

Testimony of Andrea LeWinter
Nomination for Board of Appeals
11-17-25

Good Evening Council Chair Walsh and Members of the County Council –

I am honored to have been nominated by Councilwoman Jung to serve on the County's Board of Appeals.

I have lived in Howard County for over 20 years, raising my 3 kids here, maintaining a law practice, and volunteering with a number of organizations, from the Howard County Economic Development Authority to the Howard County Conservancy to my children's school PTAs. It is my understanding that you have my resume, and, at your request, am happy to elaborate further about my background or experience.

I do want to highlight, though, that part of my legal practice has been devoted to land use law, and, in that capacity, I have appeared before Hearing Examiners and Boards of Appeals in Howard and other Maryland counties, although I have not appeared before a Howard County Hearing Examiner or Board in over five years. Since 2022, I have also adjudicated zoning cases myself as a hearing examiner in Montgomery County. In those cases, I have striven to rule according to the law, without bias, ruling against community groups when the law is not on their side, which, in conditional use cases is extremely often. Through these experiences and simply as a homeowner and involved county resident, I have gained a deep appreciation for the foundational impact of zoning on County functioning and for the importance of just and thoughtful implementation of zoning regulations.

I believe that I can bring seriousness and dedication, an understanding of the land use law, impartiality, and an appreciation of our Howard County values and priorities to the position.

I care deeply about government policy and efficacy and their impact on the day-to-day lives of County residents, things central to the Board of Appeals.

I anticipate that the Council may have questions about my relationship with Katherine Taylor. I have been Of Counsel to Katherine's law firm, Taylor Legal, since 2007. Of Counsel means that I operate as an Independent Contractor – when a case comes in that our Taylor Legal intake thinks is a good match for my skill set, it is offered to me to accept and follow up with the prospective client. I certainly consult with her on some cases, as I would with any other colleague. Additionally, she and I have, on occasion, co-counseled cases that are particularly involved. But Katherine is not my supervisor, and she has no input on my individual cases, nor I on hers, unless we explicitly ask each other for input.

Additionally, I believe it is important for the Council to understand that when I do accept a land use – or any type of -- case for representation, I only do so if I think that the client has a meritorious claim. I often counsel prospective clients against pursuing a case if I believe the law is not on their side, and I do not engage in frivolous representation.

I know that time for testimony is limited and I want to be respectful of the public hearing process, so I will end my comments here and do my best to answer any questions that the Council may have.

CR215-2025 Resolution Appointing

Andrea LeWinter to the Board of Appeals

Appointing Andrea LeWinter to the Board of Appeals offers Howard County a strategic opportunity to improve its zoning and development oversight by having two attorneys (Andrea LeWinter & Marissa McCurdy) who will strengthen the decisions of the BOA. With her legal background as a hearing attorney, it will bolster the board's ability to accurately interpret and apply county regulations while fostering greater transparency and accountability through appeals proceedings. Her role will help ensure decisions are based on a solid understanding of statutory intent and proper procedures, thereby advancing the county's commitment to fair and effective governance.

There are several reasons to support Andrea LeWinter's appointment to the Howard County Board of Appeals. Drawing on my personal experience before the Board, I believe that a second attorney will provide additional legal expertise would greatly benefit the county. Many other counties already have attorneys or professional planners on their boards, recognizing the value that these professionals bring to the table. Given the current high rate of development in the county, adding an additional attorney ensures that all zoning laws and requirements are properly addressed.

When the Board of Appeals fails to correctly apply the law, it risks overstepping its authority. An attorney would understand that identifying the county council's legislative intent is paramount and would be familiar with the necessary processes. Having two legal professionals on the board would streamline the appeals process and better serve both the board and the county.

An attorney could efficiently manage questions regarding objections, interpretations of the law, and examination of witnesses—tasks best suited for someone with formal legal training. A board member skilled in analyzing complex issues provides a distinct advantage to the county.

Finally, after reviewing hours of testimony from the November 6, 2025, meeting (Hybrid Meeting in the Banneker Room and via WebEx), it was clear that communication between board members and the county attorney often occurs through separate emails. Using Microsoft Word with Track Changes enabled would

be a superior method for both the Board of Appeals and the county attorney, as it creates an excellent audit trail showing changes and who made the request. It is crucial that clear processes and procedures are established and followed.

Letter/Testimony in Support

CR215-2025 Resolution Appointing Andrea LeWinter to the HC Board of Appeals

I very much support the appointment to the Board of Appeals, Andrea LeWinter. I thank the Council member for Ms. LeWinter's nomination.

My husband and I with our two young sons moved into our home in July of 1993. The serene, pastoral and agricultural surroundings of Highland is what attracted us to the area. Howard County is or was the gem of Maryland. However, the recent actions of the Board of Appeals in several high profile cases has shown their lack of knowledge, inability to apply and understand the laws pertaining to zoning and land use and lack of professional sensitivity and decorum to the citizens of the said cases is an embarrassment.

The Board of Appeals should be comprised of members who are experienced, who can correctly interpret and apply the laws and regulations. The Howard County Council members should desire this as well. The appointment of Ms. LeWinter would be a valuable and a most welcomed step in restoring the trust and faith that is lacking now by your citizens across the districts of Howard County in regard to the Board of Appeals. Ms. LeWinter's resume speaks volumes of her legal career and experience. She would certainly compliment the newly assigned member, Ms. McCurdy who also is of a legal background.

Why would the Council members deny the appointment of Andrea LeWinter? Why would the Council members not desire to improve the Board of Appeals with highly qualified members? Why would the Council not want to begin the healing process of so many citizens victimized by the disingenuous actions of the Board of Appeals?

You, have begun to restore my hope that the Council members will agree, unanimously, to appoint Andrea LeWinter to the Howard County Board of Appeals. Why would you not?

Sincerely,
Judy Radas
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Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

Date: 17 November 2025

Subject: HCCA Testimony Regarding CR215-2025 - Appointment of Andrea LeWinter to the Board of Appeals

Good evening,

I am Stu Kohn from the land of pleasant living, Scaggsville.

It should be a good evening because thanks to Council Member, Deb Jung's nominee for the Board of Appeals, Andrea LeWinter when all of you cast your votes in Approval. Her qualifications are phenomenal. It's exactly what the Board of Appeals requires. Thanks to Council-member Jung's outstanding nominee selection, your unanimous approval will have an individual with impeccable credentials. All you have to do is reference her resume as you have it in your hand. Yes - what an outstanding asset as this nominee deserves your full support.

It would have been very beneficial for the public to have resumes of not only this nominee, but all nominees under "Related Documents" as we stated when we last testified this was available to the public in 2022, for example, see CR55-2022. However, because of this omission I Googled Ms. LeWinter's resume which is proudly displayed as it should be. Part of her resume states, under "Legal Experience" the following: "Law Officer of Andrea LeWinter, Columbia MD., Attorney, July 2008 to present. Individually and collaboratively advise and litigate on a range of land use — including Zoning, Variances, Conditional Uses, Covenants, Waivers, and Appeals, as well as Easements, HOA, Private Land Disputes and Administrative Employment and Business Law issues, Numerous cases before Administrative Law Adjudicators and the Circuit Court." Yes - Ms. LeWinter is more than qualified based on her education and experience.

Your unanimous Approval will make the song written in 1945 and sung by Johnny Mercer become reality. It says and the good news is I won't be singing it to you this evening. I'm saving it when I try out for "America's Got Talent." It goes - "You gotta accentuate the positive and eliminate the negative." This will hopefully assist in bringing order to the Board of Appeals.

In 2017, I had the pleasure of working briefly with Ms. LeWinter regarding the complaints concerning major violations of mulching in western Howard County. The issue was so bad a Mulching Task Force was established by the County Executive and Council of which I was a member. Ms. LeWinter was representing the Protestants.

We are appealing to you, because as you all know the Board of Appeals desperately requires new blood as its present state needs an immediate transfusion. Hopefully life can be restored by the appointment of Ms. LeWinter. Time is the greatest healer and its high time we do something positive.

Tonight, some are missing the television program, "The Voice." We only hope our voices will indeed matter. We ask you to please do something Positive to improve upon the Negative. It is incumbent of you to do so! Ms. LeWinter's resume speaks for itself as she is an asset which cannot be denied.

The HCCA looks forward for all of you to vote in **FAVOR** of Ms. Andrea LeWinter because it's no doubt in our best interest. It's a prudent choice we have for any chance for the future of the Board of Appeals to succeed. Hopefully help is on its way!

Thank you,



Stu Kohn

HCCA President