

Tax Map/Block/Parcel
No. 74-15-827

Building Permit/Zoning
Certificate No. 01-4032

Case 4651

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

APPLICANT: Abar Homes, Inc.
1438 Liberty Road
Eldersburg, Maryland 21784

ATTORNEY: Bradford I. Webb

REQUEST: An application for a conditional use for a 71 bed assisted living facility (Misty Ridge Assisted Living)

LOCATION: The site is located on Lot 2B, Nell's Acres, off Ridenour Way, Sykesville, MD 21784, on property zoned "R-40,000" Residential District in Election District 5.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-63 (D)

HEARING HELD: January 30, 2002

FINDINGS AND CONCLUSION

On January 30, 2002, the Board of Zoning Appeals (the Board) convened to hear the request for a 71 bed assisted living facility (Misty Ridge Assisted Living). Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant is the contract purchaser of a vacant lot in which the Applicant is proposing to construct a 71 bed assisted living facility. The facility will be leased to an operator.

An Assisted Living Manager will be hired six months prior to the opening of the facility who will oversee the daily operation of the business. The proposed facility will be in compliance with all licensing regulations prior to opening. The two-story independent living facility will serve 71 residents. On a daily basis, each resident will receive three meals, activities, and laundry services. No medical services will be provided. It is planned to have four double rooms for married couples to live together and the other rooms will be for single residents. Each room will have a bathroom and a kitchenette with a sink and microwave. No stoves will be allowed,

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since there will be a main dining room available. The rooms will be equipped with medical pull cords for emergencies. The facility will have common living areas, a multi-purpose room, chapel, beauty shop and a few other services such as banking, etc. There will be 26 parking spaces with the majority of the parking being used by staff and visitors. Additional parking is being planned. The facility will employ approximately 25 staff members; 3 of which will be available during the night. Phase I will consist of 40 rooms and the additional 31 will be Phase II. Few residents will own cars.

A feasibility/market study was completed for the use on this site and the surrounding areas. Demographic and demand analyses were completed regarding the use that is being proposed on this site. The study concluded there is a general need and an effective demand for a facility of this type in the southern part of the county.

This site had previously been approved as a daycare center and is zoned R-40,000, which had a conditional use granted for a daycare facility of approximately 8,500 Sq. Ft. The Traffic Group, a traffic study consultant, performed a trip generation analysis comparing the 8,500 Sq. Ft. daycare center versus the 71 unit assisted care facility. The impact of traffic will be less for the assisted living facility than for the daycare facility use that had previously been approved. This use will not noticeably impact the traffic conditions. All screening and landscaping requirements will be met or exceeded.

Based on the testimony presented, the Board finds that the proposed use will not generate adverse effects above and beyond those normally associated with such a use. Accordingly, the Board approves this application for a conditional use.

2-26-02

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman