

Tax Map/Block/Parcel
No. 34-04-058
Case 5744

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Daniel W. Tamminga, Sr.
7933 Forest and Stream Club Road
Keymar, MD 21757

ATTORNEY: N/A

REQUEST: A request for a conditional use for holding seasonal meets of dog competitions, creating a recreational area, and use as a Country Inn for weddings, wedding receptions and other one-day special events.

LOCATION: The site is located at 7933 Forest and Stream Club Road, Keymar, MD 21757, on property zoned "A" Agricultural District in Election District 10.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-71
A(9)(14)(26)(27)

HEARING HELD: March 25, 2014

FINDINGS AND CONCLUSION

On March 25, 2014, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for holding seasonal meets of dog competitions, creating a recreational area, and use as a Country Inn for weddings, wedding receptions and other one-day special events. Based on the testimony and evidence presented, the Board made the following findings and conclusions.

Daniel W. Tamminga, Sr. testified on behalf of the applicant. He is the owner of Detour Winery. The winery was previously approved by the Board. He originally started the winery with the planting of five acres of grapes. He has now increased the amount of acreage for grapes to be planted from five to forty. Through the winery business he has discovered that people like coming to his property. Therefore, he wanted to expand the occasions when people could come to his property for different events. He wanted to be permitted to have weddings, dog jumping competitions, receptions, and private events. He wanted visitors who came to his property once to be satisfied enough with the experience that they would want to return to his property for other events. More particularly Mr. Tamminga requested permission to use the property for: seasonal

meets of dog competitions, recreational areas, country inn (for weddings, receptions and other one day events), and retreats.

The winery is open from 12:00 noon to 6:00pm. Weddings would be expected to occur from the afternoons to about eight o'clock. He would provide lighting for the events. The weddings or receptions, with no more than two hundred guests, would also occur on the weekends. Mr. Tamminga stated that he did not want to get into the catering business. His vision was to allow a tent to be pitched for an outdoor event. When the new building is constructed, the event could occur inside. He would not allow people to stay on the property overnight.

Mr. Tamminga has an area where he could not grow grapes that he wanted to use as a recreational area. He might include hiking trails. He might allow children to go on tours. He also thought of creating ball fields.

Heather Sozio testified about the dog competitions. She works for an organization known as Chesapeake Dock Dogs. This nonprofit group is also insured. The group would hold jumping competitions for dogs. The dogs would jump off of a dock and into a pond. The competition involved the dogs jumping for distance or height. Some of the competitors came to the site from out of state. The dogs would come for the competition or a practice and then go home. All of the dogs are on leashes unless they are actually jumping into the pond or going from the pond back to land. The dogs would not remain at the property overnight. These dog competition events would be limited to weekends. People generally would bring their own food and beverages in picnic baskets and coolers. They generally occur over the summer months and the hours are from 8:00am to 7:00pm. There would also be an opportunity for the dogs to practice jumping once a month from 9:00am to 1:00pm.

Based on a February 5, 2014 letter from Philip R. Hager, Secretary, Planning & Zoning Commission and a February 4, 2014 memorandum from Lynda Eisenberg, Chief, Bureau of Comprehensive Planning, the property was consistent with the policies and recommendations contained in the Carroll County Master Plan, the Carroll County Master Plan for Water & Sewerage, and other functional plans. The Board accepted and agreed with these findings.

The Board was convinced that authorization of the request with regard to a conditional use was consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered regarding conditional uses of the zoning ordinance, and would not unduly affect the residents of adjacent properties, the values of those properties, or public interests. Based on the findings of fact made by the Board above, the Board found that the proposed project would not generate adverse effects (i.e. noise, traffic, dust, water issues, lighting issues, property depreciation, etc.) greater here than elsewhere in the zone. The Board approved of all the conditional uses requested by the applicant. The Board specifically noted that with regard to the country inn, that the people previously invited to the one-time event would be allowed to park at the site. This exception was approved because a clause in the country inn authorization states that "these events would not be open to the public."

Date

Harvey Tegeler, Chairman

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Article 66B, Section 4.08 of the Annotated Code of Maryland Rules of Procedure.

Pursuant to Section 223-192C of the County Code, this approval will become void unless all applicable requirements of this section are met. Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.

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