

BEFORE THE BOARD OF APPEALS FOR WASHINGTON COUNTY, MARYLAND

CHURCH OF THE BREATHERN
c/o Ann Cornell
P.O. Box 21782
Sharpsburg, MD 21782

Appeal No. AP2007-099

Appellant

OPINION

This action is an appeal for the expansion of an existing non-conforming use to expand the Sheperd Springs Outdoor Ministry Center to allow the establishment of Heifer Global Village. The subject property is located at 16869 Taylors Landing Road, Sharpsburg, MD, is owned by the Appellant, and is zoned Environmental Conservation.

A public hearing was held before a full Board on December 12, 2007. The Appellant offered evidence and testimony in support of the appeal. No opposition was presented to this appeal.

FINDINGS OF FACT

The following findings of fact are made by the Board, based upon the testimony given and all data and other evidence presented, and upon a study of the specific property involved, as well as the neighborhood:

1. The subject 219.7-acre property was purchased by Appellant in 1988 and approved for use as a campground in 1991.
2. The use proposed herein was an allowed use in 1991, but Ordinance changes have now resulted in the use being considered as nonconforming.
3. The property is currently improved with retreat lodge, dining hall, seven cabins, and ampitheater, and other amenities.
4. The proposed use “is an education camping experience designed to acquaint visitors with living conditions in other countries/poverty regions.”
5. The proposed use will be seasonable, with an expected maximum capacity of 60 “villagers” in seven “villages.”

6. No one testified in opposition to this appeal.

RATIONALE

Nonconforming uses are governed by Section 4.3 of the Zoning Ordinance for Washington County, Maryland. Section 25.6 of the Ordinance directs the Board to consider the following factors, as applicable, in rendering its decision: (a) the number of people residing or working in the immediate area concerned; (b) the orderly growth of a community; (c) traffic conditions and facilities; (d) the effect of such use upon the peaceful enjoyment of people in their homes; (e) the conservation of property values; (f) the effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the use of surrounding property values; (g) the most appropriate use of land and structure; (h) the decision of the courts; (I) the purpose of these regulations as set forth herein; (j) the type and kind of structures in the vicinity where public gatherings may be held, such as schools, churches and the like.

This proposal is a compatible and complimentary use of the property. The property is of adequate size to support the proposal, which is an expansion of the camping activities now conducted at the site. The site's size and rural location provide adequate buffering for neighboring properties. No neighbors testified in opposition to the proposal, and no evidence was presented that the proposed use was incompatible with the neighborhood; disruptive of neighbors' quiet enjoyment of their properties; detrimental to surrounding property values; generative of excessive odors, dust, gas, smoke, fumes, vibrations, or glare; generative of traffic that would exceed the capacity of existing infrastructure; or that the proposal was an inappropriate use of land or structure.

Based upon all of the testimony and evidence presented, this Board finds that the requested change and expansion of non-conforming use does not adversely affect the public health, safety, security, morals, or general welfare, nor does it result in dangerous traffic conditions or jeopardize the life and property of neighborhood residents. Accordingly, for the reasons set forth herein, this appeal is hereby GRANTED this 11th day of January, 2008.

BOARD OF APPEALS

By: Bert Iseminger, Chair