1	OFFICE OF THE ZONING HEARING EXAMINER
2	FOR PRINCE GEORGE'S COUNTY
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6	HOFMANN BROTHERS INC. : Case No. ERR-001-2025
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10	A hearing in the above-entitled matter
11	was held on August 19, 2025, at the Prince
12	George's Office of Zoning, Third Floor Hearing
13	Room 3-015, Largo Maryland 20774, via Zoom
14	videoconference before:
15	Maurene McNeil
16	Hearing Examiner
17	
18	
19	Transcribed by: Lori Coen
20	eScribers, LLC
21	Phoenix, Arizona
22	000
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2	<u>PROCEEDINGS</u>
3	MS. MCNEIL: Okay. Good morning
	everyone. I'm Maurene McNeil. I'll be the
4	hearing examiner today. And it is August 19th,
5	2025. We're here on the case ERR-001-2025, a
6	request by Hofmann Brothers Used Cars to validate
7 8	permit U14196, believed to have been issued in
9	error.
10	This is our third hearing. Our
	first was June 18th, and at the end of that, we
11	determined we needed another. So we met on 7/16,
12	and there was, like, a joint request for
13	continuance, because Mr. Harrah and I hope
14	I'm he'll tell me how if I'm saying his
15	name correctly needed one, he couldn't hear us
16	
17	properly. And then the applicant needed one as
18	well. So this is the continuance date of
19	8/19/2025.
	If counsel would identify
20	themselves for the record.
21	MR. HIJAZI: Good morning, Madam
22	Examiner. This is Abdullah Hijazi here on behalf
23	
24	of the petitioner.
25	MR. MARCUS: Yeah. And if

- 1 police tribunal, Bruce Marcus, along with Mr.
- 2 Hijazi, also on behalf of applicant.
- 3 MR. BROWN: Stan Brown, People's
- 4 Zoning Counsel.
- 5 MR. HIJAZI: Madam Zoner, you're
- 6 muted again.
- 7 MS. MCNEIL: Is there anyone here
- 8 opposed to this request?
- 9 Okay. So Mr. Banks, is Mr. Harrah
- 10 with you?
- MR. BANKS: Yes, he is.
- MR. MCNEIL: So can you get him to
- 13 come up? I need to know whether he's opposed or
- 14 he just wanted to tell us something about the
- 15 case and isn't opposed.
- MR. BANKS: Mr. Harrah.
- MS. MCNEIL: Mr. Harrah.
- 18 MR. HARRAH: I'm still having
- 19 trouble.
- 20 MS. MCNEIL: I see you. So state
- 21 your name for the record, sir.
- MR. BANKS: State your name.
- MR. HARRAH: Thomas Harrah.
- MS. MCNEIL: And Mr. Harrah, are
- 25 you opposed to this request or you just wanted to

- 1 give some testimony?
- MR. HARRAH: I'm speaking, but I'm
- 3 getting interference here from two different
- 4 directions of sound. I'm sorry. Try to adjust
- 5 it. Try again. Okay. Thomas Harrah.
- 6 MS. MCNEIL: Okay. And are you
- 7 opposed to this request?
- MR. HARRAH: I don't hear opposed,
- 9 but -- is she muted? I can't hear Maurene.
- 10 UNIDENTIFIED SPEAKER: Can you
- 11 hear him?
- MS. MCNEIL: I couldn't hear an
- 13 answer to, is he opposed to this request?
- MR. BANKS: No. She's talking.
- 15 We can't hear. Sort of just like, a -- yeah --
- 16 about right there.
- 17 Maurene, can you speak again?
- MS. MCNEIL: Mr. Harrah, are you
- 19 opposed to the request?
- MR. HARRAH: No.
- 21 MS. MCNEIL: Okay. You just want
- 22 to give some testimony. All right. Hold one
- 23 second.
- So Mr. Hijazi, could you just give
- 25 a brief description of why we're here --

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1 MR. HIJAZI: Yeah.
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- 2 MS. MCNEIL: -- just to remind us?
- 3 And then we'll let -- then we'll swear in Mr.
- 4 Harrah. Thank you.
- 5 MR. HIJAZI: So briefly, the
- 6 Hoffman Brothers Towing and Used Car lot was
- 7 actually started, from what we can tell, in the
- 8 early 1950s, if not earlier. The last U&O issued
- 9 was U&O permit issued in 1967. And that U&O
- 10 permit actually appears to predate -- or the use
- 11 actually appears to predate the zoning code in
- 12 the county. So when we tried to renew the use
- 13 and occupancy permit as a nonconforming use, Park
- 14 & Planning was unable to renew the permit -- or
- 15 certify it as a nonconforming use, because they
- 16 could not trace it back to a time where it
- 17 actually met the requirements of the zoning code.
- The only path to compliance that
- 19 we were able to find was filing this request to
- 20 validate the permit as a permit believed to be
- 21 issued in error. And that's why we're here
- 22 today.
- MS. MCNEIL: Thank you.
- 24 Mr. Harrah?
- MR. HARRAH: Yes.

- 1 Whereupon,
- THOMAS HARRAH,
- 3 a witness called for examination by counsel for
- 4 the County, was duly sworn, and was examined and
- 5 testified as follows:
- 6 MS. MCNEIL: So state your name
- 7 and address again, and then tell us what you
- 8 would like to talk about concerning this case.
- 9 MR. HARRAH: My name is Thomas
- 10 Harrah. I reside at 15612 Mews Court, Laurel,
- 11 Maryland, directly behind the Hofmann's property.
- MS. MCNEIL: And what did you want
- 13 to say about this request?
- 14 MR. HARRAH: Okay. I am concerned
- 15 that all of the information is not getting out
- 16 regarding the property and the businesses
- 17 conducted there. I moved to the property in
- 18 September of 1992, and the sales lot was a very
- 19 small area. And then in December of '92, I
- 20 believe it was, they brought in a large sales
- 21 trailer and parked it along the property line
- 22 between Mews Court and the Hofmann property.
- Then the parking lot was expanded.
- 24 They paved with asphalt a section of the parking
- 25 lot in front of the sales trailer, and then a

- 1 second time they did additional pavement just
- 2 slightly below the sales trailer. And apparently
- 3 there was no consideration given to runoff of
- 4 water or whatever onto our property. Our
- 5 property sits lower than the Hofmann's property,
- 6 and the addition of the gravel parking lot in the
- 7 asphalt has created more of a runoff in the area.
- 8 And I don't know specifically
- 9 whether it's related to the runoff or what, but
- 10 we are losing the strip of wooded area between
- 11 the two properties. There is a line of white
- 12 pine trees on the Mews Court side of the
- 13 property, and in recent years we have lost a
- 14 total of twelve pine trees, due to whatever
- 15 reason. I suspect it's probably contaminated
- 16 soil from the gas and oil that drains off with
- 17 the water into our property.
- 18 And we cannot replace the pine
- 19 trees, or any trees for that matter, to rebuild
- 20 the buffer between the two properties, because
- 21 Comcast has utility lines running along where the
- 22 tree line is. So we cannot dig out stumps and
- 23 replace the trees, according to our landscaper,
- 24 because the utility line that is there. So we
- 25 are losing our buffer.

- 1 And the houses adjacent to the
- 2 Hofmann property look right into the area of the
- 3 sales lot and the storage lot on the north side
- 4 of the property. And also, it was mentioned that
- 5 there are other businesses in the area, but I
- 6 believe that the other businesses being the bank,
- 7 a gas station, and so forth, is on the south side
- 8 of Sandy Spring Road, and those are within the
- 9 City of Laurel under their zoning requirements
- 10 and not Prince George's County.
- 11 And then in the matter of the
- 12 runoff, in the northeast corner of the property
- 13 there is an open storm drain. And that area
- 14 where the water drains in has a rusty orange
- 15 color to it, slimy, gooky stuff, in the open
- 16 drain.
- Now, that may not be visible at
- 18 present due to the vegetation in the area, and
- 19 the amount of water that we had may have flushed
- 20 some of it out, but I don't know where that
- 21 contamination is coming from. But it is rusty,
- 22 slimy-looking water that drains into that area.
- 23 So I would like to see someone address the issue
- 24 of water runoff and contamination.
- 25 And then another issue is the

- 1 vehicles that are damaged and set on the lot for
- 2 periods of time that mosquitoes breed in them.
- 3 Up until 2019, Maryland Department of Agriculture
- 4 used to come and spray the area for mosquitoes.
- 5 In 2019, we were told there's no point in
- 6 spraying because of the so-called junk cars that
- 7 are stored next door that the mosquitoes breed,
- 8 and the eggs hatch within twenty-four to forty-
- 9 eight hours. So the Maryland Department of
- 10 Agriculture discontinued their spraying for
- 11 mosquitoes in that area.
- 12 And immediately behind the Hofmann
- 13 property on Haines Road and Haines Court, there
- 14 are a number of residents in there. There are
- 15 more homes in that area than there are
- 16 businesses.
- 17 And then at the hearing before,
- 18 there was mentioned that the property is
- 19 surrounded by a fence. I would like the records
- 20 to indicate that the fence on the east side of
- 21 the property between Mews Court and the Hofmann
- 22 property is being maintained by Mews Court in
- 23 most sections. There's two sections of fence.
- 24 We set our fence four inches in from the property
- 25 line when we replace the fence in the mid-1990s.

- 1 And then on the higher level, the Hofmann still
- 2 have their stockade-type fence, which is not in
- 3 great repair, between the two properties.
- 4 And on two different occasions
- 5 their vehicle has backed into our section of the
- 6 fence and damaged it. The first time they
- 7 repaired it. The second time they made no effort
- 8 to repair. And supposedly one of our board
- 9 members attempted to contact the Hofmann family
- 10 regarding the situation and was unsuccessful in
- 11 doing so.
- So we -- or our homeowners
- 13 association replaced four to five sections of the
- 14 property near Sandy Spring Road behind the sales
- 15 lot. And there are other vehicles than cars for
- 16 sale. There's camping trailers stored on the
- 17 lot, cargo containers, and buses, commercial
- 18 vehicles or whatever, that are kind of scattered
- 19 throughout the property. If you look at an
- 20 aerial map from Google or BG&Es lamp -- street
- 21 lamps, you can see the various areas, and you can
- 22 also see oil stains on the parking lot and at the
- 23 entrance of the Hofmann's property.
- But the important thing I wanted
- 25 to mention -- make certain that they are aware of

- 1 it is the runoff. And apparently there was no
- 2 effort made to install curbs or any type of
- 3 drainage to prevent the runoff onto the Mews
- 4 Court property.
- 5 So that's basically what I wanted
- 6 people to know that is going on with it. And on
- 7 occasion I have noticed men going behind the
- 8 sales trailer and using it for a bathroom. They
- 9 go back there and urinate and then come back out.
- 10 And that's between the sales trailer and the
- 11 fence between Mews Court and the Hofmann
- 12 Property. And that's all I have to say.
- MS. MCNEIL: Thank you.
- 14 Anyone have questions of the
- 15 witness?
- MR. HIJAZI: I do, just briefly,
- 17 Madam Examiner.
- 18 Mr. Harrah, how did you find out
- 19 about the first hearing in this matter?
- MR. HARRAH: There was a sign
- 21 posted near the bus stop on the Hofmann property,
- 22 and I walk that area frequently and drive past
- 23 it. So I noticed the sign, the public sign
- 24 posted there, and then within a day or two, the
- 25 sign was moved from kind of behind the bus stop

- 1 over to the other side of the entrance to the
- 2 Hofmann property near their mailbox.
- 3 MR. HIJAZI: And you've attended
- 4 all three hearings in this matter?
- 5 MR. HARRAH: That is correct. The
- 6 first hearing, there was an audio problem and I
- 7 had computer problems. Plus, as you noticed
- 8 today, I have to move around, because I have a
- 9 hearing loss, and it's difficult dealing with
- 10 electronics and hearing loss.
- 11 MR. HIJAZI: Okay. I'm glad you
- 12 were able to make it. Are you a board member of
- 13 your HOA?
- MR. HARRAH: I do serve on the
- 15 board.
- MR. HIJAZI: In what capacity?
- 17 MR. HARRAH: I'm acting president
- 18 because no one else will accept the duties.
- MR. HIJAZI: Okay. And can you
- 20 tell me about your background? Are you an
- 21 environmental engineer of any type?
- MR. HARRAH: Pardon me?
- MR. HIJAZI: Are you an
- 24 environmental scientist or environmental
- 25 engineer?

- MR. HARRAH: No, no, no, no, no.
- 2 I'm just the person who lives there and sees what
- 3 goes on and hear the news and understand about
- 4 pollution, hazardous waste. And incidentally, I
- 5 would like to mention that the water that drains
- 6 into the drain in the northeast section of the
- 7 property eventually ends up in the Patuxent River
- 8 and eventually into the Chesapeake Bay.
- 9 MR. HIJAZI: So I live on a
- 10 property that's very wooded. And when I -- and I
- 11 have a stream in the back of our woods in the HOA
- 12 property, and when I go out there, I see similar,
- 13 like, yellowish, reddish gunk.
- MR. BROWN: Mr. Hijazi, you cannot
- 15 testify. If you have a question for him, you can
- 16 ask him a question.
- 17 MR. HIJAZI: Yes. I'm just laying
- 18 the foundation. So have you ever tested the any
- 19 of the material that you see in that runoff?
- MR. HARRAH: No, I have not. I
- 21 don't go down into the area where the runoff is
- 22 because it's fenced in and there's poison ivy and
- 23 wildlife there, and I don't want to expose myself
- 24 to contaminants. I have allergies, so I have not
- 25 had it tested.

- 1 MR. HIJAZI: Okay. Fair enough.
- 2 And you also said that you were not sure what
- 3 caused any of the trees to fall, correct?
- 4 MR. HARRAH: I -- I -- no -- I do
- 5 not know -- they didn't fall. We had to have
- 6 them removed because they died. I suspect that
- 7 it is the runoff from the limestone gravel that
- 8 is on the lot. I think it probably has an effect
- 9 on the pH factor in the soil. And we are
- 10 downhill from it, so a great deal of water comes
- 11 across their parking lot under the fence onto
- 12 Arrowhead Mews or Mews Court property.
- MR. HIJAZI: Okay. So that's --
- MR. HARRAH: We have a French
- 15 drain in the back of our houses that runs from
- 16 the first house in our community, which is 15608,
- 17 all the way back to the drain in the northeast
- 18 corner, which would be house number 15634.
- MR. HIJAZI: So --
- 20 MR. HARRAH: And that 15634 house
- 21 is right across from that open drain area.
- MR. BROWN: Okay. So that -- the
- 23 reason for why you think the trees fell or died
- 24 is basically your speculation at this point,
- 25 correct?

- 1 MR. HARRAH: I suspect it does not
- 2 benefit the trees because of the runoff and then
- 3 also in wintertime when he applies salt to the
- 4 roads and the vehicles coming off the road was
- 5 salt all of them, that all of that adds up to
- 6 poor soil conditions for growth of trees.
- 7 MR. HIJAZI: Okay. And so the
- 8 salt from the road could be the salt on Sandy
- 9 Spring Road, correct?
- 10 MR. HARRAH: It could be from
- 11 Sandy Spring Road. It could be from the vehicles
- 12 that they bring in or with the number of vehicles
- 13 that come in and out, the undercarriage of the
- 14 cars and their salt and residue that could
- 15 possibly be on the automobiles.
- MR. HIJAZI: And you're not a
- 17 certified or licensed botanist or arborist,
- 18 correct?
- MR. HARRAH: That is correct.
- MR. HIJAZI: Did you know that
- 21 grading of areas under 5,000 square feet don't
- 22 require a grading permit or stormwater management
- 23 permit in Prince George County?
- 24 MR. HARRAH: I'm not aware of the
- 25 regulations on that. It would just seem a

- 1 neighborly thing to do to take that into
- 2 consideration.
- 3 MR. HIJAZI: And do you know that
- 4 there are permits for site work that were
- 5 actually issued for this property?
- 6 MR. HARRAH: I have no idea the
- 7 permit situation, if one is required or if one
- 8 was applied for. I don't know the circumstances.
- 9 MR. HIJAZI: Okay. Madam Zone,
- 10 that's all I have for this witness. I'm not sure
- 11 if Mr. Marcus or anyone else has any questions
- 12 for him.
- MR. MARCUS: I don't have any
- 14 questions.
- MS. MCNEIL: Okay. Thank you.
- Mr. Brown. Mr. Brown.
- 17 MR. BROWN: Mr. Harrah, I just
- 18 want to explain to you what we're doing here
- 19 today. The applicant has filed for a permit
- 20 issued in error. He is not applying for a
- 21 special exception or a rezoning. Many of the
- 22 issues that you have raised go to determining
- 23 whether or not a property will have an adverse
- 24 impact on adjacent properties. That's a
- 25 requirement related to special exception, not a

- 1 permit issued in error.
- 2 The only issues in a permit issued
- 3 in error case are whether or not the applicant
- 4 received an approved permit from the county in
- 5 error. That is, the permit that was issued in
- 6 this case for some type of vehicle towing and
- 7 wrecker service was not a permitted use at the
- 8 time it was issued and therefore issued an error.
- 9 And if that is the case, then the applicant is
- 10 here to determine it has done nothing improper,
- 11 nothing fraudulent, and it has expended money
- 12 based upon that erroneous permit.
- So those are really the only
- 14 issues we are looking into today. Now, the
- 15 issues you've raised, though, they're not totally
- 16 irrelevant, because when the district counsel
- 17 finally renders its decision on this case, it can
- 18 make certain requirements that impact the issues
- 19 you have raised. But I just want you to know
- 20 today we are not approving the actual rezoning or
- 21 a special exception for this particular use. Do
- 22 you understand that?
- MR. HARRAH: Understood.
- MR. BROWN: All right. Thank you.
- 25 MS. MCNEIL: I would like to amend

- 1 that just slightly, although I always agree with
- 2 my people zoning counsel. But E4 of the code
- 3 does state that we must show that the validation
- 4 will not adversely affect the public interest or
- 5 the health, safety, or welfare of county
- 6 landowners and residents.
- 7 MR. BROWN: Correct.
- MS. MCNEIL: So it was valid to
- 9 tell us a little of what you told us.
- 10 Mr. Brown, could you also -- I
- 11 feel badly that we're not all in the same room,
- 12 but could you also talk about the impact of being
- 13 in opposition?
- MR. BROWN: Of who being in
- 15 opposition?
- MS. MCNEIL: The witness is not
- 17 opposed, so.
- MR. BROWN: He's not opposed,
- 19 right. So from my reading of the file so far, no
- 20 one testified in opposition, did they?
- MS. MCNEIL: Okay.
- MR. BROWN: Correct? However, you
- 23 know, there are a couple questions, though, I
- 24 need to ask the applicant and/or their attorney
- 25 so that this record is clear.

- 1 Mr. Hijazi or Mr. Banks, which of
- 2 you actually represent the client or both of you?
- MR. HIJAZI: We both do.
- 4 MR. BROWN: All right. Well, let
- 5 me let me pose this question to you. In
- 6 reviewing the statement of justification, it
- 7 looks like the statement of justification
- 8 attached part of a staff report or a memo from
- 9 Park & Planning. Is that correct? I'm looking
- 10 at a statement of justification signed by Mr.
- 11 Hijazi, but there's no date on it.
- MR. HIJAZI: Give me one second.
- 13 Let me just pull it up real quick.
- MS. MCNEIL: Mr. Banks, could you
- 15 pull up Exhibit 4 as a start?
- MR. BANKS: Sure.
- MS. MCNEIL: I don't see a revised
- 18 one.
- 19 THE HIJAZI: So I have the
- 20 statement of justification. I don't think we've
- 21 ever revised it in this case, and --
- MR. BROWN: All right. Well, let
- 23 me just ask you this, then, so we can clarify the
- 24 record. I'm just trying to avoid any problems
- 25 for the examiner and the district counsel down

- 1 the road. So on page 2 of the statement of
- 2 justification, paragraph 5, you state that the
- 3 new zoning ordinance, which was adopted in April
- 4 2022 -- and you reference Section 273615E of the
- 5 new ordinance.
- 6 However, it's my understanding
- 7 this permit issued in error was issued under the
- 8 old ordinance, that is the ordinance that existed
- 9 prior to April 2022. And the use that you are
- 10 attempting to certify should have been a request
- 11 under the old ordinance, because that's the
- 12 ordinance that the permit was issued under. And
- 13 so I'm just trying to clarify that, in reality,
- 14 you should not be asking for a permit issued in
- 15 order -- in error under the new ordinance, but
- 16 under the old ordinance.
- MR. HIJAZI: So we didn't have
- 18 a -- well, maybe we did, but we're happy to
- 19 proceed either way. Our understanding was that
- 20 we needed to file the application under the new
- 21 ordinance, but to certify a permit issued --
- 22 basically not under the prior ordinance, but even
- 23 an ordinance prior to that.
- MR. BROWN: Right.
- 25 MR. HIJAZI: So --

- 1 MR. BROWN: And that's the
- 2 problem. And so the reason I raised this issue
- 3 is you guys have also requested that you want
- 4 under the new ordinance that is post-April 2022,
- 5 a use that is most similar to the use you were
- 6 using in '67 or whatever the year it was.
- 7 MR. HIJAZI: Yes.
- MR. BROWN: We really cannot --
- 9 the district cannot approve a use that is most
- 10 similar to the use that was certified in error.
- 11 The only thing that can be certified here is the
- 12 use that was identified on the permit that you
- 13 are requesting to certify in error.
- 14 So in looking at page 2 of your
- 15 staff -- or your justification statement, if the
- 16 existing 1967 thereabout use was the vehicle
- 17 towing and record service and personal vehicle
- 18 sales, previously known as automobile towing
- 19 station and automobile sales lot, and that is
- 20 what is actually on the permit issued in error,
- 21 that is the only use that can be certified, not
- 22 the most similar use under the new post-April
- 23 2022 ordinance.
- 24 MR. HIJAZI: And that's fine. I
- 25 mean, we were just trying to make it so that it

- 1 could be easily identified for staff once it gets
- 2 to DPI, or once it gets back to Park & Planning
- 3 staff, because the use and occupancy permit and
- 4 that we do have from 1967 says to operate towing
- 5 wrecked vehicle and sale of used cars.
- 6 MR. BROWN: And that's the only
- 7 thing that can be certified. And even though it
- 8 may be worded differently from the post-2022
- 9 ordinance, it still gets you what you need. The
- 10 use would still be utilized if the district
- 11 counsel and the examiner, you know, so agreed.
- 12 So I just wanted to make sure that that was clear
- 13 before the examiner began to write her decision.
- MR. HIJAZI: Okay. No, I mean, we
- 15 agree with that use. We've never been trying to
- 16 expand it in any way. And I apologize if it
- 17 seemed that way.
- MR. BROWN: Oh, no. No, it's
- 19 confusing.
- 20 MS. MCNEIL: Okay. The only thing
- 21 I like to throw in there, and I agree with what
- 22 you just said, Mr. Brown, but the initial part is
- 23 it looks like this matter was filed in 2025. And
- 24 if everyone believes that it should have been
- 25 done under the prior ordinance, the prior

- 1 ordinance is slightly different --
- 2 MR. BROWN: Correct.
- 3 MS. MCNEIL: -- from the current
- 4 ordinance. I'm not saying -- I'm not ruling
- 5 right now if that's true, that it had to be under
- 6 the prior one, but we would need to leave this
- 7 record open to allow you to actually look at that
- 8 prior ordinance and see if there's anything more
- 9 you need to put in this record.
- MR. HIJAZI: So what we've -- when
- 11 we applied, we didn't see anything preventing us
- 12 from applying under the new ordinance. As the
- 13 new ordinance stands, it doesn't say that if the
- 14 permit was issued under a prior ordinance, then
- 15 you have to file under a prior ordinance. And
- 16 that's why we filed under the current ordinance.
- 17 But I mean, we can take a look at the standard
- 18 under the prior ordinance and see if it's much
- 19 different or --
- MR. BROWN: It is slightly
- 21 different. I think what you need to do -- we
- 22 don't need a new hearing, but you need to, I
- 23 think, supplement the record and utilize the
- 24 criteria that -- identified in the pre-2022
- 25 ordinance.

- 1 MR. HIJAZI: All right. I'll take
- 2 a look at that. But I -- again, I don't see
- 3 anything in the current code that prevents us
- 4 from filing under the current ordinance -- is
- 5 what I'm saying as well.
- 6 MR. BROWN: Well, the problem is
- 7 this. When you certify a permit issued in error,
- 8 you're certifying it under the ordinance that
- 9 existed at that particular point in time. Those
- 10 are the uses you are attempting to certify, not
- 11 new uses that have been created post --
- MS. MCNEIL: Oh, no.
- MR. BROWN: -- certification.
- MS. MCNEIL: Right. You're
- 15 absolutely right. I was thinking it's just the
- 16 procedure they're trying to utilize because, I
- 17 mean, we allowed in the ordinance a choice, I
- 18 believe, but I'm not testifying. I think you're
- 19 absolutely correct that the applicant -- you know
- 20 what? You might want to just submit closing
- 21 argument, either addressing the old code or why
- 22 you believe it doesn't have to be addressed, and
- 23 then it's all on the record.
- 24 MR. HIJAZI: Okay. We'll submit
- 25 either a closing argument or a supplemental SOJ

- 1 on that issue, and --
- MR. BROWN: Yeah. I'm not trying
- 3 to give you a hard time. I'm just trying to help
- 4 you avoid a problem.
- 5 MR. HIJAZI: I appreciate it. No,
- 6 no, I appreciate you flagging this as a possible
- 7 issue. And honestly, like I said, I agree that
- 8 we are certifying a use as it existed in 1967.
- 9 The only thing I was -- I didn't see anything in
- 10 the code that said that you had to proceed under
- 11 a prior ordinance, because if that would be the
- 12 case, then, I mean, I'd have to dig up the
- 13 ordinance that was in place in 1967 or the
- 14 prior -- or the next one after that. Regardless,
- 15 I will look into this issue and submit a
- 16 supplemental SOJ on it.
- 17 MS. MCNEIL: Anything further from
- 18 you or Mr. Harrah?
- 19 MR. HIJAZI: I would like --
- 20 MS. MCNEIL: Mr. Harrah. Which --
- 21 does anyone know? I didn't catch how he actually
- 22 says his name. I may have a hearing problem.
- MR. HARRAH: Mr. Harrah.
- MS. MCNEIL: Thank you, sir. Mr.
- 25 Harrah, do you have anything further you'd like

- 1 to add?
- MR. HARRAH: No. Thank you.
- 3 MS. MCNEIL: Okay, and Mr. Hijazi?
- 4 MR. HIJAZI: Yes. I would like to
- 5 put Mr. Diaz Campbell (ph.) back on just as a
- 6 rebuttal witness, if that -- for lack of a better
- 7 description. It'll be very brief, just in
- 8 response to the testimony we heard today.
- 9 MS. MCNEIL: Okay. Tell me who
- 10 we're calling again.
- MS. HIJAZI: Mr. Diaz Campbell.
- MS. MCNEIL: Mr. Diaz Campbell,
- 13 good morning.
- 14 Whereupon,
- MR. DIAZ CAMPBELL,
- 16 a witness called for examination by counsel for
- 17 the Petitioner, was duly sworn, and was examined
- 18 and testified as follows:
- MR. DIAZ CAMPBELL: I do.
- MS. MCNEIL: Okay.
- MR. HIJAZI: Mr. Diaz Campbell,
- 22 did you -- well, just laying a foundation for
- 23 this hearing again. You reviewed a lot of
- 24 records pertaining to this property prior to the
- 25 hearing?

- 1 MR. DIAZ CAMPBELL: I did, yes.
- 2 MR. HIJAZI: And did you see any
- 3 increases in paved areas in the site since 1967?
- 4 MR. DIAZ CAMPBELL: I did. DPI's
- 5 permit records review two environmental
- 6 engineering permits from 1992 and 1993. Those
- 7 coincide with the expansion that Mr. Harrah
- 8 described in that time period. Those numbers are
- 9 3400854-1992-0 and 2811389-1993-0. We don't have
- 10 copies of those records, but they're from the
- 11 right time period. And there weren't any other
- 12 changes to the site observed from that period.
- 13 So that leads me to believe that they -- that
- 14 they were issued for the sales expansion.
- 15 There's also a second increase in paving in 2006,
- 16 but that was less than 5,000 square feet based on
- 17 my measurements, so it would not have required a
- 18 grading permit.
- MR. HIJAZI: And at the prior
- 20 hearing, you expressed an opinion as to whether
- 21 validating this permit would adversely affect the
- 22 public interest or the health, safety, and
- 23 welfare of the county landowners and residents.
- 24 Based on the issues and testimony of Mr. Harrah
- 25 and your knowledge of the site, has there been

- 1 any change to your opinion?
- 2 MR. DIAZ CAMPBELL: No, there has
- 3 not been.
- 4 MR. HIJAZI: That's all we have
- 5 for Mr. Diaz Campbell.
- 6 MS. MCNEIL: Can I get the --
- 7 slowly give me the numbers of those permits
- 8 again. And can you tell me, are you saying you
- 9 searched for them and the county doesn't have a
- 10 copy?
- MR. DIAZ CAMPBELL: We searched
- 12 for them, but, you know, they're not they're not
- 13 readily available. We would have had to file in
- 14 MPIA request or something similar to acquire
- 15 them, and that's a very time-consuming process.
- 16 But I can read the numbers again. It's --
- MS. MCNEIL: Okay.
- 18 MR. DIAZ CAMPBELL: -- 3400854-
- 19 1992-0. And the second one is 2811389-1993-0.
- MS. MCNEIL: And from what you
- 21 know, they were for paving the site, both of
- 22 them?
- MR. DIAZ CAMPBELL: Yeah. They're
- 24 environmental engineering permits.
- MS. MCNEIL: Okay. Mr. Brown or

- 1 Mr. Harrah, do you have any questions?
- MR. BROWN: No questions.
- MR. HARRAH: I do have a question
- 4 for Mr. Campbell Diaz. If you would like to come
- 5 by, I would certainly show you the area where the
- 6 drain is, and you cannot access it from the
- 7 Hofmann's property because the overgrowth. You
- 8 have to come on to Mews Court in order to see it,
- 9 and I'll be happy to show it to you.
- 10 MR. DIAZ CAMPBELL: With respect
- 11 to Mr. Harrah, I am not a -- I'm an urban
- 12 planner. I'm not an environmental engineer,
- 13 either. So I don't think I'd be able to see much
- 14 more than what you've described in your
- 15 testimony.
- 16 MR. HARRAH: I'm sorry. I didn't
- 17 understand.
- 18 MR. DIAZ CAMPBELL: I said I'm not
- 19 an environmental engineer either. So like, I
- 20 wouldn't be able to look at what is out there and
- 21 what you described and see, you know, anything --
- 22 anything different from what you've seen.
- MR. HARRAH: But didn't you state
- 24 earlier that there was no danger to the community
- 25 or property owners by conducting the business

- 1 there, which includes a storage lot, an
- 2 automobile sitting for long periods of time for
- 3 mosquitoes to breed in standing water. You've
- 4 heard of West Nile virus, right?
- 5 MR. CAMPBELL DIAZ: Yeah. I did
- 6 hear what you said. And essentially my opinion's
- 7 based on my trust of, you know, engineers and
- 8 planners that -- at the county who are experts in
- 9 this stuff. They -- you know, they reviewed
- 10 these permits; they -- they issued them. And so,
- 11 you know, I have to trust that they met all the
- 12 stormwater regulations that were active at the
- 13 time. The -- you know, those are -- those
- 14 regulations that can't capture everything,
- 15 like -- like mosquitoes. But the -- by -- by
- 16 following the county laws, they've -- they've met
- 17 their obligation to protect the -- the public
- 18 interest to the best of their ability.
- MR. HARRAH: Or personally, I
- 20 would question the county records and what
- 21 investigation was done, because that area of
- 22 the -- of the county, there's frequently a
- 23 question as to whether it falls under the City of
- 24 Laurel or Prince George's County jurisdiction.
- 25 I've gone backward and forward between the city

- 1 and the county over the years regarding different
- 2 problems, and that drain area is one of them.
- 3 A tree fell from that area several
- 4 years ago and hit one of our houses. So I'm very
- 5 familiar with the drain area where the properties
- 6 come together. There's about three properties
- 7 that join together right in that area. And
- 8 unless you come onto Mews Court and go back in
- 9 that area, you can't really see where it is. So
- 10 again, I invite you to come out. I'm happy to --
- 11 be happy to show it to you anytime. You just set
- 12 the time and date.
- 13 MR. HIJAZI: Mr. Harrah, I might
- 14 take you up on that meeting after this hearing.
- 15 So if you could just call my office, and then
- 16 we'll coordinate offline as well.
- MR. HARRAH: Okay.
- MR. DIAZ CAMPBELL: I'd be happy
- 19 to come as well. You have his number?
- 20 MR. HIJAZI: (301)464 --
- 21 MS. MCNEIL: Wait one second. You
- 22 might want to email him unless you just -- you
- 23 know, maybe it's advertising for the firm, but
- 24 everyone will know your number now.
- 25 MR. HIJAZI: Oh, this is just the

- 1 office number.
- MS. MCNEIL: Okay. All right. Go
- 3 ahead.
- 4 MR. HIJAZI: I can put it in the
- 5 chat as well. It's (301)464-4646.
- 6 MR. HARRAH: 464?
- 7 MR. HIJAZI: 6464.
- 8 MR. HARRAH: Thank you. Right
- 9 here.
- 10 MS. MCNEIL: All right. If there
- 11 are no other witnesses -- I don't know if you
- 12 want to say anything now or we're just leaving
- 13 the record open for some type of closing that
- 14 ties together those legal issues that were raised
- 15 by Mr. Brown.
- MR. HIJAZI: Yeah. We will
- 17 supplement either with SOJ or a written closing
- 18 statement.
- MS. MCNEIL: Okay. Then I thank
- 20 all of you for being here. And enjoy the
- 21 remainder of your day and the remainder of your
- 22 summer. Thank you all very much.
- MR. HARRAH: Thank you all.
- 24 (Whereupon, the proceedings were
- 25 concluded.)

1	CERTIFICATE
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3	
4	I, Lori Coen, certify that the foregoing
5	transcript is a true and accurate record of the
6	proceedings.
7	
8	
9	
10	Lori Cour
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18	Date: September 2, 2025
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