

IN THE MATTER OF	*	CASE NO. SPEX-24-6
ROLLES RANGE	*	SPECIAL EXCEPTION
PARTNERS, LLC		
* * * * *	*	* * * * *

## STATEMENT OF THE CASE

## SUMMARY OF TESTIMONY

Applicant's proposal will not expand the structures on the Property. All six rooms can be added to existing structures. Two rooms can be added to the primary dwelling and two accessory structures can accommodate two rooms each. The Planning Commission unanimously recommended approval of the proposal.

Mr. Workman described the historic nature of the Property. The Property was improved by Mr. George McClellan Brooks in the early 1900s. Brooks was the son of a freed slave who was a successful entrepreneur and community leader during that period. Mr. Workman takes pride in preserving the legacy and historical significance of Mr. Brooks and the Property that Mr. Brooks established.

Applicant will be required to obtain site plan review, building permits and sewer connections from the County before it can operate as an Inn. It is anticipated that the sewer connection will be approved in coming weeks. The Property has its own well water. Applicant has submitted an amended site plan to show additional parking that meets the County requirements. No new access will be required for the Property. Site plan review will also address stormwater management.

There is an inn keeper apartment on the Property, which is permitted in addition to the guest rooms. The applicant provides breakfast to guests only and intends to continue that food service without expansion.

The Board received two letters from owners of adjacent properties in support of the special exception. Another neighbor, William Conley, attended the hearing and provided testimony in support of the application.

Applicant submitted written responses to the criteria for special exception approval. The Board considers those written responses, in addition to testimony, in its support of the request.

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Board is unanimously in support of this special exception application. The property will utilize existing structures, and the proposal will not transform the Property into a drastically different use. It has the support of adjacent property owners, the County Council who approved the text amendment to permit the use, the Planning Commission, and Planning & Zoning staff. The Property is well kept and preserves a historically significant dwelling. The Board finds that the change of use will be an asset to the community.

The Board finds by a preponderance of the evidence that the request satisfies the requirements of the Talbot County Code, § 190-56.2.

1. The use will be consistent with the purposes and intent of the Talbot County Comprehensive Plan.

Chapter 7 of the Comprehensive Plan (Economic Development and Tourism), Statement 7.1 states: The County will continue to support the Office of Economic Development in its efforts to retain and/or expand existing businesses within the county and to market the Midshore Region as a premier location for a broad range of innovative businesses which will accentuate and capitalize upon the areas assets while preserving its rural character. The Board finds that this request will modestly expand an existing business while preserving its rural character and provide a valuable service to the St. Michaels area.

The expansion from a Bed and Breakfast to an Inn enhances existing tourism offerings and creates opportunities for the local workforce. The location is adjacent to a state highway and public sewer is available. In addition, the George Brooks House is located along Michener's Chesapeake Country Scenic Byway, which protects and promotes the rich natural and cultural resources throughout the Byway.

Additionally, the proposal is consistent with Chapter 8 of the Comprehensive plan (Historic and Cultural Preservation).

2. The use will comply with the standards of the zoning district in which it is located, except as those standards may have been modified by the granting of a variance. The Board finds by the testimony presented, including the Staff Report provided, that the Property will comply with all applicable standards.

3. The scale, bulk and general appearance of the use will be such that the use will be compatible with adjacent land uses, with existing and potential uses in its general area, and will not be detrimental to the economic value of the neighboring property.

The primary dwelling on the Property has existed since the early 1900s. The Property was enhanced in 2001 with accessory structures and other amenities. The Property is larger than eight acres and is separated from adjacent Properties with adequate buffer. The Property is currently compatible with adjacent land uses and will not expand significantly.

4. The use will not constitute a nuisance to other properties and will not have significant, adverse impacts on the surrounding area due to trash, odors, noise, glare, vibration, air and water pollution, and other health and safety factors or environmental features.

The Board is satisfied, by the testimony provided, that the expansion will not create significant impacts to neighboring properties with regard to noise, glare, or vibration. No additional lighting is proposed. The Applicant testified that its typical clientele are quiet and peaceful tenants. There is no opposition from adjacent property owners to the proposal.

5. The use will not have a significant adverse impact on public facilities or services, including roads, schools, water and sewer facilities, police and fire protection or other public facilities or services.

The applicant was granted an amendment to the Comprehensive Water and Sewer Plan (CWSP), Resolution 282, to connect to the public sewer on the portion of the parcel containing the George Brooks House and the caretaker's apartment. The Department of Public Works has informed Planning & Zoning staff that the infrastructure is currently in place and the applicant has not connected to the sewer line. The CWSP will need to be amended to include the part of the Property containing the accessory structures, which are not currently connected to sewer.

6. The use will not have a significant adverse effect upon marine, pedestrian, or vehicular traffic.

The Board finds that there will be minimal effects on traffic. Rolles Range Road is easily accessible from Md. Route 33 and there is no need for additional access to the Property. Additionally, the Applicant will need to go through the site plan review process to ensure that effects are not significant.

7. The use will not produce traffic volumes, which would exceed the capacity of public or private roads in the area or elsewhere in the County, based on the road classifications established in Chapter 134, the Talbot County Roads and Bridges Ordinance, and other applicable standards for road capacity.

The addition of six guest rooms to the business will not have a significant impact on roads.

8. Any vehicle access to proposed off-street parking areas and drive-in facilities will be designed to minimize conflicts between vehicular, bicycle and pedestrian traffic and to minimize impacts on adjacent properties and on public or private roads.

The applicant will be providing additional parking and on-site circulation, which is subject to review by the Public Works Department during the site plan process.

9. The use will not significantly adversely affect wildlife with respect to the site's vegetation, water resources, or its resources for supplying food, water, cover, habitat, nesting areas, or other needs of wildlife.

The Applicant proposes the use of existing structures on the Property. The proposal will not affect the significant amount of open space that exists on the Property. Applicant will be required to submit a stormwater management plan during the site plan process.

10. There are no adjacent existing agricultural uses that will be impacted.

#### Documents on Record


1. Application for Special Exception.
2. Tax Map with subject property highlighted.
3. Notice of public hearing for advertising.
4. Newspaper confirmation.
5. Notice of public hearing with list of adjacent property owners attached.
6. Special Exception standards.
7. Staff Report, prepared by Elisa Deflaux.
8. Planning Commission recommendation.
9. Sign maintenance agreement/sign affidavit.
10. Comments from Critical Area Commission, Annie Sekerak, dated 12/23/24.
11. State Highway comments from Henry Dierker, dated 12/16/24.
12. Authorization letter from Willard Workman, Jr, dated 10/29/24.

13. Independent Procedures Disclosure and Acknowledgement Form.
14. Aerial photo.
15. Photos of primary and accessory buildings (5 photos).
16. Photo of Elevation.
17. Bill No. 1579.
18. Resolution No. 282.
19. Email from Elizabeth and Phillip Jones, dated 02/19/25.
20. Email from Kathy Bosin and Kevin Garber, dated 02/20/25.
21. Plat from Lane Engineering, dated 11/18/21.

Mr. Adelman moved to grant the Special Exception subject to the conditions set forth herein. Mr. Krebeck seconded the motion. Based upon the foregoing, the Board, by a unanimous vote, grants the Special Exception subject to the following conditions:


1. The Applicant shall take all of the required steps and acquire all necessary approvals, including any additional waivers necessary, required for a Site Plan and Landscaping Plan as spelled out in the Talbot County Code.
2. The Applicant shall make an application to the Office of Permits and Inspections, and follow all rules, procedures, and construction timelines as outlined regarding new construction.
3. The Applicant shall hook up to the public sewer line before the commencement of the Inn use.
4. This approval is only for the requested improvements and additions in this application and does not cover or permit any other changes or modifications. Items not specifically addressed in this application may require additional approvals.

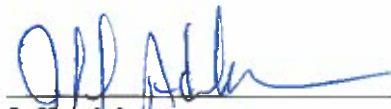
**IT IS THEREFORE**, this ~~14th~~ day of March, 2025, **ORDERED** that the Applicant's request for special exception is GRANTED.

  
Frank Cavanaugh, Chairman

  
Patrick Forrest

  
Keith Prettyman

  
Zakary A. Krebeck

  
Jeff Adelman