

Tax Map/Block/Parcel
No. 46-19-814,815,1515,1516

Building Permit/Zoning
Certificate No. 04-3595

Case 4998

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

APPLICANT: Green Builders, Inc.
1255 Baugher Road
Westminster, MD 21158

ATTORNEY: Charles M. Preston

REQUEST: Conditional use to construct an 80,000 sq. ft. medical center building to house medical and dental clinics.

LOCATION: The site is located at 826 Washington Road, Westminster, on property zoned "R-10,000" Residential District in Election District 7.

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

HEARING HELD: December 1 & 2, 2004

FINDINGS AND CONCLUSION

On December 1 & 2, 2004, the Board of Zoning Appeals (the Board) convened to hear a conditional use to construct an 80,000 sq. ft. medical center building to house medical and dental clinics. The Board made the following findings and conclusion:

The Applicant is proposing an 80,000 square foot medical center to house medical and dental offices on a 6.28-acre parcel. The site is located at 826 Washington Road, Westminster, MD 21157. The neighborhood consists of a mixture of residential and commercial uses, and is located near a hospital and other medical buildings. The building will be two stories, and will be constructed so that the main entrance will be on the second floor. Utilities will be provided by the City of Westminster. The interior of the structure will be divided into twelve suites, ranging from 1,500 square feet to 20,000 square feet. Due to the topography of the site, retaining walls will be required at certain points of the perimeter of the property.

OFFICIAL DECISION

C4998

Page Two

A traffic expert whose testimony was accepted as credible by the Board testified that the supporting road network had more than sufficient capacity to accommodate the proposed complex and roads would continue to operate with good level of service. He also noted that a similar facility in Pennsylvania generated less traffic than was expected under the standard traffic engineering guidelines. A real estate appraiser, whose expert testimony was accepted by the Board as credible, testified that the proposed dental and medical clinics would not negatively impact property values in the neighborhood and would be consistent with the orderly growth of the neighborhood.

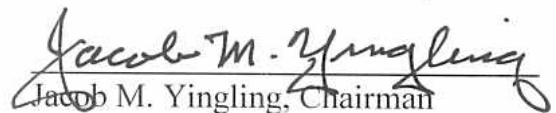
The proposed structure will be glass and brick. Typical physicians' hours are between 9:00 A.M. and 7:00 P.M. Fencing is proposed at various points to screen the facility from neighboring residences.

Based on the above, the Board finds that the proposed use at this location will not generate adverse effects above and beyond those normally associated with such a use. Accordingly, the request is granted, subject to the following conditions:

1. The facility may only be used for medical, therapeutic or dental offices.
2. Non-intrusive directional lighting and the maximum amount of landscaping required by the County's landscaping requirements shall be imposed as part of the site plan process.

Date

12/23/04


Jacob M. Yingling, Chairman