



Howard County Board of Appeals

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

MINUTES

July 31, 2025

BA 24-022C – Charles Siperko + Work Session Hybrid Hearing (Banneker Room and Webex)

Board Members Present:

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

Staff:

Kel Berg
Tsega Girma Kyere
Kiasten Miller

Call to order at: 9:07 a.m.

Administrative Matters

Approval of Minutes – July 10, 2025
Motion – Felita Phillips, 2nd Lynn Foehrkolb
Unanimously approved. The motion passed.

Work Session - Rules of Procedure

Upon review of a Board of Appeals document regarding the need for a charter amendment, typographical errors were found. The Board of Appeals unanimously agreed to approve a corrected document for the County Council, which will be sent to the Attorney General.

The Board was polled – Does the Board of Appeals support the County Council's request for a legal opinion from the Maryland Attorney General regarding the need for a charter amendment for an alternate Board member provision.

Unanimously support.

BA 24-022C – Charles Siperko (continued from May 1, 2025, June 5, 2025, June 26, 2025 and July 10, 2025) Appeal of Hearing Examiner's Decision and Order dated March 3, 2025 (6717 Mink Hollow Road, Highland, MD 20777).

Preliminary Matter:

- Chair Ryan stated that at a County Council Public Hearing on July 21, 2025, parties to case BA 24-022C Charles Siperko attended and made public comments regarding the pending case, in possible violation of Howard County Code Section 2.204(C) regarding ex parte communication.
- Board Members Ryan and Foehrkolb attended the meeting but did not initiate or respond to the discussion.
- Chair Ryan stated that Petitioner has the option to: request a continuance of the case to review the video; request rebuttal; request that Board members Ryan and Foehrkolb recuse themselves; request a new hearing, or proceed with the case.
- Mr. Sang Oh, Esquire, on behalf of Petitioner, stated that he will go forward with the case. Mr. Macy Nelson, Esquire, on behalf of Citizen Protestants', stated that a State Delegate invited his clients to attend that meeting, and that he had no objection to proceeding.

The Board resumed the hearing for closing arguments.

Summations (10 minutes per side):

Petitioner's Summations

Mr. Sang Oh, Esquire

Protestants' Summations

Mr. Macy Nelson, Esquire

Board member questions for Mr. Oh and Mr. Nelson.

Deliberations:

Board enters into deliberations for case BA 24-022C Charles Siperko.

Recess

Board resumes deliberations.

Vote:

In the matter of BA 24-022C Charles Siperko on the proposed Conditional Use Petition for an outdoor go kart track with the following proposed conditions: 1) driveway closed at track access sites while track is in use 2) hours of operation are 5 days a week, not to exceed 2 hours of use per day 3) no more than 2 go karts allowed on track at one time, 4) adult supervision on-site during track use 5) confirming 100 foot setback 6) tire and equipment maintenance 7) native vegetation buffer 8) no use of track during heavy rainfall or storm forecast 9) stormwater management, including low level swales and biofiltration system, the Board will vote to grant or deny.

Grant: Board Members Foehrkolb, Philips and Ryan. Deny: Board Member Harris.

The Board granted BA 24-022C Charles Siperko on the proposed Conditional Use Petition, with the following proposed conditions: 1) driveway closed at track access sites while track is in use 2) hours of operation are 5 days a week, not to exceed 2 hours of use per day 3) no more than 2 go karts allowed on track at one time, 4) adult supervision on-site during track use 5) confirming 100 foot setback 6) tire and equipment maintenance 7) native vegetation buffer 8) no use of track during heavy rainfall or storm forecast, and 9) stormwater management, including low level swales and biofiltration system.

The Board adjourned at 12:48 p.m.

MINUTES APPROVED

Hel Beng 8/21/2025

