

Tax Map/Block/Parcel
No. 46-20-20-1476

Building Permit/Zoning
Certificate No. 05-0095

Case 5021

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

APPLICANT: Drs. Chitrachedu & Vimala N. Naganna
813 Poole Road
Westminster, MD 21157

ATTORNEY: J. Brooks Leahy

REQUEST: A conditional use for a medical and dental office and clinic in a proposed three-story building.

LOCATION: The site is located at Rt. 97 and Poole Road, southeast of Westminster, on property zoned "R-10,000" Residential District in Election District 7.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-86, 223-79 C, 223-186 A (2) and 223-191

HEARING HELD: February 23, 2005

FINDINGS AND CONCLUSION

On February 23, 2005, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a medical and dental office and clinic in a proposed three-story building. The Board made the following findings and conclusion:

The property at issue is situated on the eastern side of MD Rte. 97 and consists of 7.2 acres in the R-10,000 zone. The neighborhood includes agricultural land, residential housing and a professional office complex.

The Applicant is proposing to build a medical and dental clinic on the site. The proposed building is 35 feet high with three stories, with 290 parking spaces. It could house up to 41 doctors. The exterior is to be a brick façade. The building will be a 70,000 square foot, "L" shaped structure.

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A traffic expert whom the Board found credible testified that the intersections in the immediate neighborhood are projected to operate at a Level of Service "D" or better during both peak hours after the facility is opened. In addition, he testified that the proposed project at this location will not have an adverse impact on traffic conditions in the vicinity of the site.


A real estate appraiser whom the Board found credible testified that the proposed complex is consistent with the orderly growth of this neighborhood and will not have a negative impact on the value of the neighboring properties. In fact, impacts would be less than if the parcel were developed for residential use.

The Board finds that the proposed use at this location will not result in adverse effects above and beyond those normally associated with such a use. We find that the use is consistent with the other uses closest to the site. Accordingly, a conditional use is granted.

During the site plan process for this project we suggest a request of non-intrusive lighting and the maximum landscape screening requirements be imposed.

Date

3/11/05


Jacob M. Yingling, Chairman