

**Tax Map/Block/Parcel**  
**No. 77-16-263**  
**Case 5274/5275**

**OFFICIAL DECISION**  
**BOARD OF ZONING APPEALS**  
**CARROLL COUNTY, MARYLAND**

**APPLICANT:** Ramblin' Pines, Inc.  
801 Hoods Mill Road  
Woodbine, MD 21797

**ATTORNEY:** C. Michael Preston

**REQUEST:** An appeal of the Zoning Administrator's decision regarding the proposed expansion of Ramblin' Pines Campground and/or a conditional use request for an expansion of an existing commercial camping area by an additional 5.091 acres for the purpose of adding an additional "dry" parking area (camper storage) and up to an additional 13 "pull-thru" campsites\* and variances 400', 399', and 172' from the required 500' setback for a linear distance of 254' and a variance of 20' along the entire northwest property line from the required 50' setback.

**LOCATION:** The site is located at 801 Hoods Mill Road, Woodbine, on property zoned "A" Agricultural District in Election District 14.

**BASIS:** Code of Public Local Laws and Ordinances, Section 223-186 A (1)

**HEARINGS HELD:** February 27, 2007 and March 29, 2007

**FINDINGS AND CONCLUSION**

On February 27, 2007 and March 29, 2007, the Board of Zoning Appeals (the Board) convened to hear an appeal of the Zoning Administrator's decision regarding the proposed expansion of Ramblin' Pines Campground and an alternative request for an expansion of an existing commercial camping area by an additional 5.091 acres for the purpose of adding an additional "dry" parking area (camper storage) and up to an additional 13 "pull-thru" campsites\* and variances of 400', 399', and 172' from the required 500' setback for a linear distance of 254' and a variance of 20' along the entire northwest property line from the required 50' setback . The Board made the following findings and conclusion:

The Applicant operates a commercial campground with 200 year round camp sites and 100 "dry parking" spaces. Dry parking spaces are used to store unoccupied recreational vehicles for temporary periods. The campground currently consists of 57 acres (+/-), of wooded property and it is accessed by a private drive that connects to Hoods Mill Road in Woodbine.

*\*The request for 13 additional "pull-thru" campsites was withdrawn.*

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The subject appeal and application concerns an additional five acres adjacent to the existing campground. The Applicant wishes to use the additional acreage for more dry parking for up to 125 recreational vehicles. The Applicant also requested that the space be used for an additional 13 camp sites, but this request was withdrawn at the second day of hearings on the application.

The Applicant filed an appeal from the Zoning Administrator's ruling on two interpretations of law. The appeal concerns the Zoning Administrator's answers to two questions, namely:

1. Do the setback requirements of Article XXIV of Chapter 223 of the Code apply to the proposed dry parking expansion?
2. Incident to the expansion request, are variances required for the existing campground as to the residences constructed after prior use approvals by the Board?

Section 4-07(d) of Article 66B and Section 223-186(A)(1) of the Code provide authority for the Board to "hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer" in the enforcement of Article 66B or any ordinance adopted pursuant thereto. In this case, the Zoning Administrator concluded that the "dry parking" of camping vehicles constituted an enlargement of the campground, and therefore under Section 223-171(I), the entire camping area had to conform to all of the requirements for the new area, necessitating the need for variances. The Board finds no fault with this conclusion. The request was clearly for an extension of the campground to accommodate additional parking of recreational vehicles. The proposed new parking area is ancillary to and an expansion of the campground. It will enlarge the facility. Accordingly, we find no error in the Zoning Administrator's conclusion that variances in accordance with § 223-171 are necessitated by the request. The Board also concurs with the Zoning Administrator's conclusion that, incident to the expansion request, variances are required for the existing campground as to residences constructed after prior use approvals by the Board. There are no exceptions in § 223-171(I) for subsequently constructed homes and a plain reading of the provision leads to the conclusion that the setbacks would clearly apply to subsequently constructed houses.

Turning to the conditional use request, the Board finds that the Applicant's current use is a clean, well run operation. What is being proposed is simply the temporary storage of up to 125 additional recreational vehicles for a fee. The Applicant presented credible expert testimony from a real estate appraiser that the proposed use will not adversely affect property values in the surrounding areas. In addition, the Board heard from a credible traffic engineer that this use would generate negligible traffic. There was no evidence presented by any party showing that the additional parking would in any way be disruptive to the area. Based on the above, the Board finds that the proposed dry parking area will not generate noise, traffic, dust, fumes, or vibrations and will not adversely affect property values or the neighbors' peaceful enjoyment of their homes greater here than elsewhere in the zone. Accordingly, the conditional use is granted.

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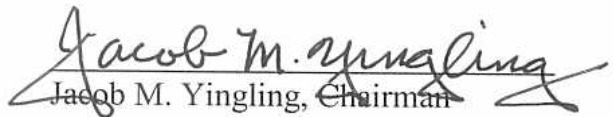
In addition, the Board finds that the requested variances are warranted in this case to prevent unreasonable hardship and practical difficulty. Specifically, the Board finds that a strict application of the setback provisions to this property would render it unuseable for the campground, which is the only practical use for such a property due to its close proximity to the campground. Accordingly, the requested variances are granted.

The use is subject to the following conditions:

1. The dry storage area approved herein will be located in the area depicted in red on Exhibit 2A that was submitted at the hearing..
2. As part of the site plan process, the Applicant, in addition to any other requirements imposed, shall be required to plant a double row of Leyland Cypress trees in the area designated on Exhibit 2A, and "downward throw" style illumination shall be used to replace the existing dusk to dawn lighting also as set forth in Exhibit 2A.

Date

4/18/07

  
Jacob M. Yingling, Chairman