

**FINDINGS AND RECOMMENDATION
OFFICE OF PLANNING AND ZONING
ANNE ARUNDEL COUNTY, MARYLAND**

APPLICANT: Cecil Avenue Building LLC &
BHRE Investors (MD) LLC

ASSESSMENT DISTRICT: 4

CASE NUMBERS: 2023-0118-S

COUNCIL DISTRICT: 6

HEARING DATE: September 5, 2023

PREPARED BY: Joan A. Jenkins 
Planner II

REQUEST

The applicants are requesting a special exception to allow an eating disorder treatment facility in an R1 - Residential District on property located at 899 Cecil Avenue S in Millersville.

LOCATION AND DESCRIPTION OF SITE

The subject site is an irregularly shaped parcel consisting of 4.95 acres square feet of land, more or less. The site has 411 feet of frontage on the east side of Cecil Avenue, zero (0) feet south of Nancy Avenue. The property is identified on Tax Map 30, Block 22, as Parcel 186.

The site has been zoned R-1 - Residential District since the adoption of comprehensive zoning of the Sixth Councilmanic District zoning maps effective October 7, 2011. The site is not located in the Chesapeake Bay Critical Area.

PROPOSAL

The applicants are proposing to rehabilitate the existing vacant structure into an eating disorder treatment facility with a maximum of 78 eating disorder treatment units.

SPECIAL EXCEPTION STANDARDS

§ 18-11-124 of the Anne Arundel County Zoning Ordinance sets forth the specific requirements for an eating disorder facility. Additionally, all special exceptions are subject to the general standards contained in § 18-16-304 of the Zoning Ordinance.

FINDINGS

The subject property is irregular in shape and far exceeds the minimum area and width requirements for a lot in an R1 District. A review of the County 2023 aerial photograph shows that the surrounding neighborhood consists of predominantly R1 - Residential District and RLD - Residential Low Density District zoned properties, which have been developed with single-family dwellings on lots typically larger than one acre.

This property was the subject of essentially the same application in case number 2017-0031-V which was approved April 19, 2017 and case number 2019-0088-V for a time extension which was approved June 26, 2019. The time extension has since expired. The applicant's letter explains that the facility will treat patients with eating disorders such as bulimia and anorexia nervosa with typical stays of 30 -120 days. The facility will provide 24-hour residential care to eating disorder patients including cognitive behavior therapy, nutrition medical education, goal setting, mindfulness/yoga, expressive art therapy, coping skills, and recovery skills.

SPECIAL EXCEPTION REQUIREMENTS

With regard to the specific special exception requirements of § 18-11-124 of the Code, this Office submits the following findings:

1. *The facility shall be located within one half mile of a principal arterial road.* The nearest principal arterial road is Maryland Route 3 0.38 miles away.
2. *The facility shall be located on a lot of at least four acres.* The property exceeds the lot size requirement at 4.95 acres.
3. *Structures shall be located at least 50 feet from the front and rear lot lines and 20 feet from the side lot lines.* As shown on the site plan, the existing structure meets the requirements.
4. *The facility may not have more than 100 eating disorder treatment units.* The proposed facility will have 78 eating disorder treatment units.
5. *Maximum coverage by structures and parking may not exceed 60% of the gross area of the lot.* The Applicant proposes 25% coverage by structures and parking. Currently, coverage is 1.22 acres. The proposed facility will have coverage of 1.23 acres.
6. *No off-site parking on public streets shall be permitted.* No off-site parking is proposed.
7. *The floor area of each eating disorder treatment unit shall be limited to not more than 1,000 square feet.* The eating disorder treatment units will be less than 1,000 square feet.
8. *Any source of potential nuisance, including a laundry operation, power plant, restaurant, cafeteria, kitchen, unloading area for supplies and food, garbage loading area, or incinerator shall be located in a manner to shield surrounding residential property from the effects of noise, light, hazards, and other offensive conditions.* The proposed 78-unit facility will be a less intense use than the prior 87-bed skilled nursing home. There will be no lighting spillover to adjacent homes.

Concerning the general special exception standards prescribed in § 18-16-304 of the Code, it is the opinion of this Office that the eating disorder treatment facility will not be detrimental to the public health, safety, or welfare; and, the facility will be compatible with the appropriate and orderly development of the R1 - Residential District.

Given the land use context and the generous distance between the structure and the surrounding dwellings, the operations related to the facility will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed in the R1 District. Furthermore, the applicants propose additional landscaping along the front lot line and the north side lot line in order to improve screening around the facility.

There is no evidence to indicate that the proposed use will conflict with an existing or programmed public facility, public service, school, or road. The applicant shall demonstrate to the Hearing Officer that there is public need for the use; and, the proposed development shall comply with the requirements of the Landscape manual to the satisfaction of the Development Division.

AGENCY COMMENTS

The **Department of Recreation and Parks** and the **Fire Marshal** had no comments.

The **Health Department** commented that it does not have an approved plan for this project but has no objection as long as a plan is submitted and approved by the Department.

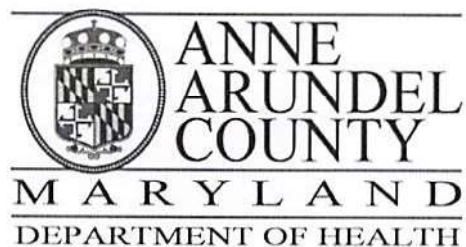
The **Long Range Planning section** commented Plan2040 does not have recommendations that are specific to this site and the proposal is generally consistent with the goals, policies and strategies of Plan2040. This proposal is within Region Planning Area 6. The Region Plan process for Region 6 is anticipated to begin in January, 2024 and completed in the spring of 2026. No applications were submitted during the 2011 Comprehensive Rezoning process. The site is in the No Public Service category in the Rural Sewer Service Area and the No Public Service category in the Rural Water Pressure Zone. The proposal is consistent with the 2022 Water and Sewer Master Plan.

The **Regional Section of the Development Division** commented that they defer to the Zoning Division whether the applicant meets the application standards for the Special Exception per Article 18-16-304(a)6).

RECOMMENDATION

Based upon the specific standards set forth under §18-11-142 and §18-16-304 of the Anne Arundel County Zoning Code under which a special exception may be granted, the Office of Planning and Zoning recommends ***approval*** of a special exception to allow an eating disorder treatment facility in an R1 - Residential District as shown on the site plan submitted by the applicants.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) shall apply for and obtain the necessary building permits and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.




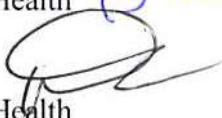
J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

Tonii Gedin, RN, DNP
Acting Health Officer

MEMORANDUM

TO: Sadé Medina, Zoning Applications
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager
Bureau of Environmental Health 

THROUGH: Don Curtian, Director
Bureau of Environmental Health 

DATE: August 8, 2023

RE: Knollwood Manor Eating Disorder Treatment Facility
Special Exception Application
899 Cecil Avenue
Millersville, MD 21108

NUMBER: 2023-0118-S

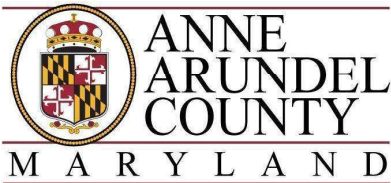
SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced special exception to allow an eating disorder treatment facility in an R1- Residential District.

The Health Department does not have an approved plan for this project. The Health Department has no objection to the above referenced variance request as long as a plan is submitted and approved by the Health Department.

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay



Office of Planning and Zoning

Jenny B. Jarkowski
Planning and Zoning Officer

MEMORANDUM

TO: Zoning Division

FROM: Desirae Williams, Long Range Planner

THROUGH: Cindy Carrier, Planning Administrator, Long Range Planning

SUBJECT: Long Range Planning Comments

DATE: August 7, 2023

Name of Project: 899 Cecil Avenue S
Case#: 2023-0118-S
Location: 899 Cecil Avenue South, Millersville
Tax Map 30, Block 22, Parcel 186
Region Planning Area: Region 6
Community: Millersville

Summary:

The applicant requests a Special Exception to allow an eating disorder treatment facility in an R1-Residential Zoning District.

The approximately 4.95-acre site is located in the Plan2040 Rural and Agricultural Development Policy Area and the Residential Low Density Planned Land Use category. Surrounding properties are in the Residential Low Density Planned Land Use category. Zoning for the site is R1 and surrounding properties are zoned R1. The site is not located within the Priority Funding Area or the Green Infrastructure Network.

Findings:

Plan2040 General Development Plan: Plan2040 does not have recommendations that are specific to this site and the proposal is generally consistent with the goals, policies and strategies of Plan2040. This proposal is within Region Planning Area 6. The Region Plan process for Region 6 is anticipated to begin in January, 2024 and completed in the spring of 2026. No applications were submitted during the 2011 Comprehensive Rezoning process.

2022 Water and Sewer Master Plan: The site is in the No Public Service category in the Rural Sewer Service Area and the No Public Service category in the Rural Water Pressure Zone. The proposal is consistent with the 2022 Water and Sewer Master Plan.

2023-0118-S

Menu Cancel

Help

Task OPZ Regional Team	Due Date 08/08/2023	Assigned Date 07/24/2023
Assigned to Department OPZ Regional Planning	Assigned to Donna Aulds	Status Complete w/o Comments
Action by Department OPZ Regional Planning	Action By Donna Aulds	Status Date 08/01/2023
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments This Office defers to the Zoning Division whether the applicant meets the application standards for the Special Exception, per Article 18-16-304(a)(6).
Time Tracking Start Date Display E-mail Address in ACA <input type="checkbox"/>	Est. Completion Date Display Comment in ACA <input checked="" type="checkbox"/>	In Possession Time (hrs) Comment Display in ACA <input checked="" type="checkbox"/>
No		<input checked="" type="checkbox"/> All ACA Users
		<input checked="" type="checkbox"/> Record Creator
		<input checked="" type="checkbox"/> Licensed Professional
		<input checked="" type="checkbox"/> Contact
		<input checked="" type="checkbox"/> Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar



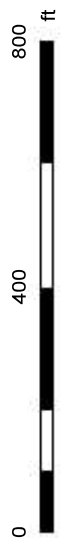
Legend

- Foundation
- Addressing
- Parcels
- Parcels - Annapolis City



Notes

Esri Community Maps Contributors,
 County of Anne Arundel, VGIN, ©
 OpenStreetMap, Microsoft, Esri,
 HERE, Garmin, SatGraph,
 GeoTechnologies, Inc, METI/NASA,



This map is a user generated static output from an Internet mapping site and is for reference only.
 Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



THIS MAP IS NOT TO BE
 USED FOR NAVIGATION