

Tax Map/Block/Parcel
No. 45-24-634 & 673
Case 5198

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Greenvale Mews, LLC
c/o Jay Weiss
25 Old Boxwood Lane
Lutherville, MD 21093

ATTORNEY: Clark Shaffer

REQUEST: Conditional use for a retirement home community for active adults consisting of 65 town-home style units.

LOCATION: The site is located at s/s of Winchester Drive, w/s of Gist Road, Westminster, on property zoned "R-20,000" Residential District in Election District 7.

BASIS: Code of Public Local Laws and Ordinances, Section 223-79 C, 223-181 and 223-186A (2)

HEARING HELD: June 26, 2007

FINDINGS AND CONCLUSION

On June 26, 2007, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a retirement home community for active adults consisting of 65 town-home style units. The Board made the following findings and conclusion:

The Applicant is proposing to build a retirement community for active adults over the age of fifty-five on a 30.49 acre (+-) site located south of the City of Westminster at the terminus of Greenvale Road, south of Winchester Drive. The property is zoned R-20,000 Residential. The plan calls for 65 condominium "cluster homes" in units of 2 and 3 to be constructed. In addition, an existing house on the property is to be relocated to another lot. The property is to be served by City water and sewer.

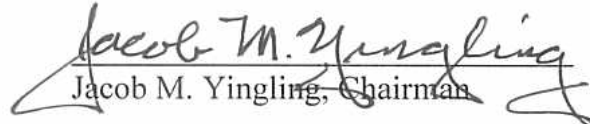
In accordance with Carroll County Public Local Laws and Ordinances § 103-19, the Applicant first presented a concept site plan to the Carroll County Planning and Zoning Commission for review and comment on the plan, traffic study, and a determination of density, exterior design and layout. The Planning and Zoning Commission decided that the site layout, density, and exterior design of the plan were acceptable, and the request is now before the Board as a conditional use.

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The Board heard credible testimony from a qualified traffic engineer who had studied the existing data and conducted traffic analysis and concluded that traffic generated by the proposed development would not cause the surrounding intersections to operate below an acceptable level of service. Traffic from the community would be less than that generated by a neighborhood of single family homes. In addition, a certified real estate appraiser provided uncontradicted credible testimony that the proposed development will not adversely impact property values in the surrounding neighborhood. Opposition from the surrounding neighbors was muted, and their objectives should be substantially addressed through adequate screening.

Based on the above evidence, the Board concluded that the proposed retirement community at this location will not generate adverse effects above and beyond those normally associated with such a use. Specifically, the Board found the proposed development to be consistent with the neighborhood and the orderly growth of the community. It will not exacerbate traffic conditions or result in excessive noise, dust, fumes or glare. It will not reduce property values or adversely impact the peaceful enjoyment of the neighbors in their homes. Accordingly, the conditional use was granted.

7/18/07
Date


Jacob M. Yingling, Chairman