

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MCPB
11/15/01
Item #10

MEMORANDUM

DATE: November 9, 2001

TO: Montgomery County Planning Board
VIA: John Carter, Chief, Community-Based Planning Division
FROM: Judy Daniel, AICP, Team Leader, Rural Area Team

REVIEW TYPE: Special Exception
APPLYING FOR: Golf Course Modification
REVIEW BASIS: Chapter 59, Zoning Ordinance; advisory to Board of Appeals
APPLICANT: Four Streams Limited Partnership
CASE NUMBER: S-1944-B

ZONE: Rural Density Transfer
LOCATION: 19501 Darnestown Road
MASTER PLAN: Agricultural and Rural Open Space

FILING DATE: July 19, 2001
PLANNING BOARD REVIEW: November 15, 2001
PUBLIC HEARING: December 5, 2001 at Board of Appeals

STAFF RECOMMENDATION: DENIAL – due to conflict with the intent for the proposed use in the special exception criteria.

PROPOSAL DESCRIPTION

Neighborhood Description

The property is adjacent to the village of Beallsville and Beallsville Road on the west. Beallsville contains single-family detached homes, limited commercial uses, a fire station, and a cemetery in the R-200 and RDT Zones. A 250-foot wide PEPCO right-of-way follows the northern boundary of the site. The area to the east and to the south across Darnestown Road is predominantly rural with a mix of agricultural and low-density residential uses.

Site Description

The property is developed with an 18-hole private golf course with accessory facilities located on a 297-acre parcel just east of Beallsville in the RDT Zone. It is characterized by gently sloping fields interspersed with wooded areas. Dry Seneca Creek and three tributaries (all Class I streams) run through the property. The driveway curves through the

golf course from the entrance, past a historic home site, and up to the clubhouse/maintenance area of the complex. All buildings related to the golf course use, including the historic farmhouse (Charline Manor) and its outbuildings are located near the center of the property.

The site was approved for a private golf course via a special exception approved in November of 1992, at a time when the golf course use was allowed in the RDT Zone. The existing facilities on the site at this time include a clubhouse, administration building, cart barn, maintenance shed, brick barn (that was part of the former farm) used for equipment storage, historic home (used as the manager's residence), and a wooden structure (formerly in agricultural use) also used for equipment storage.

The farmhouse (listed on both the National Register of Historic Places and the Montgomery County Master Plan for Historic Preservation) and its outbuildings are located in a 25-acre historic environmental setting established by the Historic Preservation Commission (HPC) during the original review of the use. The house and outbuildings are currently enclosed within a solid wooden fence, separated by a short distance from the golfing facilities.

Background of Application

The Board of Appeals approved an 18-hole private golf course for up to 400 members and their families. The historic farmhouse was to be retained as a residence (for probable use by the golf course manager). The authorized accessory facilities from the 1992 approval included a driving range, putting green, clubhouse, maintenance shop, and storage buildings. An 18,000 square foot clubhouse was approved which was to include a lobby, snack bar, lunchroom, locker rooms and storage area on the first floor; and on the lower level a pro shop, golf cart storage and other utility and storage areas.

However, the final approved site plan differs from the special exception resolution. The built clubhouse structure is one-level, contains approximately 5,800 square feet, and does not include cart storage, utility or storage areas. Separate new structures were built for cart storage and maintenance and the former barn was renovated and is used for equipment storage. Additionally, a separate administration building (approximately 1,192 square feet) was built. Both the clubhouse and the administration structure are attractive stone buildings. The site plan also indicates a 1,125 square foot "training" facility with adjoining chipping practice and driving range area; although that structure was never built.

In July 1993, the Board of Appeals approved a modification (S-1944-A) to the 1992 special exception to *"permit the special exception holder to open the golf course to the public in addition to offering private memberships"*, finding the proposal *"would not alter the expected impact of the golf course."* In obtaining this modification that applicant stated that *"members would be entitled to preferential tee times and locker room space -- otherwise, the use of the course would be the same for members and the public."*

The request stemmed from the applicant's belief at that time that there would not be a sufficient number of members to support the club. However, the applicant has stated to staff that at this time there is no public use of the club facilities and this modification is not in use.

In **November 2000**, the Board of Appeals approved a minor modification to the approved special exception to permit the historic farmhouse on the property to be used for overnight lodging in 5 rooms of the farmhouse by members and guests. Because the Board of Appeals authorized this review as a minor modification, the M-NCPPC staff and Planning Board did not comment on the request.

The Board resolution noticing the approval (attached) was not issued until October 1, 2001. This resolution is based on Section 59-G-1.3(c)(1) of the Zoning Ordinance which states:

"If the proposed modification is such that the terms or conditions could be modified without substantially changing the nature, character or intensity of the use and without substantially changing the effect on traffic or on the immediate neighborhood, the Board, without convening a public hearing to consider the proposed change, may modify the term or condition."

The Board approved the requested modification, stating:

"The Board finds, based on the fact that no exterior modifications are proposed, and that the house will be used for lodging for Club members only, that the requested modification will neither substantially change the nature, character or intensity of the use, nor the effect on traffic or on the immediate neighborhood, and that it can be granted without a public hearing."

However, the applicant states that they subsequently found construction and logistical difficulties (primarily structural and septic) in pursuit of this approved modification in converting the historic farmhouse to a lodge while preserving its historic features. Therefore, Four Streams decided not to proceed with the conversion, but to leave the historic farmhouse for continued residential use by the superintendent of the Golf Club (consistent with the original approval).

Application Description

Lodge - The petitioner requested to instead amend the approved special exception to add a new Lodge with 6 guestrooms and an Annex with 2 guestrooms for use by up to 16 members and guests at the Golf Club. On November 5, however, the staff received a copy of a request from the applicant to the Board of Appeals to amend the application to remove the request for the Annex from the petition, and to instead provide up to 4 single occupancy guestrooms in the historic house (pending septic approval). This was done to address concerns expressed by the Historic Preservation Commission.

The Lodge would be located southeast of the existing clubhouse, connected via an enclosed walkway. The application stated that it would be a three-story structure of 9,530 square feet with a building footprint of approximately 3,277 square feet. However, when advised by the staff that three level structures are not allowed for this use, the applicant stated to staff that the structure would actually be two levels and a cellar.

The lower level would contain two game rooms, two handicapped accessible restrooms, a storage room and a mechanical room. The main level would contain a coat closet, "lodge room" and enclosed and open porches. The upper level would contain a linen closet, card room, and 6 double occupancy guestrooms. All three levels will have lobby and elevator areas. As previously stated, another 4 single-occupancy guestrooms would be located in the historic home. Thus the number of guests able to be accommodated (16) would not change. Meals would be provided to guests via the existing snack and dining room facilities at the Golf Club.

Learning Center – The applicant is also petitioning to relocate and modify what they state to be an already approved "Learning Center" located northeast of the Clubhouse, and an adjacent cart path. The stated purpose of this facility is golf training, teaching and exercise.

The final approved site plan for this facility indicates a 1,125 square foot "training" facility adjacent to outdoor driving range and chipping practice greens. The requested modification would instead provide a 4,250 square foot structure to include a 1,700 square foot hitting wing; a 1,976 square-foot miscellaneous wing; and a 574 square foot porch and terrace - adjacent to the outdoor facilities, which would include a new fenced putting green area and a new secondary driving range. The hitting wing would have office spaces, indoor/outdoor hitting space and teaching rooms, and a club repair room. The miscellaneous wing would contain a vestibule, stretching room, administrative offices, restroom, storage room, and vending/snack room.

Other Elements - The Well and Septic Section of the Department of Permitting Services has already approved the use of the existing sewage disposal system to handle the additional wastewater generated by the Lodge. However no information regarding the wells serving the site is supplied. The submitted landscaping plans appear sufficient, and similar to the existing facilities which are well landscaped and well maintained. Other than minimal security lighting attached to the outside of the proposed structures and low intensity pathway lights, no additional outdoor lighting is proposed.

Finally, the applicant states that no additional employees above the originally approved 15 full-time and 15 part-time approved for the Golf Club will be required for these lodging and learning center additions. The golf course approval in 1992 included the following additional operational limitations and no modifications to these conditions are requested.

1. Hours of operation approved 7:00 am to dark during the primary golf season, and 9:00 am to dark during the rest of the year.
2. The driving range open 9:00am to dark all year.
3. The clubhouse and grillroom to be open 9:00 am to 9:00 pm during the primary golf season only.
4. The club will be closed on Mondays, except when a holiday falls on a Monday, when it will be closed on the following Tuesday.

ANALYSIS

Master Plan

The Master Plan for the Preservation of Agriculture and Rural Open Space supports the existing RDT Zone for the subject property. The Master Plan is silent on special exceptions and defers to the special exception requirements.

Development Standards for Zone

The zoning ordinance no longer allows golf courses in the RDT Zone. This facility was approved during a the time in which golf courses were allowed by special exception in the Zone, as stated in a footnote to the use:

"If an application was filed with the Board of Appeals prior to June 16, 1992. Any golf course approved by the Board of Appeals is not a non-conforming use and may be modified in accordance with Sec. 59-G-2.241."

The proposed modification will meet the development standards for the zone.

Historic Preservation

The applicant revised their application in order to address the concerns of the Historic Preservation Commission (HPC). When the HPC met to discuss this proposal in September, they stated a preference for elimination of the proposed Annex, and location of some lodging rooms in the historic home. In conveying the HPC's concerns, the Historic Preservation staff has the following comments on the proposed modification:

*"The subject property is individually designated on the Master Plan for Historic Preservation in Montgomery County, Maryland as **Site #17/2, Hanover Farm/Charline Manor**. It is also listed on the National Register of Historic Places. It is important that the historic rural character of the property, both the buildings and the setting, be retained and preserved. This has been a predominant consideration when the Historic Preservation Commission (HPC) reviewed changes within the environmental setting of the historic site that were necessary during the conversion of the property to use as a private golf course.*

"The farmhouse is currently serving as housing for a club employee and his family. This is the first time that the house has been used as a tenant house, and the modest quality of maintenance on the property indicates its subsidiary role. At a consultation with the HPC, the Commission indicated that the original intent of the Four Streams plan that had been reviewed by the HPC a number of years ago was for the historic house to be a focal point in the golf course complex – a "jewel" which would be fully integrated into the overall vision for the site. To that end, the HPC stated that the current

tenant house use of Hanover Farm/Charline Manor was not particularly consistent with the goal of making the historic house a focal point. The Commission felt that a limited amount of lodging in the historic residence could be an appropriate adaptive use of the property and could help to more fully make the historic house an important and visible part of the complex. However, there was a clear understanding that exterior modifications relating to this project must be reviewed and approved by the HPC.

"The current proposal for additional lodging above and beyond that in the historic residence raised a number of concerns for the HPC related to the scale and architectural design of the additional lodging (a portion of which is within the designated environmental setting of the Hanover Farm/Charline Manor site.) If the Board of Appeals rules that additional lodging is allowed at all, the concerns as to the design and materials used for the new construction will need to be addressed by the HPC as part of the Historic Area Work Permit process.

"If the Board of Appeals determines that lodging should not be allowed in the historic house or anywhere else on the property, then the issue of how to integrate the historic house into the site as a focal point will still need to be addressed. This will include addressing appropriate long-term maintenance plans for the historic residence, which will bring the exterior of Charline Manor/Hanover Farm up to the high standards of maintenance and attractiveness found in the rest of the club buildings. This should be an important goal and is very feasible whether or not lodging is approved."

As noted by the HPC, the applicant has agreed that if the special exception petition is approved, they will pursue several external improvements to the farmhouse. These include eliminating or modifying the solid wooden fence structure around the home (which obscures it from view); and repairing or replacing (as appropriate) shutters, roof, and porch with those consistent with the historic characteristic of the house.

Traffic and Parking

The staff finds no traffic impact associated with the proposed modification so there would be no changes required to the previously approved conditions. The proposed modifications will also have no impact on parking, as the expanded use would only serve members and guests who will already be present at the Golf Club. There are 136 parking spaces indicated on the submitted plans, and 109 are required for this use. However, the submitted statement of operations indicates 191 approved parking spaces, so this must be corrected. If use of the lodge and learning center are limited to members and their guests only, the staff believes that the existing parking spaces already on the property will be sufficient and no additional spaces would be required.

Environmental

Although environmental concerns were the primary focus of the original approval of this use in 1992, the proposed modification does not raise new concerns.

Forest Conservation – This modification is exempt (#4-01371E) from the Forest Conservation Law as requirements for forest conservation were met entirely on-site in 1998 and the proposed modification will not result in the clearing of any existing forest or trees.

Stormwater Management – This site is located in the Lower Dry Seneca tributary of the Dry Seneca Creek watershed. The *Countywide Stream Protection Strategy (CSPS)* assesses the Lower Dry Seneca tributary as having good stream conditions and excellent habitat conditions, labeling it as an Agricultural Watershed Management Area.

Stormwater management exists on-site. Any new construction may tie into that facility. However, this modification must comply with the Department of Permitting Services requirements for sediment and erosion control if land disturbance exceeds 5,000 square feet.

In addition, if the proposal is approved, the Well and Septic Division submitted the following conditions, the most important being condition 4:

1. Obtain all other approvals and permits as required.
2. Existing Consent Agreement must be amended and the new agreement recorded prior to the issuance of building permits.
3. Continue monitoring water usage and submit flow figures to the Well and Septic Division.
4. After completion of the new building there will be a minimum period of 5 years during which no additional changes will be considered to the facility that would impact sewage flow.

Citizen Concerns

As of the date this report was submitted, no written objections to the proposed use have been received. However, the staff has received several phone calls from area residents objecting to the proposed modification.

Compliance with Specific and General Special Exception Provisions

The primary problem with this proposed modification is that it represents a test of the concept of what accessory uses to a golf course in the RDT Zone may be. The Sec. 59-G-2.241 special exception criteria for a "Golf Course in the RDT Zone", a different category of use from other golf courses, state that:

The Board may authorize a golf course with minor accessory uses such as a snack bar, a golf or pro shop for the incidental sale and service of golf equipment, a driving range, locker rooms, and other similar facilities."

The staff believes that the requested modification does not meet this test, because lodging is a major accessory use that should not be authorized and because the cumulative number of proposed accessory uses exceeds the stated limitation authorizing "minor accessory uses" only.

LODGING - Currently, lodging for guests is only allowed in the RDT Zone through the bed and breakfast use (no more than 5 guest rooms), which would not apply in this

instance because the owner of the property must reside in the dwelling. A rezoning to the Country Inn Zone (which allows up to 12 guest rooms) might be contemplated if the historic home is used, but such a rezoning has a more intensive level of regulatory review than a special exception.

The staff believes that allowing this use via an interpretation, especially an interpretation that expands the concept of accessory uses beyond the only other type of guest lodging allowed in the RDT Zone, would be a major precedent-setting policy change. The staff believes that this type of request should require a change in the zoning ordinance to specifically allow lodging at a golf course in the RDT Zone, perhaps particularly if it allows the reuse of an existing historic home.

Alternately, if the Board believes that some lodging is an acceptable minor accessory use, the staff recommends that it be limited to the 5 rooms of the historic home, as already approved by the Board of Appeals in their minor modification review in November 2000. This level of lodging would effectively limit the lodging to no more impact than a bed and breakfast use in the RDT Zone.

In addition, the Lodge, as proposed in the statement in support of the petition, would be taller than allowed in the special exception criteria. The petition would have to be amended to indicate a two-story plus cellar structure (as indicated by the applicant). (The zoning ordinance differentiates between a cellar and a basement, and it must meet the cellar definition in order to be allowed. Essentially, a cellar must be more than half way below ground.)

Further, since modification S-1944-A allowed the general public to "pay to play" at the club, if lodging is allowed as a minor accessory use, there should be a condition that limits use of the lodging to members and their guests only.

LEARNING CENTER - The proposed Learning Center would provide a range of accessory uses that are logical for a golf course. At question is whether they cumulatively still meet the test of being "minor accessory uses".

The Learning Center is to include over 1,000 square feet of office space, indoor/outdoor hitting room and teaching rooms, the new driving range, club repair room, stretching room, fenced putting green area, restroom, storage room, and vending machine area. The staff believes that while many of these uses are logical accessory uses; an expansion of an approved 1,192 square foot facility to a 4,250 square foot facility pushes the limit of the stated intent for a Golf Course in the RDT to have "minor accessory uses" only -- and are significantly beyond the scope of what was approved for the Golf Course in 1992. The amount of area for offices is especially troubling.

Therefore, if most of the office space is deleted, the staff can support the rest of the proposed Learning Center uses-- although they still stretch the definition of "minor" considerably.

Also, if this facility is allowed, it must be specified for member and guest use only – not as any “summer camp” or similar facility open to the public, as this type use would have potential to affect the traffic impact for the golf club. Authorization to provide this type of activity would require a further modification to the special exception.

Inherent/Non-Inherent Impacts

The proposed modification would have little significant inherent or non-inherent detrimental impact beyond the philosophical impact on the concept of the extent of allowable accessory uses at a golf course in the RDT Zone. If use of the lodging and learning center are limited to members and guests of members this will further reduce the potential impact of these uses upon the surrounding neighborhood.

Conclusion

The staff believes that the Board of Appeals must have decided that finding a viable reuse for the historic Charline Manor farmhouse was a worthy goal in issuing its November 2000 decision on this property. The Historic Preservation Commission (HPC) was not consulted before that decision, but in their review for the current modification request, the HPC agrees that lodging would be an appropriate adaptive reuse for the historic home. However, the staff believes that the central question on this request is not whether lodging is an appropriate use for the historic home, but whether the lodging and the multiple other uses at the “Learning Center” can be allowed as a “minor accessory use” within the defined limits for the use in the zoning ordinance.

The staff has major philosophical misgivings regarding this proposal largely related to the intended limitations on golf courses in the RDT Zone. Therefore, because of the staff concerns regarding the precedent for authorization of lodging as an accessory to this use and the scope of proposed facilities at the Learning Center - DENIAL is recommended for the request as proposed.

If the applicant wishes to find a way to proceed with this full concept, the staff recommends that they pursue a change to the zoning ordinance to allow more than “minor accessory uses” for Golf Courses in the RDT Zone, and that explicitly allows a limited amount of lodging – perhaps no more than authorized for a bed and breakfast.

Alternately, as mentioned previously, the Board may consider supporting the Board of Appeal’s previous decision to allow lodging in the 5 bedrooms of the historic home only, as this concept is supported by the Historic Preservation Commission, and would cause no more impact than a bed and breakfast use. And if the applicant eliminates the administrative office space from the Learning Center, the staff would support the rest of the uses at that facility.

Also, the staff notes that the majority of the approval criteria for this use in 1992 related to environmental concerns, all of which have been met, and the current proposal does not create any additional environmental concerns. However, the applicant has not submitted information regarding the impact of the addition of lodging upon the wells located on the

property. Condition #14 of the 1992 approval relates to the concern of area residents regarding the impact on the area water supply. It states:

"At the request of adjoining property owners and upon written agreement between the applicant and any adjoining or confronting property owners, wells within 1,000 feet of wells located on the golf course will be replaced or an alternative water supply will be provided to users of such wells if such wells are affected by the golf course operation such that adequate water supply cannot be obtained."

Given this concern, the staff believes that if the lodging is approved, this requirement will also pertain to any impact on the stated wells from the expanded use.

If the Board should approve this modification, the following conditions are recommended:

1. The applicant is bound by all submitted statements and plans, as revised.
2. Approval of a revised landscape, lighting, and signage plan by the M-NCPPC staff.
3. Limitation of uses to those uses specified in the statement of operations only except as altered by these conditions.
4. All terms and conditions of the original special exception granted November 12, 1992, except as modified by the Board of Appeals, will remain in full force and effect.
5. Reduce the size of the Learning Center facility by approximately 1,000 square feet and elimination of administrative office space.
6. No summer golf camp or other type use open to the public may be permitted at the Learning Center without further modification to the special exception.
7. Lodging to be allowed only in the historic home and limited to members of the Golf Club and their guests.
8. Compliance with conditions requested by the Department of Permitting Services that include:
 - a. Obtain all other approvals and permits as required.
 - b. Existing Consent Agreement must be amended and the new agreement recorded prior to the issuance of building permits.
 - c. Continue monitoring water usage and submit flow figures to the Well and Septic Division.
 - d. After completion of the new building there will be a minimum period of 5 years during which no additional changes will be considered to the facility that would impact sewage flow.

Special Exception Requirements
Sec. 59-G-1.2. Conditions for granting.

59-G-1.21. General conditions.

(a) A special exception may be granted when the board, the hearing examiner, or the district council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:

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

The use is so allowed as limited by footnote.

- (2) Complies with the standards and requirements set forth for the use in division 59-G-2.

The use as proposed does not comply with these standards as the proposed lodging facility is not a minor accessory use and the additional Learning Center facilities exceed the limitation for "minor accessory uses".

- (2) Will be consistent with the general plan for the physical development of the district, including any master plan or portion thereof adopted by the Commission.

The proposed use is consistent with all applicable master plans.

- (4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses.

The use will be in harmony with the neighborhood considering these criteria.

- (5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.

The use will not have detrimental impact for any of these reasons.

- (6) Will not, when evaluated in conjunction with existing and approved special exceptions in the neighboring one-family residential area, increase the number, intensity or scope of special exception uses sufficiently to affect the area adversely or alter its predominantly residential nature.

Not applicable, as area is not residential.

- (7) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area.

The use will not have such adverse affect on the area or its' residents.

- (8) Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities.

The use is adequately served with public services and facilities, and the property has received subdivision approval.

Specific Conditions

Sec. 59-G-2.241. Golf Course in the RDT Zone.

The Board may authorize a golf course with minor accessory uses such as a snack bar, a golf or pro shop for the incidental sale and service of golf equipment, a driving range, locker rooms, and other similar facilities. The Board may not approve a golf course if any acreage is included as part of the land needed to meet the dwelling unit density requirements in the RDT zone. In approving a golf course in the RDT Zone, the Board must find that the following requirements and standards can be met:

- (a) The application for a golf course special exception was filed with the Board of Appeals prior to June 16, 1992.

The golf course was approved within the specified time frame.

- (b) A golf course in the RDT Zone must not be located within 3 miles of any other golf course in the RDT Zone.

The golf course meets this requirement.

- (c) A 200-foot open space or agricultural buffer must be maintained between a proposed golf course use and an abutting public road, an adjoining property that is actively farmed or adjoining property developed with other uses allowed in the RDT Zone.

The golf course meets this requirement.

- (d) The maximum building height limit must not exceed two stories or 35 feet.

If the lodge is built as proposed, it must have two stories and a cellar to meet this requirement.

- (e) All buildings and structures must be compatible with agricultural architecture.

The architecture of the proposed modification would be compatible.

- (f) No outdoor lighting is permitted except for security and safety purposes. Any such lighting must be shielded so that direct light is not visible from any residence and would not be adversely affect an adjoining road, highway, or other nearby use.

The proposed lighting would meet this requirement.

- (g) Off-street parking must be provided in accordance with the provisions of Article 59-E. A golf course must provide at least 4 parking spaces per hole plus one space per employee.

The existing parking would be sufficient for the modification.

- (h) The Board must also find that:

- (i) The use will not have an adverse impact on any neighboring use because of traffic, noise, number of patrons, level of activity, or environmental impact.

The proposed modification, with conditions recommended in the staff report, would not have an adverse impact for these reasons, as those using the Lodge would be only members of the private golf course or their guests.

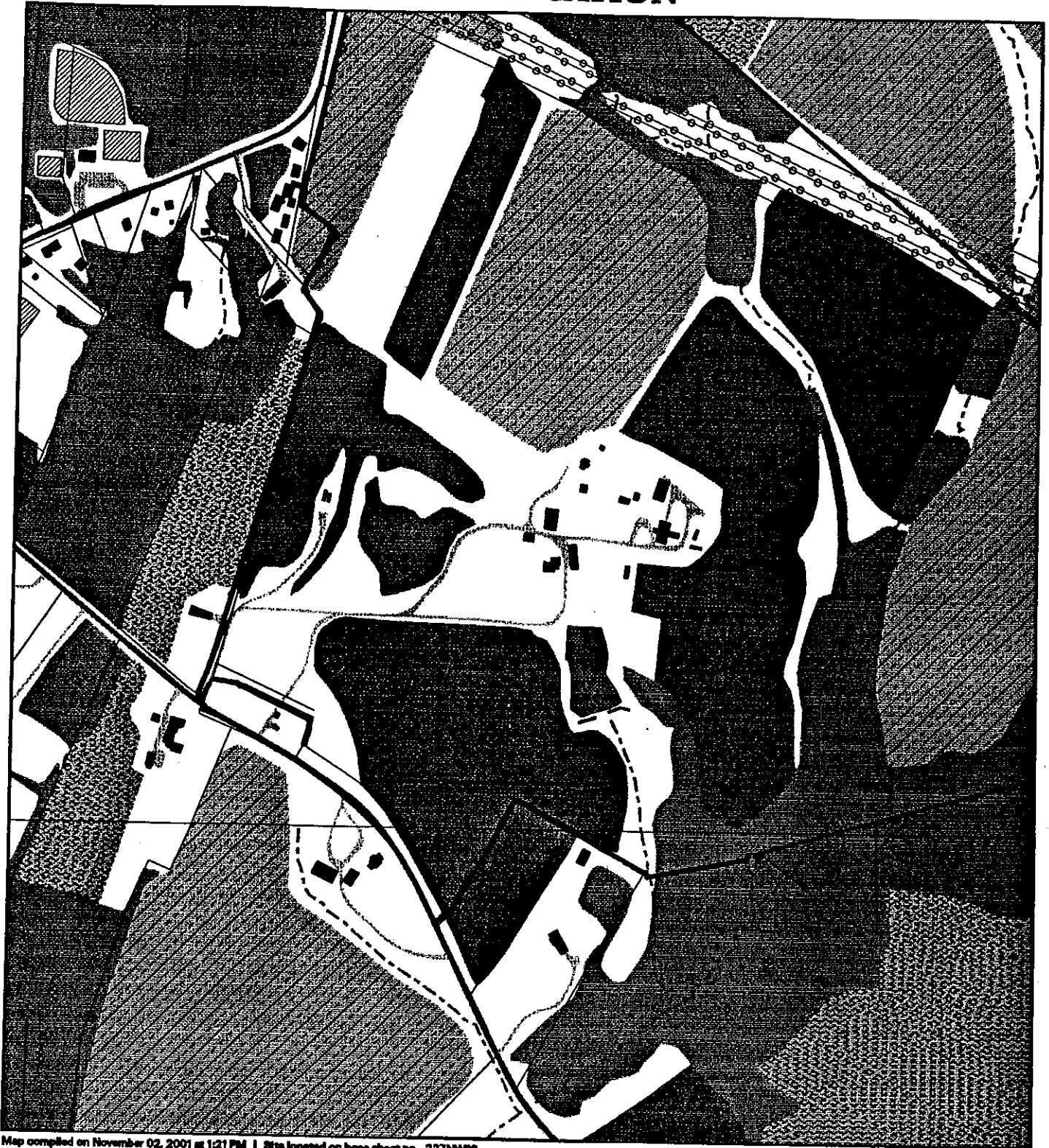
(ii) Development is in accordance with Planning Board guidelines or other criteria for the protection of environmentally sensitive features including adjoining agricultural uses.

The proposed modification meets all environmental criteria.

Any golf course approved by the Board of Appeals is not a non-conforming use and may be modified in accordance with the provisions of this section.

VICINITY MAP FOR

S-1944B GOLF COURSE MODIFICATION



Map compiled on November 02, 2001 at 1:21 PM | Site located on base sheet no - 227NW16

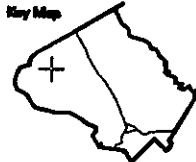
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Key Map



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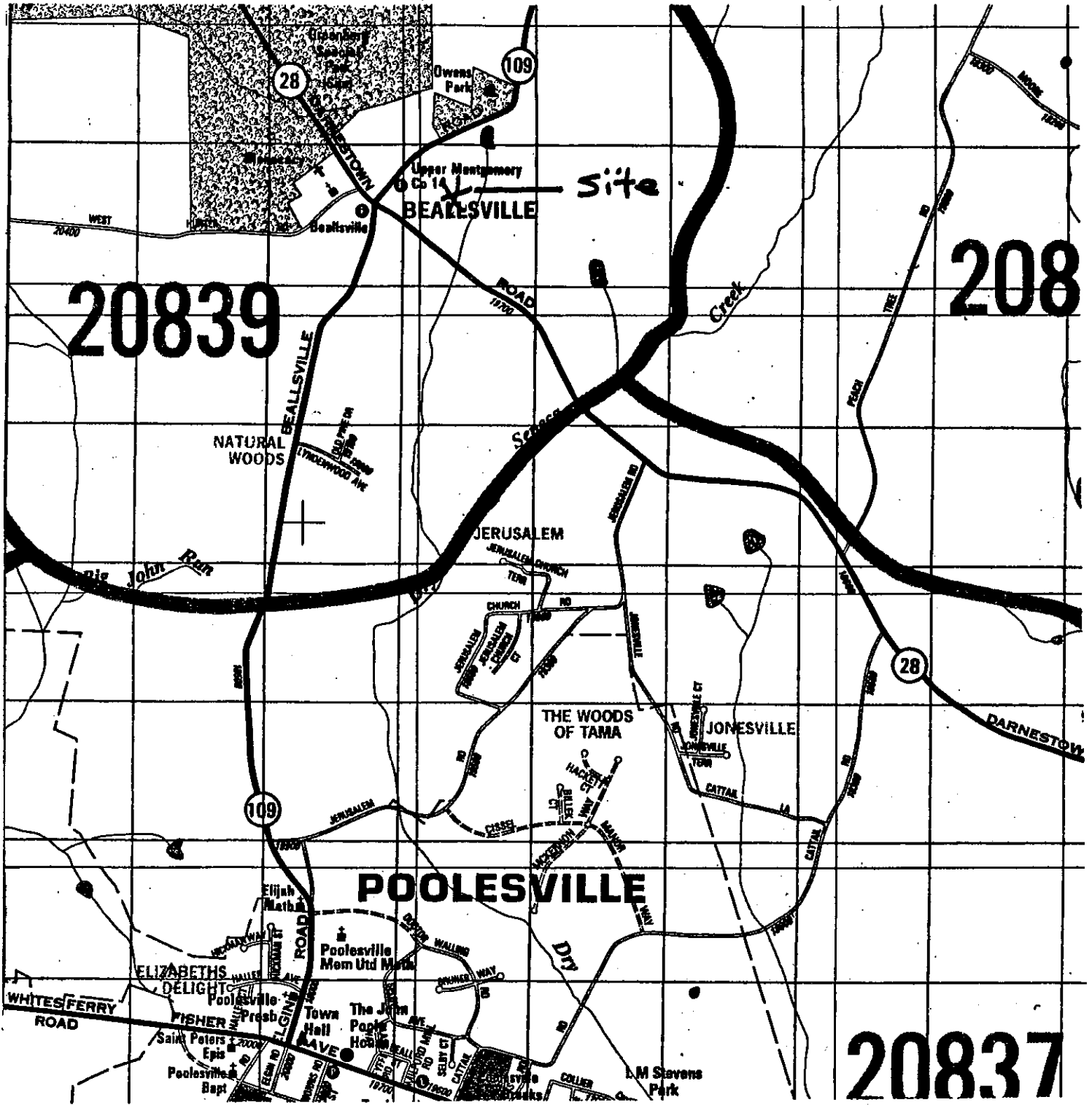


Research & Technology Center



1:7200

S-1944B
Area Map



20839

208

20837

Site

POOLESVILLE

JERUSALEM

JONESVILLE

THE WOODS OF TAMA

NATURAL WOODS

BEALLSVILLE

WEST 20400

109

28

28

109

WHITES FERRY ROAD

ELIZABETHS DELIGHT

FISHER

Saint Peters

Poolesville Bapt

Elijah Plath

Poolesville Mem Utd H

The John Hall

The Peoples Home

L.M. Stevens Park

UPPER MONTGOMERY CO 14

Owens Park

JERUSALEM CHURCH

JERUSALEM TOWN

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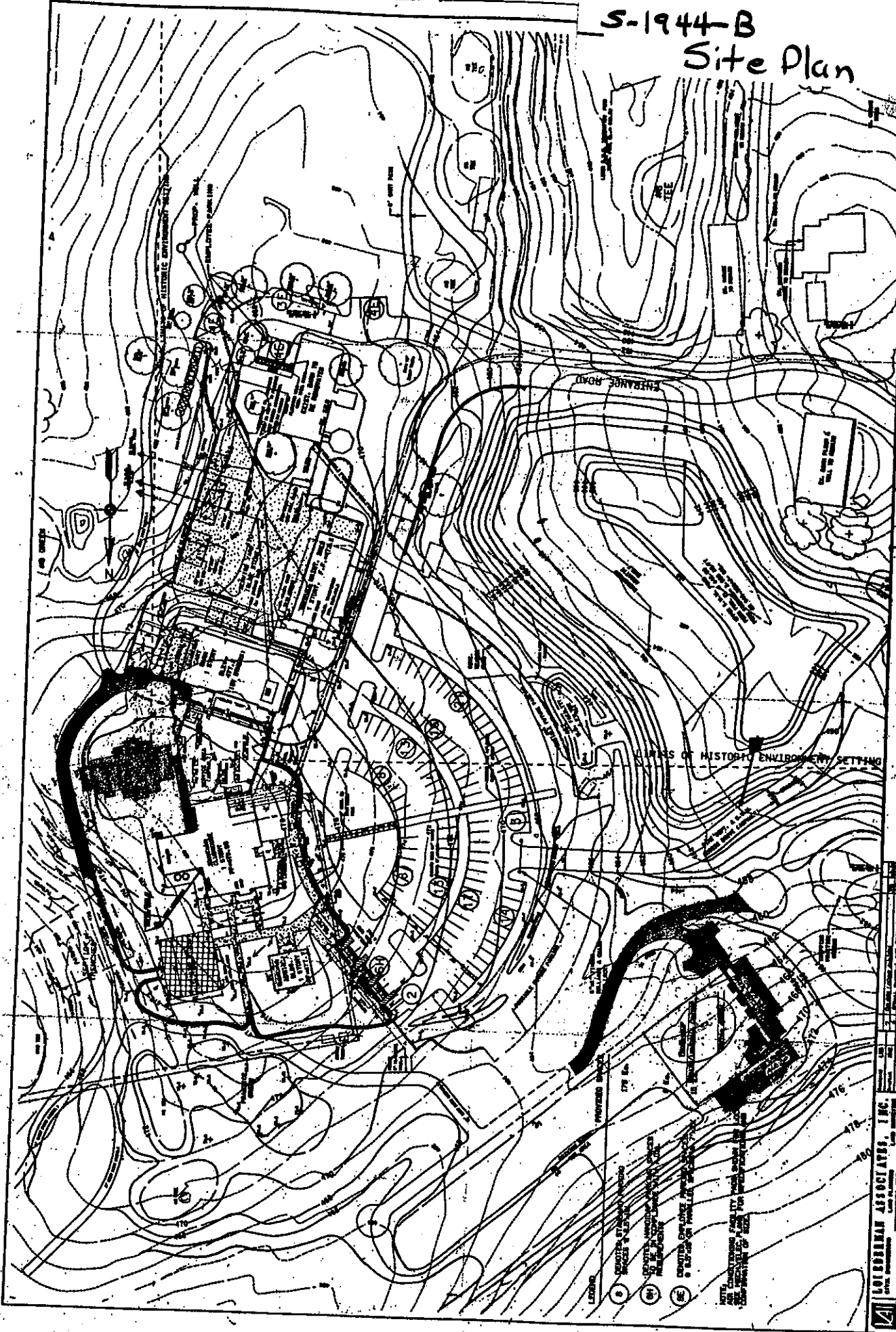
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S-1944-B Site Plan



FOUR STREAMS GOLF CLUB
2500 S. 1000 E. ST. LOUIS, MO.
SPECIAL EXZEMPTION

SITE PLAN
FOR
SOCIAL EXZEMPTION

NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAN	10/15/44
2	REVISED PLAN	11/15/44
3	REVISED PLAN	12/15/44
4	REVISED PLAN	1/15/45
5	REVISED PLAN	2/15/45
6	REVISED PLAN	3/15/45
7	REVISED PLAN	4/15/45
8	REVISED PLAN	5/15/45
9	REVISED PLAN	6/15/45
10	REVISED PLAN	7/15/45
11	REVISED PLAN	8/15/45
12	REVISED PLAN	9/15/45
13	REVISED PLAN	10/15/45
14	REVISED PLAN	11/15/45
15	REVISED PLAN	12/15/45
16	REVISED PLAN	1/15/46
17	REVISED PLAN	2/15/46
18	REVISED PLAN	3/15/46
19	REVISED PLAN	4/15/46
20	REVISED PLAN	5/15/46
21	REVISED PLAN	6/15/46
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BOARD OF APPEALS
for
MONTGOMERY COUNTY

Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850
(240) 777-6600

Case No. S-1944

PETITION OF FOUR STREAMS LIMITED PARTNERSHIP

RESOLUTION TO GRANT ADMINISTRATIVE MODIFICATION

(Resolution Adopted November 28, 2000)

(Effective Date of Resolution: October 1, 2001)

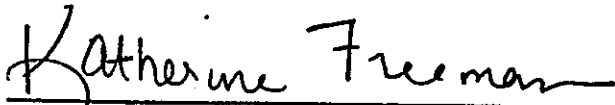
The Board of Appeals received correspondence from C. Robert Dalrymple, Esquire. Mr. Dalrymple's November 13, 2000 letter states in part:

"The referenced Special Exception for an 18-hole Golf Club was originally approved on July 29, 1993, and amended on August 11, 1995, and the Golf Club has since been constructed and is now fully operational pursuant to the terms of the Special Exception. As referenced in the original Opinion of the Board...the subject property is improved with an historic farmhouse which was used as a family residence for the previous owners of the property, this farmhouse being on both the national Register and the Montgomery County master Plan for Historic Preservation. The Opinion acknowledges that the farmhouse was to be occupied by Mrs. Stock (a previous owner), and that when she moved from the farmhouse that the home would become the residence of another person connected with the golf course. The purpose of this letter is to request a minor modification to the Special Exception to reflect that the residence will act as overnight lodging for Golf Club members.

...No modifications to the structure will be necessary at this time in order to permit this intended use. The structure has five rooms which can be utilized for overnight lodging, and there will be no food preparation within the farmhouse offered in conjunction with the overnight lodging. Because there are no exterior structural alterations proposed to this historic structure, it is not necessary to gain approval of this modification by the Historic Preservation Commission...."

The subject property is approximately 297 acres located at 19501 Darnestown Road, Beallsville, Maryland in the RDT Zone.

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 1st day of October, 2001.



Katherine Freeman
Executive Secretary to the Board

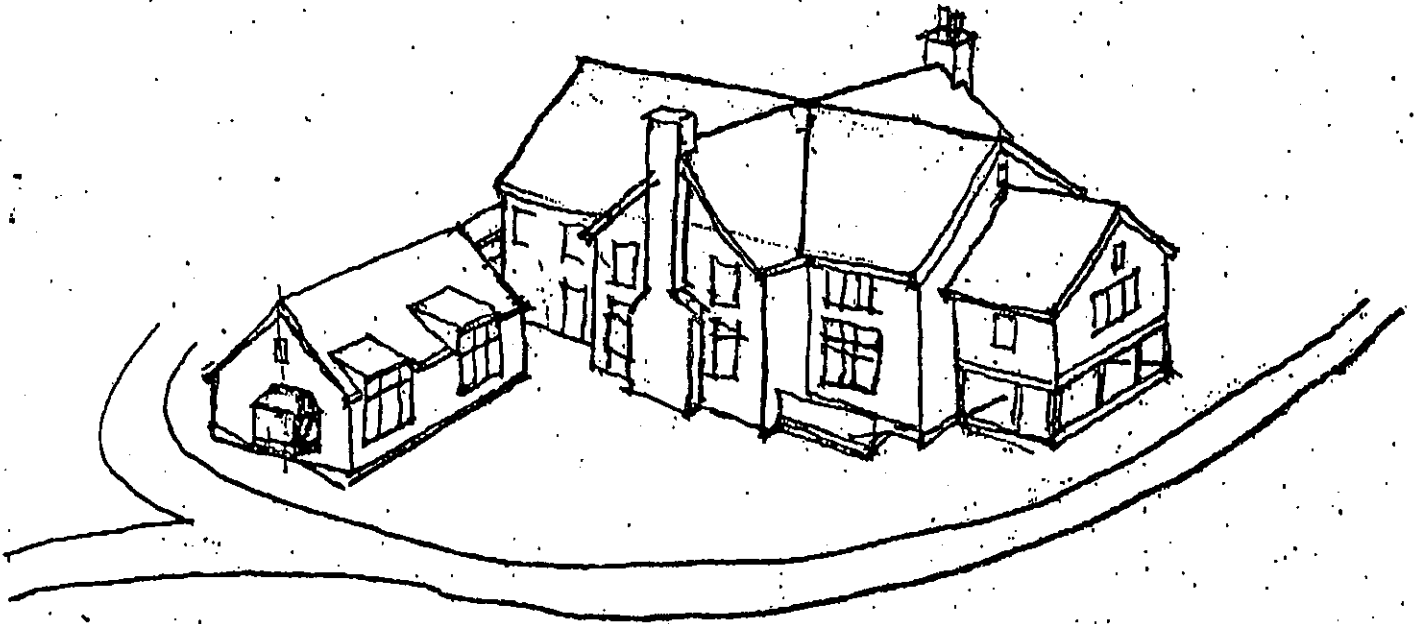
NOTE:

Any party may, within fifteen (15) days of the date of the Board's Resolution, request a public hearing on the particular action taken by the Board. Such request shall be in writing, and shall specify the reasons for the request and the nature of the objections and/or relief desired. In the event that such request is received, the Board shall suspend its decision.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County in accordance with the Maryland Rules of Procedures.

S-1944-B

Lodge Rendering



MASS SKETCH

PROPOSED LODGE
AND ANNEX

FOUR STREAMS GOLF CLUB

DEALSVILLE, MARYLAND

SH. 4 OF 4

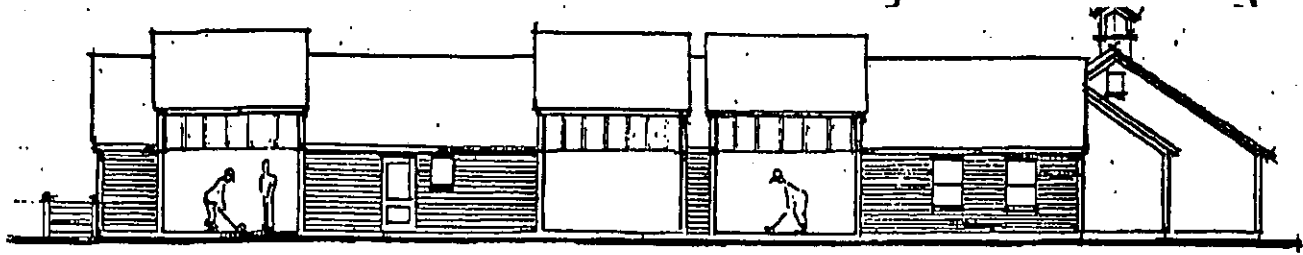
M. JACK RINEHART, FAIA

JUNE 15, 2001

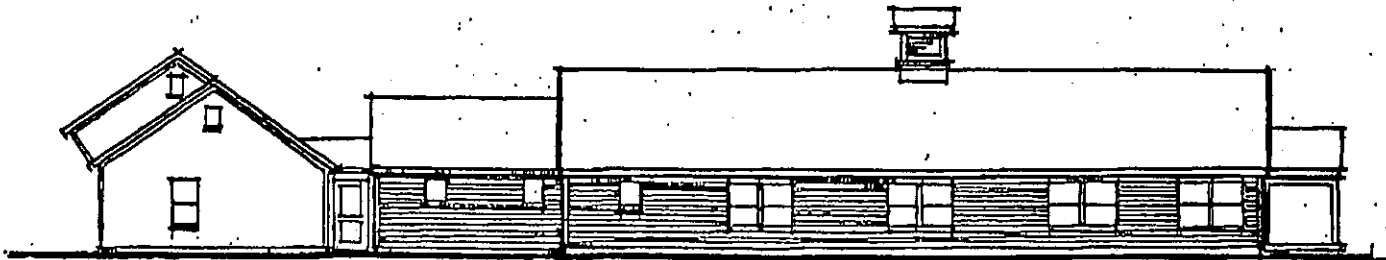
REV. JUNE 19, 2001

S-1944-B

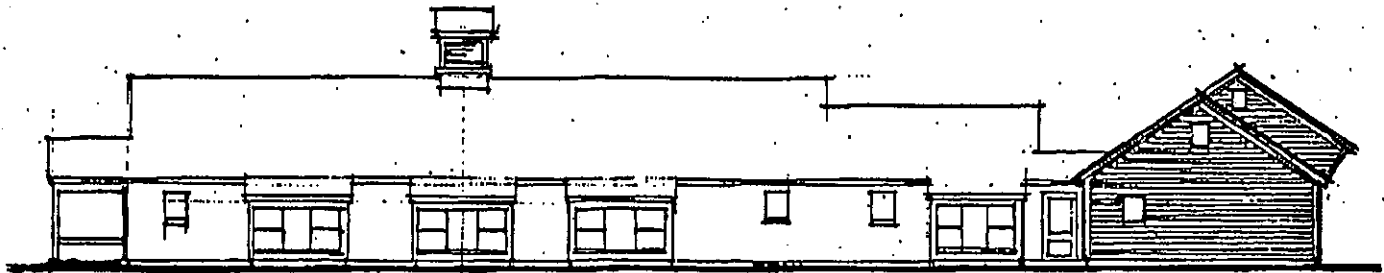
Learning Center Rendering



NORTHWEST ELEVATION



SOUTHWEST ELEVATION

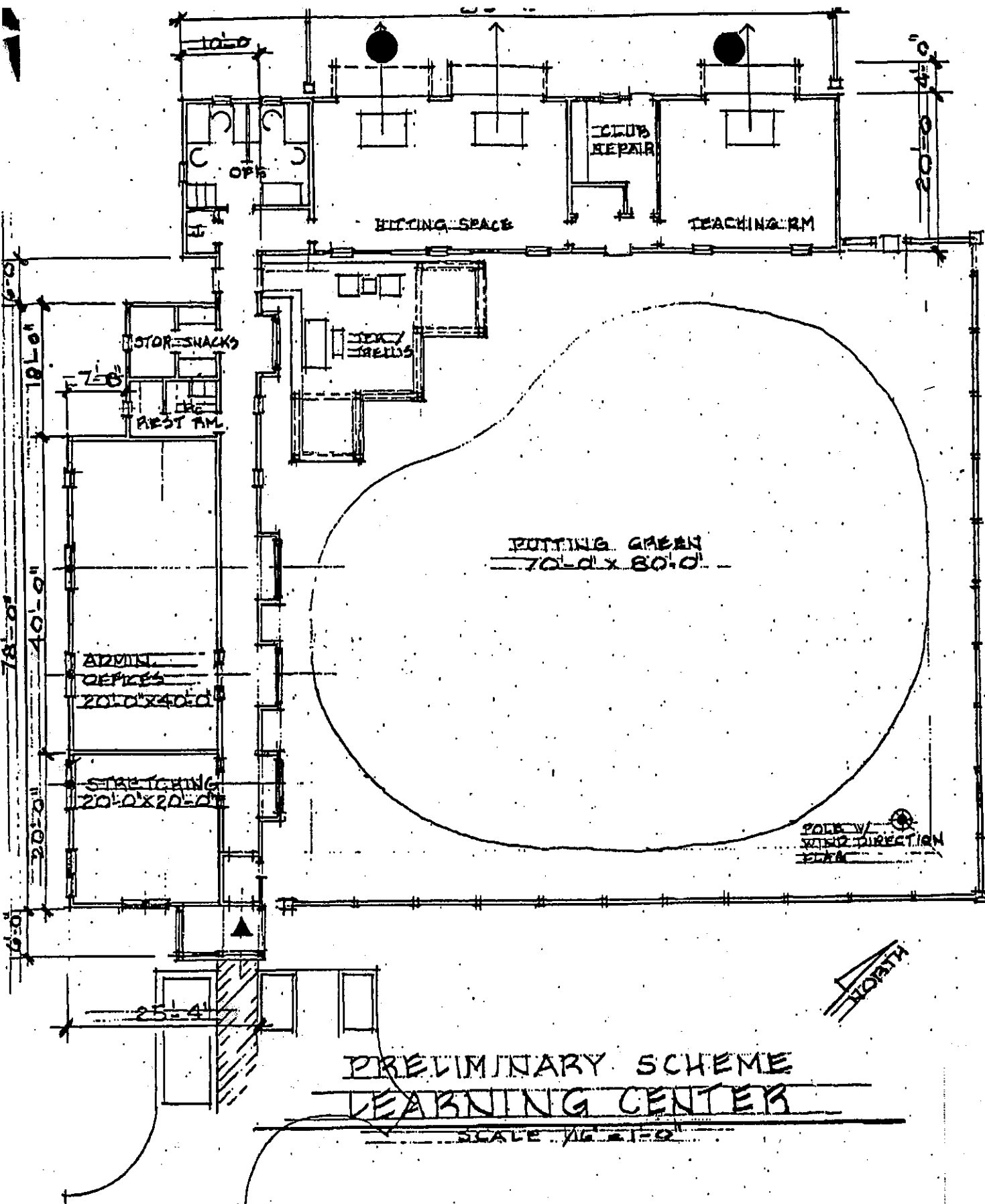


NORTHEAST ELEVATION

PRELIMINARY SCHEME
LEARNING CENTER

SCALE 1/8" = 1'-0"

2	EQUA STREAMS GOLF CLUB BEALSVILLE, MARYLAND	M. JACK RINEHART JR. ARCHITECT FAIA 407 WATER ST CHARLOTTESVILLE VA 22902 TELEPHONE: 804 295 7128	
20F3	DATE NOV. 17, 1992	REV. JAN. 2, '01	REV. JUN 19, 01



PRELIMINARY SCHEME
LEARNING CENTER

SCALE 1/8" = 1'-0"

10F3	FOUR STREAMS GOLF CLUB PRAIRIEVILLE, MARYLAND	M. JACK 407 WAT TELEPHO	S-1944-B
	DATE NOV. 17, 1963	REV.	Learning Center-Floor Plan

hibit "K"

LINOWES AND BLOCHER LLP

ATTORNEYS AT LAW

1010 Wayne Avenue, Tenth Floor
Silver Spring, MD 20910-5600
301.588.8300
Fax 301.495.9044
Website: www.linowes-law.com

November 8, 2001

C. Robert Dalrymple
301.650.7008
crd@linowes-law.com

VIA SCHEDULED EXPRESS

Donald Spence, Chair
Montgomery County Board of Appeals
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850

Re: Amendment to Special Exception Petition of Four Streams Golf Associates, LLC -
Case No. S-1944-B

Dear Mr. Spence:

The purpose of this letter is to make two corrections to our Statement in Support of the Petition and site plan exhibit, which were recently brought to our attention by M-NCPPC staff. First, we described in the Statement that the proposed lodge is "a three-story structure." This is technically not correct. While the proposed lodge has three levels, one of the levels constitutes a "cellar" as defined in the Zoning Ordinance and, thus, is not counted as a "story" under the Zoning Ordinance. The Zoning Ordinance limits improvements to 2 stories.

Second, the Statement and site plan indicated that 191 parking spaces are provided. That number (191) represents the number of parking spaces approved on the original site plan; however, because of changes to the use of the golf course (private, limited membership as opposed to public "pay and play"), the full build-out or parking was thought to be unnecessary pavement, and the actual number of parking spaces that were constructed and currently provided is 136, which is still sufficient for the golf course and proposed lodge. There is an area still designated for the remaining parking if it ever becomes necessary.

Thank you for your attention to these minor corrections, and we apologize for any confusion. Please contact us if additional information is needed.

■ LINOWES AND BLOCHER LLP

Donald Spence
November 8, 2001
Page 2

Very truly yours,

LINOWES AND BLOCHER LLP

C. Robert Dalrymple, yyc

C. Robert Dalrymple

yum yu cheng

Yum Yu Cheng

cc: Ms. Judy Daniel (via fax)
Ms. Seekey Cacciatore (via fax)
Mr. Joseph Meyerhoff (via fax)
Mr. M. Jack Rinehart, Jr. (via fax)
Mr. Edward Wallington (via fax)
Mr. James E. Belcher, Jr. (via fax)

