



**Report to the Board of Appeals
Special Exception Request
DC Ramblers Motorcycle Club, Inc.
Docket # 1308**

Request: Special Exception – Use #4.01.400 Social, fraternal clubs, and lodges, union halls, meeting halls and similar uses.

Applicant: DC Ramblers Motorcycle Club, Inc.
Mr. Michael Martin, President
6469 Old Solomons Island Road
Tracy’s Landing, Maryland 20779

Property Location: 16763 Prince Frederick Road
Hughesville, Maryland 20637
Identified as Tax Map 48, Grid 2, Parcel 14

Property Owner: Mr. & Mrs. Thomas Greenfield

Tax Identification: 09-000062 (9th Election District)

Zoning: Agricultural Conservation (AC) Zone
Commercial Neighborhood (CN) Zone

Attachments: Aerial, Location, and Zoning Maps, as well as Exhibits provided by the Applicant

DESCRIPTION OF PROPERTY

Size of Property: 31.387 acres of which approximately 7.1863 acres which are subject to the special exception request for Use 4.01.400 - Social, fraternal clubs and lodges, union halls, meeting halls and similar uses.

CHARACTER OF NEIGHBORHOOD

The overall 31.387 acre property consists primarily of mature forest cover and is bordered by a small number of residential homes / properties in all directions. The property contains an existing bar/restaurant entitled “Allen’s Acres” which is no longer in business. The 7.1863 acre portion of the overall property, which the DC Ramblers Motorcycle Club wishes to purchase and occupy, once subdivided, is located along the frontage of the property abutting Prince Frederick Road (MD 231). Directly across Prince Frederick Road (MD 231) is another existing bar/restaurant previously known as “Toye’s” which is also out of business.

Please reference the provided Aerial photograph provided within your report materials.

Additionally, please reference the seven (7) attached photographs taken during a site visit on 6/19/13. The descriptions of the numbered photographs are as follows:

1. View of the property frontage when going west bound on MD 231.
2. View of the east side of the "Allen's Acres".
3. View of the neighboring "Toye's" bar/restaurant across MD 231.
4. View of the west side of the "Allen's Acres" building.
5. View of the "Allen's Acres" building from across MD 231.
6. Close-up view of the "Allen's Acres" bar/restaurant building.
7. View of the property frontage when going east bound on MD 231.

SPECIFIC REQUEST The DC Ramblers Motorcycle Club, Inc. requests special exception approval of Use #4.01.400 Social, fraternal clubs and lodges, union halls, meeting halls and similar uses on an approximately 7.1863 acre piece of property to be subdivided out of the 31.387 acre parent parcel currently identified as Parcel 14. The DC Ramblers wish to relocate their clubhouse from their current location at the American Legion in Hughesville to their desired new home along Prince Frederick Road.

BACKGROUND An existing bar/restaurant entitled "Allen's Acres" occupies a portion of the property located at 16763 Prince Frederick Road. The establishment has been closed down for several years. The property, which the former business is located on, is currently for sale by the owner and the DC Ramblers Motorcycle Club, Inc. are interested in purchasing it for conversion into their private meeting place, where their 25 active members, will meet at least twice a month on the 2nd and 4th Wednesday, and will only be accessible to club members and their guests. The DC Ramblers Motorcycle Club has entered into a contract purchaser agreement with property owner and their purchase of an approximately 7.1863 acre portion of the 31.387 acre property is contingent upon the approval of their special exception application request. The contract purchaser agreement has been included within the materials provided to the Board of Appeals members.



Please reference the justification letter directed to the Board of Appeals from Mr. Michael Martin, President of the DC Ramblers Motorcycle Club, Inc. in which he details the history of the motorcycle club, their community service efforts, including holding annual fundraisers, and references their desire to locate their clubhouse on the property in question off of Prince Frederick Road (MD 231).

BOARD AUTHORIZATION -

§297-415. H. The Board of Appeals shall grant a special exception when, from a preponderance of the evidence of record, the proposed use:

- (1) Will not be detrimental to or endanger the public health, safety and general welfare.

Applicant's Response: *The DC Ramblers occupied a 2,500 sq. ft. clubhouse on 3 acres in Ft. Washington, Maryland for over 50 years without 1 negative comment. As of the first 2 hours of posting the "For Sale" sign I started getting calls from neighbors asking why we were moving and expressing that we were great neighbors and that were upset to see us leave. These calls still continue. Some neighbors thought the building was empty because they only saw functions a couple of times a year. Actually we held meetings weekly and regular holiday dances, dinners and fund raising events. I don't feel the DC Ramblers are detrimental or an endangerment to anyone or anything.*

The DC Ramblers is a charitable membership club over 75 years old consisting of close to 50 members nationwide that in part meet weekly, following the Roberts Rules of Order and keeps records of minutes of all organized meetings.

Staff Findings: *Per the application it appears that the proposed DC Ramblers Motorcycle Club will not be detrimental to or endanger the public health, safety, and general welfare. The use proposed will be subject to full compliance with all conditions of approval associated with the operation of the use. The DC Ramblers Motorcycle Club intends to hold weekly meetings and host charity events at the site. Per the justification letter they intend to make renovations to the existing building and improvements to the property which could be seen as being a benefit to the surrounding properties and general neighborhood.*

- (2) Is a permissible special exception in the zone.

Applicant's Response: *Use 4.01.400 is approvable via special exception in the AC Zone.*

Staff Findings: *Social, fraternal clubs and lodges, union halls, meeting halls and similar uses classified as Use 4.01.400 are approvable via special exception by the Board of Appeals when located within the **AC**, **RC**, **RV**, and **CN** Zones. The property in question contains two zoning classifications. The area occupied by the existing bar / structure is zoned Commercial Neighborhood (CN) while the remainder of the property is zoned Agricultural Conservation (AC).*

- (3) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood.

Applicant's Response: *The property we last owned was as beautiful as any home and yard in Fort Washington. Our property was manicured and maintained on a regular schedule and we utilized the professional services of Denison Landscaping to maintain the appearance to*

our standards. The property, as is, has been under scrutiny for the conduct of its occupants and has had frequent visits from law enforcement. We plan to make cosmetic changes as soon as we can occupy the premises to increase its appeal to the area residence as well as people traveling through the county. Our plan is to be recognized as an asset to Charles County.

Staff Findings: : Per the application it appears that the proposed DC Ramblers Motorcycle Club will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood. The use proposed will be subject to full compliance with all conditions of approval associated with the operation of the use. The DC Ramblers Motorcycle Club intends to hold weekly meetings and host charity events at the site. Per the justification letter they intend to make renovations to the existing building and improvements to the property which could be seen as being a benefit to the surrounding properties and general neighborhood.

(4) Complies with the standards and requirement set forth in Article XIII.

The following are the minimum standards outlined in Article XIII:

Use # 4.01.400 Social, fraternal clubs and lodges, union halls, meeting halls and similar uses.

Such uses are permitted by special exception in the **AC**, RC, RV and **CN** Zones, provided that:

A. Any structure shall be located at a distance of not less than 100 feet from any lot line, except that not less than 50 feet at commercial or industrial zone lot lines shall be allowed. The front setback shall be at least 100 feet, except when bordering highways of eighty-foot rights-of-way or more, where the setback shall be 50 feet.

Applicant's Response: All structures are to remain in position as is and at this time we have no plans to make changes.

Staff Findings: The DC Ramblers Motorcycle Club, Inc. currently has no plans to re-locate or expand the existing building footprint. If the special exception application is approved, compliance with the setback requirements outlined above will be verified at time of Site Development Plan application.

B. The provision of food, refreshments and entertainment for club or organization members and their guests may be allowed in connection with such use.

Applicant's Response: The DC Ramblers M/C property will be limited to members and guests only.

Staff Findings: The provision of food, refreshments and entertainment on-site will be limited to events held and attended by the DC Ramblers members and their guests.

C. All outdoor lighting shall be located, shielded, landscaped or otherwise buffered so that no direct light shall intrude into any adjacent residential area.

Applicant's Response: The present lighting is non-functional and as of our occupancy all the lighting will be modernized and at the least to follow county requirements.

Staff Findings: Any new lighting proposed/provided on-site for use by the DC Ramblers Motorcycle Club will be required to be illustrated on a photometric / site lighting plan, at time of future Site Development Plan stage, which demonstrates conformance with Chapter 297-305 Lighting requirements and Chapter 297-306 Lighting standards, to ensure that no excessive light spillage occurs onto neighboring properties and/or roadways – Prince Frederick Road (MD 231).

- (5) Will cause no objectionable impact from traffic, noise, type of physical activity, fumes, odor, dust, or glare.

Applicant's Response: The property will be going from being a public bar with late and frequent all night entertainment, clearly a place of detrimental integrity, to a private club occupied by its respectable members and guests. Traffic will be reduced as well as less frequent and no reason for a negative impact due to physical activity, fumes, odors, dust or glare.

Staff Findings: The Applicant states that there will be no objectionable impact from traffic, noise, and type of physical activity, fumes, odors, dust or glare. The DC Ramblers Motorcycle Club have stated that they will only occupy the property during weekly meetings and during other pre-scheduled events.

- (6) Will provide adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements. If a use requires an adequate public facilities review by the Planning Commission, such review shall be made a condition of the granting of the special exception by the Board.

Applicant's Response: The building as is had adequate utilities. Any changes made by the DC Ramblers M/C will be to make improvements to a higher standard.

Staff Findings: If the special exception application is granted by the Board of Appeals the adequacy of the existing facilities will be reviewed by the Department of Resource and Infrastructure Management (RIM) at time of future Site Development Plan (SDP) review. At time of Site Development Plan application, the project would be subject to §297-257 of the Charles County Zoning Ordinance regarding "Adequate Public Facilities Requirements", including but not limited to traffic analyses by the Department of Resource and Infrastructure Management.

- (7) Will provide adequate ingress and egress and be so designed as to minimize traffic congestion to the public streets.

Applicant's Response: We feel ingress and egress is adequate however improvements may be made.

Staff Findings: If the special exception is approved by the Board of Appeals the Applicant will be required to supply a completed Preliminary Adequate Public Facilities (PAPF) Application as part of their Site Development Plan (SDP) Application. Within the PAPF Application, the Applicant will be required to show traffic generation expectations and the times of day and week in which they are expected, to and from the site. Staff analysis of the PAPF will use thresholds established in the Zoning Ordinance Section 257 to determine if detailed a detailed

traffic study will be required (or not) to be submitted within the subsequent Site Development Plan (SDP) Application, as part of the Applicant's showing compliance with Zoning Ordinance, Article XVI: "Adequate Public Facilities Requirements".

During the review period of the special exception request, the application received approval from the Access Management Division on April 15, 2013. Approval was relayed via correspondence from Mr. Pranoy Choudhury, Regional Engineer, with the Maryland Department of Transportation / State Highway Administration.

(8) Is in accordance with the objectives of the Charles County Comprehensive Plan.

Applicant's Response: *The DC Ramblers has very high standards and will do everything we can to be a role model for the Charles County Comprehensive Plan.*

Staff Findings: *The special exception application was reviewed by Charles County Community Planning for compliance with the Charles County Comprehensive Plan. Planning Staff did not voice any objections to the proposed Motorcycle Club use at this location.*

(9) Conforms to the applicable regulations of the zone in which it is located and to the special exception requirements established for the specific use.

Applicant's Response: *Absolutely.*

Staff Findings: *It appears that the special exception application will be able to conform to the applicable regulations of the AC and CN zones and the requirements established for the specified use #4.01.400. Compliance will be verified at time of future Site Development Plan (SDP) stage.*

Staff Recommendation:

In order to adequately address all of the requirements of the Zoning Ordinance, the Planning Office recommends the following **Conditions of Approval**, should the Board of Appeals find that it can approve this application:

(1) Prior to future Site Development Plan (SDP) approval for the site to be occupied by the DC Ramblers Motorcycle Club the associated final plat of subdivision, XRS #13-0028, for the approximately 7.1863 acre parcel (Lot 2), to be subdivided out of the 31.387 property identified as Parcel 14 off of Prince Frederick Road (MD 231), must be recorded at the Charles County Courthouse. A copy of the recorded plat and Liber / Folio # will be required to be submitted to the Charles County Planning Office for inclusion within the SDP file.

(2) Special exception approval of Use #4.01.400 Social, fraternal clubs, and lodges, union halls, meeting halls and similar uses on the approximately 7.1863 acre future parcel is contingent upon the sale of the parcel to the DC Ramblers Motorcycle Club, Inc.

Attachments