



# Howard County Board of Appeals

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

## MINUTES

October 3, 2023

**Preliminary Hearing to Discuss “Notice of Pending Court Case” letters and the “Response/Opposition” filed thereto for the following cases:**

**BA 795-D – Kincade, LLC**

**BA 797-D – Kincade, LLC**

**BA 800-D – Kincade, LLC**

**BA 802-D – IMH Columbia, LLC**

**Hybrid Hearing (Banneker Room and Webex)**

### **Board Members Present:**

Steve Hunt, Chair  
Gene Ryan, Vice Chair  
Lynn Foehrkolb  
Felita Phillips

### **Staff:**

Kel Berg  
Kiasten Miller  
Barry Sanders

Call to order at: 6:31 p.m.

### **Administrative Matters**

Approval of Minutes – September 14, 2023

Motion – Lynn Foehrkolb, 2<sup>nd</sup> Felita Phillips

*Yea: Board Members Hunt, Foehrkolb and Phillips. Abstain: Board Member Ryan.*

*Approved 3-0. The motion passed.*

Update of pending cases:

BA 21-032C Philip Young Kim

Board of Appeals deliberated this matter on July 18, 2023. Due to the complexity of the case and number of hearings held, extra time will be needed to render the Decision and Order.

BA 16-034C Glenelg Country School

Board of Appeals deliberated this matter on July 27, 2023. Due to the complexity of the case and number of hearings held, extra time will be needed to render the Decision and Order.

**Motion and Vote:**

Move to approve and extend the time period of issuance of Decision and Order for BA 16-032C (Philip Young Kim) and BA 16-034C (Glenelg Country School).

Motion – Lynn Foehrkolb, 2<sup>nd</sup> Gene Ryan

*Unanimously approved. The motion passed.*

**Preliminary Hearing**

**BA 795-D Kincade, LLC**

Administrative Appeal of Howard County Planning and Zoning letter dated February 3, 2023 notifying Gabriel Chung of the Howard Hughes Corp. that SDP-22-042 may be approved by the DPZ and also approved by the Howard County PB (Little Patuxent Parkway).

**BA 797-D Kincade, LLC**

Administrative Appeal Petition of Howard County Planning Board approval of PB 455 FDP-DC-L2A Howard Research and Development (Lakefront Neighborhood - Phase 1).

**BA 800-D Kincade, LLC**

Administrative Appeal of Decision and Order dated July 13, 2023, replacing a previous Decision and Order dated June 26, 2023 (Lakefront Neighborhood - Phase 1).

**BA 802-D IMH Columbia, LLC**

Administrative Appeal Petition of Howard County PB decision case No. 455 (FDP-DC-L-2A), dated July 13, 2023 (10211 Wincopin Circle, Suite 100, Columbia, Maryland 21044).

*Oral Arguments (10 minutes per side in total for all cases):*

Appellant's Arguments

Mr. Sanford Talkin on behalf of Kincade, LLC

Ms. Jessica Haire on behalf of IMH Columbia, LLC

Appellee's Arguments

Mr. Todd Brown on behalf of HRD

*Deliberations:*

Board enters into deliberations for BA 795-D, BA 797-D, BA 800-D and BA 802-D to determine if the cases should move forward.

**Vote:**

In the matter of the request to stay the pending Board of Appeals matters pursuant to Rule 2.204(j) filed by Kincade, LLC in BA 795-D, BA 797-D and BA 800-D and filed by IMH Columbia, LLC in BA 802-D, the Board will vote to grant or deny.

*Grant: Board Member Foehrkolb. Deny: Board Members Hunt, Phillips and Ryan.*

*The Board denied the request to stay the pending Board of Appeals matters pursuant to Rule 2.204(j) filed by Kincade, LLC in BA 795-D, BA 797-D and BA 800-D and filed by IMH Columbia, LLC in BA 802-D.*

The Board adjourned at 7:20 p.m.

**MINUTES APPROVED**

Kel Berg 10/3/2023

