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September 28, 2025

Kathleen Byrne
Director/Hearing Examiner
Office of Zoning and Administrative Hearings
100 Maryland Avenue, 6th Floor
Rockville, MD 20850
(via email to ozah@montgomerycountymd.gov)

Re: LMA H-159

Dear Ms. Byrne,

I am unable to attend the public hearing scheduled for November 6, but please include this written testimony in the record.

The application for LMA H-159 is incomplete because it fails to comply with state law.

Maryland state law, §5–842 et seq of the General Provisions Article requires local map amendment applicants in Montgomery County to disclose certain information.

“Applicant” in the statute, means an individual or a business entity that is:

1. a title owner or contract purchaser of land that is the subject of an application;
2. a trustee who has an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or
3. a holder of at least a 5% interest in a business entity who has an interest in land that is the subject of an application.

“Applicant” includes, if the applicant is a corporation, the directors and officers of the corporation that actually holds title to the land, or is a contract purchaser of the land, that is the subject of an application.

To be compliant with the statute, the applicant would have had to disclose the holders of at least 5% interest in the business entity which does not appear to be the case. Each

holder would also be considered an applicant and be required to make certain disclosures.

To be compliant with the statute, the applicant would have also had to disclose the directors and officers of the corporation which does not appear to be the case. Each of these persons would also be considered an applicant and be required to make certain disclosures.

Local governments in Maryland also have reporting obligations under Property Tax Article §8–104 when a zoning classification change is initiated or requested by the owner or anyone having an interest in the property. Full disclosure by LMA applicants allows the County to fulfill this obligation.

I am not an attorney. This is my non-expert interpretation of the plain language as an individual. I have no intent to appear in organized opposition.

I would like to request that I be considered a party of record.

Sincerely,

A handwritten signature in black ink, appearing to read 'Al Carr', with a stylized, cursive script.

Al Carr