

Tax Map/Block/Parcel
No. 46-1371-1387
Case 5210

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

APPLICANT: Carroll Hospital Center, Inc.
c/o Maurice Spielman
200 Memorial Avenue
Westminster, Maryland 21157

ATTORNEY: Isaac Menasche

REQUEST: Conditional use for a 75,600 sq. ft. medical center and variances as needed for 5 stories consisting of a 2 tier underground parking garage and 3 stories of doctors offices for a total height not to exceed 41 ft.

LOCATION: The site is located at 200 Memorial Avenue, Westminster, MD 21157, on property zoned “R-20,000” Residential District in Election District 7.

BASIS: Code of Public Local Laws and Ordinances, Section 223-2, 223-79 (C), 223-80, 223-81, 223-82 and 223-182 A (2)

HEARING HELD: July 25, 2006

FINDINGS AND CONCLUSION

On July 25, 2006, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a 75,600*sq. ft. medical center and variances as needed for 5 stories consisting of a 2 tier underground parking garage and 3 stories of doctors’ offices for a total height not to exceed 41 ft. The Board made the following findings and conclusions:

The proposed location is in close proximity to Carroll County General Hospital. The center will accommodate physicians who also work periodically at the hospital. The building is to be 75,600* square feet with 25,000 square feet available for physicians’ offices. The subject site is 5.2 acres.

*Corrected from 75,000 sq. ft. in accordance with the original application and advertisement.

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County regulations require 378 parking spaces. Some underground parking in the facility is proposed. This will eliminate some more parking spaces in the outdoor lot and preserve some open "green space". The topography of the site is not level, as the grade in the front of the building is higher than the rear. The variance request was necessitated by the parking garage, which adds another floor to the building. If the underground parking is not allowed, mass grading and filling will be required at the site. A height variance will also allow the top of the building to be screened for a more aesthetic look. The underground parking will make the building more accessible for patients.

A traffic expert whom the Board found to be credible testified that the addition of the building (along with a planned signal at one intersection) will not cause a failure of the neighborhood traffic system. In addition, the planned traffic signal will improve the traffic flow at Stoner Avenue and Route 32.d

Based upon the above, the Board found that the proposed medical center at this location will not generated adverse effects (i.e. noise, traffic, dust, property depreciation, crowding, etc.) greater here than elsewhere in the zone. Accordingly, the conditional use was granted. In addition, the Board found that the Applicant had proven that the topography of the site, the constraints due to lot size and its close proximity to the hospital are such that a failure to grant the variance would result in undue hardship and practical difficulty. Accordingly, the requested variance was also granted.

December 16, 2009
Date

Charles H. Wheatley III
Charles H. Wheatley, III, Chairman

Original decision signed 8/16/06, corrections made to amended decision on 12/16/09.

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