

Tax Map/Block/Parcel  
No. 39-20,21-238

Building Permit/Zoning  
Certificate No. 92-0868

Case 3711

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

**APPLICANT:** Schuster Enterprises, Inc.  
111 Westminster Road  
Reisterstown, Maryland 21136

**ATTORNEY:** Clark R. Shaffer, Esquire  
6 North Court Street  
Westminster, Maryland 21157

**REQUEST:** A conditional use for retirement housing for  
senior citizens

**LOCATION:** 222 North Cranberry Road in Election District 7

**BASES:** Article 8, Section 8.2(a); Article 7, Section  
7.2(c); Ordinance 1E. (The Carroll County  
Zoning Ordinance)

**HEARING HELD:** April 30, 1992

**FINDINGS AND CONCLUSION**

On April 30, 1992, the Board of Zoning Appeals heard testimony and received evidence concerning the conditional use request for retirement housing for senior citizens on the premises of 222 North Cranberry Road in Election District 7.

The Board visited the site on April 22, 1992.

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record, the Board hereby approves the conditional use. The pertinent findings determining the Board's decision include the following facts:

As depicted by the site location map used in this case, the property abuts the corporate boundary of the City of Westminster. In conjunction with development of the project, connection to the public water and sanitary sewerage disposal systems of the city is anticipated.

The 6.79 acre parcel is zoned "R-10,000" Residence District as portrayed on zoning map 39A. As provided by Sections 8.2(a), 7.2(c), and 7.5 of the zoning ordinance, retirement homes are allowed as conditional uses in the "R-10,000" Residence District, subject to the approval of the site development plan by the Carroll County Planning Commission in accordance with the

recently enacted provisions of Article 4, Section 4.26 of the zoning ordinance. Accordingly, the development plan, identified as Applicant's Exhibit 4, is conceptual and tentative, and is subject to changes as may be required in the preparation of the final site development plan.

As a matter of information and explanation, Article 20, Section 20.30B, amended December 11, 1979, of the zoning ordinance defines retirement homes as:

Specifically designed multi-dwelling unit buildings to which occupancy is restricted to elderly citizens.

The conceptual plan includes five one-story buildings and four two-story buildings. The two-story buildings will be designed with ground level entrances without steps, and will appear to be one story when viewed from the architectural front of the respective building. Each dwelling unit will be designed to be barrier free to accommodate handicapped or elderly residents. The nine buildings are planned to have a total of 92 one bedroom dwelling units. A separate centrally located community center building is also planned. One parking space is planned for each dwelling unit as required by the zoning ordinance.

The project is tentatively planned for development in two phases, with 52 dwelling units in the first phase and 40 dwelling units in the second phase. If feasible, the existing dwelling will be retained for use as the manager's home. However, if this is not practical, a lot will be created to sell the dwelling as an off-conveyance in accordance with the subdivision regulations of the county.

Experts in real estate appraisal and traffic presented testimony and evidence substantiating that the proposed use of the property will not adversely affect residents of the adjacent properties, the values of those properties, or the public interests.

Accordingly, the Board finds that the conditional use is consistent with the provisions of the zoning ordinance and the standard established by the Court of Appeals of Maryland in its decision in the case of *Schulz v. Pritts*, 291 Md. 1, 22 (1981).

May 7, 1992  
Date

John Totura  
John Totura, Chairman