



Howard County Board of Appeals

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

MINUTES September 12, 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:

Michelle Harrod
Amankaya Montero Carranza
Gary Kuc
Barry Sanders
Owen Kahn

Call to order at: 6:35 p.m.

Administrative Matters

Approval of Hearing Minutes for BA 95-58E (Chase Land, LLC), August 29, 2024, and Closed Meeting Minute, August 29, 2024.

Motion – Lynn Foehrkolb, 2nd Felita Phillips

Unanimously approved. The motion passed.

Regarding BA 808-D Cardone Capital, LLC. Chair Ryan requested that the Board Administrator request a representative from Department of Inspections, License and Permits attend the hearing

scheduled for October 17, 2024, as subject matter experts about the Rental Housing process. There were no objections to this request.

Meeting Overview

This Work Session is a continuation from the Board of Appeals Work Session held on August 15, 2024, at which time the Board convened to discuss the Board's administrative practices, procedures, and policies consistent with the Howard County Charter, Article V.

Discussion

Ms. Xu asked for clarification about the approval and adoption of the Rules of Procedure. There was general discussion about steps needed by the Board to approve and then obtain County Council adoption of the Rules of Procedure into law.

Overall Changes- Name Change (G. Ryan)

Decision: Board agreed to change the name of the Rules to Board of Appeals Rules to Practice and Procedure.

Overall Changes- Numbering Change (G. Ryan)

Decision: Board agreed with proposed changes to numbering of Rules.

Overall Changes- Added date of adoption (J. Xu)

Decision: Board agreed to add date of adoption.

Overall Changes-Added table of contents (J. Xu)

Decision: Board agreed to add table of contents

Sec.2.200. General- User Guide (R. Harris)

Decision: Board agreed to include User Guide for staff and public.

Sec.2.200. General – Paragraph rewritten for clarity. (G. Ryan)

Decision: Board agreed to keep said language.

Sec.2.200. General- For inquires Board's office should be contact or online not with DPZ (G. Ryan)

Decision: BOA questions would come to our office and technical questions would be Referred to DPZ.

Sec.2.200. General- Add the exact website links to all stated documents (L.Foehrkolb)

Decision: Board agreed to add set link

Outstanding question: Are links required in Municode?

Sec.2.200. General- To clarify the composition and standards of the Board and create definition. (G.Ryan)

Decision: Amend from Gene Ryan redline

Sec.2.200. General- Definitions (L.Foehrkolb)

Decision: Board agreed to handle in Work-session 3

Sec.2.200. General – Definition (R. Harris)

Decision: Board agreed to handle in Work-session 3

Sec.2.201. Organization- Titles and Roles of BOA (J. Xu)

Discussed: An org chart of various titles and roles would be considered. Roles have Evolved throughout the years.

Sec.2.201. Organization- Procedural Training for Board Members (R. Harris)

Discussed: Board agreed to handle in Work-session 3

Sec.2.201. Organization- Clarity (G.Ryan & R.Harris)

Discussed: The word “regular” may need to be changed. Tabled discussion

Sec.2.201. Organization- Alternate member (G. Ryan)

Discussed: Discussed/ Tabled discussion

Outstanding: Office of Law to research

Sec.2.201. Organization- Procedural Section 2.201 lacks clarity (L.Foehrkolb)

Discussed: Discussed/ Tabled alternate member discussion

Sec.2.201. Organization- Chair responsibility (R.Harris)

Discussed: Board agreed

Sec.2.201.(a) Organization-Chair and Vice Chair elected (J.Xu)

Discussed: Board agreed

Sec.2.201.(a) Organization- Technical Changes to chairperson language (G.Ryan)

Discussed: Board agreed/Discussed

Outstanding: Section 16.302 of Code, how Board decides if HE conflict of interest.

Sec.2.201.(b) Organization-Members joining virtually (G.Ryan)

Discussed: Board agreed

Sec.2.201.(c) Organization-Absent member voting (J.Xu)

Discussed: Board agreed

Sec.2.201. Organization- Amend rule for vote. (G.Ryan)

Discussed: Board agreed

Sec.2.201.(c) Organization- Move to rule to a more suitable location (L.Foerhkolb)

Discussed: Board agreed

Sec.2.201. Organization- Change language from Secretary to Administrator. (J.Xu)

Discussed: Board agreed/ discussed.

*Sec.2.201. Organization- Remove all current language on Board Staff and propose
A new structure. (G. Ryan)*

Discussed: Board approved/ discussed

Sec.2.201.(g) Organization- Legal Advisor (R.Harris)

Discussed: Board approved / discussed

Outstanding: Office of Law to review

Sec.2.201.(g) Organization-Legal Advisor New Rules and Clarification (G.Ryan)

Discussed: Board approved /Discussed

Outstanding: Office of Law to review

Sec.2.202. Petitions- In General Petition Process (L.Foehrkolb)

Decision: Board agreed to handle in Work-session 3

Sec.2.202. Petitions- In General Petition/ Training (L.Foehrkolb)

Decision: Board agreed to handle in Work-session 3

Sec.2.202.(a) Petitions Amendments content of Petitions (G.Ryan)

Decision: Board agreed to changes

Sec.2.202.(a) Petitions Amendments Clarification forPetition (G.Ryan)

Decision: Board agreed to changes/ Gene Ryan redline amended.

Sec.2.202. (d) Petitions Dismissal (R.Harris)

Decision: Board agreed to changes

Sec.2.202.(d) Petitions Dismissal (G.Ryan)

Decision: Board agreed to changes

Sec.2.202. (e)Petitions Payment of Fees (G.Ryan)

Decision: Board agreed to restore language on making checks payable to DOF.

Sec.2.202. (f) Petitions Refund of Fees (R.Harris)

Decision: Board agreed checks payable to Director of Finance

Sec.2.202. (f) Petitions Refund of Fees (G.Ryan)

Decision: Agreed to table this in Work Session 3

Section 2.202 Petitions (g) Refund of Security (G.Ryan)


Decision: Rejected change, leave original language

Next Steps

The Board of Appeals meeting will be continued September 19, 2024 at 9:00 a.m. in the C. Vernon Gray Room. Review of the Rules of Procedure will pick-up at Section 2.203 Notice to the public.

The Board adjourned 10:35 p.m.

MINUTES APPROVED

 9/19/2024