



# Howard County Board of Appeals

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

## MINUTES August 1, 2024 WORK SESSION Hybrid Hearing (CVG Room and Webex)

### Board Members Present:

Gene Ryan, Chair  
Felita Phillips, Vice Chair  
Lynn Foehrkolb  
Robbyn Harris  
Jean Xu

### Staff:

Kel Berg  
Amankaya Montero Carranza  
Barry Sanders

Call to order at: 9:04 a.m.

### Administrative Matters

Approval of Minutes – July 25, 2024  
Motion – Lynn Foehrkolb, 2<sup>nd</sup> Robbyn Harris  
*Unanimously approved. The motion passed.*

### Meeting Overview

This is the second scheduled Work Session to review the Rules of Procedure.

The purpose of this session is to review and propose amendments to the Board's administrative practices, procedures, and policies consistent with the Howard County Charter, Article V.

The proposed amendments will clarify specific requirements and standards and make stylistic and technical corrections.

All proposed amendments will be submitted to the Howard County Council for review and approval.

## **Preliminary Matter**

Ms. Phillips stated that she is not prepared to make changes to the Rules of Procedure due to the amount of material and requests to table the meeting.

Deliberations.

## **Motion and Vote**

Move to table the Board of Appeals Work Session.

Motion – Felita Phillips, 2<sup>nd</sup> Robbyn Harris

*Approve: Board Members Harris, Phillips, Ryan and Xu. Deny: Board Member Foehrkolb.*

***The motion passed.***

## **Discussion**

Ms. Foehrkolb questioned how the Board should move forward. Ms. Harrod stated that there was support from several Council members and representatives from the districts. She stated that the Board has the responsibility for proposing the Rules of Procedure but until there is approval, the County Council may not weigh in because they are waiting for the Board's proposed changes. Ms. Xu was concerned that some parts of the first draft were beyond the scope of the Rules of Procedure.

## **Motion and Vote**

Move that in the process of amending the Rules of Procedure, the Board of Appeals does not seek to alter the existing Howard County Charter, the Zoning Regulations, or any other underlying laws.

Motion – Jean Xu, 2<sup>nd</sup> Lynn Foehrkolb

*Approve: Board Member Xu. Deny: Board Members Foehrkolb, Harris, Phillips and Ryan.*

***The motion failed.***

## **Discussion**

Ms. Harris was concerned about how the changes will affect the budget. Ms. Phillips questioned how the rules were enforced and asked about training. Ms. Xu stated that she wanted the project to move forward, while complying with existing County codes. Ms. Foehrkolb stated that tabling the meeting sets the project further back. Mr. Ryan stated that the Board does not have the authority to change the charter and that the County Council may not approve the proposed changes.

Mr. Sanders confirmed that it is not permissible for more than 2 Board members to communicate about potential next steps. He stated that the Board should meet to narrow the focus on what the goal is in proposing changes to the rules. He confirmed that the Howard County Board of Appeals Rules of Procedure are in the Howard County Code, and that proposed changes do not become law until the Council enacts them as legislation. He confirmed that the County Council is able to change the code without consulting with the Board of Appeals.

## **Next Steps**

The previously scheduled date of August 8, 2024 to continue the Work Session is cancelled. The Board will discuss how to move forward with the changes to the Rules of Procedure as a preliminary matter at the next hearing date of August 29, 2024.

The Board adjourned 9:50 a.m.

**MINUTES APPROVED**

Kel Berg 8/16/2024

