



Howard County Board of Appeals

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

MINUTES December 19, 2023 BA 789D – Lubna Khan Hybrid Hearing (Banneker Room and Webex)

Board Members Present:

Steve Hunt, Chair
Felita Phillips
Lynn Foehrkolb
Jean Xu

Staff:

Kel Berg
Amankaya Montero Carranza
Barry Sanders

Call to order at: 6:46 p.m.

Administrative Matters

Approval of Minutes – December 5, 2023
Motion – Lynn Foehrkolb, 2nd Felita Phillips
Unanimously approved. The motion passed.

BA 789D – Lubna Khan (continued from December 5, 2023)

Administrative Appeal Petition appealing DPZ letter dated April 12, 2022 because SDP 99-125 cited in the letter is correct but location of the dumpster according to SDP 99-125 is on southwest side of building. (12345 S. Wake Forest Road, Clarksville, MD 21029)

Preliminary Matter: Felita Phillips not present at December 5, 2023 hearing. She noted she did complete a site visit of the subject property in this case, listened to the hearing, and reviewed evidence submitted for the December 5, 2023 hearing.

Continuation of the case.

Continuation of presentation by Lubna Khan.

Appellant Exhibits:

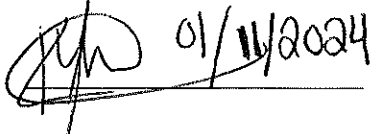
- Exhibit 36 – Dumpster Screening Regulations
- Exhibit 37 – Health Department Email from Ryan Rappaport 9/8/2021
- Exhibit 38 – Health Department 2019 Clarksville Violations
- Exhibit 39 – marked for identification but not admitted*
- Exhibit 40 – BA 789D Lubna Khan Decision and Order 9/12/2022
- Exhibit 41 – Lubna Khan Residency Letter 7/4/2013
- Exhibit 42 – BA 789D Decision and Order Reconsideration 10/5/2022
- Exhibit 43 – BA 789D Clarksville Opposition to Appellant’s Motion for Reconsideration
- Exhibit 44 – BA 789D Respondent Opposition Khan Motion for Reconsideration
- Exhibit 45 – 2 Documents
 - (A) Email Exchange with Brian Shepter
 - (B) SDP 99-125
- Exhibit 46 – Photos
 - (A) Pictures of Dumpster, Grease Barrel and Trash 12/17/2023
 - (B) *marked for identification but not admitted*
 - (C) Pictures of Dumpster and Sidewalk 12/19/2023
- Exhibit 47 – Development Engineering Division Check List for Site Development Plan Commercial Application
- Exhibit 48 – Howard County Case Filed Report CE 22-18
- Exhibit 49 – Missing/not presented*
- Exhibit 50 – BA 789D Administrative Appeal Petition 5/12/2022
- Exhibit 51 – BA 789D Hearing Examiner Decision and Order 9/12/2022
- Exhibit 52 – BA 789D Petition to Board of Appeals 10/11/2022
- Exhibit 53 – Missing/not presented*
- Exhibit 54 – marked for identification but not admitted*
- Exhibit 55 – Howard County Design Manual Volume I (2/19/2020) (*1st few pages not applicable*)
- Exhibit 56 – Clarksville-River Hill Streetscape Improvement Project Letter 11/29/2022
- Exhibit 57 – marked for identification but not admitted*
- Exhibit 58 – Howard County Design Manual Volume IV (2/22/2022)
- Exhibit 59 – Howard County Landscape Manual (1/4/1993)
- Exhibit 60 – Howard County Subdivision and Land Development Regulations
- Exhibit 61 – Statutes Text
- Exhibit 62 – marked for identification but not admitted*

Cross-examination of Ms. Khan by Stephen Yaeger, Esquire, Respondent representing DPZ.

The next hearing date to continue the case is January 11, 2023.

The Board adjourned 9:45 p.m.

MINUTES APPROVED

 01/11/2024