

TESTIMONY OF ALEXANDRE FINKEL

I, Alexandre Finkel, state under penalty of perjury under the laws of the United States that I reside at 7711 Oldchester Road, in Bethesda, Maryland. I have owned my house for 14 years, and it is my primary residence. While I planned to be present at the ADU Hearing scheduled for December 9th, 2024, I have a work-related conflict during that time, compromising my ability to attend in person. To ensure my testimony is on record, I am submitting this written statement.

I live next door to the property owned by Flavia Favali, which she has used exclusively as a rental property during the past decade. I have observed her home being occupied by tenants and have had countless interactions with those individuals, including late night disturbances of renters looking for keys to the property after renting it on AirBnB. In this time, I have never observed Ms. Favali residing at this property, nor have I seen any indications of her children or grandchildren living there.

Primary Residence Requirement

Montgomery County's regulations require that the applicant's property be their primary residence for ADU approval. Based on my observations and additional evidence, Ms. Favali's property does not meet this requirement.

1. **Documentary Evidence:** Documentary evidence has been provided showing that Ms. Favali has repeatedly listed a different property, located on Kennedy Street, as her primary residence in various legal and administrative cases. This strongly suggests that her property on Oldchester Road is not, and has not been, her primary residence.
2. **Legal Judgment:** In September 2023, our neighborhood collectively achieved a judgment clearly establishing that the Oldchester Road address is not Ms. Favali's primary residence. If this property were indeed her primary home, Ms. Favali would have appealed this ruling. Her decision not to contest this judgment further confirms that the Oldchester Road property is used as a rental and not as her principal residence.

Misrepresentation of Intent

Ms. Favali has stated that her purpose for building the ADU is to provide handicap access to the property given her bone health. However, this is not the first time she has used this reasoning to justify significant remodeling. Circa 2014, she built two external entrances to the basement of the rental property, citing the need for handicap accessibility for herself. After completing the remodeling, Ms. Favali turned the house into a short-term rental facility, and the property was never used for the stated purpose of providing handicap access for herself.

More recently, during at least two conversations with Ms. Favali, she explicitly stated that her ultimate plan is to convert the property into an income-generating halfway house. This aligns with Haven Share, Inc., a business Ms. Favali has registered and claims to operate out of her current primary residence at 4222 Kennedy St., Hyattsville, MD. The addition of the ADU would allow her to create additional rooms to support this conversion. This plan further

undermines her stated intentions and highlights a commercial motivation that is entirely inconsistent with the character of our residential neighborhood.

Ms. Favali's history of misrepresentation regarding her use of the property raises serious concerns about the legitimacy of her current claims. Approving this application would likely enable her to pursue a use for the property that is entirely inconsistent with her stated purpose and detrimental to the neighborhood and its community.

Community and Safety Concerns

Over the years, I have observed significant traffic and parking issues directly linked to the tenants of this property. Multiple vehicles are regularly parked both on the street and in the driveway, creating congestion and making it difficult to navigate Oldchester Road by car or on foot. These conditions pose safety risks for pedestrians, particularly children, and hinder the free flow of traffic, especially when emergency or service vehicles attempt to pass.

Granting this ADU application would exacerbate these existing issues and set a dangerous precedent. Approving an ADU despite the clear violation of the primary residence requirement and the applicant's pattern of misrepresentation would erode the integrity of Montgomery County's zoning laws and jeopardize the residential character of our neighborhood.

Request for Denial

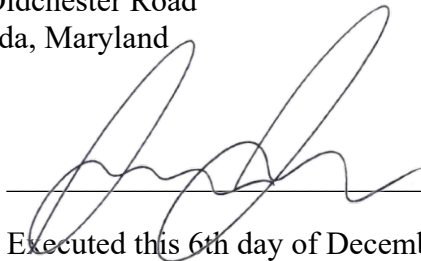
I respectfully urge the County to deny Ms. Favali's application for an ADU. Her property does not qualify as her primary residence, as evidenced by legal documentation, court rulings, and long-standing observations. Furthermore, her stated purpose for the ADU is not credible based on her past actions, where similar claims were made and subsequently disregarded. Her direct admission that she plans to convert the property into a halfway house highlights the commercial nature of her intent and underscores why this application must be denied.

Approving this application would violate zoning requirements, harm the safety and quality of life in our community, and set a precedent that undermines the fairness of the permitting process.

Thank you for considering my testimony.

Sincerely,

Alexandre Finkel
7711 Oldchester Road
Bethesda, Maryland



Executed this 6th day of December 2024.