

**Tax Map/Block/Parcel
No. 74-15-59**

**Building Permit/Zoning
Certificate No. 02-4093**

Case 4750

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

APPLICANT: Nell's Acres, LLC
Suite A, 10 Venture Way
Sykesville, Maryland 21784

ATTORNEY: Clark R. Shaffer

REQUEST: An application for a conditional use for a retirement home community consisting of 336 units.

LOCATION: The site is located at Liberty Road (near Liberty Dam), Eldersburg, MD 21784, on property zoned "R-40" Residential District in Election District 5.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-53 D

HEARING HELD: December 3, 2002

FINDINGS AND CONCLUSION

On December 3, 2002, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a retirement home community consisting of 336 units. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant is proposing "Phase 2" of the existing Nell's Acres retirement community. The development will consist of 27 three-story elevator-serviced buildings, each with 12 units per building on a 24.02-acre site. Some underground parking will be available. It will be an age restricted (55+ yrs.) condominium community with 336 apartments. The property adjoins the existing Nell's Acres complex.

The Board heard testimony from a Traffic Expert that the impact of the development on traffic will be minimal. In addition, a real estate appraisal was submitted delineating that no reduction in property values would result from this development. Obviously, schools would not be impacted.

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Based upon the above, the Board finds that the proposed use will not generate adverse effects at this location above and beyond those normally associated with such a use. Accordingly, the conditional use is granted.

12-23-02

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman