

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
FOR MONTGOMERY COUNTY

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:
PETITION OF EDWARD A. BUBERT : Case No. S-2860
:
:
OZAH No.13-09
:
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A hearing in the above-entitled matter was held on
March 7, 2013, commencing at 10:48 a.m., at the Council
Office Building, Second Floor, 100 Maryland Avenue,
Rockville, Maryland 20850 before:

Tammy CitaraManis
Hearing Examiner

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A P P E A R A N C E S

Witnesses:	Direct
Edward A. Bubert	12
Robert Goff, Housing Inspector	34

E X H I B I T S

Exhibit No.		
15 Affidavit of Posting		6
16 Mr. Bubert Driver's License		6
17 3/7/13 Memo to Mr. Goff from Ada DeJesus		11
18 Driver's License address correction		38

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1 MR. GOFF: Robert Goff, Department of Housing Code
2 Enforcement.
3 MS. CITARAMANIS: Welcome everybody. I note that
4 there are no letters of opposition in the record or letters
5 of support.
6 MR. BUBERT: I believe there was one letter that
7 was associated with it from my real estate agent.
8 MS. CITARAMANIS: That's true, yes. That was more
9 explanatory, I believe.
10 MR. BUBERT: Okay.
11 MS. CITARAMANIS: But, thank you for pointing that
12 out. You're right. There actually was another letter in
13 there, but it wasn't somebody who was a neighbor --
14 MR. BUBERT: Understood.
15 MS. CITARAMANIS: -- recommending or having a
16 problem. Let me just explain the nature of the proceedings.
17 As you can see, it is being recorded and there's mics in
18 front of you. They don't amplify so that I can hear better,
19 they are recording. The court reporter will do a transcript
20 and that will be a part of the record. So any testimony
21 that you give will be under oath. I'm going to swear you in
22 in a few minutes. Both parties will be sworn in. So it's
23 important that one, you understand any questions that I ask,
24 or if Mr. Goff has any questions, that you understand what
25 the question is because your answer will become evidence.

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1 P R O C E E D I N G S
2 MS. CITARAMANIS: This is a public hearing in the
3 matter of Edward A. Bubert, Board of Appeals Case No. S-
4 2860, an application for special exception to allow an
5 accessory apartment in a single family detached home at 4111
6 Elby Street, Silver Spring, Maryland 20906, on land in the
7 R-60 zone. The property's legal description is Lot 25,
8 Block 13, Stoney Brook Estates. The tax account number is
9 01339984.
10 This is a hearing conducted on behalf of the Board
11 of Appeals. My name is Tammy CitaraManis, and I am the
12 hearing examiner. I will conduct the hearing, take evidence
13 and write a report and recommendation to the Board of
14 Appeals. The Board will make the final decision on your
15 application. If I could the parties to identify themselves
16 saying your name and your address for the record.
17 MR. BUBERT: I'm Edward A. Bubert. I live at 4111
18 Elby Street, Silver Spring, Maryland 20906.
19 MS. CITARAMANIS: And you're the petitioner?
20 MR. BUBERT: Yes, I am.
21 MS. CITARAMANIS: And, are you waiting for anybody
22 or are you representing yourself?
23 MR. BUBERT: Representing myself.
24 MS. CITARAMANIS: No witnesses?
25 MR. BUBERT: No witnesses.

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1 We have all the time you need, so don't, you know. Even
2 though we have to follow a formal procedure, it is fairly
3 informal, as you can see.
4 You have an opportunity to make an opening
5 statement or you can just go straight into your testimony or
6 presentation, and then I'm going to give Mr. Goff an
7 opportunity to talk about his inspection report. There's no
8 opposition, and there's nobody in the audience that is going
9 to speak, so. You can do a closing statement or you can
10 just stand by your testimony. The rules of evidence are
11 more relaxed. I have the authority to admit and give
12 appropriate weight to the evidence which possesses probative
13 value commonly accepted by reasonable prudent persons in the
14 conduct of their affairs including hearsay, which appears
15 reliable in nature.
16 So basically we are here today on an application
17 for a special exception for an accessory apartment. It's
18 really a conditional use even though they call it a special
19 exception. What does that mean? That means that an
20 accessory apartment is a statutorily permitted use in the R-
21 60 zone if certain general standards, which can be found,
22 for special exceptions, which can be found in the zoning
23 ordinance, 59-G-1.21, and special conditions for a specific
24 use, which is the accessory apartment which can be found at
25 59-G-2.00.

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1 Once those conditions are met, then generally it's
2 approval. These standards and conditions are spelled out in
3 the Technical Staff Report dated February 21, 2013, which is
4 Exhibit 13. Your testimony should address these general
5 standards for special exception and specific conditions for
6 accessory apartments and any issues raised in the technical
7 staff report, as well as the Housing Inspector's Memorandum
8 which is dated March 5, 2013, for a preliminary inspection
9 that was conducted on March 4, 2013.

10 So the issue is whether you meet that statutory
11 criteria that I just mentioned. So what I'm going to do now
12 is swear both of you in and then we'll start the hearing.
13 (Witnesses sworn.)

14 Both parties have answered in the affirmative.
15 Preliminary matter, Affidavit of Posting. I see that you
16 have completed that and that has been marked as Exhibit 15,
17 and you also provided a copy of your driver's license, which
18 has been marked as Exhibit 16.

19 (Exhibit Nos. 15 and 16 were
20 marked for identification.)

21 MS. CITARAMANIS: One thing that is missing is
22 your deed.

23 MR. BUBERT: Yes, ma'am.

24 MS. CITARAMANIS: What I'm going to do is, and
25 that is one of the conditions in the technical staff report

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1 is that you prove ownership. And looking at your driver's
2 license, your driver's license does not have the address.

3 MR. BUBERT: Oh, I actually have a slip of paper
4 from MVA.

5 MS. CITARAMANIS: Oh, you do, okay. So we can get
6 Ellen to make a copy of that and add that to it. But I
7 still do need a copy of your deed. So, what I will do is at
8 the end, we're going to leave the record open for a certain
9 period of time. That just means the hearing is extended by
10 that amount of time. During that period I can receive
11 additional documentation. I'll tell you when you need to
12 get that deed in by. It needs to be done by then.

13 MR. BUBERT: Okay.

14 MS. CITARAMANIS: And that also allows the court
15 reporter time to submit the transcript as well, get the
16 transcript done. So at the very end we'll talk about that
17 so both of us remember that that's what you need to do is
18 get a copy of your deed and bring it in or fax it in to Ms.
19 Forbes, who you spoke with this morning, I believe.

20 MR. BUBERT: All right.

21 MS. CITARAMANIS: The Technical Staff Report,
22 which has been marked as Exhibit 13, do you have that in
23 front of you?

24 MR. BUBERT: Yes, ma'am, I do.

25 MS. CITARAMANIS: And, did you bring any of the

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1 other exhibits that you submitted as part of your
2 application?

3 MR. BUBERT: I completely forgot.

4 MS. CITARAMANIS: That's okay. It's fine, because
5 I'm going to end up giving you what's in the file and have
6 you, if I need some clarification, for you to mark and we'll
7 have you mark it with this red pen. But I'll give it to you
8 when we get to that, so less papers for you to shuffle
9 around. So you have the Technical Staff Report in front of
10 you. Have you read that staff report?

11 MR. BUBERT: I have not had a chance to, no.

12 MS. CITARAMANIS: Okay. well, if you look on page
13 number 2 you will see that the staff has recommended
14 approval with five conditions. Those conditions are the
15 applicant is bound by all submitted statements and materials
16 of record, which is what I explained to you that everything
17 you say under oath is part of the record. The second one is
18 per 59-G-2.00(b)(1) of the zoning ordinance, the applicant
19 must occupy one of the dwelling units on the lot on which
20 the accessory apartment is located. You're going to occupy
21 the main dwelling?

22 MR. BUBERT: Yes, ma'am.

23 MS. CITARAMANIS: And we're going to talk about,
24 you're going to have to explain to me the different levels
25 of your house because I'm looking at it and it sounds like

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1 there's like four.

2 MR. BUBERT: Yes.

3 MS. CITARAMANIS: But you'll let me know which one
4 that is. Number 3, per 59-G-2.00(b)(3) of the zoning
5 ordinance, the applicant must not receive compensation for
6 the occupancy of more than one dwelling unit. If this is
7 approved, you'll have basically two dwelling units on the
8 property. You can only rent out one, which is the accessory
9 apartment, because you're going to live in the main
10 dwelling.

11 MR. BUBERT: Yes, ma'am.

12 MS. CITARAMANIS: Okay. And number 4, per 59-G-
13 2.00(b)(4) and 59-G-2.00(d) of the zoning ordinance, the
14 applicant must provide a deed as proof of ownership at the
15 time of the public hearing. We talked about, you're going
16 to get that to me before the record closes. And number 5,
17 the applicant must adhere to the recommendations of the
18 Housing Code Inspector's report, which marked as 14. I just
19 got it. Have you had an opportunity to read that as well?

20 MR. BUBERT: Yes, I have.

21 MS. CITARAMANIS: Okay. My next question I can't
22 really ask until you've actually read the document. So I'm
23 going to take a few minutes, we're going to take a 10 minute
24 break, give you an opportunity to read the Technical Staff
25 Report. If you will note how it's broken down. We just

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1 went through what the conditions are. It gives you a little
2 summary of the highlights of the issues. And then it gives
3 you a report, and then it goes into the criteria, the
4 general and the specific. Basically, staff has rendered an
5 analysis of the facts and the evidence that has been
6 presented as to whether you've met those. When I come back,
7 I'm going to ask you whether you have received a copy of the
8 report and if you wish to adopt and agree to staff's
9 findings and conclusions as your own, especially with regard
10 to the general and specific conditions. And the reason for
11 that question is because you have the burden of proof in
12 this matter. Basically, you have to present enough evidence
13 to show that you've met those criteria.

14 MR. BUBERT: Right.

15 MS. CITARAMANIS: If you adopt what staff is
16 saying, if you agree with everything that they say and you
17 want to adopt it, then you're asking that that be part of
18 your evidence, which then, you know, fills the criteria.
19 But if you do not agree with anything in there, you need to
20 raise that and say, no, I don't think so, and then present
21 your case. And, it just makes it go a little bit longer if
22 you want to go through each and every criteria.

23 MR. BUBERT: Right, okay.

24 MS. CITARAMANIS: So, take your time, read the
25 document. We'll take about 10 minutes, and if you think you

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1 need more, just come in there and say I need a few more
2 minutes. It's fairly easy reading. But if there's any
3 problem, I mean this is your --

4 MR. BUBERT: I'm should be familiar with what's in
5 there.

6 MS. CITARAMANIS: You should, and it should be
7 fairly easy reading but, you know, this is your opportunity
8 so it's important that you understand what it says, and if
9 you have any questions.

10 MR. BUBERT: Okay.

11 MR. GOFF: I'd like to give you this on the
12 record. It's just a list of the accessory apartments in the
13 neighborhood. I just picked it up this morning.

14 MS. CITARAMANIS: Okay, yes. We'll have that
15 marked and we'll get you a copy of that too, which we'll add
16 to his report. Thanks. So we'll mark this one as Number
17 17, which is a 3/7/13 memo to Mr. Goff from Ada DeJesus from
18 Licensing Registration basically identifying the special
19 exceptions. It looks like there are two accessory
20 apartments and two registered living units in the area, and
21 provides you with the addresses and the map. So I'll give
22 it to you so you can look at it, okay?

23 (Exhibit No. 17 was marked for
24 identification.)

25 MS. CITARAMANIS: Okay, I'll be back by 11:15. If

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1 you're done earlier, come in there.

2 (Whereupon, a brief recess was taken.)

3 MS. CITARAMANIS: We're back on the record. And
4 while I was away, I found out that the Office of Zoning and
5 Administrative Hearing number for this case is 13-09. Okay,
6 so we're back from a break, and I'm going to ask you again,
7 you received a copy, do you wish to adopt or agree with the
8 staff's findings and conclusions as your own?

9 MR. BUBERT: Yes, I wish to adopt them as my own.

10 MS. CITARAMANIS: Do you have any questions on it
11 or clarifications?

12 MR. BUBERT: No ma'am.

13 MS. CITARAMANIS: Everything's clear to you?

14 MR. BUBERT: Yes.

15 MS. CITARAMANIS: That's good, okay. Now we look
16 at the inspection report, Exhibit 14 from Mr. Goff, relating
17 to the preliminary inspection that occurred on March 4th,
18 2013. Have you received that?

19 MR. BUBERT: Yes, ma'am.

20 MS. CITARAMANIS: And, have you read it?

21 MR. BUBERT: Yes, ma'am.

22 MS. CITARAMANIS: And, do you have any questions
23 with regards to it?

24 MR. BUBERT: I was wondering about the mailbox if
25 there's no separate address for the mailbox, could it be

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1 left there just to drop mail for the occupant or does the
2 mailbox still have to be removed?

3 MS. CITARAMANIS: Okay, well, we can ask that of
4 Mr. Goff.

5 MR. GOFF: It does have to be removed because it
6 has to have the appearance of a single family home, not a
7 multi-family.

8 MR. BUBERT: Okay. Understood.

9 MS. CITARAMANIS: Okay. And, it looks like
10 there's, I'm just going to read these and any questions you
11 have you can ask. Remove the mailbox at the accessory
12 apartment door; paint hallway ceiling; the driveway will
13 accommodate three cars parked end to end; there is off-
14 street parking, no permit needed; there is 302.79 square
15 feet of habitable space. The total square footage of the
16 accessory apartment is 442.3 square feet, meaning two
17 unrelated people can live in the unit or a family of two can
18 live in the unit.

19 MR. BUBERT: Understood.

20 MS. CITARAMANIS: You understand that. All right.
21 So do you agree to abide by all of the conditions and issues
22 identified in Mr. Goff's report?

23 MR. BUBERT: Yes, ma'am.

24 MS. CITARAMANIS: Do you have any other matters or
25 exhibits that you would like to add to the record at this

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1 time?
2 MR. BUBERT: No, ma'am.
3 MS. CITARAMANIS: You have an opportunity to make
4 an opening statement or you can just go into your testimony.
5 MR. BUBERT: I don't really have an opening
6 statement to make.
7 MS. CITARAMANIS: Okay. I mean, what might be the
8 easiest is for me to, I need you to authenticate your
9 documents that you submitted.
10 MR. BUBERT: Okay.
11 MS. CITARAMANIS: So, you submitted an
12 application, correct?
13 MR. BUBERT: Uh-huh. Yes.
14 MS. CITARAMANIS: And that application had a
15 number of documents to it. We're going to go through them.
16 The site plan, the landscape and lighting plan, floor plan,
17 and you submitted some photographs. So, what I would like
18 right now is I'm going to give you these documents and a red
19 pen, and only mark if there's anything that needs to be
20 changed. And in the far right hand corner of each document
21 is a number, which is the exhibit number, so when you are
22 referring to a document I need for you to actually say,
23 okay, now I'm looking at Exhibit 6, for example, and
24 whatever it is you want to tell me that goes with it.
25 I have in front of me this drawing. This is the

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1 elevation drawing? Is that supposed to be with the, it's
2 not marked, is that supposed to be with the floor plan?
3 MR. BUBERT: I believe it as one of the
4 requirements.
5 MS. CITARAMANIS: Yeah, but, is it supposed to be
6 part --
7 MR. BUBERT: Yes.
8 MS. CITARAMANIS: So it's 5(a). We'll call it
9 5(a). And then we'll go over your statement. All right, so
10 I'm going to hand you Exhibits 4, 5, 5(a), 6 and 9. I'm
11 going to give you the red pen. Don't mark it unless you
12 need to. If it's fine the way it's submitted, then it
13 doesn't need to be marked. Okay, so in looking at Exhibit
14 4, can you tell me what that is?
15 MR. BUBERT: Exhibit 4 is the plat for the
16 property showing the outline of the property and the
17 position of the house.
18 MS. CITARAMANIS: Okay. And, you submitted that
19 as part of your application?
20 MR. BUBERT: Yes, ma'am.
21 MS. CITARAMANIS: Okay. And could you mark an X
22 where the location of the accessory apartment is on that
23 because it's not showing on there.
24 MR. BUBERT: Would you like me to mark the
25 entrance?

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1 MS. CITARAMANIS: Yes, just where the door would
2 be.
3 MR. BUBERT: I have marked it.
4 MS. CITARAMANIS: Have you identified it?
5 MR. BUBERT: I just wrote entrance next to it.
6 MS. CITARAMANIS: Just put apartment entrance, if
7 you could do that. And that's located, where is that
8 located?
9 MR. BUBERT: It's on the right side of the,
10 looking at this diagram at the end of the driveway.
11 MS. CITARAMANIS: Is it before or after the fence?
12 MR. BUBERT: It's before the fence.
13 MS. CITARAMANIS: And the fence is identified with
14 a line and X?
15 MR. BUBERT: Yes.
16 MS. CITARAMANIS: Okay, so it's before the fence,
17 and you marked it and identified it on the record.
18 MR. BUBERT: Yes, I did.
19 MS. CITARAMANIS: And, with regards to the
20 driveway, is it a single car driveway or is it --
21 MR. BUBERT: It's the width of a single car but
22 you could fit at least two vehicles onto it, possibly three.
23 MS. CITARAMANIS: And, with regards to the
24 entrance, so it's at the end of the driveway before the
25 fence --

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1 MR. BUBERT: Uh-huh.
2 MS. CITARAMANIS: -- how much room is there for
3 access to the entrance? If cars are parked there how do you
4 accommodate easy access to the accessory apartment door?
5 MR. BUBERT: I mean, yeah, I mean the car does not
6 fill the entire driveway, and there's street parking. So,
7 you know, generally there will be, I guess, one car parked
8 in the driveway with plenty of room to access the door.
9 MS. CITARAMANIS: Okay, I'm looking at Exhibit 9.
10 If you could go to Exhibit 9.
11 MR. BUBERT: Sure.
12 MS. CITARAMANIS: That might be the easiest so we
13 both understand what you're describing.
14 MR. BUBERT: Right.
15 MS. CITARAMANIS: Tell me what Exhibit 9 is.
16 MR. BUBERT: Exhibit 9 is two pictures of the
17 house, one from the front and one from the right side where
18 the entrance to the accessory apartment is.
19 MS. CITARAMANIS: Would that be the lower picture?
20 MR. BUBERT: The lower picture, yes. And that
21 white door is the entrance to the accessory apartment.
22 MS. CITARAMANIS: And the concrete in front of it,
23 that's the driveway?
24 MR. BUBERT: Yes, ma'am.
25 MS. CITARAMANIS: And how far, do you have cars

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1 parked all the way to the top of it or just, do you leave
2 space for access?
3 MR. BUBERT: I would leave plenty of space. I
4 mean, I park approximately up to the chimney on the side of
5 the house is where I bring my car to.
6 MS. CITARAMANIS: Okay.
7 MR. BUBERT: And I would assume that they would be
8 parking on the street, that would be adequate, so wouldn't
9 need any more cars in the driveway.
10 MS. CITARAMANIS: Okay. But do you understand my,
11 if the tenant parks on the street they need to have clear
12 access to the door. So if you're going to use the driveway
13 as the --
14 MR. BUBERT: Understood.
15 MS. CITARAMANIS: -- the width of the driveway,
16 you're going to have to leave space on one of the sides.
17 MR. BUBERT: Yes, ma'am. I drive a small car so,
18 I drive a Corolla.
19 MS. CITARAMANIS: So you will leave sufficient
20 walking space?
21 MR. BUBERT: Yes, ma'am.
22 MS. CITARAMANIS: Probably closer to the house
23 would be -- you understand that?
24 MR. BUBERT: Understood.
25 MS. CITARAMANIS: And these pictures accurately

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1 depict your house as it looks today?
2 MR. BUBERT: Yes, ma'am.
3 MS. CITARAMANIS: Any changes to that? How long
4 ago did you take these pictures?
5 MR. BUBERT: They were taken just before I
6 submitted the reports. So it would be the summer of 2012.
7 MS. CITARAMANIS: Okay, so six, eight months ago?
8 MR. BUBERT: Yes.
9 MS. CITARAMANIS: Okay. All right. Moving on.
10 Anything else on the site plan that needs to be modified, or
11 is that the way it is today?
12 MR. BUBERT: That's the way it is today.
13 MS. CITARAMANIS: Okay. So we'll go to Exhibit
14 No. 6 actually. We're staying on the exterior, and then
15 we'll go into the interior. What is Exhibit No. 6?
16 MR. BUBERT: Exhibit No. 6 is something I made
17 showing approximately what is the on the property in terms
18 of foliage and lighting, and it also shows the fence.
19 MS. CITARAMANIS: So this would be your landscape
20 and lighting plan?
21 MR. BUBERT: This is the landscape and lighting
22 plan.
23 MS. CITARAMANIS: Okay, that's what it looks like.
24 And again, could you identify the exterior door to the --
25 MR. BUBERT: Sure.

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1 MS. CITARAMANIS: Like you did on the site plan
2 just so that -- I mean, I see that you put a triangle, which
3 is the light. So if you could put the door wherever it's
4 supposed to be. And again, this is general location. And
5 you did mark it as the accessory apartment entrance?
6 MR. BUBERT: Yes, apartment entrance.
7 MS. CITARAMANIS: Apartment entrance, perfect.
8 And the lights, the existing lighting is, how is that
9 identified on this plan?
10 MR. BUBERT: With triangles.
11 MS. CITARAMANIS: Okay.
12 MR. BUBERT: And that's 100 watt lighting or less.
13 MS. CITARAMANIS: Okay. And again, looking back
14 at Exhibit 9, just so that I'm clear, on the second picture,
15 which is the accessory apartment entrance, is the light that
16 you are referring to on the landscape and lighting plan, is
17 that on that picture?
18 MR. BUBERT: Yes, it's a small residential flood
19 light to the upper right of the door.
20 MS. CITARAMANIS: Okay. And is that a photo
21 sensitive motion sensor or fixed light?
22 MR. BUBERT: It's motion sensitive, but it can be
23 set to be fixed.
24 MS. CITARAMANIS: Motion sensitive so that when
25 somebody walks up it turns on?

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1 MR. BUBERT: Yes.
2 MS. CITARAMANIS: Okay. So that provides enough
3 light for the entrance, and I'm going to ask that of Mr.
4 Goff as well.
5 MR. BUBERT: Uh-huh, it does.
6 MS. CITARAMANIS: Because it's not on his report
7 as needing it, and he's very thorough about that. Okay, and
8 I see that you have no modifications. You're not making any
9 exterior modifications?
10 MR. BUBERT: No.
11 MS. CITARAMANIS: And, no changes to the
12 landscaping?
13 MR. BUBERT: No.
14 MS. CITARAMANIS: Okay. Anything on this that you
15 would like to change or add?
16 MR. BUBERT: No, ma'am.
17 MS. CITARAMANIS: And this is the way that it's
18 supposed to be, okay. So now we'll go to Exhibit No. 5.
19 Can you tell me what that is?
20 MR. BUBERT: Exhibit 5 is an approximate floor
21 plan of the accessory apartment that I submitted.
22 MS. CITARAMANIS: Could you identify the accessory
23 apartment entrance?
24 MR. BUBERT: The accessory apartment entrance is
25 all the way to the right of this diagram. It's the bottom

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1 right. There's a door marked. And I'll mark it here.
2 MS. CITARAMANIS: Yes, if you could do that, that
3 would be great. And so the orientation of this floor plan,
4 this is the front?
5 MR. BUBERT: Yes, towards the street would be the
6 bottom of the diagram.
7 MS. CITARAMANIS: This would be the front facing
8 the bottom?
9 MR. BUBERT: Yes. Should I mark that on here
10 also?
11 MS. CITARAMANIS: If you want, yes. Just so that
12 we know how to be looking at this. Can you walk in through
13 the accessory apartment, if you could just go through and
14 identify, walk me through the interior.
15 MR. BUBERT: Sure. As you walk in there is like a
16 small entranceway with a closet on the right. And then this
17 opens up until the existing kitchen area that has a sort of
18 island type counter with a stove. There is a sink, fridge,
19 and washer and dryer, and space for a microwave, with a
20 small window overlooking the sink.
21 MS. CITARAMANIS: Now would that be the, marked as
22 36.000 with the arrows?
23 MR. BUBERT: Yes.
24 MS. CITARAMANIS: So that's a small window?
25 MR. BUBERT: Yeah.

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1 MS. CITARAMANIS: If you could just write that on
2 there, that would be good. Okay. So the existing kitchen.
3 MR. BUBERT: And then there's also a full bath as
4 you walk through the entrance and go straight, there's a
5 bath and a shower, toilet and sink. And also right next to
6 that would be a door that leads to the rest of the house.
7 MS. CITARAMANIS: Would that be the 36?
8 MR. BUBERT: Yes.
9 MS. CITARAMANIS: So that's a door?
10 MR. BUBERT: Yes, it's a door.
11 MS. CITARAMANIS: That's an interior door into the
12 main dwelling?
13 MR. BUBERT: Interior door. Yes.
14 MS. CITARAMANIS: Because that was one of my
15 questions. So, if you could identify that as interior door
16 to main dwelling. And is that door secure?
17 MR. BUBERT: Yes.
18 MS. CITARAMANIS: Between the accessory apartment
19 and the main dwelling?
20 MR. BUBERT: Yes, it has a lock on it.
21 MS. CITARAMANIS: So you have the interior door.
22 All right, so next area.
23 MR. BUBERT: Okay. Then moving from the kitchen
24 there is a small hallway leading past the utilities, the
25 water heater and furnace which has like a sliding bi-fold

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1 louvered doors in front of it. There's a half flight of
2 stairs that go down into the den.
3 MS. CITARAMANIS: It goes down?
4 MR. BUBERT: Yes, it goes down.
5 MS. CITARAMANIS: See, I wasn't sure if that was
6 going up. That's why I was confused. So you walk into the
7 accessory apartment at ground level?
8 MR. BUBERT: Yes.
9 MS. CITARAMANIS: And the kitchen and the bath and
10 the furnace area are on the ground level.
11 MR. BUBERT: Yes.
12 MS. CITARAMANIS: And then the rest of the
13 accessory apartment drops down?
14 MR. BUBERT: Yes.
15 MS. CITARAMANIS: Okay. So it drops down.
16 MR. BUBERT: It drops down into a den with a
17 basement window, that's the 28 inch window marked.
18 MS. CITARAMANIS: And is the den also considered
19 the living room?
20 MR. BUBERT: Yeah, living room.
21 MS. CITARAMANIS: Okay, because in your statement
22 you identify kitchen, full bath and the basement bedroom. I
23 don't think you, I don't know if you identified a den. So
24 it's den/living room?
25 MR. BUBERT: Yeah, den/living room.

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1 MS. CITARAMANIS: And the window in there, just is
2 not an egress window?
3 MR. BUBERT: No.
4 MS. CITARAMANIS: No. So you understand that that
5 cannot be used as a sleeping area?
6 MR. BUBERT: Yes.
7 MS. CITARAMANIS: Okay. All right, so you have
8 your den/living area, and then?
9 MR. BUBERT: Right, and continuing past the den
10 there is a bedroom that has a small walk-in closet and it
11 does have an egress window, which is marked as 36 inches,
12 although I believe it's actually whatever the exact standard
13 is in width.
14 MR. GOFF: It just exactly made it for the egress
15 window.
16 MS. CITARAMANIS: So what he's put on here,
17 existing egress window is correct?
18 MR. GOFF: Yes.
19 MS. CITARAMANIS: Yes. Okay. And that someone
20 can sleep in because it has the egress widow.
21 MR. BUBERT: Right.
22 MS. CITARAMANIS: Okay. Now, is this area below
23 ground? I mean, would that actually be, because there was
24 conflicting in here that this was all above ground.
25 MR. BUBERT: The entrance is above ground, and

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1 this half is below ground. So once we go down a flight of
2 stairs --
3 MS. CITARAMANIS: Technically, the basement.
4 MR. BUBERT: Yeah, it's a basement.
5 MS. CITARAMANIS: So it's a split level.
6 MR. BUBERT: Right. It's confusing. It's like a
7 four level split, so it just keeps going up. It's kind of
8 strange.
9 MS. CITARAMANIS: Right. But the accessory
10 apartment is --
11 MR. BUBERT: Lower two levels.
12 MS. CITARAMANIS: Ground and lower?
13 MR. BUBERT: Yes.
14 MS. CITARAMANIS: And everything else is main
15 dwelling?
16 MR. BUBERT: Yes.
17 MS. CITARAMANIS: And that is accessed from the
18 interior steps, which are off of the --
19 MR. BUBERT: Interior door.
20 MS. CITARAMANIS: Off of the little hallway
21 adjacent to the bath.
22 MR. BUBERT: Right.
23 MS. CITARAMANIS: And then the rest is below
24 ground?
25 MR. BUBERT: Right.

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1 MS. CITARAMANIS: Do they make those kinds of
2 houses anymore? I mean, I've been in those kind of houses
3 before. It's like they keep going and going.
4 MR. GOFF: Yeah, I bought one in July, and I'm
5 still not used to it. It's really odd.
6 MS. CITARAMANIS: Yeah, it is different. I have a
7 friend who has one. I'm like, where are we going. So,
8 okay, that was good. And you marked as we went along in red
9 pen further clarifying?
10 MR. BUBERT: Yes.
11 MS. CITARAMANIS: And the next picture which would
12 be 5(a), what is that?
13 MR. BUBERT: 5(a) is a side elevation that I drew
14 of the side of the house with the apartment exterior door.
15 MS. CITARAMANIS: Okay.
16 MR. BUBERT: So this viewed from the driveway,
17 with Elby Street to the left of this drawing.
18 MS. CITARAMANIS: Okay. Existing apartment
19 exterior door. And, if you could, just draw another
20 triangle or however and just identify the light. That way
21 it's all consistent.
22 MR. BUBERT: Sure.
23 MS. CITARAMANIS: It doesn't have to be exact, but
24 just general location.
25 MR. BUBERT: Okay, it's marked as exterior light

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1 triangle.
2 MS. CITARAMANIS: Perfect. In the Technical Staff
3 Report, did you see the photos taken in the Technical Staff
4 Report or showing in the Technical Staff Report?
5 MR. BUBERT: Yes, I did.
6 MS. CITARAMANIS: If you go to Attachment No. 2.
7 It would be essentially page 17, even though it's not
8 marked. It's identified as Attachment No. 2.
9 MR. BUBERT: Yes.
10 MS. CITARAMANIS: And, it looks like there's three
11 pictures. Do these pictures, I know you didn't take these
12 pictures, or did you take these pictures?
13 MR. BUBERT: No, I didn't take these.
14 MS. CITARAMANIS: But do these pictures look like
15 your house?
16 MR. BUBERT: Yes, this is the house.
17 MS. CITARAMANIS: They accurately depict the front
18 of your house?
19 MR. BUBERT: Yes, ma'am.
20 MS. CITARAMANIS: The entrance to the apartment,
21 obviously it's a different angle, but it looks like a more
22 close-up.
23 MR. BUBERT: Uh-huh.
24 MS. CITARAMANIS: And then the third picture, can
25 you describe that and tell me if that accurately depicts

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1 that angle of your house.
2 MR. BUBERT: That's a picture looking down Elby
3 Street with my house on the left.
4 MS. CITARAMANIS: With the sign, which is really
5 good.
6 MR. BUBERT: With the sign, yes.
7 MS. CITARAMANIS: Which it still needs to stay up.
8 MR. BUBERT: It is up. It's in better shape than
9 it is in this picture right now.
10 MS. CITARAMANIS: Okay. So, you don't have any
11 problems with these pictures?
12 MR. BUBERT: No, ma'am.
13 MS. CITARAMANIS: You've identified them as well
14 as, I think they included your landscape and lighting plan.
15 Okay. And, when did you purchase the house?
16 MR. BUBERT: I purchased it in May of 2012. No,
17 2011, sorry. May of 2011.
18 MS. CITARAMANIS: Okay. Yeah, I think, although
19 you're -- if you could go to, you said that there's a letter
20 in here from your real estate agent. Do you have that in
21 front of you?
22 MR. BUBERT: Yes. No, actually I don't.
23 MS. CITARAMANIS: And just tell me what this is
24 since he's not here.
25 MR. BUBERT: He basically was affirming that there

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1 was an existing kitchen, an apartment in the house when I
2 bought it, just to clarify that it was already there.
3 MS. CITARAMANIS: And it says you purchased it in
4 April 21, 2011.
5 MR. BUBERT: Yes, that sounds about right.
6 MS. CITARAMANIS: Well, the deed will show when it
7 was recorded, which was probably closer to May.
8 MR. BUBERT: Right.
9 MS. CITARAMANIS: We'll find that when we see
10 that. All right, so looking at your, you don't have it in
11 front of you probably, I'm looking at your statement.
12 MR. BUBERT: Uh-huh.
13 MS. CITARAMANIS: Do you want to look at your
14 statement. I just want to make sure everything is -- I have
15 a copy so -- I just want to go through and make sure
16 everything in it is still true, and if there's any
17 modifications that you wanted to make, now would be the
18 time. So this would be Exhibit 3(a). The accessory
19 apartment was existing when you purchased it in April of
20 2011?
21 MR. BUBERT: Yes, ma'am.
22 MS. CITARAMANIS: And located in the basement.
23 Okay, ground level then basement.
24 MR. BUBERT: Right.
25 MS. CITARAMANIS: You have owned it for one year.

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1 You filed this, I believe, in September.
2 MR. BUBERT: That sounds right.
3 MS. CITARAMANIS: It was built in 1960. I think
4 the tax records show that.
5 MR. BUBERT: I believe so, yeah.
6 MS. CITARAMANIS: Okay, and you said it would be
7 occupied by no more than two adult tenants, which is true
8 because that's the max that you'll be able to do it. A
9 family of two or two unrelated persons. And it will have
10 the same address, correct?
11 MR. BUBERT: Correct.
12 MS. CITARAMANIS: As the main dwelling. You're
13 not making any modifications to the interior or the
14 exterior. Utilities are adequate and the same as the main
15 dwelling?
16 MR. BUBERT: Yes.
17 MS. CITARAMANIS: Equipped with a kitchen, full
18 bath, basement bedroom, fire escape that meets housing code,
19 which Mr. Goff just confirmed. No tress or other
20 landscaping will be affected. Existing side entrance, which
21 you've already identified, and parking -- you have how many
22 cars?
23 MR. BUBERT: I have one.
24 MS. CITARAMANIS: You have one car. And, the
25 driveway can accommodate, I believe staff said three parked

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1 in a line. Is there any restriction on the street with
2 parking like a permit?
3 MR. BUBERT: There is no permits or anything, no.
4 MS. CITARAMANIS: No permit, okay. And, in front
5 of the house, you're a corner unit.
6 MR. BUBERT: Right.
7 MS. CITARAMANIS: So, and you have a sidewalk in
8 front of your house?
9 MR. BUBERT: Yes, I do.
10 MS. CITARAMANIS: I'm looking at the picture that
11 staff provided, and it looks like not a whole lot of
12 vehicles parked because you have plenty of space on the
13 street.
14 MR. BUBERT: Right, I do.
15 MS. CITARAMANIS: Is there a street light?
16 MR. BUBERT: No, there are no street lights.
17 MS. CITARAMANIS: I see that you have a front
18 pole.
19 MR. BUBERT: Yeah, there's a lamp post in front of
20 the house.
21 MS. CITARAMANIS: And there's a light at the main
22 entrance?
23 MR. BUBERT: Yes.
24 MS. CITARAMANIS: Okay. I'm attempting to correct
25 the errors of the previous homeowner, apparently

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1 constructing and operating this apartment without
2 permission. So this was somebody else, not you?
3 MR. BUBERT: Yeah. This existed when I moved in.
4 So I'm just trying to get it --
5 MS. CITARAMANIS: Comply?
6 MR. BUBERT: Right.
7 MS. CITARAMANIS: Which is good. They like that
8 when that happens. All right. Anything you want to change
9 or add to this?
10 MR. BUBERT: No. This looks fine to me.
11 MS. CITARAMANIS: Okay, and you see that you
12 identified 750 square feet of space, but Mr. Goff has done
13 the correct measurements and you're fine with the
14 measurements?
15 MR. BUBERT: Yes, yes. He knows how to measure
16 better than I do.
17 MS. CITARAMANIS: That's okay. But I just want to
18 make sure in looking at this you understand that it's really
19 442.3 and the habitable space, you understand what habitable
20 space means?
21 MR. BUBERT: I'm not 100 percent sure.
22 MS. CITARAMANIS: Okay, habitable space is
23 basically the measurements that they use to determine how
24 many people can actually occupy.
25 MR. BUBERT: Okay.

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1 MS. CITARAMANIS: So as you can see, it's larger,
2 442, the actual space, but that's not the number he's going
3 off of. He's going off on what can be occupied by
4 individuals.
5 MR. BUBERT: Right, okay.
6 MS. CITARAMANIS: Just the location. You don't
7 take into consideration hallways. So that's what determines
8 the number of people that can occupy it.
9 MR. BUBERT: Okay.
10 MS. CITARAMANIS: All right. I think that we have
11 covered everything before we go on to Mr. Goff. You know
12 that the lighting, you can't change the lighting up. It
13 needs to be residential.
14 MR. BUBERT: Right.
15 MS. CITARAMANIS: The idea is for it to fit into
16 the neighborhood. So your lighting that you have, keep it
17 at that or lower.
18 MR. BUBERT: Okay.
19 MS. CITARAMANIS: Anything else you want to add?
20 MR. BUBERT: No, ma'am.
21 MS. CITARAMANIS: Okay, so we'll go to Mr. Goff.
22 You inspected the property?
23 MR. GOFF: Yes, on March 4, 2013.
24 MS. CITARAMANIS: And, we've already gone through
25 the five items that you noted.

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1 MR. GOFF: Yes.
2 MS. CITARAMANIS: Is there anything you want to
3 add for clarification based on what you've just heard with
4 petitioner's testimony?
5 MR. GOFF: The only thing I'd like to add is that,
6 so it's on record, he knows that the unit is occupied right
7 now. If the Board denies the approval for the apartment,
8 you'll have 30 days from denial to remove anything that
9 could cook heat or warm food, and the tenants must be moved
10 out.
11 MR. BUBERT: Okay. Understood.
12 MS. CITARAMANIS: Are there any violations with
13 that that are pending?
14 MR. GOFF: The property was inspected. I don't
15 have the date in front of me, and the owner was told not to
16 rent it until it was legal. Once he applied for it, he
17 rented it out.
18 MS. CITARAMANIS: Do you understand that that's
19 not legal?
20 MR. BUBERT: Yes, ma'am, I understand.
21 MS. CITARAMANIS: And have you been cited for
22 that?
23 MR. BUBERT: No, I haven't been cited.
24 MS. CITARAMANIS: And, do you understand what he
25 just said with regard to --

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1 MR. BUBERT: Yes, ma'am.
2 MS. CITARAMANIS: Okay.
3 MR. GOFF: That's why I didn't cite him for it. I
4 was just letting him know that, you know, it is a citation,
5 but if the Board denies it, you have 30 days from the denial
6 letter.
7 MR. BUBERT: Okay.
8 MR. GOFF: We won't be sending you out a notice or
9 anything, okay?
10 MR. BUBERT: Okay.
11 MS. CITARAMANIS: Now, did you have any more
12 questions for Mr. Goff?
13 MR. BUBERT: No, ma'am.
14 MS. CITARAMANIS: Okay, and you understand that
15 how this will work is, I will make a recommendation. I will
16 write a report and recommendation to the Board of Appeals.
17 You'll get a copy of that recommendation, and once it goes
18 back to the Board of Appeals, you'll have 10 days in which
19 to request an oral argument if you want to come into the
20 Board to either dispute whatever my recommendation is. It
21 won't be a full blown hearing like this. They meet in a
22 worksession and decide based on the staff report, my report,
23 Mr. Goff's report. But you do have that opportunity. It'll
24 be spelled out in the document that they would send you to
25 come in. But you have to request that you want to be

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1 present to make an oral argument. And once they make their
2 decision, then they'll send out the decision. You need to
3 keep your sign up until it's all final.
4 MR. BUBERT: Okay.
5 MS. CITARAMANIS: Once it is, if it's approved,
6 then Mr. Goff has to come out and do a final inspection to
7 make sure that you've complied with all of the issues that
8 he has noted, and hopefully no new ones will show up. And
9 then, I guess you go from there to apply for the license.
10 MR. GOFF: I'll give him all the information in
11 the final inspection.
12 MS. CITARAMANIS: Yes. Once you get a final
13 decision from the Board of Appeals and you contact Mr. Goff,
14 and you say, okay, let's come out and schedule that. And
15 he, of course, just explained to you if there is a problem
16 and it's not approved, certainly you have appeal rights and
17 all that, but you won't need to go into that at this point.
18 He just gave you advice as to you'd have 30 days from the
19 denial because of the people who are in there. It's good
20 that you haven't been cited at this point.
21 MR. BUBERT: Okay.
22 MS. CITARAMANIS: At this point I'm going to admit
23 all of the exhibits into the record, which we are, I
24 believe, up to 18. Exhibit 18, which was your driver's
25 license address correction.

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1 (Exhibit No. 18 was marked
2 for identification.)
3 MS. CITARAMANIS: I'm going to let the record
4 reflect that petitioner has handed back Exhibit 3(a), 3(b),
5 4, 5, 5(a), 6 and 9. I just want to make sure you don't
6 have anything else on there that has a red stamp?
7 MR. BUBERT: No, I don't.
8 MS. CITARAMANIS: Because if I don't have it, I
9 can't consider it. And, Mr. Goff, oh, you submitted the
10 letter from Ms. DeJesus.
11 MR. BUBERT: This actually does have a red stamp.
12 MS. CITARAMANIS: Actually, she might have stamped
13 that just for you, because she didn't originally stamp it.
14 That's Exhibit 17. She just did that because she forgot to
15 copy it. What is that letter again, Mr. Goff?
16 MR. GOFF: Just the locations of the accessory
17 apartments in the neighborhood.
18 MS. CITARAMANIS: Okay. And I think they
19 identified two and two registered living units, and they're
20 noted on the map. And basically, that is just a report so
21 we know, it goes to one of the elements making sure it's not
22 an excessive concentration. Another question I forgot to
23 ask Mr. Goff, does the accessory apartment affect the
24 residential character of the neighborhood?
25 MR. GOFF: No, not at all.

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1 MS. CITARAMANIS: Any adverse impact?
2 MR. GOFF: No.
3 MS. CITARAMANIS: Okay. All right. You already
4 submitted your Affidavit of Posting. Let me pull the
5 calendar out. Ask the court reporter, 10 days sufficient
6 time?
7 COURT REPORTER: Yes.
8 MS. CITARAMANIS: Is 10 days sufficient time for
9 you to get the deed to me?
10 MR. BUBERT: Yes, ma'am.
11 MS. CITARAMANIS: Okay, so I'm looking at my
12 calendar, today is the 7th. So you could have it here by
13 March 18 or do you need more time?
14 MR. BUBERT: Yes, ma'am.
15 MS. CITARAMANIS: Now would be the time.
16 MR. BUBERT: No, that's plenty of time.
17 MS. CITARAMANIS: Okay, so the record will close
18 by close of business, which I believe around here is 5:00,
19 5:30. Anyway, by close of business Monday, March 18,
20 petitioner needs to provide a copy of the deed to the
21 property, and if that proves to be a problem and you know
22 that you're not going to be able to comply with that, what
23 you need to do is send an e-mail or a letter or call Ms.
24 Forbes indicating that, so that I can extend the closing of
25 the record.

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1 MR. BUBERT: Okay.
2 MS. CITARAMANIS: I can't receive evidence when
3 the record is closed. I would have to reopen it, and it's
4 just easier to extend the closing of the record, if that's
5 needed. And things happen. So just keep that in mind.
6 MR. BUBERT: Okay.
7 MS. CITARAMANIS: Okay?
8 MR. BUBERT: Okay.
9 MS. CITARAMANIS: All right. Keep your property
10 posted until they tell you you can take it down, and that's
11 generally after the Board has made a decision.
12 MR. BUBERT: Okay. Thank you.
13 MS. CITARAMANIS: All right. We are adjourned and
14 the record will close on the 18th of March.
15 (Whereupon, at 11:51 a.m., the hearing was
16 concluded.)
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C E R T I F I C A T E
DEPOSITION SERVICES, INC., hereby certifies that
the attached pages represent an accurate transcript of the
electronic sound recording of the proceedings before the
Office of Zoning and Administrative Hearings for Montgomery
County in the matter of:
Petition of Edward A. Bubert
Special Exception No. S-2860
OZAH No. 13-09

By:

Keena Lukacinsky
Transcriber

<p style="text-align: center;">A</p>	<p>31:7 adverse (1) 39:1</p>	<p>3:3,11,14;36:16,18; 37:13</p>	<p>basically (8) 5:16;9:7;10:4,12; 11:18;29:25;33:23; 38:20</p>	<p>13,17,20,23;24:4,8,11, 14,16,20,25;25:3,6,9, 21,25;26:4,6,11,13,16, 19,22,25;27:10,13,16, 22,25;28:5,9,13,16,19, 23;29:2,6,8,16,22,25; 30:5,8,12,21,24;31:2,5, 11,16,23;32:3,6,9,14, 16,19,23;33:3,6,10,15, 21,25;34:5,9,14,18,20; 35:11,20,23;36:1,7,10, 13;37:4,21;38:7,11; 39:10,14,16;40:1,6,8, 12</p>
<p>abide (1) 13:21</p>	<p>advice (1) 37:18</p>	<p>appearance (1) 13:6</p>	<p>bath (6) 23:3,5;24:9,22; 26:21;31:18</p>	<p>BUBERTA (1) 29:12</p>
<p>able (2) 31:8;39:22</p>	<p>affairs (1) 5:14</p>	<p>appears (1) 5:14</p>	<p>become (1) 4:25</p>	<p>built (1) 31:3</p>
<p>above (2) 25:24,25</p>	<p>affect (1) 38:23</p>	<p>applicant (5) 8:15,18;9:5,14,17</p>	<p>bedroom (3) 24:22;25:10;31:18</p>	<p>burden (1) 10:11</p>
<p>accepted (1) 5:13</p>	<p>affected (1) 31:20</p>	<p>application (7) 3:4,15;5:16;8:2; 14:12,14;15:19</p>	<p>behalf (1) 3:10</p>	<p>business (2) 39:18,19</p>
<p>access (5) 17:3,4,8;18:2,12</p>	<p>Affidavit (2) 6:15;39:4</p>	<p>applied (1) 35:16</p>	<p>below (3) 25:22;26:1,23</p>	<p style="text-align: center;">C</p>
<p>accessed (1) 26:17</p>	<p>affirmative (1) 6:14</p>	<p>apply (1) 37:9</p>	<p>better (3) 4:18;29:8;33:16</p>	<p>calendar (2) 39:5,12</p>
<p>accessory (28) 3:5;5:17,20,24;6:6; 8:20;9:8;11:12,19; 13:11,16;15:22;17:4, 18,21;20:5,15;21:21, 22,24;22:13;23:18; 24:7,13;26:9;30:18; 38:16,23</p>	<p>affirming (1) 29:25</p>	<p>appropriate (1) 5:12</p>	<p>bi-fold (1) 23:25</p>	<p>call (3) 5:18;15:8;39:23</p>
<p>accommodate (3) 13:13;17:4;31:25</p>	<p>again (5) 12:6;19:24;20:4,13; 38:15</p>	<p>approval (3) 6:2;8:14;35:7</p>	<p>bit (1) 10:21</p>	<p>can (31) 4:17,18;5:3,5,9,9,21, 22,24;7:5,10;9:8; 11:22;13:3,11,17,17; 14:4;15:14;20:22; 21:19;22:12;25:20; 28:24;31:25;33:24; 34:1,3,8;39:24;40:10</p>
<p>account (1) 3:8</p>	<p>agent (2) 4:7;29:20</p>	<p>approved (3) 9:7;37:5,16</p>	<p>Block (1) 3:8</p>	<p>car (7) 16:20,21;17:5,7; 18:5,17;31:24</p>
<p>accurately (3) 18:25;28:17,25</p>	<p>ago (2) 19:4,7</p>	<p>approximate (1) 21:20</p>	<p>blown (1) 36:21</p>	<p>cars (5) 13:13;17:3,25;18:9; 31:22</p>
<p>actual (1) 34:2</p>	<p>agree (5) 10:8,16,19;12:7; 13:21</p>	<p>approximately (2) 18:4;19:17</p>	<p>Board (11) 3:3,10,13,14;35:7; 36:5,16,18,20;37:13; 40:11</p>	<p>Case (3) 3:3;10:21;12:5</p>
<p>actually (11) 4:12;7:3;9:22;14:22; 19:14;25:12,23;29:22; 33:24;38:11,12</p>	<p>allow (1) 3:4</p>	<p>April (2) 30:4,19</p>	<p>Both (5) 4:22;6:12,14;7:17; 17:13</p>	<p>ceiling (1) 13:12</p>
<p>Ada (1) 11:17</p>	<p>allows (1) 7:14</p>	<p>area (7) 11:20;22:17;23:22; 24:10;25:5,8,22</p>	<p>bottom (3) 21:25;22:6,8</p>	<p>changed (1) 14:20</p>
<p>add (8) 7:6;11:15;13:25; 21:15;33:9;34:19;35:3, 5</p>	<p>along (1) 27:8</p>	<p>argument (2) 36:19;37:1</p>	<p>bought (2) 27:4;30:2</p>	<p>changes (2) 19:3;21:11</p>
<p>additional (1) 7:11</p>	<p>although (2) 25:12;29:18</p>	<p>around (2) 8:9;39:18</p>	<p>bound (1) 8:15</p>	<p>character (1) 38:24</p>
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