



# Charles County Planning Commission

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Chair

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## Planning Commission Report to the County Commissioners

### Zoning Map Amendment, ZMA #23-01

#### Dash-In Food Stores, Inc.

##### Summary:

Zoning Map Amendment (ZMA) #23-01 was submitted by Mark Mudd, Esq., on behalf of Dash-In Food Stores, Inc., requesting that a 1.748-acre portion of a 3.02-acre property, located at 3620 Mattawoman-Beantown Road in Waldorf, be rezoned from Rural Conservation (RC) to Community Commercial (CC), based upon the rationale that there has been a substantial change to the character of the neighborhood since the last comprehensive rezoning by Charles County in 1996. The 3.02-acre property, designated as Parcel 50-R via the recordation of PLAT-210035, is currently “split zoned” with the smaller 1.272-acre CC zoned portion being improved by an existing Dash-In convenience store and gas station, at the intersection of Mattawoman-Beantown Road and Leonardtown Road (Maryland Route 5). The ZMA application seeks zoning consistency on the entirety of Parcel 50-R to allow full utilization of the 3.02-acre property as CC zoned land.

Chapter § 297-448 of the Charles County Zoning Ordinance requires the Planning Commission to first consider the proposed Zoning Map Amendment (ZMA) and then provide a recommendation to the Board of County Commissioners as to whether the requested Zoning Map Amendment should be granted. The purpose of the August 7, 2023, generated Staff Report was to provide guidance to the Planning Commission as it evaluated this rezoning request. As summarized in the conclusion of the Staff Report, justification presented by the Applicant is conclusive in demonstrating that a change in the character of the neighborhood has occurred; and that it is inconclusive in demonstrating that the requested rezoning is consistent with the 2016 Comprehensive Plan, including the Land Use Concept Map, as well as the County’s Septic Tier Map, and the County’s Comprehensive Water and Sewer Plan. The Planning Commission was presented with two (2) points in support of consistency and two (2) points that do not support the Applicant’s position, for consideration in the formulation of their recommendation to the Board of County Commissioners.

##### Public Hearing:

The original Public Hearing date for the Planning Commission to consider the proposed Zoning Map Amendment, ZMA #23-01, Dash-In Food Stores, Inc., was scheduled to be conducted on August 7, 2023. However, due to inclement weather the meeting was cancelled. The application was subsequently rescheduled to be considered on the Planning Commission’s August 21, 2023, agenda.

On August 21, 2023, the Planning Commission held a Public Hearing on the proposed ZMA #23-01, Dash-In Food Stores, Inc. In advance of the Public Hearing, 11 letters in support and 14 letters in opposition were received. There were no public speakers at the Public Hearing.

At the conclusion of the Public Hearing, the record was closed. Subsequently the Planning Commission conducted a Work Session.

**Recommendation:**

On August 21, 2023 after the conclusion of the Work Session, the Planning Commission voted unanimously to recommend approval of ZMA #23-01, Dash-In Food Stores, Inc., for adoption by the Board of County Commissioners, to rezone the 1.748-acre portion of Parcel 50-R from Rural Conservation (RC) to Community Commercial (CC), based upon the rationale that there has been a substantial change to the character of the neighborhood since the last comprehensive rezoning by Charles County in 1996, and the proposal's consistency with the 2016 Comprehensive Plan.

  
Robin Barnes (Aug 23, 2023 16:24 EDT)

Robin Barnes, Chair