

**Tax Map/Block/Parcel  
No. 73-12 & 18-630**

**Building Permit/Zoning  
Certificate No. 99-3255**

**Case 4460**

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

**APPLICANT:** Richard Colandrea  
P. O. Box 911  
Middleburg, VA 20118

**ATTORNEY:** Clark R. Shaffer, Esquire  
6 North Court Street  
Westminster, MD 21157

**REQUEST:** A conditional use for a retirement home community.

**LOCATION:** 6.762 acres ± located at 1533 Liberty Road, Sykesville, MD 21784 on property zoned "R-20,000" Residence District in Election District 5

**BASIS:** Basis: Article 7; Section 2(c); Ordinance 1E (The Carroll County Zoning Ordinance)

**HEARINGS HELD:** January 5 and 6, 2000

On January 5, 2000, the Board of Zoning Appeals (the Board) convened to hear the application of Richard Colandrea for a conditional use for a proposed retirement home consisting of 25 units. Mr. Colandrea was represented by Clark Shaffer, Esquire. The applicant has already obtained approval by the Planning Commission and the Board of Zoning Appeals for three other buildings on the site for retirement homes, (see cases 1412, 1560, 1613, 2435, 3520). The prior decisions and findings are incorporated herein by reference. This hearing concerns a new building, in addition to the three already approved but not constructed.

**FINDINGS AND CONCLUSION**

With the addition of the 25 unit building under consideration, the project will consist of 96 units of apartments for the elderly. One additional apartment unit will be for an on site manager of the complex. A principle requirement for residency in the community will be that all residents must be 60 years or older. The units will be designed for the independent living elderly. There will be

no doctors, nurses, or medical staff on premises. Space has been set aside for community use for meetings in the site plan for the three approved buildings. No outside maintenance of lawns, snow removal, etc. would be required. No flood lights required outside. Historically 50% of residents would have a car and still drive. Gregory Mitchell, Architect, presented drawings of the proposed building which would have three living levels and basement arranged appropriately on the deeply sloped land. (See exhibit #'s 3 and 4)

Testimony by Mr. Michael Nalepa, who was qualified as an expert witness in the field of traffic engineering, indicated that the use proposed would cause an increase of 2 vehicles trips each day during peak hours in the morning and evening. The Maryland State Highway Administration does not require traffic studies when the use generates less than 50 vehicle trips. Mr. Nalepa concluded that the use will have little or no impact on traffic.

Opposition to the project was expressed by area residents Mike Geiger, Patricia Lee, Leo Meninger, Vincent Trombetta and Dan Tavin. Their concerns centered on increased demand for police, fire and emergency services. In addition, they voiced concerns regarding the increase in traffic the use would generate.

The Board finds that the use proposed, at the location proposed will have no adverse impact above and beyond those inherently associated with such a use irrespective of its location within the R-20,000 zone. Subject the site plan requirements, the Board approves the request.

2/4/00

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman