



Calvert County News

175 Main St., Prince Frederick, MD 20678 • 410-535-2003
www.calvertcountymd.gov

Board of Commissioners
Mark C. Cox Sr.
Catherine M. Grasso
Earl F. Hance
Mike Hart
Todd Ireland

FOR IMMEDIATE RELEASE

Date: May 11, 2023

Contact: Sarah Ehman, Public Information Program Manager
410-535-2003 Sarah.Ehman@calvertcountymd.gov

Julie Yingling, Public Information Program Specialist
410-535-2003 Julie.Yingling@calvertcountymd.gov

MEDIA STATEMENT

Calvert County Board of County Commissioners Responds to Criticism over Zoning Violations at Running Hare Vineyard

The Calvert County Board of County Commissioners (BOCC) is committed to transparency and providing accurate information to the public regarding recent events at Running Hare Vineyard (Running Hare) in Prince Frederick. The BOCC have not voted to cancel any events at Running Hare.

Running Hare is not compliant with zoning requirements and several structures and electrical work have been installed on the property without permits or inspections. The county has been working with Running Hare for several years in attempt to bring the establishment into compliance and continues to make every effort to work with Running Hare to meet safety standards and allow for events to be held that comply with all applicable laws, regulations and agricultural preservation covenants. Despite the efforts made by the county, required permits and inspections have not been fully executed.

Running Hare is located on property that was voluntarily submitted to be permanently preserved as an agricultural preservation district in 1983. Agricultural Preservation Districts (APDs) earn money upon the sale of Transferrable Development Rights (TDRs) and receive tax benefits; TDRs are important to help maintain the county's agricultural character and heritage. In exchange, allowed uses and public events must keep within the county's agricultural heritage. APDs may be approved by the Agricultural Preservation Advisory Board to hold up to two public events per year. Since there are open violations on the property, no public events of any kind are permitted; currently only private events can be held in the property's event building. There is no limit to the number of private events allowed.

~more~

Calvert County Board of County Commissioners Respond to Criticism over Zoning Violations at Running Hare Vineyard
May 11, 2023
Page 2

Land use regulations help to protect the environment and Calvert County’s cultural heritage by ensuring projects and activities are carried out in a manner that preserves natural resources and promotes the agricultural legacy of our county.

Although the regulatory process can be perceived as burdensome, permitting and inspections are important to protect public safety by ensuring that buildings, structures and activities comply with laws, codes and regulations in order to prevent accidents, fires and other hazards. Permitting and inspections ensure that construction projects are structurally sound to prevent collapse that could endanger patrons and staff.

It is deeply unfortunate that this situation has impacted the Hospice of the Chesapeake fundraiser. We are doing all we can to help ensure that Hospice will hold a successful event at the Huntingtown Fire Department and support their mission to provide crucial care to patients and families throughout our community.

County staff and the Agricultural Preservation Advisory Board have made extensive efforts since June 2020 to work with the property owners of Running Hare to bring them into compliance and allow for events to be held that comply with all applicable laws, regulations and agricultural preservation covenants.

Below is a timeline of Calvert County’s efforts to bring Running Hare into compliance:

- Sept. 13, 2019 A fire destroyed the onsite wine production facility that had been constructed without permits or inspections. Running Hare made no contact with the county regarding alternatives for onsite wine production until the county staff inquired in June 2020.
- June 11, 2020 Planning & Zoning and Economic Development staff met with Running Hare to discuss many advertised uses/events that were not agriculture related. Running Hare was advised they must get approval from the Agricultural Preservation Advisory Board (APAB). For advertised uses, site plan approval and permits for structures and uses were required.
- July 20, 2020 Economic Development staff sent a follow-up email to Running Hare to see if they had submitted to get on APAB’s agenda. The application was received after the APAB deadline, however Planning and Zoning (P&Z) staff requested to add it to the agenda.
- Aug. 3, 2020 The APAB voted to defer making a final decision and provided an interim approval of up to three (3) months or up to 50 events or until the APAB rendered a final decision. This was to allow for additional board members to attend and for additional time to deliberate on the application / provided materials.
 1. The application was for retroactive approval to host more than three (3) public events on an APD. The property is located within APD 83-05. The applicant requested to hold an unlimited number of public events. The application stated that

Calvert County Board of County Commissioners Respond to Criticism over Zoning Violations at Running Hare Vineyard
May 11, 2023
Page 3

the events would range in size from 20 to 5,000 participants. The types of events described in the application were concerts, movies, festivals, educational seminars, charitable functions and other similar events.

2. Staff had been waiting on, and working with, Running Hare since June 2020 but did not receive an application until the deadline for the August APAB agenda.

- Aug. 26, 2020 Code Enforcement Officers completed inspection of property and discovered many new unpermitted structures and electrical violations.
- Sept. 9, 2020 Notice of Violation was sent advising property owner that a red-lined site plan showing all new unpermitted structures must be submitted, permits must be submitted for all and inspections approved for all.
- Sept. 15, 2020 The APAB deferred decision until the October 2020 meeting at Running Hare's request. This was due the inability of Running Hare to attend the meeting; the approval remained in effect.
- Sept. 21, 2020 Held a meeting on site between the Health Department, Inspections & Permits, Code Enforcement, P&Z, and Special Events Coordinator to discuss Governor's orders not being followed and processes for permits and special events.
- Oct. 5, 2020 At the Oct. 5 APAB meeting, the Board voted on the application. The decision was made to allow Running Hare to hold a maximum of 50 events from date of approval through Dec. 31, 2020. The events were limited to those meeting the definition of agritourism as defined in the Calvert County Zoning Ordinance and were further required to promote local agricultural products / activities.
- a. Running Hare was dismayed at the agritourism stipulation and wanted to know what qualified. The list of events was too extensive to discuss at the meeting. Only drive-in movies were directly discussed which the APAB indicated did not qualify and could not continue.
 - b. Running Hare indicated they would pursue further clarification at the next APAB meeting.
- Oct. 13, 2020 Permits were submitted for production building and brewery pavilion; both applications were incomplete. Comments were provided to applicants engineer.
- Nov. 2, 2020 The APAB reviewed the clarification as well as the various violations/current status of Running Hare's operation. The APAB voted to revoke their prior approval and prohibit further public events until all violations are remedied. The decision of the APAB was effective immediately.
- Nov. 6, 2020 A stop work order was issued for holding unpermitted public events while under a Notice of Violation.
- May 12, 2021 Onsite meeting with county representatives at Running Hare to discuss outstanding permit and inspection requirements.

Calvert County Board of County Commissioners Respond to Criticism over Zoning Violations at Running Hare Vineyard

May 11, 2023

Page 4

- June 2021 County received the first complete permit application submittal to address violations. To date, the permits are being held by Environmental Health (EH) pending approval of the sewage disposal system.
- July 2, 2021 Onsite meeting with county representatives at Running Hare to discuss outstanding permit and inspection requirements.
- March 10, 2022 Onsite meeting with county representatives at Running Hare to discuss outstanding permit and inspection requirements.
- March 2022 Email from COA Barrett to Mark Willis states that EH notified them in March 2022 that permanent restroom facilities are required. In 2021, EH staff told Running Hare that the 2021 season would be the last year they would allow portable facilities to be used.
- Aug. 11, 2022 Onsite meeting with county representatives at Running Hare to discuss outstanding permit and inspection requirements. At this meeting, EH staff told Running Hare that a design professional needed to be hired to design the septic system. It wasn't until the February 2023 meeting that Running Hare asked for guidance on what they needed to do for the septic system design.
- Nov. 13, 2022 Final approval given for the red-lined site plan. As of March 2023, required permits and inspections had not been completed.*
- Feb. 8, 2023 Meeting held at county office to discuss outstanding permit and inspection requirements. Attendees included Economic Development staff, Planning & Zoning Director, County Administrator, staff from the Environmental Health Department, Public Works Acting Director and Running Hare. Running Hare stated that they were leasing space at the Calvert County Industrial Park (CCIP) for their wine production. This is in direct conflict with the farm winery definition requiring the wine production to be done onsite. The space at CCIP was occupied without permits or inspections.
- March 9, 2023 Zoning enforcement posted a stop work order for hosting public events without zoning compliance and APAB approval. A second stop work order was posted for the wine tasting pavilion and beer garden since wine and beer are not being produced onsite as required by the zoning regulations.
- March 16, 2023 Deputy Director of Zoning and Chief Enforcement Officer completed inspections at Running Hare Vineyard. The inspection was to view the production area and equipment used to process the wine and beer. An inspection was also completed of the space occupied for wine storage in the Industrial Park (unpermitted). Running Hare was advised to submit a permit application to occupy the space as soon as possible and until they were completely compliant no further public events could be held.
- March 16, 2023 SPR-142957 Redlined pre-concept site plan submitted for adding a bathroom trailer. County staff provided comments on April 13, 2023.

Calvert County Board of County Commissioners Respond to Criticism over Zoning Violations at Running Hare Vineyard
May 11, 2023
Page 5

- April 2, 2023 Sanitary construction permits submitted. Comments sent from EH to COA Barrett on April 11, 2023. The permit application did not include design calculations for the system, only plans.
- May 3, 2023 P&Z staff met with Running Hare to discuss the status of the violations, stop work order and the fact that only private events could be held onsite. Running Hare asked if they would need to cancel the Hospice event scheduled for May 12, 2023. Staff explained that this was a public event and could not be held due to the stop work order being in place.
- May 4, 2023 Sewage disposal plans & calculations submitted to the Environmental Health Department.
- May 9, 2023 EH meet with MDE staff to discuss the flow calculations for the sewage disposal system and found that the design flow did not reflect the maximum daily flow.

***Site Plan review process from submittal through approval:**

- April 14, 2021 Red-lined site plan submitted to include structures installed without permits.
- Review comments provided in May 2021 and revised plans were then submitted by engineer on Aug. 20, 2021.
 - Second submittal review comments provided in Sept. 13, 2021 and revised plans were submitted by their engineer in Nov. 15, 2021.
 - Third submittal review comments provided in Dec. 7, 2021 and revised plans submitted by their engineer on Jan. 18, 2022.
 - Fourth submittal review comments provided in Feb. 5, 2022 and revised plans submitted March 1, 2022.
 - Fifth submittal review comments provided March 15, 2022 and revised plans submitted March 28, 2022.
 - All comments were addressed by April 2022, excluding Environmental Health Department comments since they are requiring permanent restroom facilities.

###