

From: [Sokoni, Khandikile Mvunga](#)
To: ["David Dunmire"](#)
Cc: [Johnson, Nana](#); [Guisao-Ospina, Jony](#)
Subject: RE: Notley Road Townhouses
Date: Thursday, January 22, 2026 11:56:00 AM

Good Morning Mr. Dunmire,

While I am in receipt of your letter dated January 20, 2026, received as an attachment to your below email of this date, please note that if you wish to have this letter entered into the record it must be signed.

I am copying below an excerpt of the OZAH Rules of Procedure and ask that you please clarify whether you are asking to be a party of record or a participant under these rules.

3.1 Parties of Record.

- a) Under these Rules, "parties of record" include applicants for a zoning action or a conditional use, individuals and organizations testifying at an OZAH public hearing and those who have requested and been approved by the Hearing Examiner to be parties of record. Anyone may testify at the OZAH public hearing and will be automatically considered a party of record. Testifying before the Planning Board or other agency will not make a person a party of record to an OZAH proceeding.
- b) Persons who do not wish to testify may request to be classified as a party of record by filing a written request, signed by the individual or an authorized agent, and demonstrating that other parties of record will not adequately represent the interests of the person or organization seeking to become a party of record.
- c) All parties of record must provide contact information, including an address, telephone number and email address.
- d) Being designated or not designated as a party of record as defined in these Rules does not determine a person's right to appeal to the courts or to request oral argument before the Council or the Board of Appeals. The person's right to appeal or request oral argument is governed by the Zoning Ordinance and by state law.

3.2 Participants.

Participants are those persons who submit written comments on an application for consideration in the record, but who are not parties of record.

- a) Participants are not required to mail copies of their written submission(s) to other participants or to parties of record; nor will other participants or parties of record be required to send copies of motions, orders, or other submissions directly to participants who are not parties of record. However, all submissions will be available for public viewing in the case file maintained by OZAH.
- b) OZAH will send individual notice of hearings to participants only if they are adjoining or confronting property owners, civic and homeowners associations or municipalities within 1/2 mile of the subject site; OZAH will send participants a notice of the Hearing Examiner's report and recommendation to the Council or decisions in conditional use cases, only if they are parties of record. Copies of such reports and recommendations and decisions will be available for viewing on OZAH's website and at OZAH's office.
- c) All submissions made by participants must be in writing and signed by the individual or an authorized representative.
- d) Signed, written comments timely submitted to OZAH by participants will be considered in evaluating the case, but not necessarily given the same weight as statements that are made under oath and subjected to cross-examination at the hearing.

3.3 Representation.

Groups, organizations or entities arguing a matter or calling witnesses before OZAH must be represented by an attorney, but a member of an organization, authorized by that organization to do so, may offer testimony in narrative form on behalf of the organization without attorney representation. Individual members of organizations may also offer testimony in narrative form on their own behalf, without attorney representation.

[OZAH Rules can be viewed at:

https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md_zone2014/0-0-0-63781]

Lastly, please note that the record contains a document marked Exhibit 45 titled "Schematic Stormwater Management Plan.

Sincerely,

Khandikile Mvunga Sokoni
Director/Hearing Examiner
Office of Zoning & Administrative Hearings
100 Maryland Ave
Suite 200
Rockville MD 20850
Telephone: 240-777-6664

Khandikile Mvunga Sokoni
Director/Hearing Examiner
Office of Zoning & Administrative Hearings
100 Maryland Ave
Suite 200
Rockville MD 20850
Telephone: 240-777-6664

-----Original Message-----

From: David Dunmire <davidd15@verizon.net>

Sent: Thursday, January 22, 2026 11:12 AM

To: Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov>

Subject: Notley Road Townhouses

[You don't often get email from davidd15@verizon.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

[EXTERNAL EMAIL]

Mrs. Sokoni,

We would appreciate an acknowledgement of receipt of the attached letter regarding a document referenced in the documents for the Notley Road Townhouse development.

David Dunmire, Eyes of Paint Branch