

Craig, Sondra

From: diana birnbaum <dianabirnbaum@gmail.com>
Sent: Sunday, April 27, 2025 9:07 PM
To: ZZ Council Members; Craig, Sondra
Subject: Objection to Item 25-0413 rezoning request at 5917 River Run Rd

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Dear Mayor, Council Members and Mr Tim Acklin,

I am writing to request that no further rezoning or new construction be allowed in the Waterview subdivision until Mr. Karl Schilling, the original Developer agrees to an amendment to the documents on file with the Register of Deeds. These documents* require the construction and maintenance of a specific storm water system under the responsibility of a Homeowners Association. However, the documents do not allow the actual individual homeowners of this development to assume legal responsibility for the HOA, only the Developer, Mr Karl Schilling is named.

The Storm Water Systems as described in documents on file have not been constructed in accordance with these detailed plans. Homeowners have made concerted efforts over months and years to assume responsibility for the HOA so that these systems are repaired and maintained. However, Mr. Karl Schilling has refused to agree to amendments which allow our authority to legally assume responsibility.

Waterview Subdivision Lot 17, now owned by John Mazzola and the subject of this zoning request is legally part of the Waterview HOA, as are all of the owners in this subdivision. Mr. Mazzola is the builder who has failed to install required Stormwater drainage systems throughout our subdivision creating serious drainage problems. Even Mr Schilling noted in his letter to owners on August 8, 2022: "In fact some of the work that was done by the property owner (Mazzola) may actually end up costing the HOA because it was done in a manner deleterious to the HOA's storm water management system".

As homeowners, we respectfully request that this re-zoning request be denied and no further development be allowed until Documents #1714868 and #1714869 filed August 15, 2018 are legally reviewed and amended so that documents on file are consistent with today's status.

Thank you,
Diana Birnbaum
James Birnbaum
6218 River Run Rd

* Documents #1714868 and #1714869 filed August 15, 2018