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HOFMANN BROTHERS INC.	: Case No. ERR-001-2025
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Maurene McNeil
Hearing Examiner

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3 On Behalf of the Applicant:

4 Abdullah Hijazi, Esq.

5 Bruce Marcus, Esq.

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1 P R O C E E D I N G S

2 MS. MCNEIL: Good morning,
3 everyone. I'm Maurene McNeil and I'm going to be
4 the zoning hearing examiner, today. And it is
5 June 18th, 2025. We're here in case number ERR-
6 001-2025, and it's -- the applicant is Hofmann
7 Brothers Towing, Inc.

8 And they're here to request the
9 validation of a permit issued in error. The
10 permit was U14196. And it previously allowed for
11 vehicle towing wrecker service and personal
12 vehicle sales.

13 Now, just before counsel
14 identifies themselves for the record, I want you
15 all to know the People's Zoning Counsel could not
16 be here today for a personal reason. But we can
17 proceed without him. And the applicant will let
18 us know if that's okay with them that we proceed
19 without them.

20 Everything is being recorded, so
21 anyone in the room speaking and those on Zoom,
22 try not to speak if someone else is speaking and
23 keep your mic off until you speak.

24 And before we start, is there
25 anyone on Zoom that's opposed to this request?

1 Doesn't appear to be. That's good. So I'll let
2 counsel identify themselves for the record.

3 MR. HIJAZI: Good morning,
4 Abdullah Hijazi here of Hijazi & Carroll, on
5 behalf of the applicant, Hofmann Brothers Towing,
6 Inc.

7 MR. MARCUS: My name is Bruce
8 Marcus. I am also here on behalf of Hofmann
9 Brothers.

10 UNIDENTIFIED SPEAKER: I don't see
11 a --

12 MS. MCNEIL: So wait, we're
13 hearing some type of response from the folks on
14 Zoom, but we're only identifying the attorneys in
15 the matter right now. Okay.

16 Mr. Hijazi, is there -- are you
17 opposed to proceeding without Mr. Brown?

18 MR. HIJAZI: No, not at all.

19 MS. MCNEIL: Okay. And if you're
20 ready, you may call your first witness.

21 One other thing for the record, I
22 would say it eventually. We have twenty pre-
23 marked exhibits in this matter. And I understand
24 you may want to remove one or two. When we get
25 there, just let us know if you object to any of

1 them. Otherwise, all twenty will be part of the
2 record in this case.

3 MR. HIJAZI: Understood. Thank
4 you. Our first witness will be Mr. Gourley.
5 Garner Gourley.

6 MS. MCNEIL: Mr. Gourley, good
7 morning.

8 Whereupon,

9 GARNER GOURLEY,
10 a witness called for examination by counsel for
11 the Applicant, was duly sworn, and was examined
12 and testified as follows:

13 DIRECT EXAMINATION BY MR. HIJAZI:

14 Q Please state your name for the record.

15 A Garner R. Gourley.

16 Q And Mr. Gourley, do you go by Russell?

17 A Yes.

18 Q And are you the owner of Hofmann

19 Brothers Towing, Inc?

20 A Yes, sir.

21 Q And this company also owns a trade name
22 known as Hofmann Brothers Used Cars?

23 A That's correct.

24 Q And what does this business do?

25 A The towing business?

1 Q Yeah. Your whole corporation.

2 A We tow strictly for the Prince George's
3 County Police Department and also for Baltimore
4 City Police Department.

5 Q So the majority of your work is for
6 towing for local governments?

7 A Absolutely. We do no private towing.

8 Q And would you say the majority of your
9 work is during a certain time of the day?

10 A Yes. I'd say normally the work we do
11 is the hours between 9 and 11. The busy hours
12 are between 11 and 4 in the morning.

13 Q And so most of your work is at night,
14 actually?

15 A Absolutely.

16 Q Is there a reason for that?

17 A I believe that probably through the
18 years, we were busier -- many earlier, but I
19 think there's so many new companies involved with
20 insurance companies that work during the day time
21 and not at night. So therefore, the police
22 departments have a problem. That's why they use
23 contract towers like me with Prince George's
24 County.

25 Q So would you say your company's one of

1 the only companies, or the few companies, that
2 were willing to tow late night hours?

3 A I believe so, because we get more calls
4 at night. And sometimes the Prince George's
5 County dispatchers tell us no one else is
6 available. We go sometimes a little further than
7 we're supposed to go in our area.

8 Q What is the address of the property
9 where you run your business or where your
10 business is located?

11 A 7808 Sandy Spring Road, Laurel.

12 Q And was that property formally known by
13 another address?

14 A Yes. It was known formerly as 1421
15 Sandy Spring Road.

16 Q In the same city?

17 A Huh?

18 Q Also in Laurel, correct?

19 A Yes, sir.

20 Q So your business has been in the same
21 location for how many years?

22 A Well, I started painting fences there
23 in 1963. It's -- and I took it over in 1978, I
24 believe the date was.

25 Q Okay. So you started working for

1 Hofmann Brothers in 1963?

2 A Yes.

3 Q As an employee back then?

4 A Yes.

5 Q And when did you say you became the
6 owner of the business?

7 A I believe it was 19 -- I think it was
8 incorporated in 1979. I went to work after
9 Mitchell Hofmann's (ph.) death in '70 -- '78.
10 And I took -- Mrs. Hofmann ran it after his death
11 and I took over and I took over from her in 1979.

12 Q So you purchased the business from Mr.
13 and Mrs. Hofmann around 1979?

14 A Mrs. Hofmann, yes.

15 Q Okay.

16 A And to your knowledge, has the business
17 carried out by Hofmann Brothers Inc. been the
18 same from when it started until now?

19 A Absolutely.

20 Q I want to put in front of you -- the
21 list. If I can keep the numbering straight. In
22 front of you what's in the record is item No. 3.
23 Do you recognize this document?

24 A My eyes are a little confused.

25 Q Is this the site plan for your

1 business?

2 A Yes, it is. I'm sorry it is the site
3 plan. Yes.

4 Q Okay. Does this accurately depict the
5 condition of your site as it currently exists?

6 A Yes.

7 Q Okay.

8 MS. MCNEIL: Counsel, before you
9 leave there; Mr. Gourley, if you're looking -- if
10 I'm standing on Sandy Spring looking into your
11 site, could you just briefly tell me who's on
12 each side of you particularly to the east?

13 THE WITNESS: Okay. Example were
14 if you're standing on Sandy Spring Road, behind
15 you is Tower Federal Credit Union.

16 MS. MCNEIL: Behind me? Okay.

17 THE WITNESS: Yeah. And then on
18 the --

19 MS. MCNEIL: You can just go
20 around, so --

21 THE WITNESS: Yeah. The opposite
22 side would be a gas station.

23 MS. MCNEIL: One second. So
24 that's an example of Exhibit 3 that's up the site
25 plan. So you see where there's a vicinity map?

1 Upper right corner. So whose --

2 THE WITNESS: Yeah.

3 MS. MCNEIL: -- property is on
4 that side of you?

5 THE WITNESS: To the right-hand
6 side?

7 MS. MCNEIL: Where's the north
8 arrow? It would be to the east. Yeah.

9 THE WITNESS: Okay. That would be
10 News Court (ph.), I believe it is.

11 MS. MCNEIL: Oh, that's a
12 resident -- a townhouse. Okay.

13 THE WITNESS: Actually Hofmann
14 owned that property at one time.

15 BY MR. HIJAZI:

16 Q And who's to the west of you?

17 MS. MCNEIL: Thank you.

18 BY MR. HIJAZI:

19 Q Yes.

20 A Park & Ride.

21 Q Okay. So that's a commuter lot?

22 A Commuter lot.

23 Q You said across the street is a gas
24 station?

25 A There's a gas station and there's also

1 a convenience store. And then directly across
2 the street is Tower Federal Credit Union, a high-
3 rise office building.

4 Q Okay. And what is behind your
5 property?

6 A Two farms. Small farms.

7 Q And that's the condition that your
8 property has been in for about how many decades?

9 A As far as I know it was there in 19 --
10 when Mr. Hofmann started, but I mean, for me to
11 test I have to say since 1963.

12 Q Okay. And how long has your business
13 been towing for Prince George's County and other
14 local municipal governments?

15 A Mr. Hofmann was towing for them before
16 I started there. So like, you know -- can I
17 testify that he was towing for them? How much do
18 you think I can do that?

19 Q Well, to your knowledge, based on what
20 you know.

21 A To my knowledge, yes. He was towing
22 for them. I do know he was towing for the state
23 police during that time in 1960.

24 Q Okay. And in front of you, what's in
25 the record as item No. 20 or Exhibit 20. Do you

1 recognize this exhibit?

2 A It's -- that would, by standing in the
3 road, looking --

4 Q Well, if you could go through them, do
5 you recognize these photos?

6 A This is probably -- from here to there
7 is a hundred feet off the road.

8 Q Are these photos of your property?

9 A Yes.

10 Q Okay. And these are photos that you
11 took?

12 A Yes. I didn't personally take them,
13 but someone did take them.

14 Q At Hofmann Brothers?

15 A Yes.

16 Q Under your direction?

17 A Yes.

18 Q Okay. And you reviewed them before
19 they were submitted into the record?

20 A Sir?

21 Q You reviewed these photos before they
22 were submitted into the record?

23 A Oh, yeah. These were all taken
24 probably two weeks ago, if I remember right.
25 Maybe three weeks.

1 Q And they accurately depict what your
2 property looks like; is that correct?

3 A Absolutely. Yeah. I could say it
4 could be a month old. But it couldn't be much
5 longer than that.

6 MS. MCNEIL: So the photos that
7 are Exhibit 20, all have a type description at
8 the top. So you agree with all those type
9 descriptions that that's what it's depicting?
10 See how it says front of site on the first page?

11 THE WITNESS: Yes, ma'am.

12 MS. MCNEIL: Okay. Thank you all.

13 THE WITNESS: Entrance. Main
14 entrance. Of the main entrance. Main entrance
15 going to the back. Yes.

16 BY MR. HIJAZI:

17 Q Okay. And although you didn't take
18 those photos, you adopt them as if you did take
19 them as your own?

20 A Yes.

21 Q Okay.

22 A Actually, I was with him when he took
23 them.

24 Q Okay.

25 A But I thought that that'd be not too

1 good --

2 Q But how many employees does Hofmann
3 Brothers Towing currently employ?

4 A I think right now we're with the full-
5 time and part-time. I'd say somewhere between --
6 it fluctuates. So I would say probably ten at
7 this moment.

8 Q And about how many trucks do you
9 operate?

10 A We have 8 total trucks.

11 Q And what is the rough acquisition cost
12 for one of your tow trucks?

13 A The cheapest one would be somewhere in
14 \$115,000. The average is \$125,000, \$130,000.

15 Q And when you purchased the business
16 from Mr. and Mrs. Hofmann, did they have a U&O
17 permit in place?

18 A Yes, they did.

19 Q And you purchased the actual
20 corporation so there was no change of occupant at
21 that time, correct?

22 A Yeah. Mrs. Hofmann was still there at
23 that time.

24 Q Okay. But Hofmann Brothers Towing,
25 Inc. was operating at that site before you

1 purchased the corporation and Hofmann Brothers
2 Inc. continued to operate at that site after you
3 purchased the corporation, correct?

4 A (No audible response)

5 Q Okay. And is -- putting in front of
6 you what's in the record as item No. 2, is this
7 the U&O permit that existed for the site when you
8 acquired the business?

9 A This one was -- yes. And there's two
10 of them. One was this one here, yes. Yes.

11 Q Okay. And this U&O permit is dated
12 December 18, 1967?

13 A Yes, it was. This one here, and then
14 they changed the address.

15 Q And in reference to the address, what
16 address is on this U&O permit?

17 A Well, this one here is 1421, but it
18 does go over here with the new address, the 7808.
19 Looks like maybe -- let's see, let's --

20 Q So on here, its address is 1421 Sandy
21 Spring Road; is that correct?

22 A Yes.

23 Q And you testified earlier that that's
24 the former address for your property?

25 A Absolutely.

1 Q Or I'm sorry, where your business is
2 located, correct? Now when you purchased the
3 business, you didn't also purchase the real
4 estate, correct?

5 A No.

6 Q And the real estate continued to be in
7 Mr. and Mrs. Hofmann's personal names, correct?

8 A Yes, her estate.

9 Q And then as they passed away, they
10 deeded their properties into their respective
11 estates or trusts?

12 A Yes.

13 Q And when they -- after the properties
14 were deeded to this respective trust, is that
15 when -- did that trigger a change of ownership
16 that required you to obtain a new Use and
17 Occupancy Permit?

18 A Not that I'm aware of.

19 Q Okay. Well, did DPIE request that you
20 obtain a new Use and Occupancy Permit at some
21 point because of that change of ownership?

22 A No, because I apply every year the same
23 license.

24 Q Let's talk about what you apply for
25 every year. Do you currently hold any licenses

1 from Prince George's County or the State of
2 Maryland?

3 A Yes.

4 Q Which licenses do you --

5 UNIDENTIFIED SPEAKER: Excuse me,
6 those of us online cannot hear, should we be able
7 to hear at this point?

8 MS. MCNEIL: Have you heard
9 anything or just lately you didn't hear? Can you
10 hear me? Can you all hear me? We're going to go
11 off the record for two minutes.

12 UNIDENTIFIED SPEAKER: Hello?

13 (Whereupon a recess was taken)

14 MS. MCNEIL: Okay. Thank you
15 everyone for your patience. And we're going to
16 try to go back to Mr. Gourley and finish his
17 testimony.

18 MR. HIJAZI: Good morning, Madam
19 Examiner, Abdullah Hijazi here on behalf of
20 Hofmann Brothers Towing, Inc. and we'll pick up
21 where we left off with Mr. Gourley.

22 BY MR. HIJAZI:

23 Q Mr. Gourley, before I stopped the
24 direct examination, I think I asked you what kind
25 of licenses do you have with the Prince George's

1 County and the State of Maryland?

2 A The license, of course, with Prince
3 George's County government, we have to apply for
4 three licenses a year. One is the small --
5 Prince George's County Small Business Tow
6 Coordination, which is one of our tow licenses.
7 And the third license we have to apply for is the
8 medallion license of the Tow Division.

9 Q And you also maintain a license with
10 the MVA of the State of Maryland?

11 A Yes. Yes, sir.

12 Q What license is that?

13 A Hofmann Brothers Used Cars.

14 Q For the Prince George's County
15 licenses, you had to renew those licenses every
16 year?

17 A Yes. All three of them each year.

18 Q And did that require regular
19 inspections to your property?

20 A From each department.

21 Q And so does that mean you would have
22 multiple inspections from the county from
23 different agencies every year?

24 A Three times a year.

25 Q All right. And when you obtained those

1 licenses or renewed them every year and invested
2 in your company, did you do that in reliance on
3 this 1967 Use and Occupancy Permit?

4 A Yes, I did.

5 Q And when you purchased all your trucks
6 and hired a dozen or so employees, did you do
7 that in reliance on this 1967 permit?

8 A Yes, sir. I did.

9 Q So all the investments that you've made
10 to date in your business over the last three or
11 more decades have been relying on the fact that
12 you thought that you had a permit to run your
13 business at this location?

14 A Yes, sir.

15 Q And earlier you testified to the fact
16 that you tow for municipal governments, among
17 those being Prince George's County?

18 A Yes.

19 Q And I'm putting in front of you what is
20 item 18 from the record. Are these some of the
21 tow tickets that show that you've been actively
22 towing for Prince George's County?

23 A Yes, sir.

24 Q I'm also putting in front of you item
25 19 from the record. Do you recognize this

1 document?

2 A Um-hum. That's a Prince George's
3 County CS78.

4 Q And what does that mean? What is this
5 form used for?

6 A Well, sometimes, if a vehicle is left
7 and normally, we have to turn on paper every
8 month for PG. So usually this would be -- what
9 happens is if your car is left there and no one
10 picks it up, we can dispose of it to a licensed
11 junkyard and it becomes a CS 78. It gives us
12 lots of paper, so we can get rid of an abandoned
13 vehicle.

14 Q Okay. So you've basically submitted
15 both of these exhibits as evidence that you've
16 been towing for Prince George's County
17 government; is that correct?

18 A Yes.

19 Q And you currently have contracts with
20 Prince George's County government as well,
21 correct?

22 A Yes.

23 Q In fact, isn't it true that you
24 recently received another contract award from
25 Prince George's County?

1 A Yes.

2 Q And how long is that contract award
3 for?

4 A Two years.

5 Q And your tow license and your ability
6 to maintain the three licenses you talked about,
7 they are dependent on you being able to validate
8 this Use and Occupancy Permit, correct?

9 A Yes, sir. That would be correct.

10 Q And if you do not validate the Use and
11 Occupancy Permit, then you would lose those
12 licenses, correct?

13 A Absolutely.

14 Q And what would that mean for your
15 business?

16 A Well, there would be no business. I'd
17 have -- it would be a vacant piece of property.

18 Q Okay. You submitted what's in the
19 record as item No. 6. Do you recognize this
20 document?

21 A Yes.

22 Q And is this a statement or letter from
23 you?

24 A Yes, it is.

25 Q And does it detail the history of your

1 ownership and work at Hofmann Brothers Towing,
2 Inc.?

3 A Yes, it gives a description of the
4 property, which is next door to us, yes.

5 Q And among other things, does it
6 describe how much you've invested in hundreds of
7 thousands of dollars in your fleet?

8 A Yes.

9 Q And does it also describe that you
10 employ multiple people, many of which are senior
11 employees that have been there for decades?

12 A Yes. Yeah. I said 35, 40, 50 years
13 for some of them.

14 Q Wow. And between salaries and the cost
15 of your fleet and insurance, how much do you
16 think you've invested in this company over the
17 last just couple years?

18 A You mean everything?

19 Q Yeah.

20 A It'd be hard for me to -- I mean, 42,
21 50. It's probably with property taxes,
22 insurance, it's somewhere around 80 to \$90,000 a
23 year, and I'm probably low balling that with
24 property. Our insurance is 56,000 a year. And
25 the trucks that we've purchased over the years,

1 that could be close to 800 or \$1,000,000.

2 Q And are you aware of any complaints
3 from neighbors or residents targeted at your
4 business?

5 A No, actually, no. Actually, my
6 neighbors behind me, I just helped them last
7 week. It was two reasons. His son, wrecked
8 their car, we helped him go get it and took it to
9 his house. We also had a tree problem. One was
10 on his property, one was on ours, so we jointly
11 got together and removed.

12 Q And when people look at your property
13 from the street, is it evident from the way it
14 looks that it is a tow lot or a place to store
15 wrecked vehicles?

16 A Absolutely not. You couldn't see it.
17 I have more comments that people who do come in,
18 say they couldn't believe it is a tow company
19 because of the way it's kept.

20 Q Okay. What do --

21 A We are open seven days a week.

22 Q Can you tell me a little bit more about
23 how, what you mean by the way it's kept? What do
24 you do in terms of regular maintenance to the
25 property?

1 A Well, constantly, we -- you know,
2 probably these fences are painted twice a year.
3 Of course, you know, our lawn upkeep, our flower
4 beds that we try to keep up, there's no debris
5 left anywhere around the property. It's -- you
6 know, I'm not saying that sometimes at night if
7 something goes wrong, it's not -- it's picked up
8 the next day.

9 MS. MCNEIL: There's a fence
10 around the property. Is it a board-on-board or
11 is it similar to the one on Exhibit 20, the first
12 page?

13 THE WITNESS: It's this one?

14 MS. MCNEIL: Um-hum. Is that the
15 way the entire property is fenced or do you have
16 board-on-board?

17 THE WITNESS: It's -- yes. This
18 would be -- over here would be your Park & Ride.

19 MS. MCNEIL: Okay.

20 THE WITNESS: And this across the
21 street would be, of course, your gas station and
22 convenience stores. Behind us -- behind which it
23 shows -- this is across the street.

24 MS. MCNEIL: That's Tower?

25 THE WITNESS: Yeah.

1 MS. MCNEIL: That's the last page,
2 last picture in Exhibit 20.

3 THE WITNESS: Gas station.

4 MS. MCNEIL: You don't have to
5 tell --

6 THE WITNESS: I'm trying to find
7 it here. Here's one of it, this is what the rear
8 lot looks like.

9 MS. MCNEIL: Okay, so that's the
10 inside of the impound lot.

11 THE WITNESS: Yes. Which is --

12 MS. MCNEIL: So it looks like
13 there's a board-on-board fence, right?

14 THE WITNESS: Yeah.

15 MS. MCNEIL: And trees, that's all
16 I was asking.

17 THE WITNESS: Oh yes. We plant
18 trees, bamboo, and there's a fence all the way
19 around.

20 BY MR. HIJAZI:

21 Q Mr. Gourley, are you aware of any fraud
22 or misrepresentation that surrounded obtaining
23 the 1967 U&O permit?

24 A Absolutely not.

25 Q Has anyone ever accused you or the

1 former owners that -- based on your knowledge,
2 has anyone accused the former owners or you, of
3 fraud or misrepresentation --

4 A No.

5 Q -- in obtaining that permit?

6 A No. Absolutely not.

7 Q And are you aware of any appeal or
8 controversy related to the issuance of that
9 permit?

10 A I'm not too sure.

11 Q Are you aware of any controversy or
12 appeal that resulted from the issuance of the
13 1967 U&O permit?

14 A No, not that I'm aware of.

15 Q And all the investments that you've
16 made in the property to date have been done in
17 good faith and reliance on that 1967 Use and
18 Occupancy Permit?

19 A Yes.

20 Q And in your opinion, would the
21 validation of this 1967 U&O permit adversely
22 affect public interest or the health, safety, or
23 welfare of county landowners and residents?

24 A You mean hurt anybody?

25 Q Yes.

1 A Absolutely not.

2 Q And in fact, do you think it would help
3 public interest for your company to be able to
4 validate its Use and Occupancy Permit and
5 continue operating?

6 A Yes. I would think Prince George's
7 County Police Officers out there. Yes.

8 Q Okay, why is that? Can you explain a
9 little bit more?

10 A Well, because we're always -- the thing
11 is, we're complimented because with Prince
12 George's County Police Departments, you have
13 to -- you're supposed to be eligible, no more
14 than 20 to 25 minutes.

15 You know, we try, and we're complimented
16 because we try to be there without breaking any
17 laws, but we usually show up within 10 to 15
18 minutes.

19 Q And --

20 A We're -- we staff our drivers. Most
21 tow companies have to call the people at home,
22 ours are on staff, we keep them there. And then
23 like I said, they leave immediately when a call
24 comes in.

25 Q So the majority of your work is

1 responding to emergency calls?

2 A Yes.

3 Q And the majority of work is in support
4 of public law enforcement?

5 A Yes.

6 Q And you're specified to a very specific
7 region in the northern part of Prince George
8 County, correct?

9 A Yes.

10 Q So removing your business from that
11 northern part of the county would create a
12 hole --

13 A Yes, because I'm, you know, we are
14 backed up. When I say backed up, the northern
15 part of PG County, there's nothing really left,
16 we're probably eight blocks from Howard County,
17 half a mile from Montgomery, so we're the only
18 ones in that far sector.

19 MR. HIJAZI: Madame Examiner, just
20 a quick indulgence.

21 Madame Examiner, that's all we
22 have for Mr. Gourley, unless you have any follow-
23 up questions.

24 MS. MCNEIL: Mr. Gourley, and I
25 guess counsel as well, would you all be able to

1 provide any invoices? I believe his testimony,
2 but it's common that we have some invoices
3 reflecting his testimony in the file, like --

4 MR. HIJAZI: So we -- if Your
5 Honor would leave the record open, we're more
6 than happy to supplement some invoices. The only
7 thing we were worried about is letting pricing
8 out, because this industry is very competitive.
9 We didn't want to let out his, like, proprietary
10 pricing, because a lot of these contracts are
11 actually bid out through a public procurement
12 process, but we can redact --

13 MS. MCNEIL: You pay utilities?

14 MR. HIJAZI: Obvious -- yes.

15 MS. MCNEIL: Does he pay utilities
16 over the years?

17 MR. HIJAZI: Yes, yes, no, yes,
18 yes. His property --

19 MS. MCNEIL: Has he paid taxes
20 over the years?

21 MR. HIJAZI: -- taxes. Yes. We
22 are more than happy to provide those types of
23 invoices.

24 MS. MCNEIL: Because again, it was
25 sworn testimony, but we normally have --

1 MR. HIJAZI: Yes.

2 MS. MCNEIL: -- some documents,

3 so --

4 MR. HIJAZI: Yes.

5 MS. MCNEIL: And you can -- yes.

6 MR. HIJAZI: Yes. We have more.

7 MS. MCNEIL: And the other thing,

8 and it's probably more for you, or maybe it's

9 another witness, but did you all have to apply

10 for another U&O, and why?

11 BY MR. HIJAZI:

12 Q So, Mr. Gourley, do you remember why we

13 have to apply for a new Use and Occupancy Permit?

14 A I don't understand what you're --

15 Q Sure. Are you aware that DPIE is

16 requiring a new --

17 A Yes.

18 Q -- Use and Occupancy Permit?

19 A Yes. Yes. Yes.

20 Q Is it your recollection that it's

21 because Mr. and Mrs. Hofmann passed away and the

22 property was re-deeded in the names of their

23 trusts, or --

24 A That's what I'm -- that's what I'm

25 being --

1 Q -- their heirs --

2 A --that's what I'm being told. Yes.

3 MS. MCNEIL: Referring to the
4 deeds in the record, I think it was like 2011 and
5 2016.

6 MR. HIJAZI: Yes.

7 MS. MCNEIL: Okay.

8 MR. HIJAZI: Yes, yes, Your Honor.

9 And we will have another witness that can speak
10 more about those as well.

11 MS. MCNEIL: Thank you, Mr.
12 Gourley.

13 THE WITNESS: Okay, that's it?

14 MS. MCNEIL: Yes.

15 Mr. Harvey?

16 MR. HIJAZI: Yes.

17 MS. MCNEIL: Can you hear me?
18 Sir, you're muted.

19 MR. HARVEY: Okay. I'm unmuted
20 now.

21 MS. MCNEIL: Would you like to
22 give testimony now since it seems to be working
23 and I want to get your testimony. Fingers
24 crossed that everything continues working. Would
25 you like to testify in this matter?

1 MR. HARVEY: I'm more than willing
2 to testify.

3 MS. MCNEIL: Okay.

4 Whereupon,

5 JAMES HARVEY,
6 a witness called for examination by counsel for
7 the Applicant, was duly sworn, and was examined
8 and testified as follows:

9 MS. MCNEIL: Okay.

10 DIRECT EXAMINATION BY MR. HIJAZI:

11 Q Good morning, Col. Harvey. Can you
12 please state your name for the record?

13 A James Harvey.

14 Q And Col. Harvey, when did you first
15 meet Mr. Gourley?

16 A When he was working for Hofmann
17 Brothers, which would have been in the early
18 '60s.

19 Q Okay, and how are you familiar with
20 Hofmann Brothers Towing?

21 A Primarily through my job as a Maryland
22 State Trooper. I was assigned to -- I was
23 assigned to the Waterloo Barrack as a road
24 trooper, which includes the area around Laurel.
25 And as a road trooper, I would call them to tow

1 vehicles from the accident scenes.

2 Q And around what year was that, that you
3 were first interacting with Hofmann Brothers
4 Towing?

5 A Started in 1962, and for the next three
6 years, I was assigned to the Waterloo Barrack
7 used them as a towing service.

8 Q And at the time, were you aware of any
9 allegations of fraud or misrepresentation
10 surrounding their Use and Occupancy Permit?

11 A No, I was not.

12 Q And at the time, were you aware of any
13 appeals or controversies regarding their Use and
14 Occupancy Permit?

15 A No.

16 Q And is it your belief that Hofmann
17 Brothers Towing, Inc. has acted in good faith in
18 relying on their use in occupancy permit?

19 A Yes. As far as I know, they were a
20 very efficient operation. Always quick to
21 respond and did a good job at accident scenes in
22 removing the cars that were involved.

23 Q In your opinion, will the validation of
24 their Use and Occupancy Permit adversely affect
25 the public interest or the health, safety, or

1 welfare of the county landowners and residents?

2 A I'm not quite sure what you're asking.

3 Could you repeat that?

4 Q Sure, in your opinion, will the
5 validation of their Use and Occupancy Permit hurt
6 the public in any way?

7 A No.

8 Q In fact, do you think it will help the
9 public in any way?

10 A It certainly won't harm it, and they
11 certainly are a positive -- have a positive
12 effect on removing the cars from the roadway in
13 fast order to allow traffic to resume.

14 Q During your time with the state
15 troopers, did they have a good reputation for
16 providing good service?

17 A Absolutely. Not only when I was there
18 as a road trooper, but several years later, I
19 came back as the barrack commander of Waterloo
20 and was responsible for that area of the state to
21 remove vehicles from accident scenes.

22 And of course, we had rules and regulations
23 that they had to follow and they were always very
24 effective in taking care of towing business and
25 never had any problems at all with them.

1 Q In approximately what years were those
2 that you were interacting with Hofmann Brothers
3 Towing, Inc.?

4 A That would have been in the '70s. I
5 don't remember the exact date, but I was the
6 barrack commander of Waterloo for three or four
7 years. And then later on, I was promoted to
8 captain and was the troop commander in Prince
9 George's and Montgomery County.

10 We continued to use Hofmann Brothers as
11 well, as well as towing companies, and certainly
12 Hofmann Brothers was always very effective and
13 had a good reputation with us as being efficient
14 and fast.

15 MR. HIJAZI: Thank you, Colonel
16 Gourley -- I'm sorry, Colonel Harvey.

17 MS. MCNEIL: Thank you, Colonel.

18 THE WITNESS: Is that all you need
19 from me?

20 MR. HIJAZI: Yes, Colonel Harvey,
21 thank you very much.

22 THE WITNESS: Thank you.

23 MS. MCNEIL: The next witness.

24 UNIDENTIFIED SPEAKER: Are they
25 leaving?

1 MR. HIJAZI: Muted.

2 MS. MCNEIL: The next witness.

3 MR. HIJAZI: So our next witness
4 would be Mr. Eddie Puls.

5 MR. PULS: Good morning.

6 MS. MCNEIL: Good morning.

7 Whereupon,

8 EDWARD PULS,

9 a witness called for examination by counsel for
10 the Applicant, was duly sworn, and was examined
11 and testified as follows:

12 DIRECT EXAMINATION BY MR. HIJAZI:

13 Q Mr. Puls, please state your name for
14 the record.

15 A Sure. My name is Edward Joseph Puls,
16 Jr.

17 Q And Mr. Puls, how are you familiar with
18 Hofmann Brothers Towing, Inc. and/or Mr. Gourley?

19 A Starting in 1974, I was a police cadet
20 for the Howard County Police Department.
21 Initially, we were assigned to different
22 operations, one of those being the Traffic
23 Division. Hofmann's at that time did not tow for
24 Howard County as authorized tower. We only had
25 three in the county at that time for Howard.

1 However, numerous vehicles -- incidents
2 would take place, chases into Prince George's
3 County or incidents where someone was arrested
4 inside of Prince George's County and it would
5 have been towed to Hofmann Brothers. I was at
6 their lot regularly, I would say at least once
7 every four to six months for the years I was a
8 cadet.

9 I then went to the police academy.
10 Graduated from the academy, was eventually
11 transferred into detectives where I ran a multi-
12 year, multi-state undercover stolen car ring and
13 when we started serving search warrants, it was a
14 stolen car ring originated from a car lot that
15 was located in Washington, D.C.

16 He was sending out people to steal the
17 hoarder at the Pentagon and other buildings --
18 this is before 9/11 and there was no security.
19 It would come to Howard County where the vehicles
20 would be re-plated, the serial numbers would be
21 changed, and then they would be removed.

22 Well, I was on a task force with the --
23 I was running an operation. I don't know why,
24 but I was. And one of my people with me was a
25 Maryland State Police corporal, and we wrote 17

1 search warrants to be served on the same day in
2 multiple states and in Howard -- Howard, Prince
3 George's, Washington, D.C., and the northern
4 Virginia areas.

5 The cars were towed not only -- because
6 we had so many cars being coming in, we didn't
7 have the facilities in Howard to tow the cars, so
8 we brought in Hofmann Brothers and I was, again,
9 on their lot and saw the vehicles being towed. I
10 inspected the cars there. I found the vehicles
11 to be towed properly and to be stored properly.

12 They would allow us to use their
13 facilities to inspect the cars to see what's
14 called the con-VIN or the confidential vehicle
15 identification number. And then we would either
16 have it towed out or released to whoever had
17 purchased a car through insurance company or the
18 owner, the real owner of the car.

19 Later, I retired from the Howard County
20 Police Department and I went to law school, one
21 of the biggest mistakes in my life I might say.
22 But I would say I went to law school. I enjoyed
23 being an attorney and the friendship that I had
24 developed with Mr. Gourley, he was represented at
25 the time by our former Chief of Police, Paul

1 Rappaport, and Paul and I later became law
2 partners, and I represented Mr. Gourley and his
3 company for some time.

4 I then left, very foolishly, and became
5 a prosecutor in another county, so I kind of lost
6 track of what was going on. And then I've been
7 with the same company now as their corporate
8 counsel and director of security and fraud
9 prevention now for 28 years. A privately
10 owned -- a car dealership group that operates in
11 seven states.

12 So that's how I know Mr. Gourley, and I
13 know -- I go down regularly and visit Mr. Gourley
14 and I know the operation has been run routinely,
15 regularly, for that entire time I've known him.

16 Q Mr. Puls, during the time that you've
17 known Hofmann Brothers Towing, Inc., were you
18 ever aware of any allegations of fraud or
19 misrepresentation in the acquisition of the 1967
20 U&O permit?

21 A Absolutely not.

22 Q And were you ever aware of any appeal
23 or controversy regarding the issuance of any Use
24 and Occupancy Permit for Hofmann Brothers Towing,
25 Inc.?

1 A Other than this hearing today? No.

2 Q And you don't view this as an appeal or
3 a controversy regarding the issuance of any --

4 A No. I just say other than -- this is
5 the only hearing we've ever had that I'm aware of
6 as to this.

7 Q Do you believe that Hofmann Brothers
8 Towing, Inc. and Mr. Gourley have acted in good
9 faith and in reliance on the 1967 U&O permit to
10 expend monies and incur obligations?

11 A Not only that, but also the lease says
12 it's to be operated as a tow and sales company.

13 Q Okay. And do you believe that the
14 validation of the 1967 U&O permit will affect the
15 public interest or health, safety, or welfare of
16 anybody negatively in any way?

17 A I think by revoking it, it will hurt
18 the county, and I'll tell you why. Not only the
19 income that comes in from Hofmann's on taxes and
20 fees, but also if you would put townhouses in the
21 same density that are next door to him, your
22 traffic would increase tremendously. Maximum, I
23 would say, Mr. Gourley tows in ten cars a day.
24 Maximum.

25 If you put townhouses in the same density

1 that is next to him, you would have twenty or
2 more townhouses on that four-acre property. That
3 would bring in at least fifty vehicles coming in
4 every morning and coming back every evening,
5 which is far more than what he's got now. And it
6 would affect the travel on the roadway in front
7 of it. And I can say that as a police officer
8 who used to have to deal with traffic issues at
9 one time in my career.

10 MR. HIJAZI: That's all we have
11 for Mr. Puls, Madame Examiner.

12 MS. MCNEIL: So I guess this is
13 for you and Mr. Puls. The lease is also an
14 excellent thing to put into the record, if you
15 don't mind.

16 MR. HIJAZI: Yes, definitely.

17 MS. MCNEIL: Thank you for
18 mentioning that. And I assume as corporate
19 counsel, you were paid? It wasn't pro bono?

20 THE WITNESS: I'm not being paid
21 today.

22 MS. MCNEIL: Not today, but I
23 mean -- I'm just trying to --

24 THE WITNESS: When I was
25 representing Mr. Hofmann, when I represent him

1 for things, I get paid for those issues. I'm not
2 here today as his counsel. I'm here to testify
3 as to what I see, and I'm certainly not getting
4 paid today. I'm actually on leave from my full-
5 time job to be here.

6 MS. MCNEIL: Thank you.

7 MR. HIJAZI: Thank you for your
8 time, Mr. Pulse.

9 THE WITNESS: Thank you.

10 MR. HIJAZI: Madam Examiner, our
11 next witness would be Mr. Tucker (ph.).

12 MR. TUCKER: Good morning,
13 everyone.

14 MS. MCNEIL: Good morning, Mr.
15 Tucker.

16 Whereupon,

17 NORMAN TUCKER,
18 a witness called for examination by counsel for
19 the Applicant, was duly sworn, and was examined
20 and testified as follows:

21 DIRECT EXAMINATION BY MR. HIJAZI:

22 Q Mr. Tucker, please state your name
23 for the record.

24 A My name is Norman Tucker.

25 Q And Mr. Tucker, are you the office

1 manager at Hofmann Brothers Towing, Inc.?

2 A Yes. I do help out.

3 Q And how long have you been working at
4 Hofmann Brothers Towing, Inc.?

5 A Haven't been a -- oh, off and on
6 fifteen years. I've been coming by Mr. Hofmann's
7 place.

8 Q Okay. And during your time at Hofmann
9 Brothers Towing, Inc., were you aware of any
10 allegations of fraud or misrepresentation in
11 relating to the 1967 Use and Occupancy Permit?

12 A No, sir.

13 Q And were you aware of any appeal or
14 controversy regarding the issuance of Hofmann
15 Brothers Towing, Inc. Use and Occupancy Permit?

16 A No, sir.

17 Q And do you believe that your company's
18 acted in good faith in relying on that permit?

19 A Yes. I do, sir.

20 Q And in expending monies, incurring
21 obligations in reliance on that permit?

22 A Yes, sir.

23 Q Do you believe that the validation of
24 your Use and Occupancy Permit or Hofmann Brothers
25 Towing, Inc. Use and Occupancy Permit will

1 negatively affect the public?

2 A Yes, I do.

3 Q You think it will help the public or
4 hurt the public?

5 A I think it would help the public.

6 Q Okay.

7 A It does a lot for the public.

8 Q Can you give us examples of how he
9 helps the public?

10 A Well, we have people come in that have
11 never been in accidents, they don't know what to
12 do, so we help them with their cars, with their
13 tags, tell them about calling the insurance and
14 not to cancel the insurance until they do contact
15 their lawyers and everything, and we're very
16 helpful. We have people come back, bring us
17 things, y'all did a good job, y'all -- we
18 appreciate what you did, because we never had an
19 accident.

20 Q Is your company obligated to do any of
21 that, providing any of that assistance?

22 A No. But you know, everybody's very
23 nice and friendly in our company, but we just
24 help those that need to be helped.

25 Q So would you say that your company goes

1 out of its way to help not only law enforcement,
2 but also the people whose cars you end up towing
3 after emergencies?

4 A Yes, sir.

5 MR. HIJAZI: Thank you, Mr.
6 Tucker, that's all I have for you.

7 MS. MCNEIL: Thank you, Mr.
8 Tucker.

9 THE WITNESS: Okay.

10 MR. HIJAZI: Our last witness will
11 be, unless there's anybody else online, our last
12 witness will be Mr. Eddie Diaz-Campbell.

13 MS. MCNEIL: Good morning, Mr.
14 Campbell.

15 MR. DIAZ-CAMPBELL: Good morning,
16 Madame Examiner.
17 Whereupon,

18 EDDIE DIAZ-CAMPBELL,
19 a witness called for examination by counsel for
20 the Applicant, was duly sworn, and was examined
21 and testified as follows:

22 DIRECT EXAMINATION BY MR. HIJAZI:

23 Q Mr. Diaz-Campbell, what is your -- I'm
24 sorry. Please state your name for the record.

25 A My name is Eddie Diaz-Campbell.

1 Q And what is your current job title?

2 A I'm a senior land planner.

3 Q And do you have a college education?

4 A I do.

5 Q And can you tell me a little bit of
6 what your college education involves?

7 A Yes. I received a Bachelor of Science
8 and Architecture from the University of Virginia
9 and a Master of City Planning from the University
10 of Pennsylvania.

11 Q And do you hold any licenses,
12 certifications, or memberships in any
13 professional organizations?

14 A I'm a certified planner under the
15 American Planning Association.

16 Q And where did you start your career in
17 the field of land use and planning?

18 A I started in the city of Dover,
19 Delaware, where I worked as a public planner for
20 the city.

21 Q And how long did you work for the City
22 of Dover?

23 A I worked there about four years from
24 2016 to 2019.

25 Q And briefly, what were some of your job

1 duties at the City of Dover?

2 A I reviewed permit applications,
3 development applications, variances, and helped
4 with comprehensive planning efforts.

5 Q And where did you work after leaving
6 the City of Dover?

7 A I worked for the Prince George's County
8 Planning Department.

9 Q And how long were you at the Prince
10 George's County Planning Department?

11 A I was there about five years, from 2019
12 to 2024.

13 Q And what were some of your main job
14 duties?

15 A I reviewed development applications,
16 principally, preliminary plans of subdivision,
17 but also helped co-workers with other development
18 applications.

19 Q And are you currently employed as a
20 senior land planner at the law firm of Hijazi &
21 Carroll?

22 A I am, yes.

23 Q And what are some of your job duties in
24 that role?

25 A In my current role, I -- I perform

1 research on the zoning regulations of different
2 jurisdictions, do due diligence for properties,
3 and assist with the submittal of development
4 applications.

5 Q And did you, in fact, do the due
6 diligence and review for this subject
7 application?

8 A I did.

9 MR. HIJAZI: And before we get too
10 far, Madame Examiner, at this time, I'd
11 respectfully request that Mr. Eddie Diaz-Campbell
12 be admitted as an expert witness in the field of
13 land use and planning. He's also a hybrid fact
14 witness, as well given his involvement in the
15 research for this subject application.

16 MS. MCNEIL: Couple of questions,
17 and I would like his CV to be put into the
18 record.

19 MR. HIJAZI: Yes. Will do.

20 MS. MCNEIL: Mr. Diaz. I keep
21 remembering Eddie. Diaz-Campbell, I'm sorry.

22 Have you been accepted as an expert
23 before any other administrative body prior to
24 today, or court of law?

25 THE WITNESS: No, I have not.

1 MS. MCNEIL: Have you been
2 declined as an expert --

3 THE WITNESS: No, I have not.

4 MS. MCNEIL: -- before an
5 administrative body? Okay. And how long have
6 you been with the law firm?

7 THE WITNESS: Since November of
8 last year.

9 MS. MCNEIL: You had a good day
10 today, because Mr. Brown would have thought of
11 seventy-five other questions. But I will accept
12 you as an expert in land use planning.

13 MR. HIJAZI: Thank you, Madame
14 Examiner.

15 MS. MCNEIL: But I'll be waiting
16 for the other document.

17 MR. HIJAZI: Okay.

18 MS. MCNEIL: Thank you.

19 BY MR. HIJAZI:

20 Q Mr. Eddie Diaz-Campbell, did you review
21 the 1967 Use and Occupancy Permit issued for this
22 property?

23 A I did.

24 Q And how did you locate that permit?

25 A It was given to me by Mr. Gourley.

1 Q And did you inquire with park and
2 planning and/or DPIE to see if there were any
3 other Use and Occupancy Permits for this
4 property?

5 A Yes. I formed a search with DPIE for
6 other Use and Occupancy Permits, but did not find
7 any others.

8 Q And based on your research, how long do
9 you think the Hofmann Brothers Towing, Inc. has
10 been operating from this site?

11 A They have been operating since at least
12 1967, when the Use and Occupancy Permit was
13 issued. Based on the testimony of others here,
14 it appears to have been operating before that.

15 Q And what was the 1967 Use and Occupancy
16 Permit for which uses?

17 A It was for a -- it's for towing of
18 wrecked vehicles and operating a used car lot.

19 Q And is it your understanding that Park
20 and Planning has taken the position that this
21 1967 use of occupancy permit was issued in error?

22 A Yes, that is my understanding.

23 Q And why is that, based on your
24 understanding?

25 A So the property is currently in the

1 rural residential zone, where auto towing and
2 sale of used cars are not permitted uses. Based
3 on -- based on my research into this property and
4 the information received from park and planning
5 staff, the property has always been zoned rural
6 residential since 1961, when the -- when the
7 zoning code first went into effect on the
8 property.

9 So in 1967, when the permit was issued,
10 the -- the auto towing and used car sales would
11 have, at that time, already not been permitted
12 uses. It's for that reason that the park and
13 planning staff asserted that the permit was
14 issued in error.

15 Again, based on some of the prior testimony,
16 the Hofmann Brothers Towing appears to have been
17 operating before 1967, but we don't really have
18 any -- any documentation to prove specifically
19 when it was established. The Use and Occupancy
20 Permit doesn't say that when it was issued, it
21 was already a non-conforming use. So we are --
22 we are moving forward on the basis that the
23 permit was issued in error.

24 Q Right in front of you, what's in the
25 record as item No. 16, do you recognize this

1 exhibit?

2 A Yes, I do.

3 Q And what is this exhibit?

4 A This exhibit is the most recent deeds
5 for the -- the property. Two of them are from
6 2011, and they conveyed the property from Naomi
7 Hofmann and Gilbert Lee Hofmann, Sr. Or sorry,
8 they -- they conveyed the property from Gilbert
9 Lee Hofmann, who was the personal representative
10 of the estate of Naomi Hofmann.

11 And -- excuse me. Sorry. Yes. Gilbert --
12 Gilbert Lee Hofmann, who was the personal
13 representative of the estate of Naomi M. Hofmann
14 was the grantor. And both he himself and the --
15 the residuary trust of Naomi M. Hofmann were the
16 grantees.

17 Q So before these deeds were issued, was
18 the property originally owned by Gilbert Lee
19 Hofmann and Naomi Hofmann?

20 A Yes, it was.

21 Q And eventually after they passed away,
22 the properties were transferred to their heirs
23 and their trust?

24 A Yes, they were.

25 Q And is it your understanding that these

1 transfers are what necessitated a new Use and
2 Occupancy Permit?

3 A That is correct.

4 Q And after applying for the Use and
5 Occupancy Permit, is that the first time you were
6 told by anybody at park and planning or DPIE that
7 you would not be able to certify this as a non-
8 conforming use without filing this request?

9 A That's also correct. The -- in order
10 to certify the property as non-conforming, the
11 property would have had to be a conforming use
12 under the zoning at a prior point in time.

13 And then we would have had to demonstrate
14 that the use was continually operating since the
15 date it became non-conforming. But since the
16 uses have been non-conforming, since the very
17 earliest permit, there is no way to certify it as
18 non-conforming.

19 Q Did you review and personally
20 contribute to the drafting of the statement of
21 justification that's in the record as item No. 4?

22 A Yes, I did.

23 Q And is that the statement of
24 justification that I'm referring to?

25 A Yes, it is.

1 Q And this statement of justification was
2 drafted in support of this subject request to
3 validate the 1967 permit; is that correct?

4 A Yes, it was.

5 Q Are you willing to adopt this statement
6 of justification as your own?

7 A I am.

8 Q And in your expert opinion, and to a
9 reasonable degree of professional certainty,
10 based on all the records that you've reviewed in
11 preparing for this hearing, I'm going to ask you
12 a few questions. Did you see any evidence that
13 the 1967 Use and Occupancy Permit was procured
14 through fraud or misrepresentation?

15 A I did not.

16 Q Did you see any evidence of any appeal
17 or controversy regarding the issuance of this Use
18 and Occupancy Permit?

19 A I did not.

20 Q Does it appear that the applicant has
21 acted in good faith on the issuance of the 1967
22 Use and Occupancy Permit?

23 A They have, yes. Based on their
24 testimony today as to all of the investments they
25 have made in the property.

1 Q And lastly, will the validation of this
2 1967 Use and Occupancy Permit adversely affect
3 the public interest or the health, safety, or
4 welfare of county landowners and residents?

5 A In my opinion, it will not. The --
6 although the property is still zoned rural
7 residential, the character of the neighborhood
8 over time has changed considerably since the
9 1960s.

10 Although there are some nearby residential
11 properties, you've also seen the office building
12 across the street, the gas station, and the used
13 car -- and the park and ride lot that are also in
14 the vicinity. Currently, the property is really
15 a commercial property in a commercial area, so
16 allowing it to continue would not be a
17 substantial change.

18 MR. HIJAZI: Thank you, Mr. Diaz-
19 Campbell.

20 Madame Examiner, that's all we
21 have for this witness.

22 MS. MCNEIL: Thank you, sir.

23 MR. HIJAZI: Madame Examiner, if
24 there is anybody from the Hofmann family online,
25 we'd like to have them testify very, very

1 briefly. Otherwise, I think we are done.

2 MS. MCNEIL: Is there anyone from
3 the Hofmann family online that would like to
4 offer some testimony? I don't think there's a
5 chat. Please unmute if you'd like to testify.
6 Thank you very much.

7 Any other witnesses?

8 MR. HIJAZI: That's all, Madame
9 Examiner. We'd respectfully request the
10 validation of the 1967 Use and Occupancy Permit,
11 and certification of the uses included in that
12 permit as certified nonconforming uses.

13 MS. MCNEIL: There was something
14 in the record that you wanted the terms to be
15 changed --

16 MR. HIJAZI: Yes.

17 MS. MCNEIL: -- to match what's in
18 the code today. And maybe if this is approved,
19 we'll just address it by mentioning both. It
20 was, and how the most similar use is. Do you
21 recall where that -- I don't recall where that
22 was.

23 MR. HIJAZI: Yes. Yes. Yes.
24 Yes. So the 1967 Use and Occupancy Permit has
25 uses that are labeled as -- sorry. Just find it

1 real quick. Operating towing service and used
2 car lot under today's zoning ordinance. I
3 believe the closest equivalent uses to the ones
4 in the 1967 Use and Occupancy Permit would be
5 vehicle towing and wrecker service, and personal
6 vehicle sales. That's quoting verbatim from the
7 current zoning ordinance.

8 MS. MCNEIL: And I'll take a
9 proffer from you, because if someone mentioned
10 it, I didn't get it. But were there wrecker
11 services originally or just towing?

12 MR. HIJAZI: Yes, it was even
13 included on this. It says to operate towing
14 service and used car lot. And here, I believe it
15 says on the other sheet, it says to operate
16 towing wrecked vehicle and sale of used cars.
17 That's the same Use and Occupancy Permit; it's
18 just referred to in different ways.

19 MS. MCNEIL: And I thank you all
20 for being here today and bearing with us, and I
21 would ask that the record will remain open for
22 some invoices showing the reliance on the permit
23 over the years, including the lease.

24 MR. HIJAZI: The lease and the CV
25 of Mr. Diaz- Campbell.

1 MS. MCNEIL: Yes.

2 MR. HIJAZI: And the -- our only
3 request to us to the items in the record is, we
4 would like No. 15 stricken.

5 MS. MCNEIL: The historic aerial
6 imagery.

7 MR. HIJAZI: Yes. But everything
8 else is fine, and we'd request that all of those
9 items remain in the record.

10 MS. MCNEIL: Actually, isn't that
11 there to show that it's pretty much in the same
12 location?

13 MR. HIJAZI: It is, it is. Yeah.

14 MS. MCNEIL: So if you're not
15 truly opposed, I think I should leave that in the
16 record for the council.

17 (Exhibit marked Applicant 1-20 was
18 admitted into the record.)

19 MR. HIJAZI: That's fine. That's
20 fine. Yes.

21 MS. MCNEIL: We'll keep the record
22 as is, and whenever you're ready, but do you
23 think maybe in the next two weeks or so you
24 would --

25 MR. HIJAZI: Yes.

1 MS. MCNEIL: -- get it in?

2 MR. HIJAZI: Yes, definitely.

3 MS. MCNEIL: Okay, the --

4 MR. HIJAZI: For the three items.

5 MS. MCNEIL: For the record, I

6 didn't say three items. I said an invoice.

7 MR. HIJAZI: Uh-huh.

8 MS. MCNEIL: And --

9 MR. HIJAZI: The lease.

10 MS. MCNEIL: The lease.

11 MR. HIJAZI: The CV.

12 MS. MCNEIL: But the invoices, I

13 don't want one. I want a couple of things.

14 MR. HIJAZI: Yes, yes, yes. Oh,

15 yeah, yeah.

16 MS. MCNEIL: Okay. So you're just

17 thinking of them all grouped together.

18 MR. HIJAZI: Yes. Yes. Yes.

19 MS. MCNEIL: I got you. Okay.

20 Then I thank you all for being here today.

21 MR. HIJAZI: Thank you, Madame

22 Examiner.

23 MS. MCNEIL: And good to see you

24 and your co-council, who was very quiet and kept

25 things moving, we appreciate that. You all have

1 a great day.

2 (Whereupon, the proceedings were
3 concluded.)

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1 C E R T I F I C A T E

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4 I, Marielle Arnreich, certify that the foregoing
5 transcript is a true and accurate record of the
6 proceedings.

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A handwritten signature in dark ink, appearing to read 'MA Arnreich', is written over a horizontal line.

11 MARIELLE ARNREICH

12

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18 Date: June 27, 2025

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