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OFFICE OF THE ZONING HEARING EXAMINER
FOR PRINCE GEORGE'S COUNTY

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KENT VILLAGE, LLC : Case No. ERR-285
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A hearing in the above-entitled matter was held on
January 12, 2022, at the Prince George's County Office of
Zoning, Zoning Hearing Examiners Office, Third Floor, Largo,
Maryland 20774 before:

Joyce Nichols
Hearing Examiner

A P P E A R A N C E S

On Behalf of the Applicant:

Lisa Jackson-Edwards, Esq.

* * * * *

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MS. NICHOLS: All right. Good morning, everybody.
It is the 12th of January.

AUTOMATED SPEAKER: This conference will now be
recorded.

MS. NICHOLS: Good morning, everybody. It is the
12th of January. We are in a continuation of a hearing on
ERR-285 for Kent Village. This hearing was continued from
November 10, 2021, and the primary reason for the
continuance was for the inclusion into the record of some
additional documents. We are in receipt of a large number
of documents. They have been listed on the exhibit sheet.
And, Ms. Jackson, it's your case.

MS. JACKSON-EDWARDS: Okay. Great. Thank you.
Good morning, everyone. Before I give a brief opening
statement, I wanted to clear up a couple of housekeeping
items. As you mentioned, this is a continued hearing and we
just want to make sure that this is the testimony that was
given on the 10th, stands on the record, or do we need to
re-examine the witnesses that we had last time, or --

MS. NICHOLS: Only to the extent that you might
need with regards to your new exhibits.

MS. JACKSON-EDWARDS: Right.

MS. NICHOLS: Everything was heard on the 10th and
brought into the record on the 10th. Those are all in the

1 record now. So, we're just starting --

2 MS. JACKSON-EDWARDS: Okay.

3 MS. NICHOLS: -- this, the new exhibits that
4 you've submitted since that date and any testimony that you
5 want to give with regards to those exhibits.

6 MS. JACKSON-EDWARDS: Okay. Great. Thank you.
7 So, we'll try to limit the witnesses to address an issue
8 that remained outstanding.

9 MS. NICHOLS: Right. Exactly.

10 MS. JACKSON-EDWARDS: Okay. And also, one other
11 thing on the exhibit list, we had, would, I would like to
12 ask that at the conclusion of this hearing that we hold the
13 record open. There was one thing that we submitted back on
14 November 2nd which is the original use and occupancy
15 application that was filed on April, in April 2020. Since
16 that's one of the criteria for approval, the submission of
17 an application, I'd like to just for the record submit that
18 so that it's in the, in the file following the hearing.

19 MS. NICHOLS: Do you know the date on that?

20 MS. JACKSON-EDWARDS: I'm sorry?

21 MS. NICHOLS: Do you know the date on that, or
22 just 2021?

23 MS. JACKSON-EDWARDS: The date that, the date that
24 we submitted it or --

25 MS. NICHOLS: The date that, yeah, that you

1 submitted it?

2 MS. JACKSON-EDWARDS: It was November 2nd.

3 MS. NICHOLS: No, I'm sorry, the document that you
4 want to put in, the original application, do you know the
5 date of that?

6 MS. JACKSON-EDWARDS: Oh, that it was filed, that
7 the use and, U&O application was filed was April --

8 MS. NICHOLS: Right.

9 MS. JACKSON-EDWARDS: -- 2020. I can give you the
10 exact date.

11 MS. NICHOLS: 4/2020? Okay. Keep the record open
12 for the U&O application of April 2020. Yep, okay.

13 MS. JACKSON-EDWARDS: And then, and then also, one
14 other thing. I'd like to submit my revised justification
15 statement with exhibit numbers, references added in, if
16 that's okay? Just, hopefully, to make it easier to have you
17 consider the matter.

18 MS. NICHOLS: Sure. Let me see, 35, you want to
19 submit a revised, a revised 35?

20 MS. JACKSON-EDWARDS: Revised justification
21 statement.

22 MS. NICHOLS: Right. Right.

23 MS. JACKSON-EDWARDS: That's right.

24 MS. NICHOLS: Right now, 35 is a revised, but
25 you're going to revise it again? So, okay. So --

1 MS. JACKSON-EDWARDS: Yes. So, I just thought it
2 would be helpful to put the new exhibit numbers in. If
3 that, if it's not helpful, then --

4 MS. NICHOLS: Nope, perfect. So, Betty, when we
5 get that, we'll just substitute it for Exhibit 35.

6 MS. JACKSON-EDWARDS: Okay. Great. Thank you.

7 MS. NICHOLS: Uh-huh.

8 MS. JACKSON-EDWARDS: All right. Well, thank you.
9 So, to recap, at the conclusion of the hearing in November,
10 you asked us to make sure the record included revised floor
11 plans that show with specificity and definitively the number
12 of units for which the Applicant is seeking certification;
13 and you want a clear outline on the floor plans of any and
14 all other uses in the building, including the rental office.
15 You asked for additional information and the Zoning Hearing
16 Examiner asked for additional information documenting the
17 payment of utility bills for three randomly selected
18 buildings over a 5-year period. We've submitted that. And
19 you asked for documents that show the history of the
20 Applicant's ownership of the property and the company's
21 corporate structure that Ms. Gabrielle Duvall outlined in
22 great detail at the last hearing.

23 So, we, we made effort to ensure that also that
24 the site survey and photos of the property are all clearly
25 in the record, as well as the maintenance expenses that we

1 testified to at the last hearing. There were a couple of
2 outstanding questions about the address of the rental office
3 and the circumstances that surrounded the Applicant's
4 decision to request a revised, a Use and Occupancy Permit in
5 April 14, 2020; and discrepancy between the address for the
6 rental office listed on the previously issued U&O and the
7 actual address of the rental office, we're prepared to
8 address all of those issues, outstanding items today.

9 MS. NICHOLS: Okay.

10 MS. JACKSON-EDWARDS: So, I'll give a brief
11 opening statement just to -- and then we'll get into it with
12 the, with the witnesses. As you're aware, on or around June
13 30, 2021, the Applicant Kent Village, LLC, submitted an
14 application for validation of a permit issued in error for
15 the 810 residential dwelling units that make up the Kent
16 Village townhomes and apartments located at 5707 Hawthorne
17 Avenue in Landover, Maryland.

18 In the Applicant's case today, we'll have three,
19 potentially four witnesses are prepared to testify to the
20 elements required to be met by Section 27-258 of the Prince
21 George's County Zoning Ordinance in order for the ZHE to
22 recommend approval of the application. At the November
23 hearing on this matter, the witness provided testimony that
24 the Applicant purchased the property, already a listing
25 property, in 1972 which was already in use then as a rental

1 apartment complex with 810 units since approximately the
2 late 1940s or early 1950s with the intent to use the
3 property in the same manner and with the belief that the
4 property was the subject of a valid Use and Occupancy
5 Permit.

6 The Applicant provided evidence that the property
7 has been continuously used through its ownership as a multi-
8 family rental apartment complex with regular maintenance and
9 upkeep, but no substantial changes to the use or
10 configuration. The Applicant provided evidence that it has
11 operated the property in good faith under Use and Occupancy
12 permits that was issued by Prince George's County in 1975;
13 that it had received multiple, multi-family rental housing
14 licenses for 810 units as far back as 1984. The Applicant
15 submitted evidence in the form of memorandums from Park and
16 Planning and the Department of Permitting in Section and
17 Enforcement that it does not meet the definition of a non-
18 conforming use and, therefore, is the proper subject of a
19 permit of an application for validation of a permit issued
20 in error; and we submitted evidence into the record of
21 correspondence with the County Department of Permitting,
22 Inspections and Enforcement that they have searched and
23 because of the age of the property, found no records of
24 permits of any kind relating to the subject property.

25 Finally, the Applicant provided the testimony of

1 the long-time property manager of Kent Village townhomes and
2 apartments, Andre Jenifer, and accompanying exhibit that
3 show that there is no evidence that there was fraud engaged
4 in in obtaining the original Use and Occupancy Permit, or
5 the license. There's no evidence that there was any
6 controversy, fraud or appeals pending at the time the permit
7 and licenses were issued; and the Applicant has made
8 significant expenditures in good faith that, reliance that
9 it was operating with a valid permit to the tune of more
10 than \$10 million in improvements to the property in the last
11 five years; 15 million on real estate taxes; 126 in property
12 tax payments in the last 10 years; \$50 million in debt
13 service over the last 31 years.

14 Through Nancy Cullum, utility specialist for
15 Southern Management, the Applicant provided testimony at the
16 last hearing regarding the thousands of dollars that have
17 been spent on utilities for Kent Village over the past
18 several years and her request of the People's Zoning
19 Council, the Applicant submitted specific records of
20 Washington Gas, Pepco and WSSC utility payments for three
21 buildings in the complex over the past five years; and Ms.
22 Cullum is prepared to provide testimony on those records
23 today that show the specific evidence of the actual bills
24 paid.

25 And, last, before we get into the witnesses, the

1 Applicant demonstrated at the last hearing through the
2 testimony of Gabrielle Duvall, who is the executive vice
3 president and general counsel at Southern Management
4 Companies, about the numerous programs and services provided
5 to residents at Kent Village and the fixture that Southern
6 Management and Kent Village had been in the County community
7 for decades which makes approval of the application not
8 against the public interest. She further testified to the
9 role Kent Village played in the full Southern Management
10 portfolio and testified to the inclusion of Kent Village in
11 the, in the Southern Management portfolio loan and its use
12 as, for cross-collateralization of the company's loan, which
13 makes Kent Village the lynchpin to the company's massive,
14 long-standing investment in Prince George's County rental
15 housing community.

16 The testimony previously provided also clearly and
17 overwhelmingly demonstrated the approval of the application
18 is not against the public interest because it merely seeks
19 to validate a use that has been in existence for more than
20 70 years and one that blends in well with the surrounding
21 area.

22 So, we'd like to call Reemberto Rodriguez as the
23 first witness and I, he didn't testify the last time, so I
24 guess he'll need to be sworn-in.

25 MS. NICHOLS: Thank you so much. I was just

1 looking that over. Okay. So, Mr. Rodriguez, can we swear
2 you in please? Would you please raise your right -- thank
3 you so much. Do you solemnly swear or affirm in the matter
4 pending, under the penalties of law, to tell the truth, that
5 you'll be stating the truth, the whole truth and nothing but
6 the truth?

7 MR. RODRIGUEZ: I do.

8 MS. NICHOLS: Thank you. Would you state your
9 name and business address for the record?

10 MR. RODRIGUEZ: My full name is Reemberto
11 Rodriguez, Jr., 9658 Baltimore Avenue, College Park,
12 Maryland 20740.

13 MS. NICHOLS: Thank you.

14 MS. JACKSON-EDWARDS: Okay. Good morning, Mr.
15 Rodriguez. So, can you, you've already stated who you work
16 for. Can you tell us, Southern Management, the, can you
17 tell us Southern Management's relationship to the Applicant,
18 Kent Village?

19 MR. RODRIGUEZ: Southern Management Companies is a
20 property manager for the Applicant, Kent Village, LLC.

21 MS. JACKSON-EDWARDS: Okay. And can you tell us
22 about what you do there?

23 MR. RODRIGUEZ: I am project manager within the
24 procurement development construction division, help oversee
25 construction and capital improvement projects throughout

1 Southern support folio.

2 MS. JACKSON-EDWARDS: Okay. And how long have you
3 been in that position?

4 MR. RODRIGUEZ: Since July 20, July 2018.

5 MS. JACKSON-EDWARDS: Thank you. And are you
6 familiar with the Kent Village townhomes and apartments?

7 MR. RODRIGUEZ: Yes.

8 MS. JACKSON-EDWARDS: Okay. And can you describe --

9 MR. RODRIGUEZ: I guess it's a multi-family rental
10 apartment complex, has four different lots that are labeled
11 A, B, D and F. I believe it's approximately 45 acres;
12 consists of 810 multi-family dwelling units.

13 MS. JACKSON-EDWARDS: Okay. Can we --

14 MR. RODRIGUEZ: No, I think it was just comprised
15 of one and two bedrooms, and some townhomes.

16 MS. JACKSON-EDWARDS: Can you, can we bring up
17 Exhibit 1, or maybe, I don't know if we need to bring it up,
18 but, well, I guess we do. Can we just put it up on the
19 screen real quick just so -- well, okay, if we can't bring
20 it up, but I, are you familiar, Mr. Rodriguez, with the
21 application? It's included in the record as Exhibit 1, and
22 scroll left a little bit.

23 MS. NICHOLS: Is that what you were looking --
24 better?

25 MS. JACKSON-EDWARDS: Can you scroll up a little

1 bit just to show --

2 MS. NICHOLS: Other direction.

3 MS. JACKSON-EDWARDS: Thank you. You can just
4 keep scrolling just so he can just -- I can ask -- okay.
5 That's probably enough. Mr. --

6 MR. RODRIGUEZ: So, we're looking at the --

7 MS. JACKSON-EDWARDS: I, I --

8 MR. RODRIGUEZ: -- we're looking at the
9 application for validation of a permit issued in error, is
10 that correct?

11 MS. JACKSON-EDWARDS: That's right. Okay. And --

12 MR. RODRIGUEZ: I --

13 MS. JACKSON-EDWARDS: Okay. Thank you. That's,
14 that's good. So, you're, you're familiar with that, with
15 that exhibit?

16 MR. RODRIGUEZ: Yes.

17 MS. JACKSON-EDWARDS: And why are you familiar
18 with it?

19 MR. RODRIGUEZ: I was the one that prepared the
20 Use and Occupancy applications in 2020 that led to the
21 filing of said application.

22 MS. JACKSON-EDWARDS: Okay. Now can you provide
23 for us some background information on what necessitated the
24 application and the timeline and history of events leading
25 up to its filing?

1 MR. RODRIGUEZ: Sure. Approximately mid-2020, I
2 believe, in the beginning of, of the pandemic we're
3 currently still in, there was a company-wide push to
4 digitize all our records. In the process, we noticed there
5 was a discrepancy with the address on Kent Village U&O from
6 the, from the 70s. That led us to file the U&O applications
7 that are in question.

8 When those were submitted, we were prompted by
9 Park and Planning to seek non-conforming use because the
10 property no longer meets maximum density requirements of the
11 Zoning Ordinance. When we did, we were finally told the
12 property was not eligible for non-conforming use
13 certification because the property did not meet the parking
14 requirements when first built, which then led us to filing
15 the application for validation of a permit issued in error.

16 MS. JACKSON-EDWARDS: Okay. And in the course of
17 preparation of the current application we're discussing
18 today, did you have occasion to have floor plans of the
19 property prepared?

20 MR. RODRIGUEZ: Yes.

21 MS. JACKSON-EDWARDS: And can we bring up Exhibit
22 6? Oh, okay. So, if it's not 6, then it must be -- it's,
23 the floor plans are listed a few times on here, so it's
24 Exhibit --

25 MS. NICHOLS: Four times, yeah.

1 MS. JACKSON-EDWARDS: -- 45, or 49, they're listed
2 three times in here.

3 MS. NICHOLS: So, your new one --

4 MS. JACKSON-EDWARDS: 45.

5 MS. NICHOLS: -- Ms. Jackson is 49.

6 MS. JACKSON-EDWARDS: I'm sorry? Can we, 45 then?

7 MS. NICHOLS: Your big, big binder.

8 MS. JACKSON-EDWARDS: They're on page 35. The
9 ones we're looking for are the ones, the page 35 of binder
10 two.

11 MS. NICHOLS: I think that's 49. Here we go.
12 What exhibit number is that (indiscernible)?

13 MS. JACKSON-EDWARDS: Okay.

14 MS. NICHOLS: Fatima, what exhibit is that?

15 MS. JACKSON-EDWARDS: I'm sorry.

16 MS. BAH: I'm not sure. Let me see because I just
17 typed in the page number. So, it might be -- yeah, it's 45.

18 MS. NICHOLS: 49?

19 MS. BAH: 45.

20 MS. NICHOLS: 45? Okay. Great, thank you.

21 MS. BAH: Uh-huh.

22 MS. JACKSON-EDWARDS: Okay. All right. So, can
23 we scroll back up to the start of the -- yes, there. Okay.
24 So, Mr. Rodriguez, you're familiar with the, these other
25 floor plans that you have prepared to --

1 MR. RODRIGUEZ: Yes.

2 MS. JACKSON-EDWARDS: -- following the hearing in
3 November? And can you tell me what these floor plans
4 represent?

5 MR. RODRIGUEZ: They represent the units as they
6 currently are.

7 MS. JACKSON-EDWARDS: Okay. And can you walk us
8 through this floor plan and show us how we can see where the
9 810 units are located and explain how --

10 MR. RODRIGUEZ: Sure.

11 MS. JACKSON-EDWARDS: -- show 810 units?

12 MR. RODRIGUEZ: If you go to, I guess I'm going to
13 be referencing sheet numbers as shown on the exhibit. So,
14 CS1.1, which is the, it's the next sheet down, it has all
15 the different colors, and that lists --

16 MS. JACKSON-EDWARDS: Okay. Can -- can we scroll
17 down one page, the, the sheet with multiple colors --

18 MS. NICHOLS: I see the document and I understand
19 that if I click on any one of these units, it will get me to
20 the floor plan, I understand that.

21 MS. JACKSON-EDWARDS: Okay. So, we can move on
22 then? Okay.

23 MS. NICHOLS: Right. Right. So, so, so,
24 basically, let me shortcut this a little bit for you. So,
25 Mr. Rodriguez, you prepared this document?

1 MR. RODRIGUEZ: I'm sorry?

2 MS. NICHOLS: You prepared this document?

3 MR. RODRIGUEZ: With the help of the architect
4 NKKM, yes.

5 MS. NICHOLS: Right, okay, but you, you compiled
6 the document, and the document --

7 MR. RODRIGUEZ: Yes.

8 MS. NICHOLS: -- is the floor plans as they exist
9 today of every floor of every building in the complex?

10 MR. RODRIGUEZ: Correct.

11 MS. NICHOLS: Thank you very much.

12 MS. JACKSON-EDWARDS: Okay. And other than the
13 dwelling units and, and the leasing office, well, can we,
14 can we scroll down and, so that the Examiner can see where
15 the leasing office is located? That is --

16 MR. RODRIGUEZ: It should be sheet A2.1.

17 MS. JACKSON-EDWARDS: So, if we just get up one,
18 go up one, one page? Yeah. There we go. And can you, can
19 you explain that configuration?

20 MR. RODRIGUEZ: Sure. So, the, the leasing office
21 is identified there. The address of the leasing office is
22 6707 Hawthorne and it is in, broken out and shown in greater
23 detail down in the bottom left-hand corner of the, of the
24 page.

25 MS. NICHOLS: Give me the address again, please.

1 MR. RODRIGUEZ: 6707 Hawthorne.

2 MS. NICHOLS: 6707. Thank you.

3 MR. RODRIGUEZ: And it is, it's the ground level
4 of 6710. If you continue down to sheet A2.2, you'll note
5 that the unit above, above the leasing office are addressed
6 as 6710.

7 MS. NICHOLS: And what, I couldn't, you crackled
8 out. You said A dash what?

9 MR. RODRIGUEZ: Just the next sheet down, A2.2 --

10 MS. NICHOLS: Thank you.

11 MR. RODRIGUEZ: -- which is the next level of that
12 building.

13 MS. NICHOLS: Okay.

14 MR. RODRIGUEZ: And it has all the units labeled
15 with their addresses in it and --

16 MS. NICHOLS: Thank you.

17 MS. JACKSON-EDWARDS: So, the physical address,
18 the physical space, 5710, but the mailing address is 6707,
19 is that correct?

20 MR. RODRIGUEZ: Yes.

21 MS. JACKSON-EDWARDS: I'm sorry, I didn't -- did
22 you answer that, I'm sorry, Mr. Rodriguez?

23 MR. RODRIGUEZ: Yes, 6707 --

24 MS. JACKSON-EDWARDS: Okay.

25 MR. RODRIGUEZ: -- is the bottom in the backside

1 of 6710.

2 MS. JACKSON-EDWARDS: Okay. I just want to make
3 sure that's, that's clear. So, other than the rental
4 dwelling units and the leasing office, what other uses are
5 located in the building and can you take us through what
6 they are?

7 MR. RODRIGUEZ: I mean there's some maintenance
8 shops, laundry rooms, some storage areas, as well as a, a
9 youth center in one of the buildings.

10 MS. JACKSON-EDWARDS: And, Madam Examiner, would
11 you like for him to take us through where that is, you know,
12 so that you can see all that -- okay. Okay.

13 MS. NICHOLS: No, I accept his affirmation that
14 they are on the document.

15 MS. JACKSON-EDWARDS: Okay. And, Mr. Rodriguez,
16 do the plans, in your opinion, as having helped to prepare
17 them, fully and accurately show all uses on each floor in
18 each of the buildings on the, in the facility, in the
19 complex?

20 MR. RODRIGUEZ: They do, yes.

21 MS. JACKSON-EDWARDS: Okay. Thank you very much.
22 Okay. That concludes my questioning for Mr. Rodriguez.

23 THE COURT: All right. I don't have any further
24 questions. I thank you very much.

25 MS. JACKSON-EDWARDS: Okay. Madam Examiner, my

1 next witness on deck is Andre Jenifer, who is the property
2 manager at Kent Village. He testified previously. I
3 believe, I wasn't sure if you might want to see some of the
4 photos of the property again, and so he's prepared to walk
5 through that. He did that last time, but I just want to
6 make sure you --

7 MS. NICHOLS: Thank you very much for the
8 opportunity. I have reviewed the new photos and I will
9 accept, since Mr., sorry, Mr. Jenifer remains under oath, I
10 will accept his affirmation that they are true and correct
11 from the date taken, which was fairly recent.

12 MS. JACKSON-EDWARDS: Okay.

13 MS. NICHOLS: Mr. Jenifer, is that correct?
14 Jenifer, I'm sorry, Mr. Jenifer.

15 MS. JACKSON-EDWARDS: Mr. --

16 MR. JENIFER: Yes, that is correct.

17 MS. NICHOLS: Thank you.

18 MS. JACKSON-EDWARDS: Thank you, Madam Examiner.
19 Okay. So, the next witness would be Ms. Nancy Cullum, who
20 as you will recall was accepted at the November hearing as
21 an authenticator of the business record. It's included on
22 Exhibits 26 through 28; and she doesn't need to be sworn
23 again, I guess.

24 MS. NICHOLS: No, she can, she continues under
25 oath and her participation today is to affirm that the

1 bills, which are Exhibits 50 through 52, are true and
2 correct copies of bills received and paid by the County?

3 MS. JACKSON-EDWARDS: That's right?

4 MS. NICHOLS: Is that correct, Ms. Cullum? I need
5 you to speak.

6 MS. CULLUM: Yes, I wasn't sure who that was for.

7 MS. NICHOLS: Yeah. Yeah.

8 MS. CULLUM: Yes, I did provide those copies of
9 invoices that we've paid at the property.

10 MS. NICHOLS: Okay. I accept your affirmation.

11 MS. CULLUM: Thank you.

12 MS. NICHOLS: Thank you. Okay.

13 MS. JACKSON-EDWARDS: And Ms. Duvall is, if you
14 want to similarly affirm your prior testimony from the last
15 hearing?

16 MS. DUVALL: Yes, ma'am.

17 MS. JACKSON-EDWARDS: Great. So, I guess that's
18 our witnesses. I would request that all of the exhibits in
19 the record be admitted into evidence. I want to thank you,
20 Madam Examiner. Well, first, I want to -- did you have any
21 other questions or -- okay. Well, I want to thank you --

22 MS. NICHOLS: No.

23 MS. JACKSON-EDWARDS: -- for giving us the
24 opportunity to present our case. I respectfully urge you to
25 give a recommendation of approval through the evidence

1 presented in November and today. It's clear that the
2 application meets the criteria for approval of validation of
3 a permit issued in error. The Applicant has taken all other
4 procedural steps required by law and then some for approval
5 of the application. There's no evidence that there was any
6 fraud or misrepresentation in obtaining the permit. There's
7 no evidence that there was any appeal or controversy pending
8 before anybody at the time it was issued. The governmental
9 authorities, including Park and Planning and DPIE, agreed
10 that the application is not the proper subject of a non-
11 conforming use application.

12 As you saw, the Applicant presented an abundance
13 of evidence as to money spent in good faith reliance. The
14 permit was valid. The property has been in existence for
15 more than 70 years, longer than most of us have been alive,
16 and the Applicant has operated it for more than 45 years in
17 good faith; and, and that's bolstered by the fact that the
18 County has on at least two documented occasions issued
19 rental housing licenses for the property, most recently in
20 2019.

21 Under the Applicant's ownership, Kent Village has
22 been a safe, affordable, well-maintained and comfortably,
23 comfortable multi-family housing complex that many Prince
24 Georgians have called home for many years. We have an
25 affidavit from a long-time resident in the file. They've

1 been a true and committed partner in the County community
2 and approval of the application would most assuredly be in
3 the public interest.

4 I would just note, too, that it's not clear where
5 we would go from here. If the application were not
6 approved, we've pretty much taken all the steps that the
7 County has put before us and we've done it, you know, in, in
8 good faith and want to be good community members and make
9 sure that, you know, everything is properly permitted.

10 I'll also note that there's precedent for approval
11 in situations where an applicant was operating under a
12 similar permit, and I would just turn your attention to ERR-
13 275, the decision in that case. It's a very similar
14 circumstance.

15 So, with that, I, that pretty much concludes what
16 we have to present today.

17 MS. NICHOLS: All right. Thank you very much.
18 The hearing in this matter will deem to be concluded. The
19 record will be held open for two documents. One is the
20 (indiscernible) of application dated April 2020 which stated
21 this whole process; and, secondly, is a revised Exhibit 35
22 which will contain the exhibit numbers, and we will
23 substitute that for the existing 35. So, upon receipt of
24 both those documents, the record will be closed and a
25 decision will be forthcoming. And I thank you all for

1 coming.

2 MS. JACKSON-EDWARDS: Thank you so much.

3 MS. DUVALL: Thank you, Madam Examiner.

4 MS. NICHOLS: Have a good day. Thank you,
5 everyone.

6 MS. CULLUM: Have a great day.

7 MS. NICHOLS: Stay safe. Stay safe. Stay
8 healthy, live your lives.

9 MS. JACKSON-EDWARDS: All right. You do the same.

10 MS. NICHOLS: Okay, thanks.

11 MS. JACKSON-EDWARDS: Bye-bye.

12 MS. NICHOLS: Bye-bye.

13 MS. CULLUM: Thank you.

14 AUTOMATED SPEAKER: This conference is no longer
15 being recorded.

16 (Whereupon, the hearing was concluded.)

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C E R T I F I C A T E

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DEPOSITION SERVICES, INC., hereby certifies that
the attached pages represent an accurate transcript of the
electronic sound recording of the proceedings before the
Prince George's County Office of the Zoning Hearing Examiner
in the matter of:

KENT VILLAGE, LLC
Case No. ERR-285

By:



Tracy Hahn, Transcriber