

**Tax Map/Block/Parcel
No. 61-17-336**

Case 5450

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

APPLICANT: Benny Kirkner
1438 Liberty Road
Sykesville, Maryland 21784

ATTORNEY: Brad Webb

REQUEST: Conditional use to allow a new assisted living facility as an expansion of the existing Sun Valley Assisted Living Facility.

LOCATION: The site is located on Ridge Road, MD Rte. 27 (Map 61, Grid 17, Parcel 336), Taylorsville, on property zoned "R-40,000" Residential District in Election District 9.

BASIS: Code of Public Local Laws and Ordinances, Section 223-63 D

HEARING HELD: February 26, 2009

FINDINGS AND CONCLUSION

On February 26, 2009, the Board of Zoning Appeals (the Board) convened to hear a conditional use request to allow an expansion of the existing Sun Valley Assisted Living Facility with a new assisted living facility. Based on the testimony and evidence presented, the Board made the following findings and conclusion.

The subject property (parcel 336) is a 4.47 acre parcel in the R-40,000 zone. The adjacent property (Parcel 446) is the existing Sun Valley 23-bed assisted living facility. The Applicant is proposing an expansion of the existing Sun Valley facility with a new facility on Parcel 336. A new one-story building would be constructed to house an additional 20 residents. The parcels would be consolidated during the development process. The existing building and the new facility would

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share some infrastructure but will not be connected. The proposed new building would be designed to resemble a residence. Traffic generated by the new facility will be minimal, with 3 trips per peak hour in the morning and 8 trips in the evening peak hour. The proposed density, site layout and exterior design of the new building was approved by the Carroll County Planning and Zoning Commission on January 20, 2009. The new building will use the existing driveway entrance onto Rte. 27. No additional signs are proposed. There will be a total of 10 to 15 employees on duty at the new facility. There will be 20 rooms for residents.

The Board found that there would be no noise, dust or fumes generated by the new facility. Additional traffic from the new building from residents, staff and visitors will be negligible. There was no evidence of any potential diminution of property values in the area from the proposed facility. The new building will be attractive and residential in appearance, which will complement the neighboring properties. There have been no reported problems with the existing facility. The site can easily accommodate the proposed building. In short, any adverse effects generated by the proposed use would be no greater here than elsewhere in the R-40,000 zone. Accordingly the conditional use was granted.

3/18/09
Date


Jacob M. Yingling, Chairman