

The Charles County Board of County Commissioners should not approve **ZTA #22-173** for the following reasons:

- This proposed amendment is an example of spot zoning, which is not permitted in Maryland.
- Neither the applicant nor the Planning Commission has provided findings of fact that show that this ZTA is consistent with the 2016 Comp Plan and the WCD, which was created specifically to have provisions limiting residential density and impervious surface coverage.
- Neither the applicant nor the Planning Commission has provided specific reasons why the text amendment is necessary and should be approved by the County Commissioners.
- Neither the applicant nor the Planning Commission has provided evidence that there has been either a substantial change in the WCD or the neighborhood of the applicant's property, or that the Comprehensive Plan's directive to create the WCD zone was a mistake. A change in zoning can only be approved if at least one of the change/mistake criteria are met.
- The Planning Commission's letter of recommendation of approval of the ZTA erroneously stated that there was no public testimony at the Planning Commissions Public Hearing on June 26, 2023. And the Planning Commission never addressed the concerns raised in that testimony.
- The applicant's property is mapped as septic Tier IV not planned for sewer, with a limit of 7 dwellings on a property. 96 dwelling units on 3 acres on Tier IV land is not allowed.
- This ZTA is crafted so narrowly that it can't work for the applicant or any other land owner in the WCD. There are no properties of at least 3 acres in the WCD that abut church properties greater than 10 acres. To allow this new use would require a separate ZTA to reduce the minimum lot size in the WCD. The separate ZTA would also be inconsistent with the Comprehensive Plan, and couldn't be approved.

Sincerely,

Nancy Schertler
14725 Banks O'Dee Rd
Newburg, MD 20665