



**HCCA**

**Howard County Citizens Association**

*Since 1961...*

*The Voice Of The People of Howard County*

Date: 3 January 2019

Subject: HCCA is Strongly Against ZB1120M

My name is Stu Kohn. I am the President of the Howard County Citizens Association, HCCA.

We fully agree with the compelling testimony and analysis you have heard from Mr. Chris Alleva. Mr. Alleva has clearly articulated the major points. Where is the criterion written in the Zoning regulations? On page 2 of the Technical Staff Report (TSR) it states, "The Preliminary Development Plan (PDP) does not contain criteria for amendments?" Furthermore it cites there was a PDP Amendment (ZB112M) whereby the Zoning Board identified as creating criteria for such Amendments. This case was for approval of 20 additional units not 300 as in this case before you. When you go to page 5 of the TSR under item 11 why isn't there a date and the action that was taken. As Planning Board Members you have always insisted and emphasize any approval must pass the major test of ensuring the established Criteria has been completely fulfilled. Being there is no written Criteria policy for New Town (NT) PDP Amendments it is your duty to tell the Petitioner you will not hear this case until such time you see written criteria other than what was written in a previous Zoning Board case. One should not attempt to insert rules to fit their needs. The Department of Planning and Zoning has approved the TSR and we don't understand given there is no established criterion in the zoning regulations for NT requested PDP Amendments.

As a result, in this case before you all of the cards are completely turned face down because of no fully expected criteria. One referenced Zoning Board case should not in any way be allowed to fit the request of the Petitioner. We would like for you to turn the cards face up by telling the Petitioner you deny ZB1120M until at a minimum legislation is introduced and approved to establish the fully documented criterion for any given NT PDP Amendment Zoning Case.

In conclusion, it is your obligation as you have clearly enforced in other cases that the major focus you use to render your decisions is the use of the criterion in zoning matters. Without any tangible constitutional documentation to hold your hat on you must at this time simply say "No."

There are so many other issues and questions in reading the findings of the TSR that we do not want to waste the Boards time. We will wait to be heard by the Zoning Board.

Thank You,

Stu Kohn  
HCCA, President