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Transcript of Hearing

Date: April 10, 2017

Case: Mitchell-Gilkey Accessory Apartment, In Re:

Planet Depos

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Transcript of Hearing
Conducted on April 10, 2017

1 (1 to 4)

1	3
1 OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS	1 appeal my decision with the Board of Appeals. So before we
2 FOR MONTGOMERY COUNTY, MARYLAND	2 get started I would like everybody to identify yourself and
3 -----X	3 then I am going to swear you in only because anything that
4 In Re: :	4 you say is under oath and most people start talking and I
5 MITCHELL-GILKEY ACCESSORY : Case No. CU 17-07	5 haven't sworn you in yet. So Ms. Mitchell-Gilkey if you
6 APARTMENT :	6 could identify yourself, state your name and your address.
7 -----X	7 TRUDY MITCHELL-GILKEY: I am Trudy Mitchell-Gilkey. I
8	8 live at 702 Auburn Avenue in Tacoma Park Maryland, 20912.
9 HEARING	9 TAMMY CITARAMANIS: And you are the applicant?
10 Before Hearing Examiner Tammy Citaramanis	10 TRUDY MITCHELL-GILKEY: Yes.
11 Rockville, Maryland	11 TAMMY CITARAMANIS: Correct. Ok.
12 Monday, April 10, 2017	12 CECE KINNA: I am Cece Kinna Housing Code Inspector
13 9:34 a.m.	13 with the Department of Housing and Community Affairs and
14	14 our address is 1401 Rockville Pike Rockville. I think the
15	15 same zip code, 20852.
16	16 TAMMY CITARAMANIS: Close enough.
17	17 CECE KINNA: Yeah.
18	18 TAMMY CITARAMANIS: Ok. So I am going to ask you both
19	19 to, both of you are going to testify, raise your right
20	20 hand. Do you swear to tell the truth, the whole truth, and
21	21 nothing but the truth under the penalty of perjury?
22	22 CECE KINNA: Yes.
23 Job: 141344	23 TRUDY MITCHELL-GILKEY: Yes.
24 Pages: 1 - 57	24 TAMMY CITARAMANIS: Ok. Both have answered in the
25 Transcribed by: Susan E. Wilson	25 affirmative. So just I am going to do a preliminary
2	4
1 PROCEEDINGS	1 information just how you got here and then I am going to
2 TAMMY CITARAMANIS: 9:30, almost 9:35 on April 10th	2 ask you if you have any preliminary matters and explain to
3 2017. I am going to call the public hearing case number CU	3 you how this process is going to go. It is going to be
4 17-07 which is an application by Trudy Mitchell-Gilkey for	4 pretty boring because you don't have anybody here who is
5 a conditional use to permit an accessory apartment in the	5 opposing Ms. Kinna. Kinna right not McKinna?
6 basement of her home. The property does not meet the	6 CECE KINNA: Not Mc.
7 minimum onsite parking requirements for an accessory	7 TAMMY CITARAMANIS: Kinna here to talk about the
8 apartment. So on August 23rd 2016 the Department of Housing	8 report. So the history of filing is that the Department of
9 and Community Affairs referred applicant to the Office of	9 Housing and Community-
10 Zoning and Administrative Hearings to file a conditional	10 CECE KINNA: Affairs.
11 use to seek relief from the onsite parking requirements and	11 TAMMY CITARAMANIS: I went to say association.
12 is doing this pursuant to section 59.3.3.3A2B1 of the	12 Affairs, referred you to file application with us on August
13 Zoning Ordinance as well as the section relating to	13 23th 2006. The application was filed October 26 2016. The
14 conditional uses generally. The accessory apartment will be	14 hearing was originally scheduled tentatively for February
15 located in the basement of an existing single family	15 13th 2017. No notice was issued. The date was reset at
16 dwelling located at 702 Auburn Avenue Takoma Park Maryland,	16 applicant's request and set for today's hearing and a
17 20912. The subject property is 5,013 square feet in size.	17 notice issued March 9th 2017. Technical Staff has issued a
18 Is identified as lot 2 block 109 in the Glazewood Manor	18 report they reviewed the application and issued a report
19 Subdivision. Properties located in R60 zone and has a tax	19 recommending approval with for conditions. That report is
20 account number 13-03748446. This hearing is conducted on	20 dated March 3rd 2017. The Department of Housing and
21 behalf of the Office of Zoning and Administrative Hearings.	21 Community Affairs inspected the property on March 28th 2017
22 My name is Tammy Citaramanis. I am the Hearing Examiner. I	22 and issued a report dated April 3rd 2017 and identified 5
23 am conducting the hearing which means I will take evidence	23 housing code violations. I note here that Ms. Forbes in the
24 and write a report and a decision within 30 days after the	24 office has had you sign an affidavit of posting dated today
25 record closed. My decision will be final if you do not	25 which is going to be part of the record. How this

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2 (5 to 8)

<p>5</p> <p>1 proceeding goes is I am going to ask you questions and any 2 clarifications you need to make to your application, any 3 new documents you need to, any modifications we are going 4 to ask you to identify that information that is in the 5 record to make sure that it is what you submitted. We will 6 ask Ms. Kinna to talk about the inspection and at that 7 point we can ask her questions and if she has questions for 8 you we can do that on the record. It just lets everybody 9 know that when you leave here what you need to do is clear 10 and you should do it so hopefully the process will go 11 smoothly. So, with that in mind have you received the Staff 12 Report, the Technical Staff Report? 13 TRUDY MITCHELL-GILKEY: From Ms. Cece? 14 TAMMY CITARAMANIS: Yes. With her there is a Staff 15 Report and then there is an Inspection Report. She has the 16 Inspection Report. Have you received both? 17 TRUDY MITCHELL-GILKEY: I think I got an email from 18 her. 19 TAMMY CITARAMANIS: Ok. I am going to pull out the 20 staff report and make sure that you have read it because 21 that is important. Because they review your application and 22 then they make a recommendation to me which is important to 23 me but let me- You can come up and see if you have seen 24 this and I will also hand you a copy of- What I am handing 25 you is identified as exhibit 28. It is the Technical Staff</p>	<p>7</p> <p>1 would be the time to address them and the same thing will 2 go for Ms. Kinna's inspection report she has identified- 3 TRUDY MITCHELL-GILKEY: I have a question if I can 4 ask? 5 TAMMY CITARAMANIS: Absolutely. This is the time. 6 TRUDY MITCHELL-GILKEY: I was wondering if when it 7 said I would have to extinguish the owner occupied birth 8 certificate. Does that mean I am not allowed to stay in the 9 accessory apartment? That at the top? 10 TAMMY CITARAMANIS: I think that is what that says. 11 TRUDY MITCHELL-GILKEY: I don't understand why I 12 couldn't live there. 13 TAMMY CITARAMANIS: I believe that- 14 TRUDY MITCHELL-GILKEY: I don't understand what 15 difference it makes. 16 TAMMY CITARAMANIS: Because the ordinance says that 17 it can only have 1 unit that can be rented out and I 18 understand that Takoma Park has an owner occupied- 19 TRUDY MITCHELL-GILKEY: Right but I wouldn't be 20 renting to myself. I lived in the basement I wouldn't be 21 renting to myself. I would just be living there free. I 22 wouldn't charge myself rent. 23 TAMMY CITARAMANIS: Right. Well I don't- I believe 24 did Ms.- Well let's look at the reason why she said that. I 25 can certainly find out. Do you know that answer Ms. Kinna?</p>
<p>6</p> <p>1 Report. I am also going to give you a copy of- I will need 2 those back after you have reviewed them. Then here is also 3 a copy of Ms. Kinna's Inspection Report which is identified 4 as exhibit 29A. If you could look at those for a second and 5 tell me if you have read them. If you have not read them we 6 are going to take a break, give you an opportunity to read 7 them and then go back on the record. So do you recall 8 reading either one of those documents? 9 TRUDY MITCHELL-GILKEY: This one. 10 TAMMY CITARAMANIS: When you say this one you are 11 referring to the Technical Staff Report exhibit 28? 12 TRUDY MITCHELL-GILKEY: I have received this one, 13 yes. 14 TAMMY CITARAMANIS: You have? 15 TRUDY MITCHELL-GILKEY: I have received, actually I 16 have this one. This one number 28 I have with me. 17 TAMMY CITARAMANIS: Have you read it? 18 TRUDY MITCHELL-GILKEY: Not word for word. 19 TAMMY CITARAMANIS: Ok. Well do you want to take a 20 moment to read it and we will point you specifically to the 21 recommendation which is located on page number 2 in the 22 middle you will see that the staff recommends the 23 application be approved with the following conditions and 24 those are conditions that I will incorporate in my 25 decision. So if you have a problem with any of those now</p>	<p>8</p> <p>1 CECE KINNA: No I don't. 2 TAMMY CITARAMANIS: It sounds like it will be- 3 CECE KINNA: It almost sounds like it was operating 4 as a group home and- sorry. 5 TAMMY CITARAMANIS: No that is ok. 6 CECE KINNA: That is the impression I am getting. So 7 I don't know if maybe there were other persons occupying 8 the main part of the house and maybe they are saying you 9 can't do both, have a group home and an accessory. 10 TAMMY CITARAMANIS: Right. I think that is probably 11 the distinction because right now my reading of the owner 12 occupied regulation is that you live in the house but you 13 rent a room to somebody. 14 TRUDY MITCHELL-GILKEY: I see. I see. 15 TAMMY CITARAMANIS: You all share common spaces. So 16 how you are- How it is being done now that particular 17 action cannot happen. 18 TRUDY MITCHELL-GILKEY: I understand. 19 TAMMY CITARAMANIS: I believe. So- 20 TRUDY MITCHELL-GILKEY: So do you know if this were- 21 Because this is not a problem. Letting go- 22 TAMMY CITARAMANIS: Letting go of that. 23 TRUDY MITCHELL-GILKEY: That is not a problem. I 24 guess my question is which I couldn't quite understand is 25 let's say I don't want a group-</p>

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3 (9 to 12)

<p>9</p> <p>1 TAMMY CITARAMANIS: Well, you would have to 2 extinguish that if you want the accessory apartment. Then 3 it sounds like your question then once that is extinguished 4 you have a house that has 2 living units. One is in the 5 basement and one is in the main house. The question is can 6 you live in the accessory apartment and rent out the top 7 floor. 8 TRUDY MITCHELL-GILKEY: Yes. 9 TAMMY CITARAMANIS: I am not exactly sure. I believe 10 that you may but I will certainly address that. I will 11 answer that question in my recommendation. 12 TRUDY MITCHELL-GILKEY: Ok. Sure. 13 TAMMY CITARAMANIS: I think you can but that is not, 14 don't hold me to that right this second. We will confirm 15 that with Staff. 16 TRUDY MITCHELL-GILKEY: It will take me no more than 17 10 minutes to read this Your Honor. 18 TAMMY CITARAMANIS: Ok. So why don't we take a few 19 moments and read the Inspection Report as well as the Staff 20 Report because then we are going to talk about that and 21 then (inaudible)Ms. Kinna. Ok? 22 TRUDY MITCHELL-GILKEY: Ok. 23 TAMMY CITARAMANIS: So we are going to go off the 24 record for 10 minutes. We will be back at about 5 minutes 25 till.</p>	<p>11</p> <p>1 record reflect that you did that. So but you don't have a 2 copy right now in front of you do you? Because if you don't 3 I still can make sure- 4 TRUDY MITCHELL-GILKEY: I have a copy of- 5 TAMMY CITARAMANIS: You have a copy of both? 6 TRUDY MITCHELL-GILKEY: I have an email of the- 7 TAMMY CITARAMANIS: Go ahead and keep that. 8 TRUDY MITCHELL-GILKEY: Not write on it. 9 TAMMY CITARAMANIS: Just don't write on it anymore. 10 TRUDY MITCHELL-GILKEY: Sorry. 11 TAMMY CITARAMANIS: No problem. Ok so we have 12 established- 13 CECE KINNA: You can have this one if you want? 14 TAMMY CITARAMANIS: We have established that you have 15 read the Staff Report as well as the Inspection Report. 16 With regards to the Staff Report do you have any questions 17 with regards to the conditions which I am going to read 18 into the record and then if you do we can answer them. 19 Staff has recommended that the application be approved with 20 the following conditions. 1) The applicant is bound by all 21 submitted statements and materials of record. 2) The 22 number, the total number of occupants residing in the 23 accessory apartment who are 18 years or older is limited to 24 2. 3) No other rental residential uses are allowed on the 25 subject property. 4) The applicant must extinguish the</p>
<p>10</p> <p>1 TRUDY MITCHELL-GILKEY: I owe you an apology. 2 TAMMY CITARAMANIS: For what? 3 TRUDY MITCHELL-GILKEY: I have a very bad habit of 4 writing while I read. 5 TAMMY CITARAMANIS: You wrote on the- 6 TRUDY MITCHELL-GILKEY: I am so sorry. 7 TAMMY CITARAMANIS: Ok. Let me see. Does it say copy 8 on it? 9 TRUDY MITCHELL-GILKEY: Yes ma'am 10 TAMMY CITARAMANIS: Ok we are good. That one says 11 copy. I have the one that says copy. 12 TRUDY MITCHELL-GILKEY: I am very sorry. 13 TAMMY CITARAMANIS: That is ok. Why don't you bring 14 that up to me and let me see. I think we- 15 TRUDY MITCHELL-GILKEY: I am sorry about that. 16 TAMMY CITARAMANIS: It happens. 17 TRUDY MITCHELL-GILKEY: I try to take notes for 18 myself. 19 TAMMY CITARAMANIS: That is ok. Did you mark the 20 Staff Report? 21 TRUDY MITCHELL-GILKEY: I circled one thing. 22 TAMMY CITARAMANIS: What page? 23 TRUDY MITCHELL-GILKEY: I circled that and put a 24 check over here. 25 TAMMY CITARAMANIS: That is ok. We will just let the</p>	<p>12</p> <p>1 owner occupied group house certificate of registration with 2 the city of Takoma Park prior to issuance of a use of 3 occupancy current for the conditional use. 4 TRUDY MITCHELL-GILKEY: The only question I have 5 relates to what I asked you earlier which is about maybe to 6 amend number 3. When you find out what the rules are amend 7 number 3 to say no other residential renter residential 8 uses are allowed on the subject site unless applicant moves 9 into the basement. Unless the applicant moves into the 10 accessory apartment. 11 TAMMY CITARAMANIS: I will answer that question and 12 clarify it with Staff. I do believe however, that just so 13 long as there is only 1 rental property on the property it 14 doesn't matter whether it is the accessory apartment or 15 upstairs. 16 TRUDY MITCHELL-GILKEY: Ok. The only other 17 (inaudible) ask meet everything? 18 TAMMY CITARAMANIS: Oh yeah, absolutely and just 19 identify the page that you are on and that it is Staff 20 Report. 21 TRUDY MITCHELL-GILKEY: Page 3. 22 TAMMY CITARAMANIS: Page number 3. 23 TRUDY MITCHELL-GILKEY: And 3rd sentence down, it says 24 the proposed accessory apartment will comprise 25 approximately 500 square feet in the basement.</p>

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<p>13</p> <p>1 TAMMY CITARAMANIS: Correct.</p> <p>2 TRUDY MITCHELL-GILKEY: I just wanted to note that</p> <p>3 when we come to Ms. Kinna's report that she has the</p> <p>4 property listed as 918 square feet.</p> <p>5 TAMMY CITARAMANIS: I noticed that distinction and I</p> <p>6 was going to ask you which one was correct.</p> <p>7 TRUDY MITCHELL-GILKEY: It is 500.</p> <p>8 TAMMY CITARAMANIS: It is 500. Ok so-</p> <p>9 TRUDY MITCHELL-GILKEY: We have the drawing here</p> <p>10 also.</p> <p>11 TAMMY CITARAMANIS: Well, we will talk to Ms. Kinna</p> <p>12 and see how she came to that but there is a discrepancy. So</p> <p>13 that will be noted as well and clarified. Other than that</p> <p>14 do you have any other questions or concerns with regards to</p> <p>15 the Staff Report?</p> <p>16 TRUDY MITCHELL-GILKEY: Nothing else.</p> <p>17 TAMMY CITARAMANIS: Ok. So because this lists what</p> <p>18 the criteria is and the recommendations as to how you met</p> <p>19 that criteria. Do you wish to adopt the Staff Report with</p> <p>20 the notations that you just testified to as your own? How</p> <p>21 that helps is that instead of you going point by point we</p> <p>22 can rely on Staff Report.</p> <p>23 TRUDY MITCHELL-GILKEY: I just want to also maybe</p> <p>24 point to page number 7 and this again is to for when we get</p> <p>25 to Ms. Kinna's report on page 7.</p>	<p>15</p> <p>1 TRUDY MITCHELL-GILKEY: In 2013 I didn't build an</p> <p>2 accessory apartment. So I didn't get a permit to build an</p> <p>3 accessory apartment.</p> <p>4 TAMMY CITARAMANIS: This is for the creation of what</p> <p>5 you are asking for now. Right now it is a basement.</p> <p>6 TRUDY MITCHELL-GILKEY: It didn't happen.</p> <p>7 TAMMY CITARAMANIS: It hasn't happened because you</p> <p>8 are here.</p> <p>9 TRUDY MITCHELL-GILKEY: Right.</p> <p>10 TAMMY CITARAMANIS: I believe is that correct Ms.</p> <p>11 Kinna that that is referring to the creation that she wants</p> <p>12 to create or are you speaking in the past?</p> <p>13 CECE KINNA: I am speaking as of when I was out at</p> <p>14 the property earlier at the end of (inaudible) I think it</p> <p>15 was.</p> <p>16 TAMMY CITARAMANIS: Ok.</p> <p>17 TRUDY MITCHELL-GILKEY: The wording says building</p> <p>18 permit. That is the phrasing that I am referring to Your</p> <p>19 Honor because when you use a phrase a building permit that</p> <p>20 implies you need to get a building permit to construct</p> <p>21 something.</p> <p>22 TAMMY CITARAMANIS: Ok well that is certainly we can-</p> <p>23 TRUDY MITCHELL-GILKEY: But the problem is back in</p> <p>24 2013 I wasn't building an accessory apartment. So I wasn't</p> <p>25 building anything. I was just, there was just a basement</p>
<p>14</p> <p>1 TAMMY CITARAMANIS: Page 7?</p> <p>2 TRUDY MITCHELL-GILKEY: Right. Under (inaudible)</p> <p>3 first sentence of second paragraph, the applicant's</p> <p>4 statement of justification noted that (inaudible) was</p> <p>5 inspected and approved by DACA for the (inaudible) 13. I</p> <p>6 just wanted to contrast that with the violation listed</p> <p>7 under Ms. Kinna's report because it says a building permit</p> <p>8 for altering a single family dwelling for the creation of</p> <p>9 an accessory apartment must be obtained and finalized do the</p> <p>10 Department of Community Services. I just it said that the</p> <p>11 timeline is off because first of all accessory apartment</p> <p>12 wasn't built. There was never an accessory apartment built.</p> <p>13 There was always a basement. The apartment- The house came</p> <p>14 with a basement and- I am sorry.</p> <p>15 TAMMY CITARAMANIS: In looking at the Inspection</p> <p>16 Report what paragraph are you on?</p> <p>17 TRUDY MITCHELL-GILKEY: I am sorry. On Ms. Kinna's</p> <p>18 report it is first page under memorandum. Bottom of the</p> <p>19 page under observed housing code violations. It says that a</p> <p>20 building permit for altering the single family dwelling for</p> <p>21 the creation of an accessory apartment must be obtained.</p> <p>22 TAMMY CITARAMANIS: Which is true.</p> <p>23 TRUDY MITCHELL-GILKEY: But this is what I just</p> <p>24 wanted to clarify if I may ask a question.</p> <p>25 TAMMY CITARAMANIS: Ok.</p>	<p>16</p> <p>1 there, already there and I took out the stairs and opened a</p> <p>2 wall and that is you know, I got the electrical finalized, I</p> <p>3 got the gas finalized, I got all of those things were</p> <p>4 permitted but there was no building permit per say for an</p> <p>5 accessory apartment. Because when I finished those things</p> <p>6 and got those things finalized Mr. Goff came out with his</p> <p>7 supervisor, inspect the property exactly the way Ms. Kinna</p> <p>8 saw it and gave me an approval.</p> <p>9 TAMMY CITARAMANIS: For registered living unit.</p> <p>10 TRUDY MITCHELL-GILKEY: Right. But that was done.</p> <p>11 Everything that she saw-</p> <p>12 TAMMY CITARAMANIS: Right which is a different use</p> <p>13 then the accessory apartment.</p> <p>14 TRUDY MITCHELL-GILKEY: I understand. I understand</p> <p>15 the use changed but I just wanted to clarify that the</p> <p>16 phrasing building permit because it was already done the</p> <p>17 ROU and everything that Ms. Kinna saw was already done when</p> <p>18 Mr. Goff and his supervisor came out. In other words, I</p> <p>19 didn't do anything different to the property after Mr. Goff</p> <p>20 and his supervisor left in 2013. It looked exactly the same</p> <p>21 way it looked when they left as she found it. It is just</p> <p>22 the use changed. That is all.</p> <p>23 TAMMY CITARAMANIS: Well we can ask Ms. Kinna what</p> <p>24 she meant on that one, if you can clarify Ms. Kinna. We</p> <p>25 will just go ahead and do it now since we don't have</p>

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5 (17 to 20)

<p>17</p> <p>1 anybody else in here we will just-</p> <p>2 CECE KINNA: Basically back prior to I guess the</p> <p>3 ending of the registered living unit status when it was</p> <p>4 changed to class 3 accessory we didn't check for permits</p> <p>5 then. It was just basically meeting current codes at the</p> <p>6 time that it was approved.</p> <p>7 TAMMY CITARAMANIS: For a registered living unit?</p> <p>8 CECE KINNA: Correct.</p> <p>9 TAMMY CITARAMANIS: Ok. That was February 2013?</p> <p>10 CECE KINNA: Right. So once the status changed</p> <p>11 Montgomery County Council designated that all permits have</p> <p>12 to be pulled for these units. In other words if it is</p> <p>13 existing prior to an owner purchasing the property but it</p> <p>14 was never done legally according to the county codes and</p> <p>15 getting permits the new owner takes responsibility to get</p> <p>16 that. So basically sure the basement was there but there is</p> <p>17 no and I even spoke with Mr. Sackett over at Permitting</p> <p>18 Services. He said none of the permits were for the</p> <p>19 construction of a basement apartment. Now the mechanical</p> <p>20 all that appears to be fine. Mechanical and electrical for</p> <p>21 the work that was done but if anything had been pulled to</p> <p>22 say it was going to be an apartment, where a sleeping area</p> <p>23 was. When I explained the situation, a couple of situations</p> <p>24 I observed in the unit he said that Permitting Services</p> <p>25 were not (inaudible) for this. She would have had to make</p>	<p>19</p> <p>1 process is requiring based on the type of use you want to</p> <p>2 do now those permits have to be reviewed to make sure they</p> <p>3 meet the compliance necessary for this particular type of</p> <p>4 use that being an accessory apartment and they are saying</p> <p>5 that they aren't.</p> <p>6 CECE KINNA: Correct.</p> <p>7 TAMMY CITARAMANIS: And a final review is going to</p> <p>8 happen for those permits to make sure that they comply.</p> <p>9 CECE KINNA: Right that would need to be done. In</p> <p>10 other words, the my memory into my preliminary Inspection</p> <p>11 Report along with the copy of the stamped drawing that was</p> <p>12 provided, well actually there is no stamped drawing but a</p> <p>13 copy of the drawing would have had to have been taken to</p> <p>14 Permitting Services to obtain a Building Permit for an</p> <p>15 accessory apartment. It appears that the electrical work,</p> <p>16 mechanical work that was already done is in compliance.</p> <p>17 TAMMY CITARAMANIS: Is in compliance?</p> <p>18 CECE KINNA: Yes. That is what I said. Those are ok.</p> <p>19 It is just the Permitting Services their records, they are</p> <p>20 saying they were never made aware that this was going to be</p> <p>21 an apartment so to speak.</p> <p>22 TAMMY CITARAMANIS: So they just have review it with</p> <p>23 that in mind to make sure it meets code for-</p> <p>24 CECE KINNA: That is correct.</p> <p>25 TAMMY CITARAMANIS: That type of use. Does that make</p>
<p>18</p> <p>1 changes.</p> <p>2 TAMMY CITARAMANIS: Ok so what you are saying here is</p> <p>3 that those building permits that you are required to pull</p> <p>4 for this particular application to make sure that any</p> <p>5 changes that had been made the permits were correctly</p> <p>6 obtained or valid? That they were valid?</p> <p>7 CECE KINNA: Yes. It seems they were valid but and I</p> <p>8 think and I am not positive on this but my understanding</p> <p>9 was the building permit may have been for the closing off</p> <p>10 of the stairs but it wasn't for an apartment where sleeping</p> <p>11 was going to be occurring.</p> <p>12 TAMMY CITARAMANIS: Ok. So that your violation here</p> <p>13 that you are noting is that the stickers and you</p> <p>14 identified-</p> <p>15 CECE KINNA: Right.</p> <p>16 TAMMY CITARAMANIS: All of those were pulled as part</p> <p>17 of the review process for this and they need to be reviewed</p> <p>18 again is what you are saying?</p> <p>19 CECE KINNA: Well they had all been finaled.</p> <p>20 TAMMY CITARAMANIS: They have to be reviewed in the</p> <p>21 view of the changes as to accessory apartment verses a</p> <p>22 registered living unit.</p> <p>23 CECE KINNA: Correct.</p> <p>24 TAMMY CITARAMANIS: So it is not that you have done</p> <p>25 anything wrong Ms. Mitchell-Gilkey. It just means that the</p>	<p>20</p> <p>1 sense?</p> <p>2 TRUDY MITCHELL-GILKEY: I guess I just want to make</p> <p>3 sure that the record is straight because if I am confused I</p> <p>4 just want to make sure that if something happens to me my</p> <p>5 daughter, who is 25, she is not confused and this is</p> <p>6 because I am ignorant.</p> <p>7 TAMMY CITARAMANIS: You are not ignorant. Don't say</p> <p>8 that.</p> <p>9 TRUDY MITCHELL-GILKEY: I just don't know any better.</p> <p>10 I don't know the language well enough to understand exactly</p> <p>11 what it means but when I hear the words a building permit</p> <p>12 must be obtained you know because when I did the renovation</p> <p>13 in 2011 to get a building permit you need, to me it just</p> <p>14 seems like it means before you build something you have to</p> <p>15 go get a permit to build it. You got to get a permit before</p> <p>16 you build something because that is the only way I know</p> <p>17 that Permitting Services works. You get the permit first,</p> <p>18 then you build it, and then the inspector comes out to make</p> <p>19 sure you build it right. The inspector approves that you</p> <p>20 built it right and then you do the closing and then you get</p> <p>21 your final.</p> <p>22 TAMMY CITARAMANIS: Right. Which it sounds like you</p> <p>23 did that for or you got approvals on some of the permits to</p> <p>24 make the changes that you may have made at that time for</p> <p>25 the use to be a registered living unit. You don't have the</p>

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6 (21 to 24)

<p>21</p> <p>1 registered living unit anymore. 2 TRUDY MITCHELL-GILKEY: No. 3 TAMMY CITARAMANIS: So the process is a little bit 4 different for an accessory apartment. So while the permits 5 not know exactly what you did, the permits that you got for 6 the 2013 use worked then and is part of this process 7 because you want to do a different use. 8 TRUDY MITCHELL-GILKEY: Does that mean I have to open 9 up, to bust out the walls? 10 TAMMY CITARAMANIS: I do not know that. I do not know 11 the answer to that question. Ms. Kinna will tell us what 12 you will need to do to make the apartment compliant with 13 the criteria or the licensing requirements for an accessory 14 apartment and as part of that there are things that need to 15 be checked or make sure that the permits that you had 16 pulled back in 2013 comply with the particular use. So 17 whether the permits and maybe Ms. Kinna can clarify when a 18 building permit verses the acquired permits- 19 CECE KINNA: That is really for Permitting Services 20 to advise on. What the one building permit that I have 21 noted in my report permit number 572626, the work type is 22 listed and this could be an error but it says addition to 23 single family dwelling. Another frequently seen status is 24 alter single family dwelling. All the other accessories I 25 had been working with the last couple of years it will say</p>	<p>23</p> <p>1 down and I closed off the stairs. I took the stairs out. So 2 it is not open to the rest of the house anymore. 3 TAMMY CITARAMANIS: So there is no access from the 4 basement to the- 5 TRUDY MITCHELL-GILKEY: No. 6 TAMMY CITARAMANIS: Ok. So when you took those stairs 7 out what process did you follow? Did you have to get a 8 permit to take those out, to alter the house? That is an 9 alteration of the interior of the house but I don't know 10 permits enough to know whether that requires- 11 CECE KINNA: Yeah and I don't either. 12 TRUDY MITCHELL-GILKEY: I don't know. 13 TAMMY CITARAMANIS: You don't recall? 14 TRUDY MITCHELL-GILKEY: I don't recall. I don't think 15 I got a permit to take the stairs out. The contractor may 16 have. I don't really know. 17 CECE KINNA: It could be just how the contractor 18 filled out the information over at Permitting Services and 19 maybe it wasn't made clear what the purpose was for. 20 TAMMY CITARAMANIS: Right. Ok. Putting that aside 21 with regards to- Do you understand the need to have those 22 permits pulled right now and make sure they comply with the 23 accessory apartment? 24 TRUDY MITCHELL-GILKEY: Oh sure. Sure sure. 25 TAMMY CITARAMANIS: Ok.</p>
<p>22</p> <p>1 alter. So, and it could be again something that they just 2 entered incorrectly. I don't know. I don't have the access 3 to try to research it. That would be up to permitting 4 services. But again, that is why we refer to them and if 5 they reviewed all of their records and it indicates oh yes 6 after all this is what the inspector's notes were there 7 could be something more there but in speaking with Mr. 8 Sackett who supervises all of the inspectors, he advised 9 that it doesn't appear that it was ever indicated that this 10 was for an apartment where someone was going to be 11 sleeping. I hope that clarifies it a little bit more. That 12 is- 13 TAMMY CITARAMANIS: I totally understand your concern 14 that it says building permit but what how she has just 15 explained it is that based on what was reviewed and showing 16 on the tags or stickers- 17 CECE KINNA: And for the permit number, yeah. 18 TAMMY CITARAMANIS: 1572626. 19 CECE KINNA: I mean building permits can have so many 20 different descriptions. It could be a shed, it could be a 21 deck, a pool. 22 TAMMY CITARAMANIS: Could it be the change in- What 23 did you do then? Just as a curiosity, what did you do back 24 then? 25 TRUDY MITCHELL-GILKEY: So there were stairs going</p>	<p>24</p> <p>1 TRUDY MITCHELL-GILKEY: I just want to make sure that 2 the language is conducive to what you just said because 3 what you just said is if it is pulling a permit that seems 4 like it is one thing but if it is apply for a building 5 permit or obtaining a building permit that seems like it is 6 something different. I am sorry. 7 TAMMY CITARAMANIS: No. I don't do permits. I don't 8 know the code inside and out. 9 TRUDY MITCHELL-GILKEY: I guess what I just want to 10 say is I don't want to waste anybody's time. I know you are 11 busy and you got other things to do and- 12 TAMMY CITARAMANIS: Today is all yours. Not all day. 13 TRUDY MITCHELL-GILKEY: But you know like if this is 14 going to be like you know with all sincerity if this is 15 going to be like you are pulling the building permit and 16 knocking out walls and changing things around I don't have 17 the physical strength, I don't have the physical energy, I 18 don't have the money to do those things and then I can just 19 say I am not going to be able to do it because I can't 20 afford to do any more to this house. I have put so many 21 thousands of dollars in it already to get to where Mr. Goff 22 told me I was ok and then when I came into this process to 23 do the accessory apartment I had no idea what I was getting 24 into. I was just trying to be an honest citizen. Like ok I 25 don't want to do anything under the table. I don't want to</p>

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7 (25 to 28)

<p>25</p> <p>1 cheat. I don't want to have people in my house illegally 2 like probably most people do. I want to go by the books. So 3 I one day called up and went down to the Department of 4 Planning and said hey what do I need to do to make this 5 legal and thinking well it can't be much that I have to do 6 because I already have this approval for an ROU. It can't 7 be that different and this is my thinking and so I did this 8 whole application process, paid hundreds and hundreds of 9 dollars here and hundred here 2 hundred there. 10 TAMMY CITARAMANIS: That is all. 11 TRUDY MITCHELL-GILKEY: That is all. So you know had 12 I just wish somebody from Ms. Kinna's office had come to my 13 house first like at the beginning of this process and said 14 hey Ms. Gilkey, in order for you to do this you are going 15 to have to change this drywall, bust this wall open, do 16 this and I would have told people at that time, forget it. 17 I will keep my 7-800 dollars because I can't do that. I 18 can't afford it. I am sick. 19 TAMMY CITARAMANIS: So why don't we do this, one we 20 are here I can- You have already applied, you have asked 21 questions. If I recommend approval I will include the 22 conditions and at that point you at least have something in 23 hand saying that you met the criteria but you are going to 24 have to do these things and you can decide at that point or 25 if you, we can talk with Ms. Kinna and see what she needs</p>	<p>27</p> <p>1 to proceed. So why don't we let Ms. Kinna talk about her 2 inspection report, ask questions, and you can either make 3 an informed decision today or we can go ahead and continue 4 this proceedings in May, the final decision on what you are 5 going to do with my recommendation. Not my recommendation, 6 how to change it over from it being the Board of Appeals to 7 the final, my decision. Does that sound amenable? Do you 8 want to do that? 9 TRUDY MITCHELL-GILKEY: Ok. 10 TAMMY CITARAMANIS: Ok. So Ms. Kinna if you could 11 just explain, you have done some explaining but knowing 12 what you have heard so far given her talking about the 13 violations that would need to be brought up to code. 14 CECE KINNA: Ok yeah I am going to go over this whole 15 report because it is her, especially the first paragraph 16 will answer some other questions that Ms. Gilkey has 17 expressed. An expectation was done on March 28th. The 18 apartment is located in the basement of the home with its 19 own entrance on the right side of the structure. It is an 20 efficiency unit and it is approximately 918 gross square 21 feet is the entire basement area including exterior walls. 22 Part of the class 3 accessory guidelines that were 23 established by Montgomery County Council we have to 24 calculate gross square footage not just habitable space. So 25 that includes exterior walls. In general our standard</p>
<p>26</p> <p>1 to do like number 2, you are not going to change over to 2 the electric, you don't want to do that? You can't afford 3 it? 4 TRUDY MITCHELL-GILKEY: I just I don't know. I don't 5 know how much all this is going to cost me anymore and I 6 don't know if I am going to be able to get a refund for all 7 these applications that I applied for. I can't get any 8 money back- 9 TAMMY CITARAMANIS: At this point I do not know that. 10 TRUDY MITCHELL-GILKEY: But you know it is like 11 hiring the contractor and drywall and I got to hire movers 12 to get the stove out. I mean I don't know how much this is 13 all going to cost me and I don't even understand like 14 number 4 and number 5 seems like it is the same thing. 15 TAMMY CITARAMANIS: Ok. Well why don't we have Ms. 16 Kinna explain the conditions and again at that point have 17 questions for her you can certainly make your decision 18 today if you decide that this isn't worth it and you want 19 to withdraw at this point or you can take the information, 20 I can write my recommendation, my decision, and with my 21 decision maybe you can find out if it is cost prohibited or 22 if it is not and you can do the compliance and then at that 23 point you will have a recommendation so you don't have to 24 do this over again if you withdraw it today. So that would 25 be my two cents worth in terms of how you want to continue</p>	<p>28</p> <p>1 operating procedure has been there is a size limit of 1200 2 square feet for these apartments period. 3 TRUDY MITCHELL-GILKEY: Right. 4 CECE KINNA: In some instances I have when they have 5 been really close but they have gone over it I have 6 deducted the utility closet but it is actually part of the 7 apartment. It is all in there. The only access to the 8 utility closet is through the apartment. So that is in 9 general we calculate it with everything that is down there. 10 So that is where- And the gross measurement of 34 feet by 11 27 feet which is 918 gross square feet that is where that 12 comes from. 13 TAMMY CITARAMANIS: Do you understand? We will just 14 stop at these points because you did raise the difference 15 between the size of the apartment habitable square footage 16 verses gross and she has just described what she is 17 required to measure verses, I believe, technical staff is 18 saying that really based on the floorplan this is where 19 they are going to live. So that might be the discrepancy. 20 CECE KINNA: Absolutely. 21 TAMMY CITARAMANIS: Ok. 22 TRUDY MITCHELL-GILKEY: Ok. 23 TAMMY CITARAMANIS: Ok. 24 CECE KINNA: And the reason again, like you have 25 already stated that the property does not meet the required</p>

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<p>29</p> <p>1 320 square feet for parking area for like a parking-</p> <p>2 TAMMY CITARAMANIS: On site.</p> <p>3 CECE KINNA: Yeah, on site. Then we got down to the</p> <p>4 housing code issues that would need to be addressed. The</p> <p>5 number 1 was the building permit for altering a single</p> <p>6 family dwelling which I think we pretty much covered</p> <p>7 already as opposed to an addition or something more</p> <p>8 specific to show that it was for an area where sleeping is</p> <p>9 going to occur. The existing gas stove in the efficiency</p> <p>10 unit would prohibit sleeping of any kind in the unit.</p> <p>11 Because of the presence of combustion gas.</p> <p>12 TAMMY CITARAMANIS: Is that because it is an</p> <p>13 efficiency verses a one bedroom?</p> <p>14 CECE KINNA: Correct.</p> <p>15 TAMMY CITARAMANIS: If the bedroom was completely,</p> <p>16 had its own-</p> <p>17 CECE KINNA: Walls and a door that shuts tight and I</p> <p>18 have to specify tight. Permitting Services, they haven't</p> <p>19 done it in everyone but what I have seen when two other</p> <p>20 efficiencies that I have been too they have required an</p> <p>21 airtight door. Like an exterior door. One family put in a</p> <p>22 sliding glass door to close off the kitchen area from the</p> <p>23 other area where people were going to sleep. So it would</p> <p>24 have to be total separation, airtight separation is what</p> <p>25 would be required with that.</p>	<p>31</p> <p>1 TAMMY CITARAMANIS: This, the corner?</p> <p>2 CECE KINNA: Mine doesn't have that color.</p> <p>3 TAMMY CITARAMANIS: Does yours say- All I see is</p> <p>4 owner utility it is not grayed but to the right of that-</p> <p>5 CECE KINNA: To the right of the utility closet and</p> <p>6 below a refrigerator.</p> <p>7 TAMMY CITARAMANIS: And that is, you say is what is</p> <p>8 it called?</p> <p>9 CECE KINNA: I have just called it the gas meter</p> <p>10 alcove but there is no finished ceiling in that area.</p> <p>11 TAMMY CITARAMANIS: Ok.</p> <p>12 CECE KINNA: In addition in the laundry area a lot of</p> <p>13 it is covered by ductwork but there are gaps that would be</p> <p>14 required to be sealed off between the ducts. Again like an</p> <p>15 expanding foam. Something that should some work need to be</p> <p>16 done it is easy to remove but they do have a fire rated</p> <p>17 foam that could be used in those areas. It is doable the</p> <p>18 work isn't in excess- I think the big expense would be</p> <p>19 probably just to be getting a permit and then replacing the</p> <p>20 stove or putting up something to separate it from the area</p> <p>21 that is going to be slept in. Separating the kitchen area</p> <p>22 from the sleeping area.</p> <p>23 TAMMY CITARAMANIS: Ok. And that was number 5?</p> <p>24 CECE KINNA: Correct.</p> <p>25 TAMMY CITARAMANIS: Ok. Do you have any questions?</p>
<p>30</p> <p>1 TAMMY CITARAMANIS: Any questions on that?</p> <p>2 TRUDY MITCHELL-GILKEY: No.</p> <p>3 CECE KINNA: The next item, install half inch drywall</p> <p>4 ceiling in the gas meter alcove. Actually 3 and 4 both are</p> <p>5 the same thing. Install half inch drywall ceiling in the</p> <p>6 laundry area. There were exposed areas of the ceiling in</p> <p>7 both those rooms, so to speak. Those rooms do not have</p> <p>8 separation, they do not have walls and a door that closes</p> <p>9 it off from the rest of the unit. In general utility areas</p> <p>10 Permitting Services has oked when you have, when you can</p> <p>11 see the wood rafters in the subflooring for the floor above</p> <p>12 but when you have an apartment it requires fire separation</p> <p>13 rating and half inch drywall is what meets that</p> <p>14 requirement. So, if those rooms, the laundry area and the</p> <p>15 gas meter alcove, if they are not closed off they do</p> <p>16 require the fire separation drywall, half inch drywall.</p> <p>17 TAMMY CITARAMANIS: Just for clarity, I am looking at</p> <p>18 the floorplan. Do you have that? Do you have that as well?</p> <p>19 CECE KINNA: So the gray room, laundry area that is</p> <p>20 the one.</p> <p>21 TAMMY CITARAMANIS: Ok I see.</p> <p>22 CECE KINNA: And then if you see in the kitchen area</p> <p>23 where it says refrigerator that little rectangle right</p> <p>24 below it that is not closed off as a room that is what I</p> <p>25 was referring to as the gas meter alcove.</p>	<p>32</p> <p>1 TRUDY MITCHELL-GILKEY: Did I hear separate the</p> <p>2 sleeping area? Could you explain that?</p> <p>3 TAMMY CITARAMANIS: Maybe you guys could look at-</p> <p>4 CECE KINNA: The combustion gas factor-</p> <p>5 TRUDY MITCHELL-GILKEY: Oh you mean the stove.</p> <p>6 CECE KINNA: presented with the gas stove.</p> <p>7 TRUDY MITCHELL-GILKEY: So you mean change the stove?</p> <p>8 CECE KINNA: Either change the stove or you could put</p> <p>9 up a wall and a door. An airtight door between the kitchen</p> <p>10 area and the living sleeping area. In general what some</p> <p>11 people have done is just for they say they are not going to</p> <p>12 do the gas stove and they just put an electric one in.</p> <p>13 TAMMY CITARAMANIS: What you are saying is that the</p> <p>14 alternate choice for not putting in gas stove or I mean not</p> <p>15 changing out the gas stove is she would have to, there</p> <p>16 would have to be a delineated separation meaning a wall</p> <p>17 with a door.</p> <p>18 CECE KINNA: Correct.</p> <p>19 TAMMY CITARAMANIS: Separating the bedroom from the</p> <p>20 kitchen area which are you talking this area, the bar?</p> <p>21 CECE KINNA: Basically, yeah the bar top that is all</p> <p>22 open also.</p> <p>23 TAMMY CITARAMANIS: Oh ok.</p> <p>24 CECE KINNA: So it would have to be something going</p> <p>25 on really the bar top which would kind of eliminate that</p>

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9 (33 to 36)

<p>33</p> <p>1 convenience of an eating area with stools under it. 2 TAMMY CITARAMANIS: So basically split the apartment 3 in half. 4 CECE KINNA: Yeah. 5 TAMMY CITARAMANIS: And the front area the entrance 6 comes into the living area? 7 CECE KINNA: Yes. 8 TAMMY CITARAMANIS: Would the bedroom have to be 9 separated or does it have enough of a separation? 10 CECE KINNA: If a wall was put up they wouldn't need 11 to do anymore there. No. 12 TAMMY CITARAMANIS: So it sounds like you are looking 13 at either putting up walls not to have to do some of these 14 other things or- 15 CECE KINNA: Well the wall aspect is only in regards 16 to the gas stove being part of the efficiency unit. In 17 addition she would still need to finish the ceilings in 18 those other areas. They would have to be done regardless. 19 TAMMY CITARAMANIS: Ok. Do you have any questions on 20 any of the (inaudible) explained? 21 TRUDY MITCHELL-GILKEY: So, what I am hearing is put 22 up 2 feet of drywall in the ceiling to the right of the 23 utility closet. 24 CECE KINNA: Right. Whatever area is not covered by 25 drywall in that would need to be completed.</p>	<p>35</p> <p>1 TRUDY MITCHELL-GILKEY: Then in the room where the 2 washer and dryer is you know there are these silver- 3 CECE KINNA: The flexible duct. 4 TRUDY MITCHELL-GILKEY: What are you saying that has 5 to go in there? 6 CECE KINNA: You have the box duct for your heating 7 system and then I forget what that flexible duct was going 8 to. 9 TRUDY MITCHELL-GILKEY: That is- 10 CECE KINNA: Anything flexible is easy to move around 11 and you would need to put drywall on the ceiling above it. 12 So anything more permanently mounted like the metal box 13 ductwork- 14 TRUDY MITCHELL-GILKEY: Those big silver things are 15 that is carrying the air from the furnace from the heating 16 through the house and they are not flexible enough to push 17 all the way up to the ceiling because they are about this 18 big around. 19 CECE KINNA: I am saying to put drywall- 20 TRUDY MITCHELL-GILKEY: If you squeeze them up- 21 CECE KINNA: To put drywall up above that they have a 22 little bit of flexibility where drywall can be put up above 23 them. I am not saying you have to take them down. 24 TRUDY MITCHELL-GILKEY: Ok I just wanted to make 25 sure.</p>
<p>34</p> <p>1 TRUDY MITCHELL-GILKEY: So put up that 2 feet of 2 drywall there and then- 3 CECE KINNA: I don't know if it is 2 feet because I 4 didn't measure the area of ceiling that was still exposed. 5 TRUDY MITCHELL-GILKEY: I think it is about 2 feet. 6 Then the washer and dryer and there is- 7 CECE KINNA: The laundry area would be the same 8 thing. Any exposed ceiling in there would have to be 9 covered by either drywall or the fire approved expanding 10 foam between gaps of the ductwork. The reason we say that 11 is because it would be extremely prohibitive to have to 12 take down all that ductwork just to put up drywall on the 13 ceiling. So that is why we try to work with it. That 14 ductwork does provide some protection. So wherever there is 15 gaps that is why I said the gaps do need to be sealed but 16 then the area not covered by ductwork would also have to 17 have the drywall put up in that area. 18 TRUDY MITCHELL-GILKEY: When you say the ductwork do 19 you mean that is the big silver stuff? 20 CECE KINNA: Yeah the big metal boxes that run along 21 the ceiling. 22 TRUDY MITCHELL-GILKEY: That has to be covered? 23 CECE KINNA: Not those, no. Only where you see 24 exposed wood. Basically when you look up if you see exposed 25 wood that has to be covered.</p>	<p>36</p> <p>1 CECE KINNA: Or box them in. 2 TRUDY MITCHELL-GILKEY: So you are not saying they 3 have to come out? 4 CECE KINNA: No. 5 TRUDY MITCHELL-GILKEY: You are not saying that I 6 have to take this ductwork out? 7 CECE KINNA: No but what I was trying to clarify was 8 a lot of that ductwork that you do have in the house is the 9 metal box looks like a metal box that the air flows through 10 that is more permanently attached to things. 11 TRUDY MITCHELL-GILKEY: Yes. Right. 12 CECE KINNA: We could say you- We could be really 13 tough and say you have to take that down and put drywall on 14 the ceiling and then put those back up but since it is not, 15 that metal is not flammable we were just looking at sealing 16 any areas where flames could go up hit wood and start to 17 burn. So a fire retardant expanding foam, a fireproof foam 18 would cut that area off as well as drywall in the larger 19 areas. 20 TRUDY MITCHELL-GILKEY: Please forgive me for being 21 like not construction savvy. So can I just ask a question 22 that like from a simple housewife, house person might be 23 able to understand? Are you saying if I go into the 24 basement and I look up and I see wood I need to put drywall 25 wherever I see wood? If I don't see wood it is fine?</p>

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10 (37 to 40)

<p>37</p> <p>1 CECE KINNA: Correct.</p> <p>2 TRUDY MITCHELL-GILKEY: So if I see ductwork, I see</p> <p>3 big flexible tubes, if I see anything other than wood just</p> <p>4 put drywall where I see exposed wood period, is that right?</p> <p>5 CECE KINNA: Overall yes.</p> <p>6 TAMMY CITARAMANIS: Do you have any pictures of the</p> <p>7 interior? So what I am going to suggest because from my</p> <p>8 perspective it just comes down to what they are requiring</p> <p>9 and your understanding and you all can certainly do that</p> <p>10 but if you have pictures.</p> <p>11 CECE KINNA: Yeah I got a few pictures of the- Do you</p> <p>12 need to see them also?</p> <p>13 TAMMY CITARAMANIS: Honestly, all I need to make sure</p> <p>14 is that there is enough parking to grant you your request</p> <p>15 to deviate from the criteria with regards to in the past we</p> <p>16 have to really deal with everything within it but I am</p> <p>17 still required to include the inspection report and if the</p> <p>18 inspection report has conditions they will also be included</p> <p>19 because it is all one recommendation but in terms of my</p> <p>20 input into this process I don't have to. So what I am going</p> <p>21 to suggest right now we will go off the record and you can</p> <p>22 look at that. You can ask all the questions because right</p> <p>23 now the record is just going back and forth. Maybe you can</p> <p>24 get a better understanding if you all are looking at that</p> <p>25 and I am not sitting here. I will come back and you can</p>	<p>39</p> <p>1 go through with this then anything for cooking would have</p> <p>2 to be removed from down there and that would have, I would</p> <p>3 have to re-inspect to verify that.</p> <p>4 TAMMY CITARAMANIS: Ok. While I was out I did pull up</p> <p>5 the rule, you had mentioned wanting to know if you would</p> <p>6 get your filing fees back. Unfortunately, the way the rules</p> <p>7 it is rule number 23 at the Office of Zoning and</p> <p>8 Administrative Hearings Rules of Procedure refund of file</p> <p>9 fees get (inaudible)percent back of the filing fee if the</p> <p>10 application is withdrawn within 48 hours after it was</p> <p>11 accepted for filing.</p> <p>12 TRUDY MITCHELL-GILKEY: Ok.</p> <p>13 TAMMY CITARAMANIS: Or 50% if the application is</p> <p>14 withdrawn at least 30 days before the scheduled hearing</p> <p>15 because we have gone to hearing or are in hearing now there</p> <p>16 is no provision for that.</p> <p>17 TRUDY MITCHELL-GILKEY: Thank you.</p> <p>18 TAMMY CITARAMANIS: I just wanted to- I was curious</p> <p>19 once you raised that I was like I don't know that answer</p> <p>20 but we can find it. Ok.</p> <p>21 TRUDY MITCHELL-GILKEY: Did we find out about the</p> <p>22 rental part, if I moved into the basement? Oh sorry.</p> <p>23 TAMMY CITARAMANIS: That is ok. So at this point do</p> <p>24 you have any more questions for Ms. Kinna?</p> <p>25 TRUDY MITCHELL-GILKEY: I don't think so.</p>
<p>38</p> <p>1 decide if you are going to ask for an amendment to the</p> <p>2 inspection report or the inspection report stays the way it</p> <p>3 is and if you either have a better understanding with it</p> <p>4 and you are fine with it we will proceed or we will do</p> <p>5 whatever you want to do at that point. Will that work?</p> <p>6 CECE KINNA: Sure.</p> <p>7 TAMMY CITARAMANIS: We will go off the record. It is</p> <p>8 10:40 and I will be in the office. So if one of you could</p> <p>9 just come in and say ok we are done. That way I don't keep</p> <p>10 interrupting you if you are not done.</p> <p>11 CECE KINNA: I don't think it should take long. I</p> <p>12 mean what is in my report is pretty straight forward.</p> <p>13 TAMMY CITARAMANIS: That way you can explain to her.</p> <p>14 I think she is trying to get a vision as to what areas and</p> <p>15 it is confusing me but both of you have been there and I</p> <p>16 have not and so we will go off the record and I will be</p> <p>17 back. Ok 10:48. Ok so where are we?</p> <p>18 CECE KINNA: I think Ms. Gilkey understands the</p> <p>19 requirements and again the final approval for construction,</p> <p>20 the construction aspect is Permitting Services and then I</p> <p>21 would go out after they have approved and finalized</p> <p>22 everything I would verify that was done and observe the</p> <p>23 completed work and that is it. If a decision is made not to</p> <p>24 go on with it what would need to be done is removal of</p> <p>25 anything for cooking in the basement. If she chooses not to</p>	<p>40</p> <p>1 TAMMY CITARAMANIS: And then we will go back to my</p> <p>2 original question with regards to the staff report. Do you,</p> <p>3 you have read it, you understand it.</p> <p>4 TRUDY MITCHELL-GILKEY: It seems ok.</p> <p>5 TAMMY CITARAMANIS: And you accept it as your</p> <p>6 testimony?</p> <p>7 TRUDY MITCHELL-GILKEY: Ok.</p> <p>8 TAMMY CITARAMANIS: With the provisions you did make</p> <p>9 some clarifications on the numbers which will be noted in</p> <p>10 the record.</p> <p>11 TRUDY MITCHELL-GILKEY: I just think if we can</p> <p>12 clarify number 3 on page 2 then it would be fine to accept</p> <p>13 it.</p> <p>14 TAMMY CITARAMANIS: Yes I will clarify that and I</p> <p>15 will make sure that that is in my report as well but</p> <p>16 otherwise you have and you identified the one clarification</p> <p>17 otherwise you are fine with the findings in the Staff</p> <p>18 Report?</p> <p>19 TRUDY MITCHELL-GILKEY: Yes.</p> <p>20 TAMMY CITARAMANIS: And with regards to the- You have</p> <p>21 spoken extensively with Ms. Kinna with regards to the</p> <p>22 inspection report and I will include those in my report as</p> <p>23 well. So you have read that, understood that, and you</p> <p>24 raised your concerns?</p> <p>25 TRUDY MITCHELL-GILKEY: Yes.</p>

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11 (41 to 44)

<p>41</p> <p>1 TAMMY CITARAMANIS: But just so that you know that</p> <p>2 they will be in my report and decision. Ok. You have</p> <p>3 submitted as your application, I just want to confirm I)</p> <p>4 that the documents that are in this file that you submitted</p> <p>5 are, there are no changes to them? They are as you</p> <p>6 submitted them?</p> <p>7 TRUDY MITCHELL-GILKEY: Yes ma'am.</p> <p>8 TAMMY CITARAMANIS: Your application, your statement,</p> <p>9 the floorplan? You also included photos which- did you</p> <p>10 submit original photos, colored photos?</p> <p>11 TRUDY MITCHELL-GILKEY: I don't understand.</p> <p>12 TAMMY CITARAMANIS: What I have is copies black and</p> <p>13 white.</p> <p>14 TRUDY MITCHELL-GILKEY: You mean this?</p> <p>15 TAMMY CITARAMANIS: Right well that looks like that</p> <p>16 was taken by Staff. The ones that you submitted they are</p> <p>17 identified as exhibit 14A through 14B12. Do you have them</p> <p>18 with you? I need you to identify these and make sure that,</p> <p>19 normally I have the original ones. All I have here is</p> <p>20 copies. It looks like you have sent, they were attached. I</p> <p>21 don't know if they were attached as- Well they are not</p> <p>22 showing up as colored photos. If you would be able to</p> <p>23 resend them.</p> <p>24 TRUDY MITCHELL-GILKEY: Resend them to who?</p> <p>25 TAMMY CITARAMANIS: Resend them- When you sent these-</p>	<p>43</p> <p>1 TAMMY CITARAMANIS: They are what they look like they</p> <p>2 are ok. Do you have something else to do? At this point do</p> <p>3 you have any more questions for her because I can release</p> <p>4 her and we can finish this if you wanted to?</p> <p>5 TRUDY MITCHELL-GILKEY: Yeah I don't have a question.</p> <p>6 TAMMY CITARAMANIS: Yeah if there is something else</p> <p>7 you don't have to stay unless she has any more questions</p> <p>8 for you?</p> <p>9 TRUDY MITCHELL-GILKEY: Thank you.</p> <p>10 TAMMY CITARAMANIS: Ok. Thank you Ms. Kinna.</p> <p>11 TRUDY MITCHELL-GILKEY: Sorry for all of my</p> <p>12 questions.</p> <p>13 CECE KINNA: No. that is fine. You have every right</p> <p>14 to ask and I tried as best as I could.</p> <p>15 TRUDY MITCHELL-GILKEY: I think if I would have known</p> <p>16 I would have brought a contractor or somebody who could</p> <p>17 answer more technical questions or who could think more</p> <p>18 technically because I just don't know.</p> <p>19 TAMMY CITARAMANIS: Ok. Certainly once we complete</p> <p>20 the hearing at least you will have the hearing behind you</p> <p>21 and you can explore it. Thank you Ms. Kinna. You can</p> <p>22 explore it and decide and if you have an approval in hand-</p> <p>23 And you submitted a plat of your property as well. I think</p> <p>24 it is attached to Staff's Report. That is a plat for your</p> <p>25 property. Ok. So at this point I want to, do you have any</p>
<p>42</p> <p>1 This is exhibit 14. Do you recognize those photos? I would</p> <p>2 like you to look.</p> <p>3 TRUDY MITCHELL-GILKEY: I took them on the phone. I</p> <p>4 have that one on the phone.</p> <p>5 TAMMY CITARAMANIS: They are all in your phone. Ok</p> <p>6 well then I need for you if you could look at those and</p> <p>7 tell me what they are a picture of, when you think you took</p> <p>8 them or did you- Ok so you did identify them on</p> <p>9 handwriting?</p> <p>10 TRUDY MITCHELL-GILKEY: Yes ma'am</p> <p>11 TAMMY CITARAMANIS: But looking at those pictures</p> <p>12 today are they pictures that you recognized and are they</p> <p>13 pictures you took?</p> <p>14 TRUDY MITCHELL-GILKEY: Yes.</p> <p>15 TAMMY CITARAMANIS: And do they represent the</p> <p>16 property pretty much as it is today?</p> <p>17 TRUDY MITCHELL-GILKEY: Yes.</p> <p>18 TAMMY CITARAMANIS: Ok and when approximately, it</p> <p>19 doesn't have to be a specific day or do you know when these</p> <p>20 were, how old are they?</p> <p>21 TRUDY MITCHELL-GILKEY: They were taken on Tuesday</p> <p>22 August the 30th.</p> <p>23 TAMMY CITARAMANIS: Ok. So they are what they say</p> <p>24 they are.</p> <p>25 TRUDY MITCHELL-GILKEY: They are.</p>	<p>44</p> <p>1 problem with us admitting, you don't need to admit all of</p> <p>2 the documents as exhibits?</p> <p>3 TRUDY MITCHELL-GILKEY: Yes.</p> <p>4 TAMMY CITARAMANIS: Ok so that they have been</p> <p>5 officially entered into the record.</p> <p>6 TRUDY MITCHELL-GILKEY: Ok.</p> <p>7 TAMMY CITARAMANIS: Right now they have just been</p> <p>8 marked. So I hereby admit all of the exhibits and we are up</p> <p>9 to exhibit number 31 I believe. Whatever the exhibit list</p> <p>10 says. Is there anything else you would like to- Oh I need</p> <p>11 to talk to you about parking. Here we go. So tell me about</p> <p>12 the parking in your, I know you have a parking pad and how</p> <p>13 many car, well on your property?</p> <p>14 TRUDY MITCHELL-GILKEY: Parking space.</p> <p>15 TAMMY CITARAMANIS: On your property the little</p> <p>16 driveway you have, how many cars does that hold?</p> <p>17 TRUDY MITCHELL-GILKEY: One.</p> <p>18 TAMMY CITARAMANIS: That holds one. And in front of</p> <p>19 your house?</p> <p>20 TRUDY MITCHELL-GILKEY: Yes, two.</p> <p>21 TAMMY CITARAMANIS: Two people.</p> <p>22 TRUDY MITCHELL-GILKEY: Yes.</p> <p>23 TAMMY CITARAMANIS: Describe for me the houses around</p> <p>24 you whether most of them have or do not have driveways</p> <p>25 and/or garage? I just want a general idea because part of</p>

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12 (45 to 48)

<p>45</p> <p>1 my criteria is to say that based on the information it 2 looks like most of the places have enough space onsite that 3 the on street parking there is availability. So on your 4 street do most of the houses were they built without 5 garages or are there some? 6 TRUDY MITCHELL-GILKEY: I can't answer this questions 7 affirmatively because I can't say that I have a good enough 8 memory to go down my street and say that nobody has a 9 garage but I don't think so because they are all colonials. 10 They are all sort of built I believe the same year I 11 believe by the same builder and I don't remember seeing a 12 garage and I have been there almost 14 years. I don't 13 remember seeing no garage. I think all the houses are 14 pretty much the same uniform colonial. 15 TAMMY CITARAMANIS: And are most of the houses one or 16 two with the ability to park more hten one car onsite like 17 your property? 18 TRUDY MITCHELL-GILKEY: I think so. I mean it is like 19 the houses are all sort of uniformly on the same street and 20 as far as the number of cars I generally see on the street 21 I know that my neighbor Jack to the right has a driveway 22 and he has one additional car that he parks on the street. 23 I have a driveway. I can park two cars in front of my 24 house. My neighbor Marybeth to my left has enough space for 25 two cars but she only parks one there. My neighbor across</p>	<p>47</p> <p>1 I have, well I have the picture of your driveway with a car 2 in it and a picture of the front of your house which shows 3 a space to park in front of your house and looking at the 4 picture provided by Staff I see the road, I got a version a 5 view of the road and looking at this picture if you could 6 tell me- let me see which they put it- It doesn't identify 7 what this is. Could you tell me this view where this person 8 was standing, are they looking north, are they looking 9 south? 10 TRUDY MITCHELL-GILKEY: Oh. Directions, I am sorry. 11 But it looks like from the picture it looks like they are 12 looking toward New Hampshire. 13 TAMMY CITARAMANIS: Oh ok. So that actually would 14 probably be southeast. I just wanted to get a frame. Now 15 the streets your street is bounded by New Hampshire Avenue 16 and what is at the (inaudible) and what is the name of that 17 street? 18 TRUDY MITCHELL-GILKEY: Elm 19 TAMMY CITARAMANIS: Elm Street? 20 TRUDY MITCHELL-GILKEY: Wait a minute. There is New 21 Hampshire. There is 410 East-West. 22 TAMMY CITARAMANIS: Oh is East-West this? Why don't 23 you come on up over here. Just so that we are- And the 24 reason that I am going to ask you this is because I want to 25 know are there any other parking restrictions. So you are</p>
<p>46</p> <p>1 the street- 2 TAMMY CITARAMANIS: Do you want to look at the- 3 TRUDY MITCHELL-GILKEY: I got these ones. I got the 4 ones on this end. 5 TAMMY CITARAMANIS: Ok. 6 TRUDY MITCHELL-GILKEY: Sally at the corner across 7 the street they have a driveway and they park an extra car, 8 one car maybe two cars across from me. 9 TAMMY CITARAMANIS: On the property or in front of 10 it? 11 TRUDY MITCHELL-GILKEY: Usually the parking spaces 12 are one. If there are any there are one, one spacers. I 13 guess to say to speak sort of generally there always 14 appears to be ample parking. Always ample parking unless 15 somebody is having a party or it is like a kid's birthday 16 or something. 17 TAMMY CITARAMANIS: And there is no parking 18 restriction on your- 19 TRUDY MITCHELL-GILKEY: No. 20 TAMMY CITARAMANIS: Meaning some place- 21 TRUDY MITCHELL-GILKEY: No permitting. No sign. 22 TAMMY CITARAMANIS: No permit, no time between no two 23 hour limit it is free for all? 24 TRUDY MITCHELL-GILKEY: It is a free for all. 25 TAMMY CITARAMANIS: Ok. I guess the only picture that</p>	<p>48</p> <p>1 here. There is a little blue dot. Is that correct, your 2 property is here? 3 TRUDY MITCHELL-GILKEY: I guess that is me. 4 TAMMY CITARAMANIS: Ok. So this is New Hampshire. 5 What is this, this one isn't marked? 6 TRUDY MITCHELL-GILKEY: That is Elm 7 TAMMY CITARAMANIS: This is Elm and Ethan Allen and 8 then what is this one to the North? What is this? So if 9 this is your street. 10 TRUDY MITCHELL-GILKEY: Devonshire Larch. 11 TAMMY CITARAMANIS: Ok so is there any restrictive 12 parking? 13 TRUDY MITCHELL-GILKEY: No. there is no restrictive 14 parking. 15 TAMMY CITARAMANIS: In this area? 16 TRUDY MITCHELL-GILKEY: No. 17 TAMMY CITARAMANIS: Perfect. Ok. 18 TRUDY MITCHELL-GILKEY: This is a silly question. 19 TAMMY CITARAMANIS: No. no question is a silly 20 question because if you didn't, if you knew the answer you 21 wouldn't need to ask it right. That is my philosophy so 22 please ask. 23 TRUDY MITCHELL-GILKEY: Parking validation. Parking 24 do you validate parking? 25 TAMMY CITARAMANIS: Do we- Oh you are going to ask-</p>

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13 (49 to 52)

<p>49</p> <p>1 TRUDY MITCHELL-GILKEY: Told you. 2 TAMMY CITARAMANIS: Ellen that. 3 TRUDY MITCHELL-GILKEY: Ok. 4 TAMMY CITARAMANIS: You are going to have to ask- You 5 are talking about the parking lot? 6 TRUDY MITCHELL-GILKEY: Yes. 7 TAMMY CITARAMANIS: I don't have that power. They 8 don't validate my parking. If I were a guessing woman but 9 you can ask. Ok so at this point we have Staff saying that 10 there is ample parking and you have described what appears 11 to be ample parking. I don't think I need any more 12 information. If I do I will certainly let you know. at this 13 point now that we have had all the exhibits admitted we 14 will leave the record open and what that means is that if 15 the hearing is still going on we will leave the record open 16 because one I might have a question and send it off to you 17 and say can you provide me with this answer or Staff. I may 18 have a question for Staff which I may do with regards to 19 confirming my belief that you can rent the main level and 20 live in the bottom and not be in violation plus I have to 21 wait for the transcript. So it gives them time to type it 22 up. So I will leave it open for 10 days. Once that 10 day 23 hits I am going to identify that the record will close 24 meaning nothing can come in. I can only consider what is in 25 the record but please that certainly doesn't mean that if</p>	<p>51</p> <p>1 go into the basement. 2 TRUDY MITCHELL-GILKEY: If people were coming to 3 visit me. Somebody wants to come and hangout with me for a 4 while or family comes over or family comes to visit or 5 family needs to come by or family needs to stay with me for 6 a while- 7 TAMMY CITARAMANIS: It is your house. It is your 8 house but what you are doing right now I mean once if you 9 were to get an accessory apartment. 10 TRUDY MITCHELL-GILKEY: This is for rental. 11 TAMMY CITARAMANIS: Right. 12 TRUDY MITCHELL-GILKEY: So if I wanted to stay in my 13 basement or sleep in my basement it is still my house? 14 TAMMY CITARAMANIS: It is your house. 15 TRUDY MITCHELL-GILKEY: Ok. 16 TAMMY CITARAMANIS: It is your house. It is being 17 used as- 18 TRUDY MITCHELL-GILKEY: So this is only to rent? This 19 is all to rent it to somebody? 20 TAMMY CITARAMANIS: Well basically what you are doing 21 is the way the property is zoned it is a single family 22 dwelling. 23 TRUDY MITCHELL-GILKEY: Right. 24 TAMMY CITARAMANIS: That is the density. One family. 25 It goes to the size one family. You are asking basically to</p>
<p>50</p> <p>1 the next day you are like but I really want her to see 2 this. I can reopen the record to accept your documents. So 3 don't be- Now if it is close to when my decision has to be 4 issued meaning I have already worked on it but still you 5 can always ask. 6 TRUDY MITCHELL-GILKEY: Ok. 7 TAMMY CITARAMANIS: So today is the 10th. I will have 8 the record, let's have the record close on the 21st that way 9 there is a full week. I know lots of places are closed on 10 Friday. Will that work for you? 11 TRUDY MITCHELL-GILKEY: Yes ma'am. 12 TAMMY CITARAMANIS: So the record will close in this 13 matter on April 21st. 14 TRUDY MITCHELL-GILKEY: Can I ask a question? 15 TAMMY CITARAMANIS: You can. 16 TRUDY MITCHELL-GILKEY: So between now and the record 17 closing or now and when I get a report from you if family 18 comes to visit me and somebody needs to sleep somewhere can 19 I or am I not allowed to go into the basement, am I not 20 allowed to sleep in the basement, am I not allowed to let 21 anybody sleep down there or is the basement considered 22 closed? 23 TAMMY CITARAMANIS: It is not an approved accessory 24 apartment. So I do not believe that you have that 25 restriction at this point. You are saying that nobody can</p>	<p>52</p> <p>1 divide your house into two different units. So one that 2 increases the density and it is a law because we are 3 talking about, for the most part, small areas which is your 4 basement. Which can be converted into the type of use that 5 you want with provisions that you follow the criteria. So 6 right now it is a single family home with a basement and it 7 sounds like you have the correct occupancy for renting out 8 a room. So yes. 9 TRUDY MITCHELL-GILKEY: Right. Ok. So if my family 10 wants to come and be with me it is not, I am not violating 11 anything? 12 TAMMY CITARAMANIS: I do not believe that you are 13 violating anything. It is your home. Again, the person to 14 ask if you feel like you need to would be Ms. Kinna but 15 until this process is complete it is your home. 16 TRUDY MITCHELL-GILKEY: Ok. 17 TAMMY CITARAMANIS: Violations of housing code that 18 would not be my forte. 19 TRUDY MITCHELL-GILKEY: I see. 20 TAMMY CITARAMANIS: Generally. 21 TRUDY MITCHELL-GILKEY: Alright. Thank you. 22 TAMMY CITARAMANIS: So we are going to close the 23 record on April 21st. The record will close as, so if you 24 have something before then you want to file, file it before 25 5 Friday April 21st. My report and decision will be issued</p>

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14 (53 to 56)

<p>53</p> <p>1 within 30 days. In my decision will be a little clip 2 basically telling you that you have X number of days if you 3 disagree with my opinion you can appeal it to the Board of 4 Appeals and it will tell you that you have to actually 5 request an oral argument before the Board of Appeals to 6 come in and say this is what happened at the hearing. I 7 disagree, I think blah blah blah. Generally that is if you 8 disagree with my decision. If you don't do anything, you 9 like what I decided, you want it, it will become final when 10 that appeal period expires. If you make no request within 11 the required time. 12 TRUDY MITCHELL-GILKEY: Do you know how long that 13 takes? 14 TAMMY CITARAMANIS: How long what takes? 15 TRUDY MITCHELL-GILKEY: The appeal process, period. 16 TAMMY CITARAMANIS: I don't know how long it would 17 take for you to get the actual oral argument. You just have 18 to file your request. 19 TRUDY MITCHELL-GILKEY: I don't mean to repeat but I 20 guess what I am saying is ok, April 21st comes and I am not 21 going to appeal anything. I can tell you that right now. 22 TAMMY CITARAMANIS: Well you don't have anything to 23 appeal. I haven't written my decision. 24 TRUDY MITCHELL-GILKEY: But I am saying if you write 25 your decision and then I am like ok that is great that is</p>	<p>55</p> <p>1 inspections or what you need to do whether you need to go 2 to DPS, Department of Permitting Services. That will start 3 the ball rolling. 4 TRUDY MITCHELL-GILKEY: Never again in my life will I 5 do anything that you know any legal under the table or 6 anything like that. I just won't do it but I can certainly 7 understand why a person would skip this process because it 8 is just- You know to do the right thing seems like there is 9 so many barriers and so much money and so much time. But it 10 is the right thing which is why I am going to do it. 11 TAMMY CITARAMANIS: The interest is maintaining the 12 neighborhood as a single family and not allowing people to 13 add to the population, add to the parking situation in an 14 area that is not designated for that. This is an exception 15 plus some of the things that they are asking you to do are 16 for safety reasons. 17 TRUDY MITCHELL-GILKEY: Sure. 18 TAMMY CITARAMANIS: So I understand or sympathize 19 with your concern. 20 TRUDY MITCHELL-GILKEY: Yeah. It is fine. It is just 21 the way it is. 22 TAMMY CITARAMANIS: It is what it is. I hope that 23 this was at least enlightening and helpful. 24 TRUDY MITCHELL-GILKEY: You have been very sweet. 25 TAMMY CITARAMANIS: And I will definitely address</p>
<p>54</p> <p>1 fine, do I still have to wait 6 months or 6 weeks or 60 2 days or do you know how long that period I have to wait 3 before I can get on with my life I guess? 4 TAMMY CITARAMANIS: Once I issue my decision and it 5 becomes final because you have not gone before the board of 6 appeals you can take that back to the Department of Housing 7 and Community Affairs and say ok I got the conditional use 8 approval to deviate from the parking requirements. How do I 9 get that license because they would not issue you a license 10 when you came in originally because you didn't meet the 11 parking requirement? So now you have gone in with an 12 approval that somebody else has looked at it and said there 13 is plenty of parking then that starts the process. How long 14 that takes in terms honestly I do not want to mislead you 15 but that certainly is a question that you can email Ms. 16 Kinna and I think she understands where you are coming from 17 and your desire to bring this to some kind of closure one 18 way or another. Just she seems very approachable. It sounds 19 like she will give you a straight up answer. But honestly, 20 how long it takes them to issue that, I know that they are 21 going to have to- They won't issue a license until you have 22 complied with the conditions. Putting the application in 23 process I think is important which is what you would need 24 to do. I would talk to her about do I go ahead and file 25 this so that it is in the system and then we set up the</p>	<p>56</p> <p>1 your concerns that- It will part- It is part of the record. 2 It is part of the record. So if we don't have anything else 3 I am going to go ahead and we are going to end the hearing. 4 It is 11:15. Again the record will close. It remains open 5 until the 21st of April at which time at 5 o'clock it will 6 close and then I will issue my decision. You will get my 7 decision within 30 days. 8 TRUDY MITCHELL-GILKEY: Thank you so much. 9 TAMMY CITARAMANIS: Good luck to you and keep asking 10 questions please. That is the only way you know the 11 answers. Thank you. 12 TRUDY MITCHELL-GILKEY: You have a good day. 13 TAMMY CITARAMANIS: Thank you. 14 (Off the record at 11:15 a.m.) 15 16 17 18 19 20 21 22 23 24 25</p>

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15 (57 to 60)

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CERTIFICATE OF TRANSCRIBER

I, Susan E. Wilson, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording as provided; and that I am neither counsel for, related to, nor employed by and of the parties to this case and have no interest, financial or otherwise, in its outcome.



SUSAN WILSON