



**Monday, November 17, 2025**  
**Charles County Planning Commission Meeting**

**This agenda is tentative and subject to change without notice.**

**A portion of this meeting may be held in Closed Session.**

**The Planning Commission will be holding this public meeting as a "Hybrid meeting" which means it will be both virtual and limited in-person. The public can watch this meeting on Comcast 95 (SD), Verizon FIOS 10, Roku or Apple TV streaming devices (Charles County Government), and the web at <https://www.charlescountymd.gov/services/media-services/charles-county-government-television/ccgtv-live-stream>. Residents without internet service can listen to the meeting at 301-645-0500.**

**1. Call to Order/Roll Call**

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**2. APPROVAL OF THE AGENDA - no public comments**

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**3. APPROVAL OF THE MINUTES**

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**3.a November 3, 2025**

**4. CHAIRPERSON'S COMMENTS - no public comments**

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**5. PERSONAL APPEARANCES (items not on the agenda): PUBLIC COMMENTS**

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**6. PUBLIC HEARING: PUBLIC COMMENTS**

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**6.a**

**Zoning Text Amendment (ZTA) #25-187, Data Centers**

The Planning Commission will conduct a Public Hearing to consider the proposed Zoning Text Amendment (ZTA) #25-187, Data Centers. This amendment would amend specific articles of the Charles County Zoning Ordinance to define, and permit with conditions, a new land use designated as 7.01.130, Data Center, in the Business Park (BP), General Industrial (IG), Heavy Industrial (IH), Low Density Residential (RL), and Planned Unit Development (PUD) Zones designated as industrial.

Please click the blue link below to visit the County's Engage Page for an overview of Data Centers.

[Charles County, MD: Data Centers Overview](#)

**Staff:**

Charles Rice, AICP, Planning Director

**Public Participation:**

The Hearing is open to the public and may be attended in person or viewed on [CCGTV](#) (Comcast: 95 and Verizon FIOS: 10).

Written Public Comments can be submitted online by using the webform located [HERE](#). Written comments must be received by **4:30 p.m. on Friday November 14, 2025** in order to allow the Planning Commission time to review them prior to the Hearing. Written comments received after this time and before the closing of the record will be included in the record, but are not guaranteed to be reviewed.

Those wishing to provide comments by speaking during the Public Comment portion of the Hearing may choose to either speak virtually or attend the Hearing in person. Virtual speaker registration forms can be submitted online by using the webform located [HERE](#). Virtual speaker registration forms must be received by **4:30 p.m. on Friday, November 14, 2025**.

[ZTA #25-187, Data Centers DRAFT BILL](#)  
[Public Notice for ZTA #25-187, Data Centers](#)

**7. PUBLIC MEETING: PUBLIC COMMENTS**

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**8. WORK SESSIONS: No Public Comments**

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8.a

**Zoning Text Amendment (ZTA) #25-188, Regulatory Enforcement of Encroachments onto County-Owned Land**

The Planning Commission will hold a Work Session to consider staff's request for Amendments to the Charles County Zoning Ordinance to provide a regulatory framework for enforcing the property rights of the County by amending §§ 297-3, 297-37, and 297-49, which speak to the applicability of the Charles County Zoning Ordinance, the manner in which land located within Charles County is used and how that use may be changed, and definitions of certain words found within the Charles County Zoning Ordinance.

The Planning Commission originally considered this application during a Public Meeting held on [October 6, 2025](#). They deferred their decision and extended the public comment period until **4:30 p.m. on Thursday, November 6, 2025**. The comments received during this time will be provided below no later than Friday, November 7, 2025.

Click here to submit written comment: [COMMENT FORM](#) (until **4:30 p.m. Thursday November 6, 2025 only**)

**Staff:**

Sarah Guy, Chief of Property Acquisitions  
Marc R. Potter, Associate County Attorney

Public Comment - Gary Pashkevich  
Public Comment - James Neary  
Public Comment - Katrina Wiskup  
Public Comment - Michael Blau and Jacqueline Moore  
Public Comment - Scott Law Group, LLC  
Public Comment - Doris Ferlmann  
Public Comment - Fritz Jones

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**9. UNFINISHED BUSINESS: No Public Comments**

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**10. NEW BUSINESS: No Public Comments**

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10.a Poll of the Planning Commission for new business.

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**11. DIRECTOR'S REPORT: No Public Comments**

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**12. ADJOURNMENT**

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**13. VIRTUAL MEETING INFORMATION**

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**14. Signed Minutes**

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# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** November 17, 2025

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Minutes

**AGENDA SECTION:** APPROVAL OF THE MINUTES

**SUBJECT:** November 3, 2025

**SUGGESTED ACTION:**

**ATTACHMENTS:**

# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** November 17, 2025

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** PUBLIC HEARING: PUBLIC COMMENTS

**SUBJECT:**  
**Zoning Text Amendment (ZTA) #25-187, Data Centers**

The Planning Commission will conduct a Public Hearing to consider the proposed Zoning Text Amendment (ZTA) #25-187, Data Centers. This amendment would amend specific articles of the Charles County Zoning Ordinance to define, and permit with conditions, a new land use designated as 7.01.130, Data Center, in the Business Park (BP), General Industrial (IG), Heavy Industrial (IH), Low Density Residential (RL), and Planned Unit Development (PUD) Zones designated as industrial.

Please click the blue link below to visit the County's Engage Page for an overview of Data Centers.

[Charles County, MD: Data Centers Overview](#)

**Staff:**

Charles Rice, AICP, Planning Director

**Public Participation:**

The Hearing is open to the public and may be attended in person or viewed on [CCGTV](#) (Comcast: 95 and Verizon FIOS: 10).

Written Public Comments can be submitted online by using the webform located [HERE](#). Written comments must be received by **4:30**

**p.m. on Friday November 14, 2025** in order to allow the Planning Commission time to review them prior to the Hearing. Written comments received after this time and before the closing of the record will be included in the record, but are not guaranteed to be reviewed.

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**SUGGESTED ACTION:**

**ATTACHMENTS:**

[ZTA #25-187, Data Centers DRAFT BILL](#)

[Public Notice for ZTA #25-187, Data Centers](#)

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2025 Legislative Session

Text Amendment/Bill No. ZTA #25-187/Bill No. YEAR-xx

Chapter. No. 297- Zoning Ordinance

Introduced by The Department of Planning & Growth Management

Date of Introduction Month, Day, Year

**BILL**

AN ACT concerning:

**THE INTRODUCTION OF DATA CENTER AS A USE PERMITTED WITH  
CONDITIONS IN THE BUSINESS PARK (BP), GENERAL INDUSTRIAL (IG), HEAVY  
INDUSTRIAL (IH), LOW-DENSITY RESIDENTIAL (RL), AND PLANNED UNIT  
DEVELOPMENT (PUD) ZONES DESIGNATED AS INDUSTRIAL**

FOR the purpose of:

AMENDING SPECIFIC ARTICLES OF THE ZONING ORDINANCE TO DEFINE,  
AND PERMIT WITH CONDITIONS, A NEW LAND USE DESIGNATED AS 7.01.130,  
DATA CENTER, IN THE BUSINESS PARK (BP), GENERAL INDUSTRIAL (IG),  
HEAVY INDUSTRIAL (IH), LOW DENSITY RESIDENTIAL (RL), AND PLANNED UNIT  
DEVELOPMENT (PUD) ZONES DESIGNATED AS INDUSTRIAL.

BY Amending:

Chapter 297- Zoning Ordinance

Article III, §297-49. Word usage; definitions.

*Code of Charles County, Maryland*

Chapter 297- Zoning Ordinance  
Article IV, §63, Figure IV-1, Table of Permissible Uses.  
*Code of Charles County, Maryland*

Chapter 297 – Zoning Ordinance  
Article XIII, §211. Alphabetical listing.  
*Code of Charles County, Maryland*

Chapter 297 – Zoning Ordinance  
Article XIII, §212. Uses corresponding with Table of Permissible Uses.  
*Code of Charles County, Maryland*

Chapter 297 – Zoning Ordinance  
Article XX, §335. Number of parking spaces required.  
Figure XX-1, Table of Parking Requirements  
*Code of Charles County, Maryland*

**SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as  
follows:**

Article III, §297-49. Word usage; definitions.

\*\*\*\*\*

E. Definitions.

\*\*\*\*\*

**DATA CENTER**

**AN ESTABLISHMENT, FACILITY, BUILDING(S), OR SERIES OF BUILDINGS  
ENGAGING IN THE STORAGE, MANAGEMENT, PROCESSING, AND/OR  
TRANSMISSION OF DIGITAL DATA, AND HOUSING COMPUTER AND/OR  
NETWORK EQUIPMENT, SYSTEMS, SERVERS, APPLIANCES, AND OTHER  
ASSOCIATED COMPONENTS RELATED TO DIGITAL DATA OPERATIONS.**

\*\*\*\*\*



Article IV. §297-63. Figure IV-1, Table of Permissible Uses.

\*\*\*\*\*

Uses Description	*	RL	*	BP	*	IG	*	IH	*
*****	*	*	*	*	*	*	*	*	*
7.01.100 All operations conducted entirely within fully enclosed building									
7.01.110 Buildings <10,000 square feet per parcel	*	*	*	*	*	*	*	*	*
7.01.120 Buildings >10,000 square feet per parcel	*	*	*	*	*	*	*	*	*
<b>7.01.130 DATA CENTER</b>	*	<b>PC</b>	*	<b>PC</b>	*	<b>PC</b>	*	<b>PC</b>	*
*****	*	*	*	*	*	*	*	*	*

\*\*\*\*\*

Article XIII. §297-211. Alphabetical listing.

\*\*\*\*\*

Crematoriums	4.08.220
<b>DATA CENTER</b>	<b>7.01.130</b>
Day-care centers, day nurseries, 7 to 30 care recipients	3.04.200

\*\*\*\*\*

Article XIII. §297-212 Uses corresponding with Table of Permissible Uses.

\*\*\*\*\*

**7.01.130 DATA CENTER.**

**A. THIS USE IS PERMITTED WITH CONDITIONS IN THE BP, IG, IH, RL, AND PUD ZONES DESIGNATED AS INDUSTRIAL, SUBJECT TO THE FOLLOWING:**

- 1) OPEN SPACE. A MINIMUM THIRTY PERCENT (30%) OF THE GROSS TRACT AREA OF THE PARCEL(S) SHALL BE DESIGNATED OPEN SPACE (INCLUDING BUT NOT LIMITED TO BUFFER YARDS, LANDSCAPE AREAS, STORMWATER MANAGEMENT AREAS AND CONSERVATION AREAS).**

1           **2) SETBACKS. THE DATA CENTER (EXCLUDING ANY ACCESSORY**  
2           **BUILDINGS/STRUCTURES, INCLUDING BUT NOT LIMITED TO THE**  
3           **GUARD HOUSE, FIBER TRANSITION HUB BUILDING, AND STORAGE**  
4           **TANKS) SHALL BE:**

5                   **(A) SETBACK 200 FEET FROM ALL PROPERTY LINES, EXCEPT**  
6                   **FOR ADJACENT PROPERTIES UNDER COMMON**  
7                   **OWNERSHIP.**

8                   **(B) SETBACK 400 FEET FROM ANY RESIDENTIAL BUILDING**  
9                   **BEING USED AS A RESIDENTIAL DWELLING OR PROPOSED**  
10                  **HOUSE LOCATION AS SHOWN ON AN APPROVED**  
11                  **PRELIMINARY SUBDIVISION PLAN. THE DISTANCE FROM**  
12                  **ANY RESIDENTIAL DWELLING IS TO BE MEASURED FROM**  
13                  **THE CLOSEST PORTION OF THE DWELLING TO THE DATA**  
14                  **CENTER BUILDING; AND**

15           **THE PARKING AREAS AND ACCESSORY BUILDINGS/STRUCTURES**  
16           **ASSOCIATED WITH THE DATA CENTER SHALL BE:**

17                   **(C) SETBACK A MINIMUM OF 50 FEET FROM ALL PROPERTY**  
18                   **LINES WITH A RESIDENTIAL BUILDING BEING USED AS A**  
19                   **RESIDENTIAL DWELLING, OR PROPOSED HOUSE**  
20                   **LOCATION AS SHOWN ON AN APPROVED PRELIMINARY**  
21                   **SUBDIVISION PLAN, EXCEPT FOR ADJACENT PROPERTIES**  
22                   **UNDER COMMON OWNERSHIP.**

23  
24           **3) APPEARANCE. PRIMARY BUILDING FACADES SHALL INCLUDE AT**  
25           **LEAST TWO (2) OF THE FOLLOWING TREATMENTS:**

26                   **(A) ARTICULATED ARCHITECTURAL FEATURES.**

27                   **(B) RECESSES/PROJECTIONS IN THE BUILDING FAÇADE TO**  
28                   **PROVIDE VISUAL INTEREST, CONTRAST, AND SHADOW**  
29                   **PATTERNS TO AVOID A CONTINUOUS UNBROKEN PLANE.**

30                   **(C) CHANGES IN BUILDING MATERIAL, PATTERN, TEXTURE,**  
31                   **COLOR, OR ACCENT MATERIALS.**

1           **4) NOISE AND VIBRATION. A NOISE AND VIBRATION STUDY, WHICH**  
2           **INCLUDES METHODOLOGY AND CONTROL SOLUTIONS, WILL BE**  
3           **PREPARED BY AN ACCREDITED ACOUSTICS EXPERT OR**  
4           **QUALIFIED PROFESSIONAL ENGINEER, AND IS SUBJECT TO THE**  
5           **FOLLOWING REQUIREMENTS:**

6  
7                   **(A) ANY NOISE GENERATED BY THE DATA CENTER, INCLUDING**  
8                   **ANY ACCESSORY MECHANICAL EQUIPMENT, COMPLIES**  
9                   **WITH THE MAXIMUM ALLOWABLE NOISE LEVELS dB(A)**  
10                  **CODIFIED WITHIN CHAPTER 260 OF THE CHARLES COUNTY**  
11                  **CODE REGARDING NOISE CONTROL.**

12                  **(B) NO VIBRATION MAY BE PRODUCED WHICH IS**  
13                  **TRANSMITTED THROUGH THE GROUND AND IS**  
14                  **DISCERNIBLE WITHOUT THE AID OF INSTRUMENTS AT ANY**  
15                  **POINT BEYOND THE PROPERTY LINE; NOR MAY ANY**  
16                  **VIBRATION PRODUCE A PARTICLE VELOCITY OF 2 INCHES**  
17                  **PER SECOND MEASURED AT OR BEYOND THE PROPERTY**  
18                  **LINE. THIS PROVISION DOES NOT APPLY BETWEEN**  
19                  **ADJOINING DATA CENTER USES.**

20                  **(C) THE NOISE AND VIBRATION STUDY MUST BE RENEWED**  
21                  **EVERY TWO (2) YEARS AND FOUND TO BE IN COMPLIANCE**  
22                  **WITH THE APPLICABLE STANDARDS.**

23  
24           **5) SCREENING. TO ENHANCE SAFETY, SECURITY, AND VISUAL**  
25           **APPEAL, PERIMETER LANDSCAPING AND HARDSCAPING IS**  
26           **SUBJECT TO THE FOLLOWING REQUIREMENTS:**

27  
28                   **(A) A 25' – 50' BUFFERYARD IS REQUIRED ALONG ALL**  
29                   **PROPERTY LINES, EXCEPT FOR ADJACENT PROPERTIES**  
30                   **UNDER COMMON OWNERSHIP AND PROPERTY LINES**

1                   ADJACENT TO A REGULATED PUBLIC UTILITY POWER  
2                   GENERATION, TRANSMISSION, OR DISTRIBUTION FACILITY.

3                   (B) THE BUFFERYARD E SHALL INCLUDE A BERM WALL AND  
4                   FENCING WHERE ADJACENT TO ANY ZONE THAT PERMITS  
5                   RESIDENTIAL DEVELOPMENT.

6                   (C) FENCING IS PERMITTED TO BE CONSTRUCTED OF  
7                   MASONRY, VINYL, OR WOOD, AND BE AESTHETICALLY  
8                   COMPATIBLE WITH THE PRIMARY BUILDING FACADES.

9                   (D) FRONTAGE ALONG ANY PUBLIC ROAD SHALL INCLUDE A  
10                  BUFFERYARD E.

11  
12                 6) LIGHTING. ALL EXTERIOR LIGHTING SHALL BE DESIGNED AND  
13                 CONSTRUCTED AS LUMINAIRE WITH TOTAL CUTOFF  
14                 SPECIFICATIONS AND COMPLETELY SHIELDED FIXTURES THAT  
15                 DIRECT LIGHT DOWNWARD AND INTO THE INTERIOR OF THE  
16                 PROPERTY AWAY FROM ADJACENT ROADS AND PROPERTIES.  
17                 COMPLIANCE WITH APPLICABLE LIGHTING REQUIREMENTS AND  
18                 STANDARDS WILL BE DEMONSTRATED ON AN EXTERIOR  
19                 LIGHTING / PHOTOMETRIC PLAN.

20  
21                 7) WATER USAGE. NON-POTABLE WATER USE SHOULD BE  
22                 PRIORITIZED. POTABLE WATER USE SHOULD BE MINIMIZED FOR  
23                 COOLING NEEDS.

24  
25                 B. IN THE RL ZONE, THE FOLLOWING ADDITIONAL CONDITIONS SHALL  
26                 APPLY TO THIS USE:

27  
28                 1) MINIMUM ACREAGE. THE GROSS TRACT AREA OF THE PARCEL (OR  
29                 ASSEMBLAGE OF CONTIGUOUS PARCELS) THAT IS ZONED RL  
30                 SHALL BE A MINIMUM OF FIFTY (50) ACRES.

1           **2) POWER SOURCE PROXIMITY. A PORTION OF THE PARCEL (OR**  
2           **ASSEMBLAGE OF CONTIGUOUS PARCELS) THAT IS ZONED RL**  
3           **SHALL INCLUDE OR BE ADJACENT TO A REGULATED PUBLIC**  
4           **UTILITY CONSISTING OF A 230KV OR HIGHER POWER**  
5           **GENERATION, TRANSMISSION, OR DISTRIBUTION FACILITY.**

6  
7           **3) CONCEPTUAL SITE DEVELOPMENT PLAN.**

8  
9                   **(A) A CONCEPTUAL SITE DEVELOPMENT PLAN IS REQUIRED**  
10                  **TO BE SUBMITTED FOR REVIEW PRIOR TO SITE**  
11                  **DEVELOPMENT PLAN APPROVAL.**

12                  **(B) THE PURPOSE OF THE CONCEPTUAL SITE DEVELOPMENT**  
13                  **PLAN REVIEW IS TO AFFORD THE PUBLIC AN**  
14                  **OPPORTUNITY TO UNDERSTAND, OBTAIN INFORMATION**  
15                  **AND COMMENT ON GENERAL INFORMATION REGARDING**  
16                  **THE PROPOSED PROJECT AND TO ALLOW THE APPLICANT**  
17                  **TO RECEIVE INFORMATION AND MAKE ADJUSTMENTS TO**  
18                  **A PROJECT PRIOR TO THE DEVELOPMENT OF MORE**  
19                  **DETAILED DESIGNS.**

20                  **(C) THE CONCEPTUAL SITE DEVELOPMENT PLAN SHALL:**

21                    **1. DEMONSTRATE HOW THE PROPOSED PROJECT IS**  
22                    **ABLE TO COMPLY WITH THE APPLICABLE**  
23                    **CONDITIONS REQUIRED BY THE CODE INCLUDING**  
24                    **GENERAL DESIGN, ZONING CRITERIA AND**  
25                    **COMPATABILITY WITH THE SURROUNDING AREA.**

26                    **2. BE PRESENTED AT A PUBLIC MEETING BEFORE THE**  
27                    **PLANNING COMMISSION AND SHALL BE ADVERTISED**  
28                    **FOLLOWING THE PUBLIC NOTICE, POSTING, MAILING**  
29                    **AND PUBLICATION REQUIREMENTS AS ESTABLISHED**  
30                    **IN § 297-448 OF THE ZONING ORDINANCE.**

**(D) CONCEPTUAL SITE DEVELOPMENT PLAN COMMENTS**

**1. COMMENTS AND CONCERNS ARTICULATED AT THE PUBLIC MEETING WILL BE COMPILED BY THE COUNTY STAFF AND PRESENTED TO THE APPLICANT AND PLANNING COMMISSION AS PART OF THE SITE DEVELOPMENT REVIEW AND APPROVAL PROCESS.**

**2. COMMENTS AND CONCERNS SHOULD FOCUS ON DEVELOPMENT STANDARDS, CRITERIA AND COMPATIBILITY INCLUDING:**

- a. DRAINAGE AREA INFORMATION,**
- b. IMPACTS ON NATURAL RESOURCES,**
- c. TRAFFIC AND ACCESS LOCATION,**
- d. LOCATION OF THE PROPOSED DEVELOPMENT,**
- e. BUFFERING,**
- f. LIGHTING AND NOISE,**
- g. CULTURAL AND HISTORIC RESOURCES,**
- h. INFRASTRUCTURE, AND**
- i. COMPLIANCE WITH OTHER APPLICABLE CODE REQUIREMENTS.**

\*\*\*\*\*

1 \*\*\*\*\*

2 Figure XX-1, Table of Parking Requirements.

Use Description	Parking Requirement
*****	*****
<b>INDUSTRIAL</b>	*****
7.01.000 Manufacturing, processing, creating, repairing, renovating, painting, cleaning and assembling of goods, merchandise and equipment	*****
7.01.100 All operations conducted entirely within fully enclosed building	1 space per 300 square feet office space and display area, plus one space per employee at maximum shift
<b>7.01.130 DATA CENTER</b>	<b>NO REQUIRED MINIMUM. 2.5 SPACES PER 1,000 SQUARE FEET MAXIMUM</b>

3 \*\*\*\*\*

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Asterisks \*\*\* mean intervening code language remaining unchanged

NOTE: CAPITALS indicate language added to existing law

[Brackets] indicate language deleted from existing law

\*\*\*\*\*

**SECTION 2.** BE IT FURTHER ENACTED THAT THIS ACT SHALL TAKE EFFECT  
FORTY-FIVE (45) DAYS FROM THE DATE IT IS ADOPTED.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_.

COUNTY COMMISSIONERS  
CHARLES COUNTY, MARYLAND

\_\_\_\_\_  
Reuben B. Collins, II, Esq. President

\_\_\_\_\_  
Ralph E. Patterson II, M.A., Vice President

\_\_\_\_\_  
Thomasina O. Coates, M.S.

\_\_\_\_\_  
Amanda M. Stewart, Ed.D.

\_\_\_\_\_  
Gilbert O. Bowling, III

ATTEST:

\_\_\_\_\_  
Carol A. DeSoto, CAP, OM, Clerk



## **PUBLIC NOTICE**

### **Zoning Text Amendment (ZTA) #25-187 Data Centers**

Notice is hereby given that the Planning Commission of Charles County, Maryland will conduct a Public Hearing on November 17, 2025, at 6:00 p.m. to consider the proposed Zoning Text Amendment (ZTA) #25-187, Data Centers. The meeting will be held in the Government Building Conference Room (“Blue Room”) and via video teleconference. The hearing is open to the public, and public testimony is encouraged.

ZTA #25-187 would amend specific articles of the Charles County Zoning Ordinance to define, and permit with conditions, a new land use designated as 7.01.130, Data Center, in the Business Park (BP), General Industrial (IG), Heavy Industrial (IH), Low Density Residential (RL), and Planned Unit Development (PUD) Zones designated as industrial.

Limited in-person seating will be provided. Citizens can also watch via CCGTV on cable access channels, Comcast: 95 and Verizon FIOS: 10, view online at <https://www.charlescountymd.gov/services/media-services/charles-county-government-television/ccgtv-live-stream>, or use a call-in number to listen to the Public Hearing at 301-645-0500.

Public testimony may be given either in person or virtually. Each speaker is allotted three (3) minutes. If a registered speaker is not available when called, the County has the right to move onto the next caller. Instructions for registering to speak virtually during the Public Hearing and other comment submission options are available at <https://www.CharlesCountyMD.gov/PCVirtualMeetingInfo>. Please contact the Clerk to the Planning Commission at [PlanningCommission@CharlesCountyMD.gov](mailto:PlanningCommission@CharlesCountyMD.gov) with any questions regarding public participation.

The associated documents for this item will be available for inspection on October 31, 2025 in the Department of Planning and Growth Management or online at <https://bit.ly/ZTA25187>. For more information, please contact Charles Rice, Planning Director, at 301-645-0651 or [RiceC@CharlesCountyMD.gov](mailto:RiceC@CharlesCountyMD.gov).

### **BY ORDER OF THE CHARLES COUNTY PLANNING COMMISSION**

Kevin Wedding, Chair

In the event the meeting is canceled due to events beyond the County’s control, all items scheduled to be considered at the meeting will be rescheduled to a later date.

Charles County Government is an Equal Opportunity Employer

Please publish two (2) times, on Friday, October 31, 2025, and on Friday, November 7, 2025.

cc: Southern Maryland News

# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** November 17, 2025

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Approval Item(s)

**AGENDA SECTION:** WORK SESSIONS: No Public Comments

**SUBJECT:**  
**Zoning Text Amendment (ZTA) #25-188, Regulatory Enforcement of Encroachments onto County-Owned Land**

The Planning Commission will hold a Work Session to consider staff's request for Amendments to the Charles County Zoning Ordinance to provide a regulatory framework for enforcing the property rights of the County by amending §§ 297-3, 297-37, and 297-49, which speak to the applicability of the Charles County Zoning Ordinance, the manner in which land located within Charles County is used and how that use may be changed, and definitions of certain words found within the Charles County Zoning Ordinance.

The Planning Commission originally considered this application during a Public Meeting held on [October 6, 2025](#). They deferred their decision and extended the public comment period until **4:30 p.m. on Thursday, November 6, 2025**. The comments received during this time will be provided below no later than Friday, November 7, 2025.

Click here to submit written comment: [COMMENT FORM](#) (until **4:30 p.m. Thursday November 6, 2025 only**)

**Staff:**

Sarah Guy, Chief of Property Acquisitions

Marc R. Potter, Associate County Attorney

**SUGGESTED ACTION:****ATTACHMENTS:**

[Public Comment - Gary Pashkevich](#)

[Public Comment - James Neary](#)

[Public Comment - Katrina Wiskup](#)

[Public Comment - Michael Blau and Jacqueline Moore](#)

[Public Comment - Scott Law Group, LLC](#)

[Public Comment - Doris Ferlmann](#)

[Public Comment - Fritz Jones](#)

Mr. Kevin Wedding  
Chairman  
Charles County Planning Commission  
200 Baltimore Street  
La Plata, Maryland 20646

Re: Zoning Text Amendment Proposal ZTA #25-188

I write in OPPOSITION to the proposed Zoning Text #25-188 amendment change.

On October 6, 2025 the speakers proposed a new fining method to accelerate the County's encroachment enforcement. The speakers suggested this new approach would contribute to treating all land owners in Charles County "equitably". While the term has no real meaning in this context, it was used to infer that all land owners would be treated the same by the county. However, as reasonable hypothetical situations were presented for discussion, the speakers quickly stated they would each be handled on a case-by-case basis. Thereby, leaving the implementation of fines and the definition of "equitably" to the whims of those in charge at the time. Too often, governments use high handed legislation like this to attack defenseless land owners by forcing them to capitulate or risk being bankrupted into submission.

Currently, Charles County currently has the same rights as any land owner. The county may pursue its rights in court just like any other land owner thereby allowing a judge to rule on the matter.

Cobb Island was offered as one of several locations that could use this high handed approach to encroachments enforcement. Cobb Island's unique nature is a case study in why the county should not have this power. After nearly 100 years faded memories, urban legends, erosion activity, half lots being merged with others, and historically inconsistent surveys as properties have transferred title have all contributed fluid property lines over years. Surveyors in Southern Maryland agree that obtaining a metes and bounds survey, with the industry required reps and warrants, is nearly impossible.

I ask that the Planning Commission vote NO on ZTA #25-188.

Thank you for your consideration on this matter.

Name: GARY PASHKEVICH  
Address: 15459 POTOMAC RIVER DRIVE  
COBB ISLAND, MD. 20625  
Phone Number: 240-375-6953

Email: gprash53@gmail.com

Mr. Kevin Wedding  
Chairman  
Charles County Planning Commission  
200 Baltimore Street  
La Plata, Maryland 20646

Re: Zoning Text Amendment Proposal ZTA #25-188

I write in OPPOSITION to the proposed Zoning Text #25-188 amendment change.

On October 6, 2025 the speakers proposed a new fining method to accelerate the County's encroachment enforcement. The speakers suggested this new approach would contribute to treating all land owners in Charles County "equitably". While the term has no real meaning in this context, it was used to infer that all land owners would be treated the same by the county. However, as reasonable hypothetical situations were presented for discussion, the speakers quickly stated they would each be handled on a case-by-case basis. Thereby, leaving the implementation of fines and the definition of "equitably" to the whims of those in charge at the time. Too often, governments use high handed legislation like this to attack defenseless land owners by forcing them to capitulate or risk being bankrupted into submission.

Currently, Charles County currently has the same rights as any land owner. The county may pursue its rights in court just like any other land owner thereby allowing a judge to rule on the matter.

Cobb Island was offered as one of several locations that could use this high handed approach to encroachments enforcement. Cobb Island's unique nature is a case study in why the county should not have this power. After nearly 100 years faded memories, urban legends, erosion activity, half lots being merged with others, and historically inconsistent surveys as properties have transferred title have all contributed fluid property lines over years. Surveyors in Southern Maryland agree that obtaining a metes and bounds survey, with the industry required reps and warrants, is nearly impossible.

I ask that the Planning Commission vote NO on ZTA #25-188.

Thank you for your consideration on this matter.

Name: JAMES NEARY  
Address: 6505 Pinecrest Ct  
Annandale, VA 22003

Phone Number: 703-439-8980

Email: jamesfneary86@gmail.com

Mr. Kevin Wedding  
Chairman  
Charles County Planning Commission  
200 Baltimore Street  
La Plata, Maryland 20646

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I ask that the Planning Commission vote NO on ZTA #25-188.

Thank you for your consideration on this matter.

Name: Katrina Wiskup  
Address: 15211 Potomac River Drive  
Cobb Island, MD 20625  
Phone Number: 571-730-7193  
Email: Katwiskup2012@gmail.com



October 20<sup>th</sup>, 2025

To: Mr. Kevin Wedding

Chairman, Charles County Planning Commission

200 Baltimore Street

La Plata, MD, 20646

**Re: Zoning Text Amendment Proposal ZTA #25-188**

We are writing in OPPOSITION to the proposed Zoning Text #25-188 amendment change.

At the October 6<sup>th</sup>, 2025 meeting, a report by Amy Bracket was presented to the Planning Commission. During the meeting, the speakers proposed a new fining method to accelerate Charles County's encroachment enforcement. The speakers suggested this new method would contribute to treating all Charles County landowners "equitably", i.e. in an equitable manner. While this term, "equitably", has no meaning in this particular context, it was used to suggest that all Charles County property owners would be treated the same by the Charles County government.

During the discussion, hypothetical situations were presented.

The speakers said these different situations would be handled on a case by case basis. This leaves the levying of fines and the meaning of "equitably" to the discretion of the people in charge at the time these situations pop up in the future. Governmental bodies use this type of legislative language to go after land owners and to force them to either capitulate or to run the risk of being bankrupted into submission.

Charles County currently has the same rights as any other land owner in the county. The county may pursue its rights in court, as can any other land owner, which would then enable a judge to rule on the matter.

Cobb Island was offered as one of several locations, Piney Point being another, that could use this imperious and arbitrary approach to encroachments enforcement. Cobb Island's unique nature is a case study in why the Charles County government should NOT have this particular power. The original property lines on Cobb Island are fluid at best. This is due to erosion, the fading of the area's personal and collective memories, urban

legends, lots and half lots being merged, and historically inconsistent surveys done as property titles were transferred from one owner to another. It would be a mighty challenge to get a proper metes and bounds survey, with required reps and warrants, done with even a modicum of accuracy. Many of the original markers have either eroded into the Potomac, the Wicomico, or Neale Sound or have completely disappeared (didn't there used to be an oak tree marking the edge of Grand-dad's property?).

Therefore we urge the Charles County Planning Commission to **vote NO on ZTA #25-188.**

Thank you for your thoughtful consideration of this matter.

Sincerely yours,

  
Michael Blau and Jacqueline Moore

15425 Potomac River Drive

P.O. Box 304

Cobb Island, MD, 20625





204 Washington Avenue  
Suite 200  
La Plata, MD 20646  
PHONE (301) 870-5355  
(301) 934-1922  
FAX (301) 870-6471

Stephen H. Scott  
ATTORNEY AT LAW

SScott@ScottLawLLC.com

October 15, 2025

**VIA EMAIL**

Charles County Planning Commission  
C/O Amy Bracket, Clerk to the Planning Commission

Re: County Commissioners of Charles County, Maryland, Proposed Text Amendment/ Bill  
No. ZTA#25-188

Dear Planning Commission,

I am writing in opposition to ZTA#25-188. This Bill would give the County the authority to impose daily fines on property owners for alleged encroachments onto County-owned land, in a manner similar to zoning violations. However, unlike zoning violations, alleged encroachments involve complicated issues of title research (often stretching back for many years) and surveying. Further, alleged encroachments can occur for reasons that are not self-created by the property owner, including lack of surveying data, lack of title data, surveyor or title errors, actions by previous owners, errors in lay out of site plans, and errors in staking construction sites. These types of errors are particularly prone to occur in parts of the county with small confined lots, based upon very old subdivision plats, such as Cobb Island. The elements necessary to establish an encroachment are much more complex than a typical zoning violation. Accordingly, there is a greater possibility for errors and abuse on the part of our local government. To give the County daily fining authority for alleged encroachments therefore is not appropriate.

I would also note that the County has used Cobb Island as an example of an area where alleged encroachments have occurred. I am a property owner and resident of Cobb Island, and have done extensive title research regarding Cobb Island plats, titles, boundary lines, and street ownership. I have also consulted several surveyors regarding the challenges of surveying land and locating lot lines and streets with precision on the Island. From this research, I have concluded: (i) locating boundary lines on Cobb Island with precision is challenging at best; and (ii) the County's conclusion that it owns the "Paper Streets" leading to the shore line on the Island, is erroneous. I have brought this to County's

attention in passing under other circumstances. The passage of this Bill will no doubt cause a significant legal challenge regarding the ownership of streets within Cobb Island.

This Bill will give the County extraordinary powers to conclude that their own facts, analysis, and conclusions are correct, and will give the sovereign the ability to impose fines that have no relation to reality and no relation to the County's actual damages in a purported encroachment case. For these reasons, this Bill is bad law and should not be adopted. At the very least, the Bill should be amended to provide:

1. That, prior to the accrual of any fines, the County be required to obtain a current boundary survey prepared by a Maryland licensed surveyor and a title opinion, based upon a full title search, on the County and private land in question prepared by a qualified title attorney.

2. That, prior to the accrual of any fines, the County be required to provide written notification to the affected land owner, detailing the case and including the survey and title material prepared for the County.

3. That, prior to the accrual of any fines, the affected land owner have a prescribed amount of time to review and respond.

4. That, prior to the accrual of any fines, there be a requirement for mandatory mediation if the land owner disputes the County's allegations.

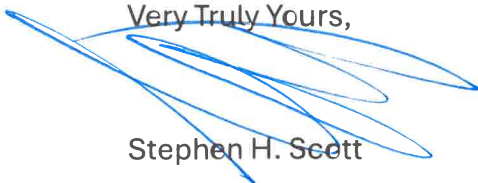
5. That fines should not accrue in a contested case, while the case is mediated and/or litigated in a court of law.

6. That, if the County is incorrect in its allegations, and the property owner prevails in court, the property owner have the right to recover from the County the owner's costs of litigation, including, but not limited to, the attorney's fees incurred by the property owner.

These amendments would level the playing field and would protect a property owner where a case is contested in good faith and where the County's case turns out to be erroneous. However, even with these amendments, there is a significant possibility of governmental overreach with this proposed Bill, that quite literally presumes guilt. Moreover, there already exists a legal framework for the Courts to address encroachments onto County land. Accordingly, there is no need for this draconian new law and I would urge that it not be adopted.

Thank you for your attention of the foregoing.

Very Truly Yours,



Stephen H. Scott

CC: Christopher Longmore, Esq. (via email)

Mark Mudd, Esq. (via email)

Aliya:Y CCRI Letter to Charles County Planning Commission.docx

Mr. Kevin Wedding  
Chairman  
Charles County Planning Commission  
200 Baltimore Street  
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I ask that the Planning Commission vote NO on ZTA #25-188.

Thank you for your consideration on this matter.

Name:

Address:

Phone Number: (571)  
215-2915

Email: FERLGRAM@401.COM



MY PROPERTY IS:  
15017 POTOMAC  
RIVER DRIVE  
COBB ISLAND, MD

Mr. Kevin Wedding  
Chairman  
Charles County Planning Commission  
200 Baltimore Street  
La Plata, Maryland 20646

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I ask that the Planning Commission vote NO on ZTA #25-188.

Thank you for your consideration on this matter.

Name:

Fritz Jones

Address:

15171 Potomac River Drive

Phone Number:

202-288-1911

Email:

FJones5650@gmail.com  
Fritz Jones

# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** November 17, 2025

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Administrative

**AGENDA SECTION:** NEW BUSINESS: No Public Comments

**SUBJECT:** **Poll of the Planning Commission for new business.**

**SUGGESTED ACTION:**

**ATTACHMENTS:**