

**Tax Map/Block/Parcel
No. 72-5-218**

**Building Permit/Zoning
Certificate No. 99-3404**

Case 4465

**OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND**

APPLICANT: John and Aimee Clime
7128 Norris Avenue
Sykesville, MD 21784

REQUEST: A conditional use for a day care center and nursery school.

LOCATION: Located at 6114 Old Washington Road, Sykesville, MD 21784 on property zoned "R-40" Residence District in Election District 14

BASIS: Basis: Article 5C.2(b); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: January 28, 2000

FINDINGS AND CONCLUSION

On January 28, 2000, the Board of Zoning Appeals (the Board) convened to hear the application of John and Aimee Clime for a conditional use for a proposed nursery school and day care center on property they own at 6114 Old Washington Road. The property is zoned "R-40,000" Residence District and is made up of 1.42 acres.

Aimee Clime presented her proposal for the use of the site she recently purchased at 6114 Old Washington Road. Aimee Clime currently operates the Sykesville Children's Center at 7543 Main Street in Sykesville and has no capability to expand. She will not continue to operate at that site if this conditional use is granted. The Child Care Administration for the State of Maryland monitors any licensed day care operation and has strict regulations which must be met. She plans to have approximately 77 children at the proposed site. The enrollment breakdown would be as follows: 15 infants, 32 preschoolers, 15-30 school age children, with the staffing requirements being dictated by the Child Care Administration. The proposed hours of operation for the day care center would be 6:45 a.m. until 6:30 p.m.

This site was considered by the applicants because of its convenience for dropping off children by parents on their way to work. The owners will not reside at this property. The proposed

enhancements to the site are intended to keep it as residential as possible to blend in the residential community. Extensive renovations will be necessary to the interior of the existing residence and must be governed by the Child Care Administration and local building codes. A drive-up drop off area will be designated for the daily arrival and departure of children. Some families have two to three children so the number of cars entering the site would not be as high as the actual enrollment. Currently the applicants have 30 cars per day at their other site, with children arriving between 7:00 a.m and 9:00 a.m. and departing between 5:00 p.m. and 6:00 p.m. Mrs. Clime personally transports three children to and from kindergarten each day. She will attempt to have a bus stop at the proposed location for pick up and drop off of the school age children. Trash removal will be provided by a refuse company with pick up once a week. She is currently using a dumpster for trash collection at the existing center and will plan to use a dumpster at the proposed site.

William Stablein, architect, presented plans for the proposed center. The house will basically remain unchanged from its present configuration but is in need of a new roof and some replacement windows and siding in certain areas. A dormer will be added over the front door as an entry feature to the house. A small sign, parking for ten cars to accommodate staff and two additional parking spaces (one handicapped), and a turnaround area will be added to the property. An outdated septic system will be replaced as mandated by the Health Department. Extensive interior renovations are necessary and will be accomplished as stipulated by the State Licensing component of the Child Care Administration adhering to space required per child.

Considerable opposition was expressed by neighboring property owners. The opposing neighbors were concerned with the increase of water usage by this type of operation, the noise created by 77 children, the accumulation of trash (specifically soiled diapers generated by 15 infants), the increase in traffic in an already overburdened area off Liberty Road, the safety of children in such a congested area.

The Board finds that this particular location is fronted by a very heavily traveled road. The Board finds that the traffic is such that it would create a dangerous situation if a Day Care Center were permitted. The Board finds that the increase in the number of vehicles entering and leaving the site would present a dangerous situation which is unique to this site.

The Board cannot impose a reasonable condition that would alleviate the adverse effects. The Board finds that at this location the use proposed would cause adverse conditions above and beyond those normally associated with the uses. The Board hereby denies the request for a conditional use for a Day Care Center.

2/23/00
Date

Karl V. Reichlin
Karl V. Reichlin, Chairman