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Transcript of Hearing

Date: October 16, 2025

Case: Kavandi Parking Waiver Request

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Michigan #8598 | Nevada #089F | New Mexico #566

Transcript of Hearing
Conducted on October 16, 2025

1 (1 to 4)

1	1	1	3
2	MONTGOMERY COUNTY DEPARTMENT OF HOUSING AND	1	A P P E A R A N C E S
3	COMMUNITY AFFAIRS	2	
4	-----x	3	ABOLGHASSEM KAVANDI - Applicant
5	IN RE: :	4	AUSTIN MCNAMARA - Housing Code Inspector
6	PARKING WAIVER REQUEST : Case No.:	5	
7	APPLICANT: ABOLGHASSEM KAVANDI : ADW 26-02	6	
8	-----x	7	
9		8	
10		9	
11		10	
12		11	
13	HEARING	12	
14	BEFORE THE KATHLEEN BYRNE, HEARING EXAMINER	13	
15	Conducted Virtually	14	
16	Thursday, October 16, 2025	15	
17	9:29 a.m.	16	
18		17	
19		18	
20		19	
21		20	
22		21	
23	Job No.: 602522	22	
24	Pages: 1 - 12	23	
25	Recorded By: John Schmieg	24	
		25	
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1	Hearing, conducted virtually	1	C O N T E N T S PAGE
2		2	TESTIMONY OF ABOLGHASSEM KAVANDI 6
3		3	
4		4	DECISION
5		5	By the Court 9
6		6	
7		7	
8		8	E X H I B I T S
9		9	(Attached to transcript)
10		10	
11		11	
12	Pursuant to agreement, before John Schmieg,	12	
13	Notary Public in and for the State of Florida.	13	
14		14	
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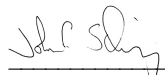
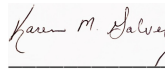
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2 (5 to 8)

<p>5</p> <p>1 PROCEEDINGS</p> <p>2 (Whereupon, the court reporter was duly</p> <p>3 sworn.)</p> <p>4 THE HEARING OFFICER: All right. Thank</p> <p>5 you. So good morning, everyone. My name is Katie</p> <p>6 Byrne and I'm the Hearing Examiner that has been</p> <p>7 assigned to this matter. We are here on a request</p> <p>8 for a waiver for accessory dwelling unit onsite</p> <p>9 parking requirements, as submitted by Mr. Kavandi,</p> <p>10 who is the property owner at 10609 Glenwild Road,</p> <p>11 Silver Spring, Maryland. Today, I will hear</p> <p>12 evidence regarding the sufficiency of onsite</p> <p>13 parking. I will render my decision based on that</p> <p>14 information. We have our court reporter here, who</p> <p>15 will be recording everything. Once the record</p> <p>16 closes, I will render my decision within 30 days.</p> <p>17 Okay. So please tell me about your</p> <p>18 parking waiver request. And all of the exhibits</p> <p>19 that you have submitted, I have pulled up, so if</p> <p>20 there's anything you'd like me to pull up and</p> <p>21 share and see and direct me to, please be sure to</p> <p>22 do that.</p> <p>23 Whereupon,</p> <p>24 ABOLGHASSEM KAVANDI,</p> <p>25 being first duly sworn or affirmed to testify to</p>	<p>7</p> <p>1 a car?</p> <p>2 MR. KAVANDI: No one lives with me there.</p> <p>3 THE HEARING OFFICER: Okay.</p> <p>4 MR. KAVANDI: No one lives here; I -- I</p> <p>5 live by myself.</p> <p>6 THE HEARING OFFICER: Okay. Mr.</p> <p>7 McNamara, what have you -- what are your</p> <p>8 observations and what can you tell me about what's</p> <p>9 required under the Code?</p> <p>10 MR. MCNAMARA: Sure. So the Code</p> <p>11 requires that a single family property with an</p> <p>12 accessory dwelling unit would need three parking</p> <p>13 spaces. So in Montgomery County, that would be a</p> <p>14 total of 480 square feet. The parking at this</p> <p>15 property currently is approximately 190 square feet</p> <p>16 --</p> <p>17 THE HEARING OFFICER: Okay.</p> <p>18 MR. MCNAMARA: -- so just the one</p> <p>19 parking. But as -- as was stated before, there is</p> <p>20 street parking. There's no permits necessary in</p> <p>21 that area. It's a cul-de-sac, or it leads to a</p> <p>22 cul-de-sac, so there's not -- not much through</p> <p>23 traffic at all.</p> <p>24 THE HEARING OFFICER: Okay.</p> <p>25 MR. MCNAMARA: On the times that I have</p>
<p>6</p> <p>1 the truth, the whole truth, and nothing but the</p> <p>2 truth, was examined and testified as follows:</p> <p>3 MR. KAVANDI: Sure. Yeah. My house,</p> <p>4 because it -- in front, it has a hill to the</p> <p>5 entrance and, therefore, I think they put only one</p> <p>6 driveway. But our house -- or our neighborhood</p> <p>7 doesn't have HOA, and we have plenty of parking on</p> <p>8 this city's available. Because most people they</p> <p>9 have driveway and it is established neighborhood</p> <p>10 and some houses, there are only one people like me</p> <p>11 living in the house. Or some of them, they are</p> <p>12 couples; they have one car. And even the others,</p> <p>13 they have family. They have it -- some of them,</p> <p>14 they have garage and driveway. Therefore, there</p> <p>15 are plenty space on the street that I am living in.</p> <p>16 THE HEARING OFFICER: Okay. So you --</p> <p>17 are you the only -- you're the only person that</p> <p>18 lives in your house?</p> <p>19 MR. KAVANDI: As the owner, yes.</p> <p>20 THE HEARING OFFICER: Okay. How many</p> <p>21 cars are parked at your house on a regular basis?</p> <p>22 MR. KAVANDI: Regular basis is one car,</p> <p>23 because I have one car.</p> <p>24 THE HEARING OFFICER: Okay. And there's</p> <p>25 no one else that lives with you currently that has</p>	<p>8</p> <p>1 had to visit the property, the County provides me</p> <p>2 with a pickup truck, so not a small car, but that's</p> <p>3 only leading to say that I have never had any issue</p> <p>4 finding parking. I haven't felt that I need to</p> <p>5 squeeze in, in any way. There's -- there's plenty</p> <p>6 of street parking available. And I'm not sure if</p> <p>7 it will be presented, but there -- there is a</p> <p>8 reasonable amount of frontage on -- on the property</p> <p>9 onto the street for -- for parking.</p> <p>10 THE HEARING OFFICER: All right. So Mr.</p> <p>11 Kavandi -- let's see. He applied these photos. So</p> <p>12 we've got -- this is his house. So this is the one</p> <p>13 pad, and then the parking here and further down the</p> <p>14 street. So this is an accurate reflection of what</p> <p>15 your observations have been when you've been there?</p> <p>16 MR. MCNAMARA: That's correct.</p> <p>17 THE HEARING OFFICER: Okay. All right.</p> <p>18 So Mr. Kavandi, anything else you'd like to tell me?</p> <p>19 MR. KAVANDI: No. Thank you so much.</p> <p>20 THE HEARING OFFICER: Okay. What's the</p> <p>21 timeline as far as your ADU goes for work or</p> <p>22 permits? Is -- I mean, obviously, you have to get</p> <p>23 through the waiver process first, and then what's</p> <p>24 the timeline look like?</p> <p>25 MR. MCNAMARA: So from the application</p>

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3 (9 to 12)

9	<p>1 standpoint, the -- the property has been posted</p> <p>2 with the -- the necessary yard sign for the 30 days</p> <p>3 already. So that's already passed. I have made my</p> <p>4 initial inspection, but there's nothing inside of</p> <p>5 the house that needs to be updated to --</p> <p>6 THE HEARING OFFICER: Okay.</p> <p>7 MR. MCNAMARA: -- meet requirements. So</p> <p>8 --</p> <p>9 THE HEARING OFFICER: Okay.</p> <p>10 MR. MCNAMARA: -- once this is filed and</p> <p>11 once this decision is made, this is the last hurdle</p> <p>12 for the ADU.</p> <p>13 THE HEARING OFFICER: Okay. All right.</p> <p>14 Okay. All right. Sounds good. All right. Does</p> <p>15 anybody else have anything else they'd like to tell</p> <p>16 me? No? All right.</p> <p>17 MR. MCNAMARA: I do not.</p> <p>18 THE HEARING OFFICER: All right. See,</p> <p>19 it's pretty painless. It's pretty straightforward.</p> <p>20 So Mr. McNamara did a good job explaining what the</p> <p>21 requirements under the Code are. So when I review</p> <p>22 the evidence before me, I'm looking specifically at</p> <p>23 what's required under Section 59.3.3.3, that tells</p> <p>24 us what -- basically, what Mr. McNamara said, that</p> <p>25 you need to have three parking spaces, what the</p>	11	<p>1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC</p> <p>2 I, John Schmieg, the officer before</p> <p>3 whom the foregoing proceedings were taken, do hereby</p> <p>4 certify that any witness(es) in the foregoing</p> <p>5 proceedings were fully sworn; that the proceedings</p> <p>6 were recorded by me and thereafter reduced to</p> <p>7 typewriting by a qualified transcriptionist; that</p> <p>8 said digital audio recording of said proceedings</p> <p>9 are a true and accurate record to the best of my</p> <p>10 knowledge, skills, and ability; and that I am</p> <p>11 neither counsel for, related to, nor employed by</p> <p>12 any of the parties to this case and have no</p> <p>13 interest, financial or otherwise, in its outcome.</p> <p>14</p> <p>15 </p> <p>16 _____</p> <p>17 JOHN SCHMIEG, NOTARY PUBLIC</p> <p>18 FOR THE STATE OF FLORIDA</p> <p>19 October 24, 2025</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
10	<p>1 square footage is. And since you don't have that,</p> <p>2 you have a waiver, and under, I think it's, 29-26</p> <p>3 is my authority to grant that waiver.</p> <p>4 So after reviewing all of the information</p> <p>5 that I have, based on 59.3.3 and Code Section</p> <p>6 29-26, I'll go ahead and render an opinion. So the</p> <p>7 record will be held open for a period of ten</p> <p>8 business days to allow our court reporter to</p> <p>9 generate the transcript. Once the transcript is</p> <p>10 generated, then I have 30 days to issue the</p> <p>11 decision. It won't take me 30 days. This is</p> <p>12 pretty straightforward, so I'll try to get this out</p> <p>13 as quickly as possible for you.</p> <p>14 Okay. And if anyone -- if there's</p> <p>15 no questions for me, that would conclude our</p> <p>16 hearing, and we'll be off the record.</p> <p>17 MR. KAVANDI: Thank you.</p> <p>18 THE HEARING OFFICER: Okay.</p> <p>19 (Off the record at 9:36 a.m.)</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	12	<p>1 CERTIFICATE OF TRANSCRIBER</p> <p>2 I, Karen M. Galvez, do hereby certify</p> <p>3 that this transcript was prepared from the digital</p> <p>4 audio recording of the foregoing proceeding; that</p> <p>5 said proceedings were reduced to typewriting under</p> <p>6 my supervision; that said transcript is a true and</p> <p>7 accurate record of the proceedings to the best of</p> <p>8 my knowledge, skills, and ability; and that I am</p> <p>9 neither counsel for, related to, nor employed by</p> <p>10 any of the parties to the case and have no</p> <p>11 interest, financial or otherwise, in its outcome.</p> <p>12</p> <p>13 </p> <p>14 _____</p> <p>15 KAREN M. GALVEZ</p> <p>16 PLANET DEPOS, LLC</p> <p>17 October 24, 2025</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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