



Howard County Board of Appeals

George Howard Building
3430 Court House Drive
Ellicott City, Maryland 21043-4392

MINUTES

May 12, 2022

BA 781-D – AGS Borrower Lakeview Retail (continued)

Board Members Present:

William Santos, Chair
Steve Hunt, Vice Chair
Felita Phillips
Gene Ryan
Jean Xu

Staff:

Ashley Aguilar
Kel Berg
Barry Sanders

Call to order at: 6:45 p.m.

Preliminary Matter

Correspondence from Jessica Bellah from the Columbia Association was placed in the file.

Approval of Minutes

Approval of minutes – March 10, 2022

Motion – Steve Hunt, 2nd Jean Xu

Passed unanimously

Preliminary Matter

Mr. Chris Allewa addressed the Board regarding discrepancies in minutes for February 17, 2022, December 16, 2021 and October 14, 2021.

Preliminary Matter

- Felita Philips confirmed for the record that she listened to recordings of all the previous hearings for this case: October 14, 2021, December 16, 2021, February 17, 2022 and March 10, 2022.
- Felita Philips noted she reviewed all the evidence submitted at these hearings.
- Felita Phillips noted she completed a site visit of the subject property in this case.

Preliminary Matter

- Mr. Chris Alleva objected to Board Member Phillips participating in the case.
- Mr. Chris Alleva requested Board Member Santos recuse himself from the case since he is now the Counsel representative elect for Columbia Association.

Board Member Santos responded he was going to proceed with the case and did not recuse himself.

Board resumes **BA 781-D – AGS Borrower Lakeview Retail**, continued from 3/10/2022

Motion and Vote

Motion to re-open deliberations in BA 781-D – AGS Borrower Lakeview Retail

Motion – Steve Hunt, 2nd Felita Phillips

Yes: Members Hunt, Phillips, Ryan and Santos. No: Member Xu. The motion passed.

Deliberations

Board members Hunt, Xu, Phillips, Santos and Ryan deliberated the merits of BA 781-D.

Straw poll – Is it agreed that the Planning Board did not follow the criteria that is required for this case found in the FDP 125A and the Zoning Regulations.

Mr. Hunt, Ms. Phillips and Mr. Ryan agree. Ms. Xu stated the criteria in the FDP is the minimum requirement but that doesn't guarantee you to get approved for the SDP.

Motion and Vote

Motion to reverse and remand the Planning Board's denial of the SDP with specific instruction that the SDP be approved.

Motion – Gene Ryan, 2nd Felita Phillips

Yes: Members Phillips, Ryan and Santos. No: Members Hunt and Xu. The motion passed.

Mr. Ryan asked that the Board be notified when the Planning Board hearing date is scheduled.

The Board adjourned at 7:35 p.m.

MINUTES APPROVED

6/9/2022 Kel L. Berg