

The Capital

South County

Plan for senior apartments heads to Circuit Court

By E.B. FURGURSON III, Staff Writer

The five-year saga to build an apartment complex for senior citizens in Franklin Manor is about to get longer.

Anthony and Stacey Lanzaron, who live across from the site, have appealed a Board of Appeals decision to grant Crandell Cove Inc. an extension of the deadline to build 32 units along Franklin Manor Road.

The timing issue comes from variance and special exceptions granted to allow the project to move forward: Projects must be completed within two years of obtaining such considerations.

The Lanzarons, who stepped forward after the environmental group South Arundel Citizens for Responsible Development was denied standing in the case, questioned whether county Administrative Hearing Officer Stephen LeGendre legally granted an extension for the project's 2003 special exceptions and variances.

Their attorney, John Butler, argued before the board that county code doesn't allow such continuations, and even if it did, the clock had run out before Crandell Cove applied for several.

The Board of Appeals disagreed in its decision published Jan. 11.

Mr. Butler filed the appeal on Feb. 7, and said the primary argument would be on much the same issues as were presented at the Board of the Appeals.

"The Circuit Court has two choices," he said. "It could send the case back (to the Board of Appeals) because it failed to address ... any of the legal issue in the case ... or it could just take case as stands and decide the issues itself."

No hearing will occur for at least four months.

The family of the late John Crandell donated the property in May to Crandell Cove Inc., which includes members of two local Episcopal churches, Christ and St. James' and the family.

The lot is 86 percent forested and all of it is in the Critical Area, as determined by the state, meaning it's subject to development restrictions. The project would clear 3.9 acres. More than half of the site - split-zoned residential and open space - is in a federal floodplain.

Opposition to the plan was originally based on several factors, including:

The environmental sensitivity of the land at the head of Deep Cove Creek.

The county's approval of the complex as a nursing home, which allowed the 32 units on land otherwise zoned for one house per acre.

Both of those elements, opponents said, set a bad precedent for future development in South County.

The latest Board of Appeals case - there were two others - hinged on the extensions.

SACReD President Amanda Spake said there had been some movement toward negotiation before the court filing.

"We still want to talk," she said.

Attorney Sager Williams, who has represented Crandell Cove Inc. since the project was first proposed in 2001, said the corporation's board is ready to sit down and discuss matters as well.

"We would like to reach some kind of ... understanding as to what could go forward, as envisioned by Crandell board. Perhaps some changes (can be made) to make it more acceptable, but I don't know what those possibilities are."

Published February 23, 2006, The Capital, Annapolis, Md.

Copyright © 2006 The Capital, Annapolis, Md.