

**BOARD OF APPEALS CASE NO. 5267**

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**BEFORE THE**

**APPLICANTS: Indian Lake Christian Service  
Camp & James Bredehoeft**

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**ZONING HEARING EXAMINER**

**REQUEST: Expansion of a non-conforming use  
to allow 2 cabins in the Agricultural District;  
3915 River Road, Darlington**

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**OF HARFORD COUNTY**

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**Hearing Advertised**

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**Aegis: 7/24/02 & 7/31/02**

**HEARING DATE: August 26, 2002**

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**Record: 7/26/02 & 8/2/02**

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## **ZONING HEARING EXAMINER'S DECISION**

The Applicant, James P. Bredehoeft, Sr., is requesting an expansion of a non-conforming use, pursuant to Section 267-21 of the Harford County Code, to add two additional cabins to an existing church oriented campground.

The subject parcel is known as Indian Lake Christian Service Camp, Inc., is located at 3915 River Road, Darlington, MD 21034-1116, and is more particularly identified on Tax Map 13, Grid 4B, Parcel 41. The parcel consists of 28.2937 acres, is zoned AG/Agricultural, and is entirely within the Fifth Election District.

Mr. Robert Lassiter appeared as representative of the Applicant in this case. Mr. Lassiter indicated that the parcel has been used as a church campground and retreat area for many years. The parcel is about 29 acres and is in a sparsely populated area of Harford County along the Susquehanna River. The Campground plans to add two additional dormitory cabins, each housing 16 additional children. The total attendance at the campground is presently 110 children and the proposed expansion will increase the number of children at the camp by 32 to a total of 142. There will likely be some additional staff required to accommodate the increased number of campers. The campground has existed since the 1960's and is improved by 5 cabins, a bath house, swimming pool, nurse's cabin, camp manager's residence, chapel, recreation cabin, dining hall and 3 outdoor teaching shelters. The camp generally operates during the summer months and for a few weekends in the spring and fall and is generally idle during winter months.

**Case No. 5267– Indian Lake Christian Service Camp, Inc.**

In general, the children are dropped off at the camp and are picked up one week later, so, except for these two flurries of auto activity, there is little traffic associated with the use. There are generally 7-8 full time seasonal employees and 2 year round employees. During the camping season there are generally 25 or so volunteers at the campground to assist in the activities and provide supervision. These numbers will increase slightly with an additional 32 children. The witness did not feel that the construction of these cabins and the increase in the number of campers would result in any adverse impacts.

The Department of Planning and Zoning reviewed the request filed by the Applicant and recommended approval of the subject request subject to several conditions. The Department found that the Applicant could meet or exceed all of the requirements of the Code and that no adverse impacts would result from this expansion if recommended conditions were met.

There were no persons that appeared in opposition to the subject request.

**CONCLUSION:**

The Applicant is requesting an expansion of a non-conforming use, pursuant to Section 267-21 of the Harford County Code, to add two additional cabins to an existing church oriented campground.

Harford County Code Section 267-21 provides:

“Enlargement or extension of nonconforming buildings, structures or uses.

The Board may authorize the extension or enlargement of a nonconforming use, with or without conditions, provided that:

- A. The proposed extension or enlargement does not change to a less-restricted and more-intense use.
- B. The enlargement or extension does not exceed fifty percent (50%) of the gross square footage in use at the time of the creation of the nonconformity.
- C. The enlargement or extension does not violate the height or coverage regulations for the district.

**Case No. 5267– Indian Lake Christian Service Camp, Inc.**

- D. The enlargement or extension would not adversely affect adjacent properties, traffic patterns or the surrounding neighborhood.
- E. The limitations, guides and standards set forth in § 267-9I, Limitations, Guides and Standards, are considered by the Board.

The subject property is an irregular shaped parcel approximately 29 acres in size and is a mix of open land and dense woodland. The property is located on River Road near the Susquehanna River and has two entrances. One entrance provides access to the pool, cabins and multi purposes buildings, and the second entrance provides access to the dinning hail, ball fields, and pavilions. River Road is a County Road with a dirt/gravel surface. The topography of the subject property ranges from gently rolling to steep, which is typical for the area. Improvements consist of a dwelling for the caretaker, cabins, recreational and meeting buildings, dinning hail, storage and maintenance buildings, a swimming pool and pool house, multi-purpose courts, a ball The camp area has been used since the 1960's. The zoning in this area of the County conforms to the intent of the Master Plan as well as the existing land uses. The primary zoning classification is AG/Agricultural, which includes the subject property.

The Applicant is requesting an expansion of a non-conforming use pursuant to Section 267-21 of the Harford County Code to add two additional cabins in an Agricultural District. The proposed cabins are approximately sixteen (16) feet by thirty-two (32) feet in size and will provide one additional cabin for girls and one for boys.

**Section 267-21:**

**Enlargement or extension of nonconforming buildings, structures or uses.**

The Board may authorize the extension or enlargement of a nonconforming use, with or without conditions, provided that:

- A. The proposed extension or enlargement does not change to a less-restricted and more-intense use.

*The construction of the two additional cabins will only increase the number of children that can attend the camp. The overall camp use will not change.*

**Case No. 5267– Indian Lake Christian Service Camp, Inc.**

- B. The enlargement or extension does not exceed fifty percent (50%) of the gross square footage in use at the time of the creation of the nonconformity.**

*The two new cabins are to be sixteen (16) feet by thirty-two (32) feet in size and are to provide housing for thirty-two (32) additional campers. The camp currently has five (5) cabins with the ability to house 110 campers. The proposed expansion does not exceed fifty percent (50 %) of the square footage in use at the time of the creation of the nonconformity.*

- C. The enlargement or extension does not violate the height or coverage regulations for the district.**

*The request will not violate the height or coverage regulations for the Agricultural District.*

- D. The enlargement or extension would not adversely affect adjacent properties, traffic patterns or the surrounding neighborhood.**

*The two additional cabins should have no adverse impact on the adjacent community. The two cabins are to be located next to the existing cabins and will have no significant impact on traffic.*

- E. The limitation, guides and standards set forth in Section 267-91, Limitations, Guides and Standards, are considered by the Board.**

**Also, consideration of the provisions of Harford County Code Section 267-9I:**

- (1) The number of persons living or working in the immediate area.**

*This area of the County is sparsely populated. While active agriculture is the primary use, the subject property and the area immediately surrounding is densely wooded. The topography ranges from rolling to steep. The dense woodland and the topography isolate the use from the overall community. There will be an increase in the number of children camping at this location and some additional staff will be added during peak camping periods but the impacts of these increases will be minimal.*

**Case No. 5267– Indian Lake Christian Service Camp, Inc.**

- (2) Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities, the access of vehicles to roads; peak periods of traffic, and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future.

*The main roads leading to the subject property are paved County and State maintained roads. River Road provides access and road frontage to the property and is a gravel County maintained road. The camp is one of the main users of the road, along with only a few residences. There is little regular traffic associated with this use as campers are dropped off and remain at the camp for a weeklong period.*

- (3) The orderly growth of the neighborhood and community and the fiscal impact on the county.

*The proposal shall provide additional capacity to serve the community and should not have a fiscal impact on the County.*

- (4) The effect of odors, dust, gas, smoke, fumes, vibration, glare and noise upon the use of surrounding properties.

*The camp has existed at this location for over 45 years without adversely impacting the community. There is no reason to believe that this minor expansion will have any additional impacts regarding the issues in this section.*

- (5) Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal and the ability of the county or persons to supply such services.

*The County's local Sheriffs Department and the Maryland State Police will provide police protection. Fire protection will be provided by Dublin/Darlington Volunteer Fire Departments. The property is on private well and septic systems. The Applicant is required to obtain a private hauler to dispose of the trash. The Department of Health has indicated that maintenance and inspection of the septic tank, grease traps and distribution boxes need to be done prior to final health department approval. Additionally, soil percolation tests must be performed. The Health Department will also require a scaled location plat of the septic system trenches.*

**Case No. 5267– Indian Lake Christian Service Camp, Inc.**

- (6) The degree to which the development is consistent with generally accepted engineering and planning principles and practices.

*The present use is a valid non-conforming use that is also permitted in the Agricultural District as a special exception, with Board of Appeals approval.*

- (7) The structures in the vicinity, such as schools, houses of worship, theaters, hospitals and similar places of public use.

*While there are churches in the area, the minor expansion of the campground should have no impact on these uses.*

- (8) The purposes set forth in this Part 1, the Master Plan and related studies for land use, roads, parks, schools, sewers, water, population, recreation and the like.

*The proposal is consistent with the County's Master Plan.*

- (9) The environmental impact, the effect on sensitive natural features and opportunities for recreation and open space.

*The two (2) new cabins should have no environmental impact.*

- (10) The preservation of cultural and historic landmarks.

*Not applicable to the request.*

The Hearing Examiner recommends approval for the two additional cabins, subject to the following conditions:

1. The Applicant obtains all necessary permits for the construction of the cabins.
2. All conditions of the Health Department, including those contained in their letter dated July 22, 2002. (Attachment 8 to P&Z's Staff Report) must be met prior to approval of any permits.

Date: SEPTEMBER 24, 2002

William F. Casey  
Zoning Hearing Examiner