

Tax Map/Block/Parcel
No. 74-10-570

Building Permit/Zoning
Certificate No. 98-3458

Case 4376

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Oakland Manor, Inc.
2810 Kaywood Place
Sykesville, Maryland 21784

ATTORNEY: J. Brooks Leahy, Esquire
Dulany & Leahy, LLP
127 East Main Street
P. O. Box 1125
Westminster, MD 21158-1125

REQUEST: A conditional use request to renovate a portion of the lower level of the existing building for a licensed adult medical day services program on property zoned "R-20,000" Residence District and "C" Conservation District.

LOCATION: 2810 Kaywood Place, Sykesville, Maryland in Election District 5

BASIS: Article 7; Section 7.2(c)(f); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: January 27, 1999

FINDINGS AND CONCLUSION

On January 27, 1999, the Board of Zoning Appeals (the Board) convened to hear the application of Oakland Manor, Inc. for a conditional use to renovate a portion of the lower level of their existing building for a licensed adult medical day services program located at 2810 Kaywood Place, Sykesville, Maryland on property zoned "R-20,000" Residence District and "C" Conservation District.

Mr. Jeffrey Pepper, President and owner of Oakland Manor, Inc. presented the following testimony. He is the owner of PEP Realty, a Maryland Limited Liability Company, and the owner

of the property. Mr. Pepper has worked in the health care field since 1982. Since 1988, he has been the owner and administrator of Oakland Manor, Inc. He works approximately 60 hours a week at the property. Oakland Manor, Inc. is a 60 bed, 24-hour care, fully licensed domiciliary care facility located on a 3 acre wooded site in Sykesville, overlooking Liberty Reservoir. Residential homes surround the facility. Oakland Manor, Inc. currently has 17 employees. There are three work shifts. The facility has provided assisted living since 1972. Oakland Manor, Inc. cares for men and women in need of some assistance in their day-to-day activities. The South Carroll Adult Day Care facility recently relocated to a new location in Westminster resulting in an increased need for adult day care in southern Carroll County. Due to this increased need for adult day care in the area, the applicant plans to use the existing area in the lower level of the facility for an adult day care program. The day care program will offer comprehensive health, social, and related support services. The planned use will allow its participants to remain in the community and enable working families and other care givers to care for their loved ones at home in the evening and night hours.

The lower level of the building is currently being used for six assisted living units. The area housing the six assisted living units will be remodeled for the adult day care area. No new construction will take place, with the exception of the removal of one wall. The adult day care area will include: a reception and staff counter, an activity/dining room, a personal grooming room, a second activity room, a therapy room, an arts and crafts room, a conversation and sitting room, a quiet room, and a library/reading room. Laundry, restroom, and storage areas are also planned. Hours of operation for the adult day care program will be 8:00 a.m. to 7:00 p.m., 7 days a week. Actual program hours are 9:00 a.m. to 5:00 p.m. The maximum amount of participants in the adult day care center program will be 40. The new program will require the hiring of an additional seven (7) employees. Three vans will be acquired by Oakland Manor, Inc. to transport most of the participants to and from the facility. The remaining participants will be transported by family members. The proposed use will require approval of the Department of Health and Mental Hygiene. Mr. Paul E. Joyce, an individual with extensive experience in adult day care, will co-manage the adult day care program. Participants will be encouraged to remain on the facility's grounds.

Mr. Richard S. Evans, a Landscape Architect with Carroll Land Services, Inc., testified regarding the parking conditions at the site. The parking lot has 31 existing parking spaces. Twenty-six (26) spaces are estimated to be actually needed for this facility. Additional area for parking has been identified on the site in the event any County regulatory agency requires additional parking. The three Oakland Manor, Inc. vans will be parked on site.

There was no one present in opposition to the request. Mr. Pepper testified that he has contacted area neighbors to discuss the facility and to establish a good line of communication. The applicant provided the Board with a letter of support from Mr. Harald Burgard, a neighbor of the facility. Mr. Spottswood Bird of 2814 Kaywood Place was present and stated that he originally owned the property at 2810 Kaywood Place. He has lived in the area since Oakland Manor, Inc. was

in operation knew of no problems with the facility in this neighborhood.

The Board finds the proposed use is a desirable one at this location as it has been used for assisted living for over 35 years. The Board finds that there will be a negligible increase in traffic at the location. The Board finds that there is a need for adult day care in the South Carroll area that will be served by the proposed use. The Board also finds that the use will not result in any adverse impact on area residents or the value of their properties. The Board hereby approves the request of Oakland Manor, Inc. for a conditional use to renovate a portion of the lower level of the existing building for a licensed adult medical day services program located at 2810 Kaywood Place, Sykesville, Maryland on property zoned "R-20,000" Residence District and "C" Conservation District.

2/4/99
Date

Karl V. Reichlin
Karl V. Reichlin, Chairman

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February 2, 1999