d) Will not overburden existing public facilities, including schools, police and fire protection, water and sewerage, public roads, storm drainage and other public improvements. As the club is on private water and sewerage, it would not burden public facilities. The chance that police or fire personnel would be called to the scene is no different from the same happening with a church.

§175-142 A(3)(e) Conforms in all other respects to this chapter and especially to the applicable regulations of the zoning district in which it is to be located. The Board determined this use to be consistent with the Zoning (Rural) in this district. Chair Hardy noted that Mr. Dickieson was willing to provide screening should that be deemed necessary in the future.

§175-142 A(3)(f) Will not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the critical area and that the granting of the special use exception will be in accordance with the "Critical Area Program for Caroline County," the critical area law and this chapter. Since the property is in the Critical Area, Ms. Hardy emphasized that any future improvements to the property must take those issues into account.

Motion: Mr. Butler made a motion to approve the Special Use Exception for Application Number 23-0042 with the following conditions:

- The Applicant must receive Final Site Plan Approval from the Planning Commission prior to the issuance of any Building Permit and/or Zoning Certificate associated with the project.
- A Building Permit and/or Zoning Certificate will be required prior to any proposed development and must be accompanied by all the necessary documentation and site plan requirements.
- The Board's decision shall be void one year from the date of approval unless a plat is recorded or a zoning certificate and/or building permit is issued and construction has begun in accordance with the terms of the decision.

Second: Ms. Hardy seconded the motion.

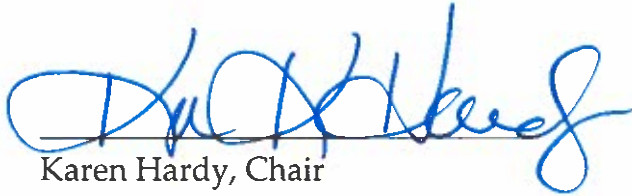
Vote: The vote was unanimous (3:0).

Chair Hardy moved to approve the 6/20/2023 minutes. Mr. Butler seconded, and the minutes were approved by a vote of 3-0.

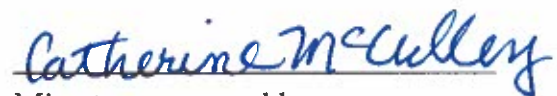
The meeting adjourned at 6:45 pm.

BOARD OF ZONING APPEALS

Karen Hardy, Chair



Karen Hardy, Chair



Minutes prepared by:

Catherine McCulley, Board Administrative Assistant