

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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PUBLIC HEARING

+ + + + +

WEDNESDAY

FEBRUARY 6, 2019

+ + + + +

The Regular Public Hearing convened in the Jerrily R. Kress Memorial Hearing Room, Room 220 South, 441 4th Street, N.W., Washington, D.C., 20001, pursuant to notice at 9:30 a.m., Frederick Hill, Chairperson, presiding.

The transcript constitutes the minutes from the Public Hearing held on February 6, 2019.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

FREDERICK L. HILL, Chairperson  
LESYLLEE M. WHITE, Board Member  
LORNA JOHN, Board Member  
CARLTON HART, Board Member (NCPC)

ZONING COMMISSION MEMBER PRESENT:

ANTHONY HOOD, Chairperson

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Secretary  
JOHN NYARKU

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MARY NAGELHOUT, ESQ.

OFFICE OF PLANNING STAFF PRESENT:

CRYSTAL MYERS  
STEPHEN MORDFIN  
STEVEN COCHRAN  
ELISA VITALE  
BRANDICE ELLIOTT

## T-A-B-L-E O-F C-O-N-T-E-N-T-S

Opening Remarks, Chairman Hill . . . . .	4
Application Number 19910 . . . . .	4
Application number 19911 . . . . .	10
Application number 19914 . . . . .	22
Application number 19904	
Applicant remarks . . . . .	35
Office of Planning remarks . . . . .	38
Application number 19905	
Applicant remarks . . . . .	45
Office of Planning remarks . . . . .	48
Parties in opposition . . . . .	50
Application Number 19906	
Applicant remarks . . . . .	72
Office of Planning remarks . . . . .	75
Application Number 19917	
Applicant remarks . . . . .	78
Office of Planning remarks . . . . .	94
Board Elections . . . . .	102
Adjourn . . . . .	105

P-R-O-C-E-E-D-I-N-G-S

11:27 a.m.

1  
2  
3 CHAIRPERSON HILL: Hi, Mr. Moy. Whenever you get  
4 a chance.

5 MR. MOY: Thank you, Mr. Chairman. The Board is  
6 reconvening and it's at our about 11:30 and the Board is in  
7 its public hearing session.

8 The first case application before the Board where  
9 there is a preliminary matter to postpone, Mr. Chairman.  
10 That is -- give me a second here.

11 All right. That is Case Application No. 19910  
12 of 5935 Colorado Avenue Associates LLC. Captioned and  
13 advertised for area variances from the floor area ratio  
14 requirements of Subtitle F, Section 302.1, lot occupancy  
15 requirements of Subtitle F Section 304.1, from the side yard  
16 requirements of Subtitle F Section 306.1, and from the  
17 penthouse setback requirements of Subtitle C Section 1502.1,  
18 to convert an existing detached principal dwelling unit to  
19 a five-unit apartment house in the RA-1 Zone. This is at  
20 premises 5835 Colorado Avenue, Northwest, Square 2937, Lot  
21 832.

22 And as I said, Mr. Chairman, there is a request  
23 from the applicant to postpone under Exhibit 31, but as of  
24 this morning there were no responses to this request.

25 CHAIRPERSON HILL: Okay. Is the applicant here?

1 If the applicant could come forward, please?

2           Okay. If you could please introduce yourselves  
3 for the record from my right to left?

4           MR. CASU: Bruno Casu.

5           CHAIRPERSON HILL: Bruno Castle?

6           MR. CASU: Correct.

7           CHAIRPERSON HILL: Could you spell your last name,  
8 please?

9           MR. CASU: C-A-S-U.

10          CHAIRPERSON HILL: Oh, got you. Okay.

11          MR. CASU: Got you.

12          CHAIRPERSON HILL: Thank you.

13          MR. CASU: You're welcome.

14          MS. FERREIRA: Catrina Ferreira, principal at  
15 ARCHI-TEXTUAL. We are the architect.

16          MS. CERA: Gladys Cera, Civil Engineering.

17          CHAIRPERSON HILL: Okay. So, Ms. Ferreira, I  
18 don't know if you were the -- yes, you put in the request for  
19 postponement. We got this too late in order of us to  
20 postpone until you actually had to be here.

21                 So if you could turn off your microphone, sir.  
22 I'm sorry. I get feedback if it -- only one at a time.  
23 Thanks.

24                 Could you explain the postponement request?

25          MS. FERREIRA: Certainly. We have continued to

1 coordinate with the Office of Planning. We recognize that  
2 there were a lot of variances being requested, so we have  
3 scaled down the project in an attempt to reduce the amount  
4 of relief being requested. And also given the fact that the  
5 ANC had placed a condition on their approval that we provide  
6 an affordable unit, we have also decided to opt in for IZ per  
7 the Office of Planning's recommendation.

8           So the project has been significantly redesigned.  
9 And in order to allow the Office of Planning sufficient time  
10 to reevaluate the design and prepare their report, and also  
11 to allow for additional coordination with the ANC and  
12 neighbors, we respectfully request that it be postponed. At  
13 this point I think we would need to do it at -- the closest  
14 hearing date possibly would be the 27th because of posting  
15 requirements, but I will leave that up to you to determine.  
16 I know I had put on there the 20th as the request, but that's  
17 probably too soon.

18           CHAIRPERSON HILL: That's okay. I mean, as far  
19 as the posting is. But also you're going to go back to the  
20 ANC with the new design?

21           MS. FERREIRA: We don't know if we -- well, that  
22 will be up to the Commissioner to determine.

23           CHAIRPERSON HILL: Okay.

24           MS. FERREIRA: Yes.

25           CHAIRPERSON HILL: Okay. Because, I mean, even

1 if you did the -- that might not be enough time for you to  
2 go back to the ANC.

3 I don't know, Mr. Moy, do you have a suggestion  
4 on a new date?

5 MR. MOY: Mr. Chairman, I neglected to learn when  
6 the ANC was going to meet with the applicant in the month of  
7 February, but I think the applicant is correct. I'm looking  
8 at either rescheduling to February 27th, which is the last  
9 hearing in the month of February, or the following week for  
10 -- set for March 6th.

11 CHAIRPERSON HILL: Do you know, Ms. Ferreira --  
12 so you don't know if you can get back to the ANC, if you need  
13 to get back to the ANC, by March 6th?

14 MS. FERREIRA: I know that their hearing is on the  
15 13th, which is a week from today, so we could possibly  
16 present it then if they determine that we need to re-present  
17 the project.

18 CHAIRPERSON HILL: Okay. So the 27th would  
19 actually work for you?

20 MS. FERREIRA: Yes.

21 CHAIRPERSON HILL: So does the 27th -- how does  
22 that look, Mr. Moy?

23 MR. MOY: That looks good assuming that if the  
24 applicant refiles with additional information, which I  
25 believe may include revised drawings possibly, that they

1 submit that supplemental information by -- can they submit  
2 that by February 15, or would you need the following week?

3 MS. FERREIRA: I believe so, yes.

4 MR. MOY: Oh, that's terrific. So if the  
5 applicant can file the additional information by Friday,  
6 February the 15th, then the Board can hold its hearing on the  
7 27th, and the Office of Planning then would be able to submit  
8 its report -- I'd like to give the Office of Planning time  
9 to submit their report. They didn't have an earlier report  
10 and if the Board would consider OP filing its supplemental  
11 or its report by Friday the 22nd --

12 CHAIRPERSON HILL: Okay. So Friday the 22nd? So  
13 then what? Does that mean that's enough time for them to get  
14 it and we can get it by the 27th still?

15 MR. MOY: Yes, that's why I was suggesting to give  
16 OP time to review the additional information -- that's why  
17 I mentioned March the 6th.

18 MS. FERREIRA: If I might add, the Office of  
19 Planning is aware of the revisions. They have been deeply,  
20 let's say, involved in the coordination of those revisions.  
21 So they have received revised drawings already, even though  
22 they are not in the record and the documentation has not been  
23 resubmitted.

24 CHAIRPERSON HILL: I got confused. So are we  
25 still on the 27th? Are you saying that you want to give more

1 time?

2 MR. MOY: The Office of Planning case manager is  
3 not here.

4 CHAIRPERSON HILL: Right.

5 MR. MOY: I had an informal --

6 CHAIRPERSON HILL: Right.

7 MR. MOY: -- conversation with her a half hour  
8 ago.

9 CHAIRPERSON HILL: What's the next week?

10 MR. MOY: She asked for 10 days to --

11 CHAIRPERSON HILL: Okay.

12 MR. MOY: -- prepare a report.

13 CHAIRPERSON HILL: So you'd rather have -- so  
14 given that --

15 MR. MOY: That would --

16 CHAIRPERSON HILL: -- the following week then, is  
17 what you're saying?

18 MR. MOY: Yes, which would take us to March the  
19 6th.

20 CHAIRPERSON HILL: Okay. So let's do March the  
21 6th. Okay?

22 MR. MOY: And I think the other date --

23 CHAIRPERSON HILL: So we're going to do March the  
24 6th. And just so I know, is there anybody here from the  
25 public wishing to speak in support of this application?

1 (No audible response.)

2 CHAIRPERSON HILL: Is there anyone here from the  
3 public to speak in opposition to this application?

4 (No audible response.)

5 CHAIRPERSON HILL: Okay. So we're going to go  
6 back on then -- what did you say, the 6th, right? March 6th?

7 MR. MOY: March 6th.

8 CHAIRPERSON HILL: Okay.

9 MR. MOY: The applicant would file by Friday,  
10 February the 15th, and the OP then would -- could file by --  
11 its report by February 27th.

12 CHAIRPERSON HILL: Okay. Great.

13 All right. Thank you, all, very much. We'll see  
14 you on the 6th.

15 MR. MOY: All right. The second application, Mr.  
16 Chairman, where there is a preliminary matter regarding a  
17 request to postpone is Case Application No. 19911 of LaTrell  
18 Duncan-Fitchett, F-I-T-C-H-E-T-T, captioned and advertised  
19 for a special exception under the home occupation uses  
20 requirements of Subtitle U Section 251.1(b)(3) and 251.6, to  
21 expand an existing child development home from 9 to 12  
22 children in the R-2 Zone at premises 508 60th Street,  
23 Northeast, Square 5259, Lot 809.

24 Mr. Chairman, the request is from ANC 7C to  
25 postpone. And there is also a reply or response from the

1 applicant. Unfortunately, I have the -- their request and  
2 response in email form. They had been asked to make a filing  
3 into the record, which -- but it's not in the record, so, Mr.  
4 Chairman, I'll just hand these email documents to you to  
5 read.

6 CHAIRPERSON HILL: Okay. Is the ANC here by any  
7 chance?

8 (No audible response.)

9 CHAIRPERSON HILL: If you could please come  
10 forward, ma'am?

11 (Pause.)

12 CHAIRPERSON HILL: All right. Commissioner,  
13 welcome.

14 Let me get introductions first. If you could  
15 please introduce yourself from my right to left?

16 MS. DUNCAN-FITCHETT: Hi, my name is LaTrell  
17 Duncan-Fitchett.

18 MS. GAFFNEY: Mary Gaffney, ANC 7C.

19 CHAIRPERSON HILL: Okay. All right. So,  
20 Commissioner Gaffney, I guess you had requested a  
21 postponement. Is that correct? Or was it from -- oh, it was  
22 from Chairman Holmes.

23 MS. GAFFNEY: Yes.

24 CHAIRPERSON HILL: Okay. Could you explain the  
25 -- and, Ms. Duncan-Fitchett, could you turn off your

1 microphone there for one second?

2 MS. DUNCAN-FITCHETT: I want --

3 CHAIRPERSON HILL: You'll get a chance to respond.

4 So you had requested a postponement. Could you  
5 explain the postponement request to us?

6 MS. GAFFNEY: The postponement came because at our  
7 last executive meeting we invited Ms. Fitchett at the  
8 meeting, but due to previous engagements she wasn't able to  
9 attend. And the commissioners didn't have any information  
10 to deliberate at that particular meetings. That's why we  
11 asked the postponement so she can come to our next executive  
12 meeting and we can get the full story so we can make a  
13 decision on her request.

14 CHAIRPERSON HILL: Okay, Commissioner. Yes, I  
15 mean, we see that we don't have anything from your ANC --

16 MS. GAFFNEY: Yes.

17 CHAIRPERSON HILL: -- in terms of one way or the  
18 other. So, Ms. Duncan-Fitchett, I see that you have posted  
19 something in -- or I should say email that it doesn't look  
20 -- you would rather -- you would prefer that we move forward  
21 today. Could you go ahead and explain your opposition to the  
22 postponement request?

23 MS. DUNCAN-FITCHETT: The reason for my request  
24 to move forward -- because I have met with the ANC  
25 commissioners at two meetings and Ms. -- ANC -- Ms. Gaffney

1 had actually come to the day care center twice and because  
2 of the need of families to be served and job opportunities  
3 for the expansion, I ask that the Board Members or Office of  
4 Planning and Board of Zoning to move forward.

5 CHAIRPERSON HILL: Okay. We're going to talk this  
6 through. That's okay.

7 So, Commissioner Gaffney, so the applicant hasn't  
8 presented to the full ANC yet? Is that what you're telling  
9 me?

10 MS. GAFFNEY: Right, she has --

11 CHAIRPERSON HILL: Okay.

12 MS. GAFFNEY: -- not presented to the full ANC,  
13 nor the executive -- see, before it would go to the full ANC  
14 it has to come to the executive body first to see exactly  
15 what's going on.

16 CHAIRPERSON HILL: Okay. So, but you did have an  
17 opportunity to go visit the location?

18 MS. GAFFNEY: No, I haven't visited the location  
19 over three years or something like that. I think it was the  
20 same thing.

21 CHAIRPERSON HILL: I see. The previous  
22 application? You were here for --

23 MS. GAFFNEY: Yes.

24 CHAIRPERSON HILL: Okay.

25 MS. GAFFNEY: Maybe --

1 CHAIRPERSON HILL: That's okay. I'm just trying  
2 to --

3 MS. GAFFNEY: Yes. Yes.

4 CHAIRPERSON HILL: The Board will have any  
5 questions also.

6 MS. GAFFNEY: Yes.

7 CHAIRPERSON HILL: So, Ms. Duncan-Fitchett, I  
8 mean, just to let you know, we don't have a report currently  
9 from the ANC. And so, you're saying that Commissioner  
10 Gaffney went over to visit your location three years ago?

11 MS. DUNCAN-FITCHETT: She actually came to the  
12 location when I first made the file and then she came back  
13 again I believe last year.

14 CHAIRPERSON HILL: So when you first made the file  
15 -- it doesn't -- I mean, so when you say when you first made  
16 the file, what does that mean?

17 MS. DUNCAN-FITCHETT: When I first submitted the  
18 application.

19 CHAIRPERSON HILL: And how long ago was that?

20 MS. DUNCAN-FITCHETT: That was in 2016.

21 CHAIRPERSON HILL: So 2016?

22 MS. DUNCAN-FITCHETT: Yes.

23 CHAIRPERSON HILL: Okay. All right. So, Ms.  
24 Gaffney, if we were to grant a postponement; and I'm going  
25 to let the Board determine -- I mean, Commissioner. Sorry.

1 Commissioner Gaffney, if we were to grant a postponement, how  
2 quickly do you think we could get -- because I think that we  
3 do have a pretty substantial record in terms of the  
4 opportunity to evaluate the case, however, we always want to  
5 hear from the ANC and have the applicant -- actually, could  
6 you both turn off your microphones just for a second, I'm  
7 sorry -- have an possibility to hear from the ANC. Do you  
8 know how quickly you might be able to get the applicant to  
9 the Executive Committee and then also to the ANC?

10 MS. GAFFNEY: Yes.

11 CHAIRPERSON HILL: Now you can turn on your  
12 microphone. Sorry.

13 MS. GAFFNEY: We could get the applicants, if  
14 she's available, to the ANC Executive Committee immediately  
15 within the next --

16 CHAIRPERSON HILL: And then get her onto the next  
17 agenda?

18 MS. GAFFNEY: Next agenda is next week.

19 CHAIRPERSON HILL: Next week?

20 MS. GAFFNEY: It's the second Thursday.

21 CHAIRPERSON HILL: So you could possibly get her  
22 onto the next agenda?

23 MS. GAFFNEY: Yes.

24 CHAIRPERSON HILL: Okay. All right. So, I mean,  
25 I don't know where the Board is. I mean, I want to hear from

1 the ANC. And so, if the commissioner thinks that you can get  
2 the -- and you'll have an opportunity to speak -- if the  
3 commissioner thinks you can get on the agenda next Thursday,  
4 then that means I can work with the secretary to see how --  
5 and then you can get a report back to us soon thereafter and  
6 then we can get the feedback from the ANC.

7 Does any Board Members have any questions or  
8 thoughts on this?

9 ZC BOARD MEMBER HOOD: I would agree with you, Mr.  
10 Chairman. I think if Dr. Gaffney can make sure that she's  
11 on the agenda at your very next meeting --

12 MS. GAFFNEY: Yes.

13 ZC BOARD MEMBER HOOD: -- which is what, next week  
14 -- if we can make -- if you can assure us of that, then we  
15 can do a schedule. So I would agree that we do need to hear  
16 from the ANC. I may not be on this case, but I would think  
17 we'd want to hear from the ANC.

18 VICE CHAIRPERSON HART: Yes, the only thing that  
19 I would add is that typically what we get -- what we can  
20 understand from the ANC if there are particular conditions  
21 for -- that go along with this, it would be helpful for us  
22 to understand what those might be, and right now we don't  
23 really have that. And so that's why we're wanting to have  
24 something from the ANC so that we can at least understand  
25 what some of the issues are that the ANC may raise as part

1 of this application. So I would be also supportive of making  
2 sure that we have a report from the ANC. And if it's next  
3 week, that would be very helpful because you wouldn't have  
4 to -- you wouldn't be waiting for us -- for a long time for  
5 us to have a decision on the case.

6 CHAIRPERSON HILL: Okay. So if -- and, Ms. White,  
7 I see you have a statement. I just -- since I have the  
8 calendar out, I'm trying to figure this out.

9 Commissioner Gaffney, you said you're on next  
10 Thursday. So that's the 14th?

11 MS. GAFFNEY: Yes, that's the second Thursday?

12 CHAIRPERSON HILL: Yes, the second Thursday.

13 MS. GAFFNEY: Yes.

14 CHAIRPERSON HILL: So the 14th.

15 MS. GAFFNEY: That's our general meeting.

16 CHAIRPERSON HILL: Do you know, would -- because  
17 I -- do you know when you might be able to give us a report  
18 back then after -- if you meet on the 14th?

19 MS. GAFFNEY: We can give it to you on the 15th.

20 CHAIRPERSON HILL: Okay. You're very kind,  
21 commissioner.

22 So then we could get you back here on the 20th  
23 then.

24 Mr. Moy, is that possible in terms of -- because  
25 if this is the case; and I don't want to get into discussion

1 in terms of like parental slots waiting, whether or not this  
2 gets approved, at least those people will know whether or not  
3 there are slots available for the parents to take advantage  
4 of this facility as well as any possible employment  
5 opportunities. That means that they would happen quicker  
6 rather than later if this were to -- or not at all if this  
7 does get denied by us.

8 But, so then we would have the ANC meeting on the  
9 13th -- I'm sorry, the 14th. We'd get a report back from the  
10 ANC on the 15th, commissioner?

11 And then we could put this back on the agenda for  
12 the 20th, Mr. Moy, unless we're just really slammed on the  
13 20th, although I would very much like to do it if possible.

14 MR. MOY: Mr. Chairman, the Board is slated for  
15 training in the morning on the 20th, unless you want to hold  
16 this on the afternoon of the 20th. Otherwise, I would  
17 suggest the following Wednesday, on the 27th.

18 CHAIRPERSON HILL: Okay. So the 27th then. And  
19 then if -- I guess we don't have the Office of Planning's  
20 recommendation. I mean, if they have anything different  
21 they'd like to add after seeing the ANC report, you're  
22 welcome to do so. Otherwise, I don't think we need a  
23 supplemental. And so then we're going to go move this onto  
24 the 27th.

25 MR. MOY: Done.

1 CHAIRPERSON HILL: Okay? Do you understand? You  
2 can -- please, ask any questions you like.

3 MS. DUNCAN-FITCHETT: Yes, I had some more letters  
4 that came before that I wanted to give to the secretary.

5 CHAIRPERSON HILL: Okay. Great. When we're done  
6 here you can go ahead and give them to the secretary, or  
7 however the secretary thinks you should get them into the  
8 record, including I suppose if you wouldn't mind,  
9 commissioner, adding your email into the record, or, Mr. Moy,  
10 however this record can be supplemented in terms of the  
11 request for postponement as well as the email from Ms.  
12 Duncan-LaTrell.

13 MS. DUNCAN-FITCHETT: So I just wanted to ask --

14 CHAIRPERSON HILL: Oh, I'm sorry. Duncan-  
15 Fitchett.

16 MS. DUNCAN-FITCHETT: -- just wanted to get some  
17 clarity --

18 CHAIRPERSON HILL: Sure.

19 MS. DUNCAN-FITCHETT: -- because I went to one of  
20 the meetings on January 10th and I was informed that it would  
21 be postponed maybe a week. So when I meet with them on the  
22 14th, will this be the only meeting, or will there will be  
23 additional meetings for me to go before the ANC?

24 CHAIRPERSON HILL: Sure. So I think -- the  
25 commissioner is here, so you can -- she can kind of explain

1 the process to you right after this, but it sounds like  
2 there's an executive meeting you have to go to first, or talk  
3 to the executive people first. And if they determine that  
4 it's going to move forward to the full ANC, which it sounds  
5 like the commissioner thinks it will -- because we've just  
6 been -- she's just tried to say that she will do her best to  
7 get you on the next meeting. And then we'd be back here on  
8 the 27th to be able to hear the whole thing.

9 MS. DUNCAN-FITCHETT: Okay.

10 CHAIRPERSON HILL: Okay?

11 Mr. Moy, do you need to run through that again?

12 MR. MOY: No, I'm good. Just for the record, Mr.  
13 Chair, I'm glad you brought up about the emails that I  
14 received from both the ANC and the applicant. So for their  
15 ease and convenience the staff will just upload that into the  
16 record for them. That was the request --

17 (Simultaneous speaking.)

18 CHAIRPERSON HILL: Oh, okay. Great. No, that's  
19 great.

20 Yes, so you guys don't have to do anything about  
21 the emails. The staff will upload that.

22 But Ms. Duncan-Fitchett, she has some other things  
23 she'd like to put into the record, Mr. Moy, and you can go  
24 ahead and help with that, if you wouldn't mind.

25 MR. MOY: Exactly.

1 CHAIRPERSON HILL: Okay. Great.

2 All right. We'll see you guys on the -- what did  
3 I say, the 27th? The 27th. We'll see you guys on the 27th.  
4 Thank you very much.

5 MS. DUNCAN-FITCHETT: At what time?

6 CHAIRPERSON HILL: At what time? That's a good  
7 question. I don't know. We go through the decisions that  
8 we just us go through, and depending upon that, I mean, Mr.  
9 Moy, unless somebody else is already -- you can try to see  
10 with Mr. Moy what he might be able to do in terms of helping  
11 you out in terms of an actual time. Okay?

12 MR. MOY: And also, I don't know about the actual  
13 time, but if you go to our BZA calendar, we list all of the  
14 applications for the hearing. So you'll see what the lineup  
15 is. And if you have any questions about that, you can call  
16 me or the staff.

17 CHAIRPERSON HILL: Okay. Great. See you guys on  
18 the 27th. Thank you. Thank you.

19 All right, Mr. Moy. We can do whatever you want  
20 to do whenever when you want to do it.

21 MR. MOY: All right, Mr. Chairman. This is  
22 another request for a postponement that I received by --

23 CHAIRPERSON HILL: Does everyone postpone today?  
24 We'll just postpone?

25 MR. MOY: -- email. Yes, these should be uploaded

1 into the record. But anyway, this is Case Application No.  
2 19914 of 3110 Monroe Street Associates LLC. Captioned and  
3 advertised for an area variance from the lot dimension  
4 requirements of Subtitle D, Section 302.1, to subdivide the  
5 existing lot and construct a new detached principal dwelling  
6 unit in the R-1-B Zone, 3110 Monroe Street, Northeast, Squire  
7 4310, Lot 2.

8 As I said, Mr. Chairman, this was submitted by  
9 email from Commissioner Gail Brevard, B-R-E-V-A-R-D, where  
10 she's asking -- requesting for -- she calls it an extension  
11 or an postponement. She said that she cannot be here because  
12 of work conflicts. And I checked the record. There was no  
13 response from the applicant. So if they can come to the  
14 table, the applicant.

15 CHAIRPERSON HILL: Okay. If the applicant could  
16 come to the table?

17 (Pause.)

18 CHAIRPERSON HILL: Okay. If you'd please  
19 introduce yourselves for the record from my right to left?

20 MS. CERA: Gladys Cera, Civil Engineering.

21 MR. CASU: Bruno Casu, owner.

22 MS. FERREIRA: Catarina Ferreira, principal at  
23 ARCHI-TEXTUAL. We are the architect.

24 CHAIRPERSON HILL: Okay. It's always a -- so the  
25 Office of Planning always sits over there, right? So it's

1 kind of like the Office of Planning bullpen. You kind of  
2 look over there when the pitcher is going to come. Like  
3 which pitcher are they going to send out? You just don't  
4 know.

5 (Laughter.)

6 CHAIRPERSON HILL: Yes, right? And kind of look  
7 like over, like, oh. Oh, it's Ms. Elliott.

8 So let's see. So this is just to amuse us, like  
9 so -- okay. So there is a postponement request, okay, that  
10 I guess you did or did not know about?

11 MS. FERREIRA: We did not know about it, yes.

12 CHAIRPERSON HILL: Okay. So, Mr. Moy, did you  
13 give it to me?

14 MR. MOY: Yes, I just handed you that email with  
15 that request.

16 CHAIRPERSON HILL: Okay. So it's the ANC  
17 commissioner. They're asking for postponement. You guys  
18 were at the end of the day. Like I had you at the end of the  
19 day and I was surprised why it's coming to the front of the  
20 day other than this is I guess now something that's before  
21 us. You were at the end of the day because it was going to  
22 take longer to figure out what you guys were doing. Okay?  
23 So let's see. The ANC was tied, right? It was a three-three  
24 vote, okay, which means there was no vote basically, right?  
25 And the Office of Planning is in denial of your application.

1 Okay?

2 So currently they are requesting a postponement  
3 and their -- have you -- you haven't seen this in the  
4 record, is that what you're saying, Ms. Ferreira?

5 MS. FERREIRA: I have not.

6 CHAIRPERSON HILL: Okay. Let me just -- give me  
7 two seconds to read this.

8 (Pause.)

9 CHAIRPERSON HILL: All right. I'm going to let  
10 my fellow Board Members read this.

11 (Pause.)

12 ZC BOARD MEMBER HOOD: Mr. Chairman, since you  
13 read it, let me just ask a quick question on the record. Was  
14 that sent directly to Mr. Moy?

15 Mr. Moy, was that sent directly to you?

16 MR. MOY: This one was sent to the director of the  
17 Zoning Office.

18 ZC BOARD MEMBER HOOD: Sent to the director? So  
19 it did not come through our process through BZA submissions?  
20 Did it come through the submissions?

21 VICE CHAIRPERSON HART: It's in the record now.  
22 I don't know how it got there, but --

23 ZC BOARD MEMBER HOOD: Yes, but I mean the initial  
24 email. So we have a potential issue that we need to deal  
25 with, and I'm hearing a lot more and more of this. I've

1 already had a conversation with the director and I will be  
2 continuing to have it, because we need to come up with some  
3 type of way to -- so we won't have these problems because a  
4 lot of folks don't know they're not supposed to send it  
5 directly to the person that they talk to on the phone,  
6 because there are four or five people that look at these  
7 emails. And this last-minute justification and changes that  
8 we make sometimes throws our schedule off. But anyway,  
9 that's more general to the whole discussion that we need to  
10 have.

11 CHAIRPERSON HILL: Oh, yes, please bring that up  
12 with the director and also the secretary, Chairman Hood.

13 Okay. So I -- well, I'll let -- I think -- has  
14 everybody read it?

15 PARTICIPANT: No.

16 CHAIRPERSON HILL: It's in the record now if you  
17 want to open it up. It's in the record. It's No. -- and,  
18 Mr. Moy, if you want to -- do you have a copy for the  
19 applicant? Or I can give this one to --

20 (Pause.)

21 CHAIRPERSON HILL: And if the applicant's looking  
22 at her phone, so maybe you can pull it up there. Okay.

23 (Pause.)

24 CHAIRPERSON HILL: So I don't know what my  
25 is. I'd like the Board to kind of have -- kind of some

1 thoughts. I mean, to me I think that -- I mean, the ANC  
2 request, I don't have any I guess real problems with the  
3 request. I mean, they're saying that there was some prior  
4 documentations or illustrations that were presented to the  
5 ANC that perhaps the support would have not been given that  
6 email. I don't know if that means that they would then --  
7 I mean, I don't have enough information from the ANC person  
8 to know if that means that then they would take another vote  
9 and then that means that it would no longer have been a tie  
10 three-three, but it would have been a vote to deny.

11 And so I would speak to my fellow Board Members  
12 first to see what they think of this. And then secondly  
13 there may -- I mean, this is already kind of -- I mean, if  
14 you were actually coming here with -- and I've read through  
15 the record and I had a lot of questions about it. That's why  
16 again, as I mentioned, you were at the end. And so you're  
17 coming forward with this and if you're coming forward with  
18 this with the Office of Planning recommending that their  
19 analysis does not support the conclusion that you're meeting  
20 the standards for us to grant this and then the ANC is now  
21 voting against you, like it would just be a big lift. And  
22 not to say that that can't be done, but it's just -- so I  
23 don't know whether even you're interested in a postponement  
24 if in fact what this email seems to say is that you'd be  
25 getting denied both ways. I don't know.

1           But so, let me ask the Board what they think about  
2 the postponement based upon this email.

3           MEMBER WHITE: I mean, it seems that we really  
4 don't have, like you said, OP's support here and we don't  
5 have any formal feedback from the community through the ANC.  
6 It seems that that might give the applicant an opportunity  
7 to sort of work through the issues. I'm just saying. But,  
8 yes. So I mean, I would be supportive of a postponement.  
9 I don't know what the --

10           CHAIRPERSON HILL: Okay.

11           MEMBER WHITE: -- applicant's position is.

12           CHAIRPERSON HILL: Okay. Does the applicant had  
13 any thoughts on this postponement?

14           MS. FERREIRA: Sure, I could perhaps clarify that  
15 when we attended the ANC hearing I informed the commissioners  
16 that we would be making some revisions to the documents  
17 having to do specifically with grading around the house and  
18 lowering the house in the site slightly. And that's the only  
19 change that's been made to the design, which I believe is  
20 what the commissioner is referring to in the email.

21           I also encouraged them to verify or to check the  
22 documents in the record through the IZIS system so that they  
23 could be informed of the design changes. I also shared the  
24 revised documents with the commissioner. So we have kept the  
25 ANC informed of the developments. We actually informed them

1 ahead of the vote.

2 CHAIRPERSON HILL: Okay. That's fine. So, Ms.  
3 Ferreira, are you still -- you still want to move forward  
4 with this today?

5 MS. FERREIRA: No, we are okay with postponing it.

6 CHAIRPERSON HILL: Okay. Mr. Chairman Hood, did  
7 you --

8 ZC BOARD MEMBER HOOD: Yes, I was just going to  
9 -- I'm not sure now since we're going to postpone if I'm  
10 going to even be involved. I was actually at this ANC  
11 meeting; I actually ran their election, but I left right  
12 after I ran the election. The election was at the very  
13 beginning. So if you saw me there at the meeting, know that  
14 I did leave.

15 But I do want to comment on what's been submitted.  
16 I want to make sure that we allow the ANC time. And I see  
17 that they've already agreed to do that, so I'll save my  
18 spiel.

19 CHAIRPERSON HILL: Okay. All right.

20 Okay. All right. So let's see. Mr. Moy, when  
21 would we want to do this again?

22 I guess I can ask the applicant. Do you know if  
23 you're going to try to work through with the ANC, like then  
24 -- and I guess you're going to try to figure out how you can  
25 work with the Office of Planning. I mean, when do you want

1 to come back to us?

2 MS. FERREIRA: Well, this is coming to us as a  
3 surprise.

4 CHAIRPERSON HILL: Sure.

5 MS. FERREIRA: We --

6 CHAIRPERSON HILL: Well, the Office of Planning  
7 wasn't a surprise.

8 MS. FERREIRA: No, but the postponement request.  
9 We don't know when the next ANC hearing for this particular  
10 district will be.

11 ZC BOARD MEMBER HOOD: They meet the third  
12 Wednesday. You have one of the commissioners in the back.

13 MS. FERREIRA: Okay.

14 ZC BOARD MEMBER HOOD: They meet the third  
15 Wednesday of every month. So you want to make sure you allow  
16 time for that.

17 CHAIRPERSON HILL: Oh, wait a minute. Is the ANC  
18 here for this case?

19 ZC BOARD MEMBER HOOD: One of the commissioners  
20 -- I don't know --

21 CHAIRPERSON HILL: If the ANC's not here for this  
22 case, that's all right, but is the ANC here for this case?

23 (No audible response.)

24 CHAIRPERSON HILL: No? Okay. Although I guess  
25 you --

1           ZC BOARD MEMBER HOOD: Well, he can tell you when  
2 the Commission meets.

3           CHAIRPERSON HILL: Okay. Chairman Hood, this is  
4 not the Board of Zoning. I mean, this is a -- the Zoning  
5 Commission.

6           (Laughter.)

7           CHAIRPERSON HILL: Right?

8           ZC BOARD MEMBER HOOD: So sometime when you -- let  
9 me say --

10          CHAIRPERSON HILL: I'm going to show up on your  
11 meeting one day. I'm just going to be like, hey --

12          ZC BOARD MEMBER HOOD: I'm just trying to help  
13 out --

14          CHAIRPERSON HILL: -- I'm the Zoning Commissioner  
15 today.

16          ZC BOARD MEMBER HOOD: -- but if you don't --

17          CHAIRPERSON HILL: Right.

18          ZC BOARD MEMBER HOOD: -- want me to help, I  
19 won't.

20          CHAIRPERSON HILL: Okay. Well, I --

21          (Laughter.)

22          CHAIRPERSON HILL: -- thought I was kind of clear  
23 right there.

24          (Laughter.)

25          CHAIRPERSON HILL: So --

1 ZC BOARD MEMBER HOOD: I'm going to remember that.

2 CHAIRPERSON HILL: -- let's see. We got -- okay.

3 So first of all, is there anyone here wishing to speak in  
4 support?

5 (No audible response.)

6 CHAIRPERSON HILL: Is there anyone here wishing  
7 to speak in opposition?

8 (No audible response.)

9 CHAIRPERSON HILL: Okay. Could the commissioner  
10 from the ANC please come forward?

11 ZC BOARD MEMBER HOOD: I wonder if you'd have  
12 known that if I hadn't mentioned that.

13 (Laughter.)

14 CHAIRPERSON HILL: This much is true.

15 (Pause.)

16 CHAIRPERSON HILL: So it's okay. You're just  
17 going to testify as to whether or not -- when your commission  
18 meeting is, I think, commissioner. Could you please  
19 introduce yourself?

20 MR. MONTAGUE: Commissioner Jeremiah Montague,  
21 Jr., Commission ANC 5C07.

22 CHAIRPERSON HILL: Okay. Great. So,  
23 commissioner, when are your hearings?

24 MR. MONTAGUE: Third Wednesday of the month.

25 CHAIRPERSON HILL: Third Wednesday of the month?

1 So the next one is the third Wednesday in the month? So --  
2 yes, commissioner?

3 MR. MONTAGUE: In order to get it on the -- we  
4 have a community meeting of the whole which is scheduled we  
5 think for the February 15th. That would be the earliest that  
6 we would decide to put it on the calendar.

7 CHAIRPERSON HILL: Okay.

8 MR. MONTAGUE: And then if it's on the -- if we  
9 decided to put it on the calendar, it would be heard on the  
10 third Wednesday of --

11 CHAIRPERSON HILL: Okay.

12 MR. MONTAGUE: -- the month.

13 CHAIRPERSON HILL: So, Ms. Ferreira, I guess if  
14 you want to talk to the commissioner since he's here right  
15 after this, there will be like a minute or two before the  
16 next case gets called up, maybe you can just see what the  
17 process is. For now I'll go ahead and assume -- and you can  
18 let us know, right -- I'll assume you're going to get on the  
19 next hearing date, which is -- you said the 27th? I'm sorry,  
20 sir.

21 MR. MONTAGUE: No, no, no.

22 CHAIRPERSON HILL: Twenty-first?

23 MR. MONTAGUE: Whatever the third Wednesday is.

24 CHAIRPERSON HILL: The 20th? So the 20th.

25 So then if you get something on the 20th, Mr. Moy

1 -- and then -- so, Mr. Moy, if you could help me out, if the  
2 next AZ ANC -- ANC meeting is on the 20th, when do you think  
3 you would have scheduled the case?

4 MR. MOY: Oh, I'm sorry.

5 CHAIRPERSON HILL: That's all right.

6 MR. MOY: I'm up next. Okay. So the next hearing  
7 will be the 27th of February.

8 CHAIRPERSON HILL: But then we need to get another  
9 OP report perhaps, or not.

10 MR. MOY: Right. Right.

11 CHAIRPERSON HILL: Right.

12 MR. MOY: Which could take us to -- as we did in  
13 the other application, to March the -- what did I say?  
14 March --

15 CHAIRPERSON HILL: The 6th.

16 MR. MOY: March 6th, yes. Because that would be  
17 the following --

18 CHAIRPERSON HILL: Oh, that's your previous one.

19 MR. MOY: -- week.

20 CHAIRPERSON HILL: You guys are on March 6th  
21 again. Or you were on March 6th again for another  
22 application, correct? You have to just speak in the  
23 microphone, I think.

24 MS. FERREIRA: Correct.

25 CHAIRPERSON HILL: Okay. So you have to be here

1 anyway for that day. Okay. So we'll go ahead and put you  
2 back on for March 6th. Okay? All right. Okay. Thank you  
3 all very much.

4 MS. FERREIRA: Thank you.

5 (Pause.)

6 MR. MOY: We're at the top of the order now, Mr.  
7 Chair.

8 CHAIRPERSON HILL: I don't know where we are, Mr.  
9 Moy.

10 MR. MOY: We're at the top of the order.

11 CHAIRPERSON HILL: You messed up all my paperwork,  
12 so --

13 MR. MOY: We're at the top of --

14 (Simultaneous speaking.)

15 CHAIRPERSON HILL: Okay. Whatever you call next  
16 we're going to do.

17 And I hate to tell everybody this, but we might  
18 take lunch and whoever gets stuck after lunch, that's life.

19 Okay. So, Mr. Moy?

20 And I mean that in a very sweet way.

21 MR. MOY: All right. So here we go. Case  
22 Application No. 19904 of Aspasia Paroutsas. This is a  
23 request for a special exception under Subtitle D Section 5201  
24 from the rear year requirements of Subtitle D Section 306.2,  
25 to construct a second story rear addition to an existing

1 semi-detached principal dwelling unit in the R-3 Zone. This  
2 is at 2921 28th Street, Northwest, Square 2106, Lot 44.

3 CHAIRPERSON HILL: Okay. Great. Thank you.

4 Could you introduce yourself for the record,  
5 please?

6 MS. PAROUTSAS: Aspasia Paroutsas.

7 CHAIRPERSON HILL: Okay. All right, Ms.  
8 Paroutsas. I'm going to go ahead and have you walk us  
9 through your application and what you're actually trying to  
10 propose and how you meet the standard for us to grant the  
11 application. We don't have anything from the ANC, so you can  
12 kind of -- at least that's what I thought the last time I  
13 looked, but we'll see. I'll reopen the record. By your face  
14 you seem surprised. So I'll go ahead and take a look at  
15 that, but you can speak to it then during your presentation.

16 And, Mr. Moy, if you could put 15 minutes on the  
17 clock so we know where we are. And the clocks are located  
18 on either side. And you can begin whenever you like.

19 MS. PAROUTSAS: So what we -- what I'm proposing  
20 of doing and what we would like to do in the property, which  
21 is my principal place, where I live, is do an extension of  
22 the second floor. As of right I can do it, but I am -- I  
23 can't reach the end of the wall of my lower level structure.

24 The house originally had an extension for a family  
25 room in the back that was grandfathered, so now all I'm

1 requesting is 18 inches so the wall, the exterior wall of the  
2 second floor is basically flush with the first floor.

3 I have the agreement of my neighbors. I've spoken  
4 to the neighborhood all around me, but -- and I have  
5 signatures if you care for me to put them in the record.  
6 Especially the neighbors to my right and to my left have no  
7 objection. I did go to the ANC --

8 CHAIRPERSON HILL: But if you could -- I mean, I  
9 know some of the things are on the record, but if you have  
10 anything that isn't in the record, go ahead and add that  
11 regardless of what happens here today.

12 MS. PAROUTSAS: Sure. I did meet with the ANC.  
13 I do have an email that shows that they agreed in a consent  
14 order, or I don't know exactly how it's called, that the ANC  
15 did -- would recommend for the extension, the exception for  
16 the extension of the house for 18 inches.

17 CHAIRPERSON HILL: Where is that? You put that  
18 in the record? You did not put that in the record?

19 MS. PAROUTSAS: No, I didn't know that that was  
20 my job to do.

21 CHAIRPERSON HILL: Okay.

22 MS. PAROUTSAS: I thought that the ANC sends that  
23 directly to you.

24 CHAIRPERSON HILL: Okay. Do you have a copy of  
25 that?

1 MS. PAROUTSAS: No, but I do have the email from  
2 my representative of the ANC, Mr. Dubois.

3 CHAIRPERSON HILL: Okay.

4 MS. PAROUTSAS: And I can --

5 CHAIRPERSON HILL: Okay. Just keep --

6 MS. PAROUTSAS: -- show it to the secretary.

7 CHAIRPERSON HILL: Right. Go ahead and keep  
8 moving through the --

9 MS. PAROUTSAS: Sure.

10 CHAIRPERSON HILL: -- presentation. Thanks.

11 MS. PAROUTSAS: And I understand --

12 VICE CHAIRPERSON HART: If you could just -- when  
13 was that, the ANC meeting?

14 MS. PAROUTSAS: The ANC meeting was -- I want to  
15 say it was the -- around the 7th or the 8th. I know because  
16 I was furloughed, so -- they called me last night.

17 VICE CHAIRPERSON HART: Of January?

18 MS. PAROUTSAS: Yes.

19 VICE CHAIRPERSON HART? Okay.

20 MS. PAROUTSAS: Of January. So they called. I  
21 presented the case and we did not have any issues. They  
22 asked any questions. We have no issues with that.

23 I also understand that the Office of Planning  
24 recommended approval. There is no one that's impacted from  
25 the back of the alley. This is -- it's in the back of the

1 alley. There is a garage for the condo that's on Connecticut  
2 Avenue. And I -- it's still going to remain my dwelling.

3 CHAIRPERSON HILL: Okay. Ms. Paroutsas, I'm going  
4 to interrupt you just --

5 MS. PAROUTSAS: Yes.

6 CHAIRPERSON HILL: -- for a second because I'm  
7 going to see if we can figure out how to -- so does anybody  
8 have any questions for the applicant at this moment, because  
9 otherwise I want to turn to the Office of Planning.

10 (No audible response.)

11 CHAIRPERSON HILL: Okay. I'm turning to the  
12 Office of Planning.

13 MS. VITALE: Good morning, Mr. Chair, Members of  
14 the Board. Elisa Vitale with the Office of Planning, and  
15 we're happy to rest on the record recommending approval of  
16 the requested special exception relief for the second floor  
17 addition. This concludes my report and I'm happy to answer  
18 any questions. Thank you.

19 CHAIRPERSON HILL: Okay. Does anybody have any  
20 questions for the Office of Planning?

21 (No audible response.)

22 CHAIRPERSON HILL: Does the applicant have any  
23 questions for the Office of Planning?

24 MS. PAROUTSAS: No.

25 CHAIRPERSON HILL: Is there anyone here wishing

1 to support in support?

2 (No audible response.)

3 CHAIRPERSON HILL: Is there anyone here wishing  
4 to speak in opposition?

5 (No audible response.)

6 CHAIRPERSON HILL: Is there anyone here from the  
7 ANC?

8 (No audible response.)

9 CHAIRPERSON HILL: Okay. Ms. Paroutsas, can you  
10 -- if you could explain to me again -- so what happened with  
11 the ANC? I believe you I just want to hear you state it on  
12 the record.

13 MS. PAROUTSAS: Sure. I got a call requesting  
14 that I present to a smaller commission up to the Commission,  
15 not a public meeting --

16 CHAIRPERSON HILL: The Executive Committee?

17 MS. PAROUTSAS: -- the Executive Committee, which  
18 I attended. I explained to them what we were trying to do.  
19 Then they told me that they thought they were going to do a  
20 consent --

21 CHAIRPERSON HILL: Calendar.

22 MS. PAROUTSAS: Yes, and --

23 CHAIRPERSON HILL: Okay.

24 MS. PAROUTSAS: -- that happened on the 22nd, I  
25 believe. And I can tell you exactly. It was Wednesday, the

1 23rd. And I got an email on the 24th indicating that they  
2 approved it.

3 CHAIRPERSON HILL: Okay. Could you upload those  
4 into the record for us?

5 MS. PAROUTSAS: Sure.

6 CHAIRPERSON HILL: Okay. Does the Board have any  
7 questions for the applicant?

8 VICE CHAIRPERSON HART: Just -- I'm not sure if  
9 it's the applicant or maybe OP. I was -- sorry, I should  
10 have asked this earlier. Regarding the 10-foot rule, are we  
11 -- I just wanted to understand how we're -- how you see that  
12 that's being addressed. And that's for Ms. Vitale.

13 MS. VITALE: Sorry. I'm trying to pull up the  
14 plans quickly.

15 VICE CHAIRPERSON HART: That's okay.

16 MS. VITALE: I believe when we looked at it we  
17 didn't identify relief from the 10-foot rule as being  
18 required. I'm looking here at the axonometric plan that was  
19 provided at sheet 13 of the applicant's architectural  
20 drawings, and the adjoining property has -- also has a first  
21 floor addition, so the applicant's proposed second floor  
22 addition and the existing first floor would not extend beyond  
23 10 feet past the furthest rear wall of the adjoining  
24 property. So based on that information, relief from the 10-  
25 foot rule would not be required.

1           VICE CHAIRPERSON HART: So you're looking at it  
2 as the extent of the building that's -- the adjacent building  
3 is nearly as far as the -- as what is existing on the  
4 applicant's building, on their home, and so you're not seeing  
5 that as being a -- you're seeing that as -- because they're  
6 nearly identical on the first floor, that that would then be  
7 the same or very similar distance --

8           MS. VITALE: That's correct. It's our  
9 understanding that the Zoning Administrator; and I believe  
10 -- I don't have the specific wording of that provision in  
11 front of me, but it's the furthest rear wall. So we wouldn't  
12 go to the second measure, the wall that's further in from  
13 this subject property. So, yes, looking at the furthest rear  
14 wall, the applicant's existing building and then proposed  
15 second floor addition would not be beyond 10 feet past that.

16           VICE CHAIRPERSON HART: Thank you.

17           CHAIRPERSON HILL: Okay. All right. Does the  
18 Board have any more questions for the applicant?

19           MEMBER WHITE: Just one question.

20           CHAIRPERSON HILL: Sure.

21           MEMBER WHITE: So the adjacent owners, they're  
22 completely on board? They've seen the plans? They've signed  
23 off on them?

24           MS. PAROUTSAS: Yes, they --

25           MEMBER WHITE: And they're good?

1 MS. PAROUTSAS: Yes, they are.

2 MEMBER WHITE: Okay. And they're the owners of  
3 the property?

4 MS. PAROUTSAS: Both of them, yes.

5 MEMBER WHITE: Okay. Thank you.

6 CHAIRPERSON HILL: All right. I'm going to close  
7 the hearing. Is the Board ready to deliberate?

8 (No audible response.)

9 CHAIRPERSON HILL: Okay. I actually didn't have  
10 much of an issue in terms of the application. I thought that  
11 the Office of Planning's analysis was convincing. I also  
12 thought that the application and the testimony that the  
13 applicant has given is also convincing in terms of how they  
14 are meeting the standards to grant the application.

15 I was or did have questions about the ANC,  
16 however, I do believe that the testimony that was given has  
17 cleared up those questions for me, and so I'll be voting to  
18 approve.

19 Does anyone have anything else they'd like to add?

20 (No audible response.)

21 CHAIRPERSON HILL: I'm going to go ahead and make  
22 a motion to approve Application No. 19904 as captioned and  
23 read by the secretary and ask for a second.

24 VICE CHAIRPERSON HART: Second.

25 CHAIRPERSON HILL: Motion made and seconded. All

1 those in favor, say aye?

2 (Chorus of aye.)

3 CHAIRPERSON HILL: All those opposed?

4 (No audible response.)

5 CHAIRPERSON HILL: Motion passes.

6 Mr. Moy?

7 MS. PAROUTSAS: Can I ask a quick question?

8 CHAIRPERSON HILL: Sure.

9 MS. PAROUTSAS: Would this be a summary order?

10 CHAIRPERSON HILL: I don't know.

11 MS. PAROUTSAS: I'm only asking for --

12 CHAIRPERSON HILL: Sure, I understand.

13 MS. PAROUTSAS: -- permitting purposes.

14 CHAIRPERSON HILL: Sure. You can talk to the  
15 secretary I guess or send him an email at the end. Did you  
16 get sworn in at the beginning?

17 MS. PAROUTSAS: I did.

18 CHAIRPERSON HILL: Okay. Sorry. At the very  
19 beginning I read this thing and it says that you can't ask  
20 for a summary order or a full order anymore. And so --

21 MS. PAROUTSAS: Okay. I'm sorry.

22 CHAIRPERSON HILL: That's okay. I wish I could  
23 do it. So I can't.

24 MS. PAROUTSAS: That's okay.

25 CHAIRPERSON HILL: But Mr. Moy, maybe you can

1 clarify afterwards for the applicant.

2 MR. MOY: I'd be happy to talk to the applicant  
3 later.

4 CHAIRPERSON HILL: Okay. Great. Thank you.

5 Mr. Moy, you have the vote count?

6 MR. MOY: Yes, staff would record the vote as 5  
7 to 0 to 0. This on the motion of Chairman Hill to approve  
8 the application for the relief that you requested. Seconding  
9 the motion, Vice Chair Hart. Also in support Ms. White, Ms.  
10 John, and Commissioner Anthony Hood. Is that five? Yes.  
11 Motion carries.

12 CHAIRPERSON HILL: Mr. Moy, whenever you'd like.

13 MR. MOY: All right. Next up is Case Application  
14 No. 19905 of Herb Hribar, H-R-I-B-A-R, captioned and  
15 advertised for a special exception under Subtitle F Section  
16 5201 from the lot occupancy requirements of Subtitle F  
17 Section 604.1, to construct a rear deck and bay window  
18 addition to an existing semi-detached principal dwelling  
19 unit, RA-8 Zone, at 1410 15th Street, Northwest, Square 195,  
20 Lot 107.

21 CHAIRPERSON HILL: Okay. Great. Thank you.

22 If you could please introduce yourselves from my  
23 right to left for the record?

24 MR. SULLIVAN: Thank you, Mr. Chair, Members of  
25 the Board. My name is Marty Sullivan of the Law Firm of

1 Sullivan & Barros on behalf of the applicant.

2 MR. HRIBAR: Herb Hribar, the owner.

3 MS. WILSON: Alex Wilson from Sullivan & Barros  
4 on behalf of the applicant.

5 MR. WILLIAMS: Richard Williams, architect from  
6 Richard Williams Architects.

7 CHAIRPERSON HILL: Okay. Great. Thank you.  
8 Who's going to be testifying?

9 (No audible response.)

10 CHAIRPERSON HILL: Okay. Ms. Wilson? So, Ms.  
11 Wilson, if you could just go ahead and -- I don't have a lot  
12 of questions. If you could walk us through what the  
13 applicant is trying to achieve. Unless anyone on the Board;  
14 and please speak up, has any other specific ones, I'd like  
15 to hear again how you're meeting the standard for us to grant  
16 the application. I'm going to put 15 minutes on the clock  
17 for you, which is on either side, and you can begin whenever  
18 you like.

19 MS. WILSON: Great. Thank you. The applicant is  
20 requesting special exception relief pursuant to F Section  
21 5201 from the lot occupancy requirements of the RA-8 Zone in  
22 order to construct a deck at the rear of a one-family  
23 dwelling. We are also adding a two-story bay window in place  
24 of an existing bump-out which will result in an overall  
25 reduction of the existing building footprint. The RA-8 Zone

1 limits lot occupancy to 60 percent and the proposed deck will  
2 bring the lot occupancy to 69.9 percent.

3 And now I'll turn it over to Mr. Williams for a  
4 brief overview of the project.

5 MR. WILLIAMS: Thank you, Alex.

6 This is a fairly straightforward renovation and  
7 minor addition to this single-family residence. As Alex has  
8 already said, the primary issues before you concern a slight  
9 increase in the lot occupancy because of the deck. The deck  
10 is actually about eight foot, six above grade, so being more  
11 than four feet it's subject to the lot occupancy.

12 The second issue is the two-story steel and glass  
13 window bay is a much smaller footprint than the existing  
14 bump-out, so the FAR remains about the same, but the  
15 footprint is actually a reduction in scale and extent.

16 Thirdly, we -- I don't think it's really subject  
17 to your review, but we are introducing two at-risk windows  
18 on the south elevation. The project has been reviewed and  
19 approved by HBD staff.

20 And essentially that is it. It's primarily a  
21 significant interior remodeling, no roof decks. None of this  
22 work I would point out is visible, or rather the deck is not  
23 visible from 15th Street due a high sort of perimeter  
24 sidewall and much of the alley-scape, as you probably know,  
25 is quite open. And I would point out that we're mostly

1 surrounded by multi-family structures. I'm really happy on  
2 behalf of my client that they're retaining status as single-  
3 family residential, which I think is good for this  
4 neighborhood. It's a fairly straightforward project. I'm  
5 happy to answer any questions.

6 CHAIRPERSON HILL: Ms. Wilson, can you tell us how  
7 the ANC went; and I guess there have been some letters in  
8 support, what your outreach has been like?

9 MS. WILSON: Yes, I'm going to turn it back over  
10 to the architect and owner as --

11 CHAIRPERSON HILL: Okay. Great.

12 (Simultaneous speaking.)

13 MS. WILSON: -- during the ANC meeting.

14 MR. HRIBAR: The ANC voted unanimously to approve  
15 it and the -- let's see, we have five letters of support from  
16 adjacent owners, one immediately to the north. And then  
17 there's an apartment building to the south where the property  
18 manager and the engineering staff of the property manager  
19 gave a letter of support. There are three other letters of  
20 support from adjacent owners on the block at P Street as  
21 well. So we've talked to a lot of people about --

22 (Simultaneous speaking.)

23 CHAIRPERSON HILL: How long have you been there,  
24 Mr. Hribar?

25 MR. HRIBAR: We've owned the property -- it's an

1 incredible process. We've owned the property for over two  
2 years now.

3 CHAIRPERSON HILL: Okay.

4 MR. HRIBAR: So we'd be anxious to get started on  
5 the renovation.

6 CHAIRPERSON HILL: Okay. All right. Does the  
7 Board have any questions for the applicant?

8 (No audible response.)

9 CHAIRPERSON HILL: Okay. Going to turn to the  
10 Office of Planning.

11 MR. COCHRAN: OP stands on the record, but would  
12 of course be happy to answer any questions you may have.

13 CHAIRPERSON HILL: Mr. Cochran, thank you so much.

14 So, all right. Let's see. Does anybody have any  
15 questions for the Office of Planning?

16 (No audible response.)

17 CHAIRPERSON HILL: Okay. Does the applicant have  
18 any questions for the Office of Planning?

19 MEMBER JOHN: Mr. Chairman?

20 CHAIRPERSON HILL: Yes, certainly.

21 MEMBER JOHN: I have a question. This was  
22 concerning whether or not relief is necessary from 202.2,  
23 extension of a nonconforming structure. Was that in your  
24 report?

25 MR. COCHRAN: It was not in our report.

1 MEMBER JOHN: Oh.

2 MR. COCHRAN: I do not --

3 MEMBER JOHN: I must be confusing my cases.

4 MR. COCHRAN: -- believe that the existing deck  
5 is a nonconforming structure. You seem to think otherwise.

6 MEMBER JOHN: No, no. That's fine. I don't know  
7 if I'm confusing my cases, but I've got a note here --

8 MR. COCHRAN: Next case up is a 202.

9 MEMBER JOHN: -- to ask about that. Okay. All  
10 right. Thank you.

11 CHAIRPERSON HILL: No, there was -- and, Ms. John,  
12 you're not hallucinating, I don't think. There was something  
13 about like Office of Planning thought there was additional  
14 relief that was needed. And I thought that got worked out  
15 and such.

16 MR. COCHRAN: We did revise our report, yes.

17 CHAIRPERSON HILL: Okay. I think that's what Ms.  
18 John is speaking to.

19 Okay. So does the Board have -- does the  
20 applicant have any questions for the Office of Planning?

21 MS. WILSON: No, thank you.

22 CHAIRPERSON HILL: All right. Is there anyone  
23 here who wishes to speak in support?

24 (No audible response.)

25 CHAIRPERSON HILL: Is there anyone here wishing

1 to speak in opposition?

2 Oh, interesting. Please come forward. I'll tell  
3 you what, why don't you guys -- since there's four of them,  
4 why don't you guys just all sit back if you want to, or step  
5 back, or two of you can step back, whatever it is, and we'll  
6 work through this? You guys can all -- you can fit on -- can  
7 you all fit on one side, or it doesn't matter?

8 MR. BRENGLE: Supporting documentation just to  
9 help orient --

10 CHAIRPERSON HILL: Oh, okay. Sure, that's all  
11 right. You said supporting documentation just to help  
12 orient. If you can go to the secretary over here or  
13 whatever. And do you have enough copies for everybody?

14 MR. BRENGLE: Yes.

15 CHAIRPERSON HILL: Okay. Great.

16 Okay. While we get that distributed; and we will  
17 be taking a lunch break now, you can go ahead and introduce  
18 yourselves from my right to left.

19 MR. BRENGLE: Sure. I'm Keith Brengle. Last name  
20 is B-R-E-N-G-L-E. I'm the owner and reside at 1521 O Street.

21 CHAIRPERSON HILL: Give me one second, Mr.  
22 Brengle.

23 MR. BRENGLE: No problem.

24 CHAIRPERSON HILL: Can you spell that for me,  
25 please?

1 MR. BRENGLE: B-R-E-N-G-L-E. I'm at 1521 O  
2 Street. Have resided at the property for almost 20 years.  
3 I've lived in the neighborhood for like 20 -- probably about  
4 28, 29 years. This is my home --

5 CHAIRPERSON HILL: Okay.

6 MR. BRENGLE: -- and neighborhood.

7 CHAIRPERSON HILL: Okay. All right.

8 MR. BROOKE: Jeffrey Brooke, his next door  
9 neighbor, 1523 O Street. It's Brooke, B-R-O-O-K-E.

10 CHAIRPERSON HILL: Okay. You guys are all on O  
11 Street?

12 MR. BROOKE: Correct.

13 CHAIRPERSON HILL: Okay. All right.

14 MS. LUPPI: Good morning. Caterina Luppi, a  
15 resident at 1525 O Street. The last name is L-U, double P,  
16 I.

17 MS. VERMA: Hello, my name is Cara Verma. I  
18 reside at 1527 O Street.

19 CHAIRPERSON HILL: Okay. Mr. Brengle?

20 MR. BRENGLE: Yes.

21 CHAIRPERSON HILL: I'm going to start with you,  
22 okay? So as members of the public you will each get three  
23 minutes to present your testimony. The clock is up on the  
24 right and the left and I think there's one right in front of  
25 us as well. We do have I guess what you handed out, and you

1 can go ahead begin whenever you like.

2 MR. BRENGLE: Great. As you could see, it's --  
3 the individuals that are here are all on O Street. We're all  
4 being affected with this new construction and bump-out. As  
5 a result of it, the parking spot that was currently -- is now  
6 being reoriented. As part of the build-out this now proposal  
7 is recommending the construction of a seven-foot high fence  
8 now to put along the rear property line where it did not  
9 exist before.

10 The reason why we are here is that we are all at  
11 risk of losing parking that is currently behind our houses  
12 which we use to navigate around this very tightly hard-to-  
13 circumvent alley. And the reason being is there is both a  
14 utility pole there as well as a light pole. History has by  
15 adverse possession, because we've been doing it for over 20  
16 years, probably 25 with Mr. Brooke next door to me as we've  
17 been going around and try to pivot around that alley.  
18 Unfortunately, we have to pivot onto the property itself.

19 So what we're asking is for the fence not to be  
20 erected right on the property line, but to actually be set  
21 back by two feet because we have been doing this. If the  
22 fence is erected, we will probably more than likely lose it.

23 And if you see the pictures that I've given you,  
24 it shows a Jeep which is probably going to be the slowest --  
25 smallest wheelbase that you're going to find from front to

1 back. And that's the smallest car that's back there. And  
2 as you can see it's very difficult for it and/or any safety  
3 emergency vehicles that may need to circumvent around the  
4 alley, as well as any repair through utility folks.

5           So what we're asking is we want to work with our  
6 new neighbor who has owned the property for two years, hasn't  
7 moved in yet. So he hasn't officially become a neighbor yet.  
8 We're asking for the folks who've been here for quite a long  
9 time is to at sit the fence back, not on the property line,  
10 but sit it back by two feet. And as part of this; and I  
11 don't know how special exceptions work here in the city --  
12 but as part of it have it as part of its perpetuity with the  
13 land to ride with this land for future owners so that we  
14 don't have to go through the same exercise again in the  
15 future. I'm finished.

16           CHAIRPERSON HILL: Okay. All right. Sir?

17           Oh, Mr. Moy, could you reset the clock for me?  
18 Thank you.

19           Please?

20           MR. BROOKE: Again, Jeff Brooke, and exactly what  
21 Keith explained. There's only one way in and out of this  
22 alley, and this extension would effectively close a segment  
23 of the alley. It's, as you can see from the -- well, one of  
24 the applicant's diagrams, the alley is very odd in the city.  
25 It makes a loop. There's one way in and out. Only one. And

1 then it makes a loop around an existing stable, horse stable,  
2 which the system worked great in the 1880s when it was built.  
3 It works fine now except for that one corner where it's  
4 already limited only to medium-sized and small cars. And  
5 this extension would effectively close the O Street portion  
6 of the alley.

7           We also, since we did not know the applicant until  
8 we received this Notice of Zoning Adjustment, or Exception  
9 rather, we reached out to find out who he was and contact  
10 him. We had a good conversation to make sure he was aware  
11 of the effects that this could have. And he actually said  
12 that he himself had tried navigating that corner and could  
13 not as is without a barrier and that he would work with his  
14 architect to do a setback.

15           So we did not reach out to the ANC with any  
16 concerns. We did not reach out to you with submitting any  
17 documents or comments adversely until a few days ago when we  
18 realized that the updated plans did not appear to include  
19 this setback that we thought was coming. So that's -- I  
20 think that it.

21           CHAIRPERSON HILL: Okay. All right. Is it Luppi?

22           MS. LUPPI: Yes, Luppi.

23           CHAIRPERSON HILL: Mr. Moy, could you reset the  
24 clock for us?

25           MS. LUPPI: Well, my neighbor already explain most

1 of the problem. Just for information, we -- the parking of  
2 the adjacent multi-property building, the Gatsby it's called?  
3 Yes, the Gatsby is set back. That has a fence and is set  
4 back a foot from their property line for the same exact  
5 reason. And in the current property of Mr. Hribar, there is  
6 a pole that is set back I guess to protect -- they had put  
7 a pole that is also set back a foot. So there must have been  
8 acknowledgment from the previous owners that that foot was  
9 essentially scratching cars and properties. That's it.

10 CHAIRPERSON HILL: Okay. Mr. Moy, could you reset  
11 the clock again for me?

12 MS. VERMA: I would just oppose any changes to the  
13 alleyway that would affect our turning it. I already have  
14 difficulty making that turn in the sense that I don't turn  
15 in one go. I have to stop and then back up, go like an inch,  
16 and turn. And so I do that every -- like more than two times  
17 a day. So I would just oppose any changes that make it more  
18 difficult for us to make that turn. That's all.

19 CHAIRPERSON HILL: Okay. All right. Okay. So  
20 does the Board have any questions for -- I mean, I've got  
21 some questions in a minute. So I mean, do you guys -- and  
22 first of all, just to clarify and everything, like we're all  
23 going to try to kind of walk through this together and figure  
24 out stuff and just talk. Like I've been here since the third  
25 grade, and so in terms of how long people have been around

1 and all that stuff, like everybody wants to live here and  
2 we're just going to try to figure out what we're going to do.  
3 Okay?

4 So does the Board have any questions for the  
5 witnesses?

6 MEMBER JOHN: Yes, a couple questions. Is there  
7 trash pickup in the alley?

8 MR. BROOKE: No.

9 MEMBER JOHN: And the second question is on one  
10 of the photographs, I think it's the first -- it's the second  
11 one -- well, the page with four photographs, and the Jeep,  
12 and I correct in thinking that the Jeep is making a turn to  
13 the left?

14 MR. BROOKE: That is correct.

15 MEMBER JOHN: But --

16 MR. BROOKE: And it's slowly going through there.  
17 As you can see, the alley itself is already tight behind our  
18 properties.

19 MEMBER JOHN: Right, but the one to the right, top  
20 right-hand corner, appears to be making a turn to the right.  
21 Is that correct?

22 MR. BROOKE: No, it's --

23 MEMBER JOHN: No?

24 MR. BROOKE: -- going in and it's -- if you look  
25 at the map itself, it's going and it's going around. And

1 you'll see that it's actually pivoting a little bit on the  
2 adjoining property itself. If that Jeep itself makes that  
3 full move, it's going to pivot and go a little bit across  
4 that. So by adverse possession, since we've been doing this  
5 for a long time, it's never been an issue.

6 MEMBER JOHN: Well, I don't believe we would be  
7 resolving an issue relating to adverse possession. So you're  
8 saying that -- to me, the top right-hand corner is making a  
9 right turn into the property?

10 MR. BRENGLE: No, no. Just turn it this way.

11 MEMBER JOHN: This one?

12 MR. BRENGLE: Yes, you're not going to the  
13 property. You're just going on the alley.

14 MEMBER JOHN: Okay. Got it. Yes, I see what  
15 you're doing. Yes.

16 MR. BRENGLE: You're just coming down the alley  
17 and then going --

18 (Simultaneous speaking.)

19 MEMBER JOHN: Okay. I got it. Thank you.

20 CHAIRPERSON HILL: Okay. Does anybody have any  
21 question for the witness -- I mean, I've got some questions  
22 for Office of Planning, I've got some questions for the  
23 applicant, but does anybody have any more questions for the  
24 witnesses?

25 ZC BOARD MEMBER HOOD: Let me ask this: I can't

1 remember if you mentioned it; is that an easement? Was that  
2 an easement or it's just over the years --

3 MR. BRENGLE: It's -- right.

4 ZC BOARD MEMBER HOOD: -- Jack Kent Cooke where  
5 over the years we just --

6 MR. BRENGLE: Yes.

7 ZC BOARD MEMBER HOOD: -- decide that we've been  
8 doing it and we're going to keep doing it this way?

9 MR. BRENGLE: Right.

10 ZC BOARD MEMBER HOOD: Okay.

11 MR. BRENGLE: You know, it's neighborly.

12 ZC BOARD MEMBER HOOD: The good neighbor policy?

13 MR. BRENGLE: Good neighbor policy, and that's how  
14 it works.

15 CHAIRPERSON HILL: Yes, Mr. Chairman, I said Jack  
16 Kent Cooke. They knew what I was talking about.

17 CHAIRPERSON HILL: Well, somebody did. I didn't.  
18 I was like -- I had to confer over here. I was like --

19 ZC BOARD MEMBER HOOD: See, I've been here  
20 from --

21 (Simultaneous speaking.)

22 ZC BOARD MEMBER HOOD: I've been here from the  
23 inception.

24 (Simultaneous speaking.)

25 CHAIRPERSON HILL: -- knew who Jack Kent Cooke

1 was, right? Okay. Right. So, okay. All right. Okay. So,  
2 all right. Thank you all very much. If we have questions  
3 for you, we'll bring you back up, okay? But thank you all  
4 very much.

5 Ms. Wilson, you can come back up if you want to  
6 or sit over there. Why don't you sit over there, or stay  
7 there, because I don't know what's going to happen over here  
8 just yet.

9 So, okay. So I mean, as far as like the good  
10 neighborly policy, just let you know, I mean, you're asking  
11 the man to give up some of his land, right? So the -- Mr.  
12 Brengle -- no, who was the applicant? Now I'm jumping  
13 around. Hribar. Mr. Hribar. Okay. So -- well, actually  
14 I forgot, does the Office of Planning have any thoughts on  
15 this in any shape or form?

16 MR. COCHRAN: I think we need to stay within our  
17 boundaries and note that while there may be concern, it's not  
18 related to anything that the Board is being asked to make a  
19 decision on. It's a lot occupancy case. This has nothing  
20 to do with lot occupancy. Any condition that you might  
21 attach to this wouldn't have anything to do with lot  
22 occupancy. There may be legitimate concerns. I happen to  
23 know the property because I tried to buy it in the 1980s.  
24 That's in the center of the areas in the center of the alley.  
25 And of course I was doing that with friends because I

1 couldn't afford it myself.

2           But this is a case of neighbor and neighbor. It's  
3 not -- to me, it's not a Board of Zoning Adjustment concern  
4 related to the requested relief. OAG may have a different  
5 opinion.

6           CHAIRPERSON HILL: So OAG, just now, because this  
7 is just curious to me, like adverse possession. We don't  
8 have anything to do with adverse possession, right?

9           MS. NAGELHOUT: No, I would agree with the Office  
10 of Planning. You need to apply the Zoning Regulations, and  
11 this is a request for approval under F -- Subtitle F, Section  
12 5201, so that's -- I don't see in there about adverse  
13 possession. If they have those issues, they can -- they're  
14 not Zoning issues. You can deal with them elsewhere.

15           CHAIRPERSON HILL: Okay. Does the Board have any  
16 questions for the applicant?

17           ZC BOARD MEMBER HOOD: Mr. Chairman, what I hear  
18 from the Office of OAG and the Office of Planning; and I know  
19 this is not the Zoning Commission, as you stated earlier, but  
20 the courts have told the Zoning Commission something a little  
21 different from what I just heard. So that's my approach to  
22 this whole situation.

23           I would be interested in asking the applicant, has  
24 he had -- and I think I've heard this and I just can't  
25 remember, but has he had this discussion with the community?

1 Has he worked with the neighbors? And that's something that  
2 we try to do down here even though I've heard both from OAG  
3 and Office of Planning. But even beyond that, because Zoning  
4 affects a lot more than that. It affects -- impacts folks'  
5 lives.

6 So I'm just asking have you had any conversations  
7 with the community on this issue?

8 MR. HRIBAR: Yes, I've reached out to five  
9 neighbors and gotten support from them unanimously. I  
10 haven't talked -- I have talked to the neighbors on O Street  
11 and I'm happy to talk to the neighbors on O Street. We are  
12 focused on the deck at this point in time, trying to just  
13 take it a step at a time as we get through the process, and  
14 I'm open to conversation.

15 ZC BOARD MEMBER HOOD: So it sounds like you're  
16 open to conversations. And let me ask you -- and I know, Mr.  
17 Chairman, this is not the Zoning Commission.

18 CHAIRPERSON HILL: Oh, Mr. -- Chairman Hood, I'm  
19 going to go next after you, so you can go ahead. We're going  
20 to have lunch because I have some questions for Mr. Hribar  
21 myself.

22 ZC BOARD MEMBER HOOD: But I'm just curious, is  
23 there -- you're open to conversations. There could be a  
24 workable solution to -- that you may think you -- possibly  
25 a workable solution?

1 MR. HRIBAR: There's probably a solution in there  
2 we can find. It's kind of an interesting time to get the --  
3 to -- I've given my word that we'll work through a solution  
4 on this and I'm not accustomed to having my word challenged,  
5 but -- as a military man. And the -- I'm happy to find a  
6 solution to this. But again, it's asking me to give up land  
7 that I've acquired.

8 CHAIRPERSON HILL: Mr. Hribar, we're just asking  
9 questions. That's all.

10 ZC BOARD MEMBER HOOD: No. Yes, I mean, I'm not  
11 asking --

12 CHAIRPERSON HILL: He has a question; I have a  
13 question after that. So and we're --

14 MR. HRIBAR: I'm not criticizing the Board at all.

15 CHAIRPERSON HILL: Okay. So --

16 ZC BOARD MEMBER HOOD: So I guess I'm finished,  
17 sir. Thank you very much. Appreciate it.

18 MR. HRIBAR: Thank you for your questions.

19 CHAIRPERSON HILL: So -- okay. So, Mr. Hribar,  
20 I know where we are in terms of the zoning issues, okay?  
21 I've been here now for a long time. So I'm just going to --  
22 I'm just curious and things, right? And by the way, thank  
23 you for your service. I mean, there are -- so however --

24 MR. HRIBAR: You're welcome.

25 CHAIRPERSON HILL: Thank you.

1 MR. HRIBAR: Thank you for saying that.

2 CHAIRPERSON HILL: No, I do appreciate it and I  
3 do mean it. So we're not questioning your word, okay? So  
4 the steps that were processed through the witnesses --  
5 because I'm just now curious. I mean, there's the Zoning  
6 issues. But you all had a discussion that was talking about  
7 this two feet with this people with O Street before -- this  
8 was the testimony -- before an ANC meeting which therefore  
9 then stopped them from going to the ANC meeting. Do you --  
10 is that accurate? And I don't know if the attorneys want to  
11 know the timeline of that or if that --

12 MR. HRIBAR: Yes, I talked to them before the ANC  
13 meetings and I did say that I would have a conversation with  
14 them about this.

15 CHAIRPERSON HILL: Okay. All right.

16 MR. SULLIVAN: Mr. Chair, I'm sure that we  
17 advised Mr. Hribar that the location of the gate has nothing  
18 to do with the relief or the location of the deck, so --  
19 because he hadn't got to that point. I haven't had any  
20 discussions with the O Street neighbors, but what was relayed  
21 to me that they were in discussions and there's a solution  
22 there somewhere. But I said, well, it doesn't have anything  
23 to do with the deck, so you can get to that when you get to  
24 it.

25 And I think what he was referring to about having

1 his word challenged wasn't the Board. It was that he was in  
2 discussions with the neighbors and then last minute, last  
3 night they decided to show up and file something, which they  
4 hadn't done before. So I think he was a little taken aback  
5 by that because these discussions had --

6 CHAIRPERSON HILL: Okay.

7 MR. SULLIVAN: -- been ongoing with them.

8 CHAIRPERSON HILL: And again, we are here for a  
9 variety of reasons, one of which is the zoning issues. And  
10 then we do also listen to the neighborhoods, we do -- to --  
11 I'm sorry, to the neighbors, and it's -- we do take the  
12 community into account in terms of like the impact. I mean,  
13 I think that again it's his land. I'm not discounting the  
14 fact of that. I guess I'm just trying to -- since I have  
15 this opportunity to kind of like make sure I kind of  
16 understand the story, I was just curious about it.

17 And so, the -- what -- at least what I understood  
18 again just from the testimony; I don't need to get too far  
19 into it, but from the testimony was that the design, they  
20 didn't see the fence or whatever it was until now, right?  
21 So that's why this happened last night or -- I mean, as least  
22 as far as the testimony goes. I'm just -- as far as like  
23 what the storyline seemed to be. So as far as the zoning  
24 issues and what is before us, we're going to have a  
25 discussion I guess right after this.

1           So does the Board have any further questions of  
2 the applicant? Mr. Hood, do you have anything you'd like to  
3 add?

4           ZC BOARD MEMBER HOOD: You're asking me to say  
5 something now?

6           CHAIRPERSON HILL: If you have anything you'd like  
7 to add.

8           ZC BOARD MEMBER HOOD: No, I don't have anything  
9 to add.

10          CHAIRPERSON HILL: All right. Thank you, Mr.  
11 Chairman.

12          All right. So go ahead and close the hearing.  
13 Is the Board ready to deliberate?

14          (No audible response.)

15          CHAIRPERSON HILL: Okay. Someone else want to  
16 start?

17          VICE CHAIRPERSON HART: So, yes, after reviewing  
18 the record and listening to the testimony that we had from  
19 the neighbors as well as the testimony and the presentation  
20 that we had from the applicant and the OP report, I would be  
21 in support of the application.

22          I do believe that they have met the criteria under  
23 F Section 5201. I thought this was a fairly small addition.  
24 There wasn't a tremendous amount of relief that was being  
25 requested. I understand the lot occupancy is under the 70

1 percent lot occupancy that was -- that is allowed.

2 I understand that the neighbors have concerns  
3 about some aspect of this design that is with regard to the  
4 location of this gate, fence, whatever you want to call it,  
5 but as I have now heard from the Office of Planning as well  
6 as the Office of the Attorney General, that is outside of our  
7 zoning -- what we are really here to look at and I would  
8 encourage the applicant -- and it sounds like he is -- there  
9 have been some discussions and just continue those  
10 discussions to talk about how to address this issue. And it  
11 may be something that is actually helpful for him, too,  
12 because he's going to have to -- with your family, be able  
13 to move in and out of this area. So it's going to -- you may  
14 need the land yourself to be able to kind of navigate that  
15 same area. So I would just encourage them to continue that  
16 discussion so that they can come to some sort of agreement  
17 that would -- that everyone can -- well, to come to some sort  
18 of agreement.

19 So that's it. Like I said, I would be in favor  
20 of this application.

21 MEMBER JOHN: Mr. Chairman, I looked at the record  
22 and listened to the Office of Planning and OAG and in my view  
23 this is really a very straightforward application for minimal  
24 relief and I don't think that the Board has any jurisdiction  
25 at all to discuss issues of adverse possession. And I have

1 a visceral reaction to the notion that one could try to  
2 prevail on the owner of the property to give up land. I  
3 think that's his discretion.

4           And while I understand the issue with the alley,  
5 and have tried to drive through alleys in the city with these  
6 poles that just pop up out of nowhere on very narrow alleys,  
7 it is really up to the property owner to decide how he would  
8 like to handle this. And that issue is not before the Board.  
9 He's not asking for any relief that could impact the location  
10 of the fence. So I'm prepared to support the application  
11 without any reference to trying to resolve the issue with the  
12 neighbors. And that's just my feeling. I think that the  
13 Board should not be used as a place to resolve some of these  
14 issues. And that's just my two cents.

15           MEMBER WHITE: I really don't have anything else  
16 to add. I think I concur with your opinions, the adverse  
17 possession issue was interesting, but it's not a zoning  
18 issue. And I am definitely sensitive to parking and tight  
19 spaces.

20           I would hope that you can continue to communicate  
21 with Mr. Hribar. He's a very honorable military man and I'm  
22 sure you guys are going to be interacting with each other for  
23 many years to come. But the strict reading of the rule for  
24 lot occupancy that he's asking for under the special  
25 exception rule -- he's met the criteria. So I am sensitive

1 to the issues regarding the parking there that you've been  
2 doing for many years, but for purposes of this application  
3 you've met the criteria. And again, I would just encourage  
4 more communication to try to maybe come to some agreement on  
5 what you guys can do to kind of coexist in that area  
6 together. Thank you.

7           ZC BOARD MEMBER HOOD: Also echo the Vice Chair  
8 and Board Member White's comments, as also Board Member John.  
9 I too believe -- I come from a different side of it because  
10 I sit on another -- I sit on a commission and I notice what  
11 we've been tasked to look at, and sometimes it's harder to  
12 go back and forth and reverse the roles and don't do this and  
13 don't do that when the courts have said, okay, you have  
14 jurisdiction to look at this, but I know the BZA has their  
15 fine-tuned jurisdiction. But I've seen these cases and this  
16 gentleman here I believe, like his word, I believe his word  
17 is good. I believe he will work with the community, as Board  
18 Member White just mentioned, to coexist because at the end  
19 of the day we're all going to be neighbors.

20           And I believe that you will work with the  
21 community to find some type of resolve that you all can work  
22 that out.

23           So, and I think the strict application and the  
24 merits of this case basically prove to be approval because  
25 we're asking for lot occupancy. So I don't see an issue to

1 stop moving forward, but I would continue to echo what my  
2 colleagues echo, continue to work with the neighbors so we  
3 can all coexist together. That's my two cents, Mr. Chairman.

4 CHAIRPERSON HILL: Okay. Great. Thank you. I  
5 would agree with my colleagues. I mean, as far as like what  
6 is before us or the zoning issues and I think that they've  
7 met the standard to meet the zoning issues.

8 Since I have an opportunity to speak, I am going  
9 to say something in terms of the neighborhood. So I mean,  
10 I don't know where I would be in that, like, if someone is  
11 taking -- asking to take my land away, I don't know if I  
12 would be so thrilled about it. And then if -- and then if  
13 you put a fence up and you put a fence up two feet less, 10  
14 years later maybe someone could tell you that that two feet  
15 is no longer yours. So whatever. That's since I get to make  
16 an opinion.

17 And then other than that, as far as like what is  
18 before us, as the attorneys so much love to tell me so often,  
19 are the zoning issues. And so I believe they've met the  
20 criteria. I will agree with my colleagues and make a motion  
21 to approve Application No. 19906 as captioned and read by the  
22 secretary and ask for a second.

23 Oh, hold on. Wait. Wrong one. Sorry. Approve  
24 Application No. 19905, Application No. 19905 as captioned and  
25 ready by the secretary and ask for a second.

1 VICE CHAIRPERSON HART: Second.

2 CHAIRPERSON HILL: Motion made and seconded. All  
3 those in favor, say aye?

4 (Chorus of aye.)

5 CHAIRPERSON HILL: All those opposed?

6 (No audible response.)

7 CHAIRPERSON HILL: Motion passes.

8 Mr. Moy?

9 MR. MOY: Staff would record the vote as 5-0-0.  
10 This is on the motion of Chairman Hill to approve the  
11 application for the relief requested. Seconding the motion,  
12 Vice Chair Hart. Also in support Ms. White, Ms. John and Mr.  
13 Anthony Hood. Motion carries.

14 CHAIRPERSON HILL: Okay. Great. Thank you very  
15 much.

16 MR. HRIBAR: Thanks for your time.

17 CHAIRPERSON HILL: Thank you.

18 In the -- we have two left. We have two  
19 applications left, and so we are going to take a lunch break  
20 and then we're going to come back for our final two  
21 applications. I hope that we're back here in half an hour  
22 is what I'm going to shoot for, but usually I'm not accurate.  
23 And so let's say 40 minutes. Okay. Thank you.

24 (Whereupon, the above-entitled matter went off the  
25 record at 12:51 p.m. and resumed at 1:40 p.m.)

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A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

9

1:40 p.m.

10

CHAIRPERSON HILL: All right, Mr. Moy, please

11

start us off.

12

MR. MOY: Thank you, Mr. Chairman. The Board is

13

reconvening from its lunch recess and the time is about 1:40

14

p.m. And if I can have applicants to the table to Case

15

Application No. 19906, of P Street Trust, advertised and

16

captioned for special exception under Subtitle D Section 5201

17

from the nonconforming structure requirements of Subtitle C

18

Section 202.2. This would construct a rear shed dormer on

19

the fourth story of an existing detached principal dwelling

20

unit, R-20 Zone. This at 3323 P Street Northwest, Square

21

1254, Lot 223.

22

CHAIRPERSON HILL: Okay. Great. Thank you, Mr.

23

Moy.

24

All right. If you could please introduce

25

yourselves for the record?

1 MS. WILSON: Alex Wilson from Sullivan & Barros  
2 on behalf of the applicant.

3 MR. OVERMYER: Dale Overmyer, architect on behalf  
4 of the applicant.

5 CHAIRPERSON HILL: Okay. Ms. Wilson, I guess  
6 you're presenting?

7 MS. WILSON: Yes.

8 CHAIRPERSON HILL: Okay. If you could please just  
9 again walk us through your application including the relief  
10 you're requesting as well as how you're meeting the standard  
11 of relief. I don't particularly have a lot of specific  
12 questions. I am a little curious about the CFA support just  
13 because I don't see a lot of CFA stuff. So you can kind of  
14 tell me a little about that. And then you can -- I've got  
15 15 minutes on the clock. Mr. Moy, if you don't mind?

16 And you can begin whenever you like.

17 MS. WILSON: Great. Thank you. The applicant is  
18 requesting special exception relief pursuant to D Section  
19 5201 from the nonconforming structure requirements of C  
20 Section 202 in order to construct a rear shed dormer on the  
21 fourth story of the existing one-family dwelling.

22 The property has an existing nonconforming fourth  
23 story and the dormer is not increasing the height of the  
24 building in any way. The dormer itself is permissible,  
25 however the indoor space under the dormer is more than six

1 feet and since inches and is therefore considered an  
2 addition. Accordingly, the applicant needs relief in order  
3 to increase the occupiable space in the existing  
4 nonconforming fourth story.

5           This is a comparison of the proposed rendering  
6 versus the matter-of-right rendering. As you can see, the  
7 difference is negligible, approximately 13 inches. As noted  
8 in the previous slide, were the applicant able to keep the  
9 head space under the dormer to under six feet and six inches,  
10 relief would not be necessary, but because the interior head  
11 room is over six feet and six inches, DCRA considers that an  
12 addition and therefore we need relief to increase that  
13 occupiable space.

14           Regarding light and air, the light and air  
15 available to the neighboring properties should not be unduly  
16 affected due to the dormer's location at the rear. The  
17 difference between the matter-of-right dormer height and the  
18 proposed is negligible. The detached home is on a large lot  
19 with sufficient separation between abutting residences and  
20 the dormer is not likely to create any additional shadow on  
21 the abutting properties.

22           The privacy of use and enjoyment of neighboring  
23 properties should not be unduly compromised. The windows on  
24 the dormer would face the roofs of the alley dwellings to the  
25 rear. The dormer itself is permitted and the difference of

1 13 inches in height between the proposed and existing dormer  
2 would not create any issues of privacy of use or enjoyment.

3           Regarding the character, the dormer is only at the  
4 rear and not visible from P Street. The project has been  
5 reviewed and approved by OGB and the Commission of Fine Arts.  
6 ANC 2E has no objection. OP is recommending approval. DDOT  
7 has no objection and it has also been approved by the  
8 L'Enfant Trust and again the Old Georgetown Board. And for  
9 any questions about the Commission of Fine Arts I'm going to  
10 turn it over to Dale.

11           CHAIRPERSON HILL: I was just curious how you go  
12 through the process.

13           MR. OVERMYER: The process begins with a concept  
14 application. We -- because it's quite the process, we  
15 initially designed a skylight for that area to allow for  
16 egress and light and exposure for that room. As we went  
17 through the process, based on some comments it became clear  
18 that they could also support a dormer there. So we went back  
19 through with a dormer. We actually have a permit in hand for  
20 the skylight.

21           The dormer was supported by the process really  
22 beginning with the immediate neighbors extending to the ANC.  
23 The L'Enfant Trust is a private architectural façade easement  
24 holder on the property, so we had to appeal to their review  
25 process, and it's not until all those steps have been met

1 that we end up presenting in concept to the Old Georgetown  
2 Board. And it was approved in concept there. There were no  
3 issues with that.

4           What's actually -- there was -- there were two  
5 meetings. The first meeting they did ask us to make it  
6 smaller. What you see now, the taller requested dormer is  
7 actually the smaller dormer after having gone through the  
8 process. We'd started with a slightly bigger dormer and we  
9 made it smaller to be the one that you're reviewing today,  
10 which was met with wholehearted support by all those groups,  
11 including the Historic Preservation Office of the District  
12 of Columbia.

13           CHAIRPERSON HILL: Okay. Great. Thank you. It  
14 just looks like a lovely home.

15           So does the Board have any questions for the  
16 applicant?

17           (No audible response.)

18           CHAIRPERSON HILL: All right. Going to turn to  
19 the Office of Planning.

20           MR. COCHRAN: Thank you, Mr. Chair. This is a  
21 self-certified application. The fourth story is already an  
22 existing nonconformity according to the application. The  
23 applicant is simply asking for the ability to expand an  
24 existing nonconformity and OP recommends approval.

25           CHAIRPERSON HILL: Okay. Great. Thank you.

1 Does the Board have any questions for the Office  
2 of Planning?

3 (No audible response.)

4 CHAIRPERSON HILL: Does the applicant have any  
5 questions for Office of Planning?

6 MS. WILSON: No, thank you.

7 CHAIRPERSON HILL: Is there anyone here wishing  
8 to speak in support of the application? Is there anyone here  
9 wishing to speak in objection to the application?

10 Is there anything you'd like to add in the end?

11 MS. WILSON: No, thank you.

12 CHAIRPERSON HILL: Conclusion? All right.

13 Does the Board have any final questions?

14 (No audible response.)

15 CHAIRPERSON HILL: Okay. Going to close the  
16 hearing. Is the Board ready to deliberate?

17 (No audible response.)

18 CHAIRPERSON HILL: Okay. I would agree with the  
19 analysis provided by the Office of Planning as well as the  
20 analysis -- or support, I should say, provided by the ANC,  
21 which were six to zero to zero in terms of approving. I  
22 thought that the report from the Office of Planning was  
23 pretty specific. I mean, I didn't have any issues with this.  
24 I didn't think it was something that was that complicated.

25 I also just -- I wasn't that familiar with the

1 Commission of Fine Arts, so I had some questions about it,  
2 but I'm glad to hear that they are in support. And I will  
3 be voting in support.

4 Does anyone have anything they'd like to add?

5 (No audible response.)

6 CHAIRPERSON HILL: Okay. Then I'll go ahead and  
7 make a motion to approve Application No. 19906 as captioned  
8 and read by the secretary and ask for a second.

9 VICE CHAIRPERSON HART: Second.

10 CHAIRPERSON HILL: Motion made and seconded. All  
11 those in favor, say aye?

12 (Chorus of aye.)

13 CHAIRPERSON HILL: All those opposed?

14 (No audible response.)

15 CHAIRPERSON HILL: Motion passes.

16 Mr. Moy?

17 MR. MOY: Staff would record the vote as 5-0-0.  
18 That was on the motion of Chairman Hill to approve the  
19 application for the relief requested. Seconding the motion,  
20 Vice Chair Hart. Also in support, Ms. White, Ms. White and  
21 Mr. Anthony Hood. Motion carries.

22 CHAIRPERSON HILL: Okay. Great. Thank you.  
23 Thank you very much.

24 All right, Mr. Moy. If you can just call our last  
25 case whenever you get a chance.

1 MR. MOY: Thank you, Mr. Chairman. If we can have  
2 parties to the table to Application No. 19917 of Sean Ward  
3 and Audrey Tomason, captioned and advertised for special  
4 exception under Subtitle E Section 205.5 and 5201 from the  
5 rear addition requirements of Subtitle E Section 205.4. This  
6 would construct a two-story rear addition to an existing  
7 attached principal dwelling unit in the RF-1 Zone at 913 7th  
8 Street, Northeast, Square 888, Lot 46.

9 CHAIRPERSON HILL: Okay. Great. Thank you, Mr.  
10 Moy.

11 If you could please introduce yourself for the  
12 record.

13 MR. GOETZ: My name is Eric Goetz with Blue Star  
14 representing the homeowners Sean Ward and Audrey Tomason.

15 CHAIRPERSON HILL: Did you say Goetz?

16 MR. GOETZ: Goetz, yes.

17 CHAIRPERSON HILL: G-E-T-T-S?

18 MR. GOETZ: G-O-E-T-Z.

19 CHAIRPERSON HILL: So I got that completely wrong.

20 MR. GOETZ: It's all right.

21 CHAIRPERSON HILL: All right. If you could  
22 please, Mr. Goetz, just walk us through the application in  
23 terms of what you're trying to achieve. I didn't have any  
24 specific questions for you. I'm going to put 15 minutes on  
25 the clock just so I know where I am and we'll see how we go.

1 Yes, and then we'll just see if the Board has -- what kind  
2 of questions the Board has from you. And you can begin  
3 whenever you like.

4 VICE CHAIRPERSON HART: And if you could, Mr.  
5 Goetz -- if you could just respond to the letter from the  
6 Capitol Hill Restoration Society. They provided a letter  
7 that was in opposition.

8 MR. GOETZ: Okay.

9 VICE CHAIRPERSON HART: Thank you.

10 MR. GOETZ: Yes. Where can I get the full screen  
11 view, do you know?

12 CHAIRPERSON HILL: I do not.

13 VICE CHAIRPERSON HART: Is this a PowerPoint?

14 MR. GOETZ: It's just a PDF.

15 VICE CHAIRPERSON HART: Yes, I'm sorry. A PDF?  
16 Then just do Control+L and it will do the entire screen. Or  
17 is it not going on the screen? It's just on the laptop  
18 screen? I think somebody may be coming to help.

19 MR. GOETZ: I'll start over. There we go. Thank  
20 you.

21 CHAIRPERSON HILL: Okay. Great. Thank you.  
22 Thank you, sir.

23 MR. GOETZ: Thank you. So the property, 913 7th  
24 Street Northeast. The property is located northeast just of  
25 -- north of H Street. We're requesting a special exception

1 for the 10-foot rear yard exception -- extension to add a  
2 two-story rear addition, which is pretty much on grade in the  
3 rear.

4 As you can see from the front, the house is kind  
5 of set up at the back of the house. The yard is actually on  
6 level with the first floor of the main floor.

7 We do have both adjacent neighbors' support with  
8 no known opposition. We also have ANC support after  
9 presenting to them in January.

10 These are some photos. This is the front of the  
11 house. That would be unchanged. This is the current rear  
12 of the house which is flush with the house on the south, the  
13 neighbor on the south, and extends beyond the house on the  
14 north by close to 21 feet. So the existing condition is that  
15 it's farther back than the house on the north, on the right  
16 there. There's also a two-story rear deck; this is a closer  
17 shot of it, an existing second-story deck on the back of the  
18 house.

19 Take a closer look at the dogleg. So you can see  
20 that there's an existing dogleg which we're keeping. We're  
21 keeping all the masonry, all the brick that's there. That's  
22 going to remain open. And the neighboring property to the  
23 north also has a dogleg which is uncommon because they face  
24 each other. So there's actually quite a bit of space between  
25 the two buildings at that point.

1           This is just an aerial shot from the front. You  
2 can see different massings of buildings. There are very  
3 large buildings on the corner. There's a church on the  
4 right. There's an apartment building on the left. And  
5 there's actually, about four doors north or to the left in  
6 this picture, there's also another residence that's set way  
7 back from the walk. So there's varying massings, and also  
8 the structures vary from where they sit on the lot. And  
9 here's one from the rear view. And then the site plan.

10           So the site plan you can see here. This is just  
11 focused on the immediate area. And we're proposing to keep  
12 the existing dogleg open to the north, as I mentioned  
13 earlier. And you can see that separation there, that there's  
14 actually quite a bit of space in between the courtyard, and  
15 that's partly in addressing to your question about CHRS is  
16 that there is that well of open light and air. And we have  
17 spoken with the neighbor, both neighbors, but specifically  
18 the neighbor on the north in this case and they're completely  
19 fine with the project.

20           This is the plat which is essentially the same  
21 information, just more dimensions. And the overall width of  
22 the lot is 17 and 3 inches, 17 feet, 3 inches, and the length  
23 is 124 feet.

24           The demo is some demo on the first and second  
25 floor, none in the cellar. And obviously the rear deck is

1 coming off for the new addition and part of an older smaller  
2 addition. Part of that is coming off in order to accommodate  
3 the new addition.

4           As mentioned before, the front of the house is  
5 going to remain the same, and this will be the new rear of  
6 the house. We've worked to keep the same type of color  
7 value, if you will, and siding. Currently there's siding on  
8 the back of the house. It will be a new hardiplank siding  
9 with seven-inch reveal, so it will be upgraded in material.  
10 Obviously the windows will be new. Everything will be new  
11 on that addition, but it does keep in character with what's  
12 there right now in terms of the way it looks: siding with  
13 trim and windows.

14           I just want to show you two side elevations. This  
15 is from the north and you can see where the addition is  
16 there. The addition actually has an overhang to the yard and  
17 there's a small area at the top where there's going to be a  
18 mechanical closet and storage area above.

19           VICE CHAIRPERSON HART: Mr. Goetz?

20           MR. GOETZ: Yes.

21           VICE CHAIRPERSON HART: What's happening here?

22           MR. GOETZ: That's just the existing basement.  
23 It's just a bad rendering of that.

24           VICE CHAIRPERSON HART: Why is it showing up in  
25 the elevation? That's what I'm trying to understand.

1 MR. GOETZ: There's actually a stairwell that goes  
2 down to the basement from the rear in the dogleg itself. And  
3 that's why it's showing up there, because it's not  
4 underground there at that level.

5 VICE CHAIRPERSON HART: So, okay. I'm still  
6 trying to figure out -- so the front of the building is on  
7 the right-hand side of this slide, this image?

8 MR. GOETZ: Correct.

9 VICE CHAIRPERSON HART: And which one was -- I  
10 thought one of them not at the same -- at -- I thought the  
11 ground was not level.

12 MR. GOETZ: The level of the ground is where the  
13 bottom of the siding is, at the rear of the lot. At the  
14 front of the house there's various steps to get up from the  
15 sidewalk to the house.

16 VICE CHAIRPERSON HART: Okay. And currently --  
17 I don't know, maybe I was just looking -- when I was looking  
18 at the elevations, I thought that one of them was at ground  
19 level and the other one was not at ground level. And now I'm  
20 just trying to figure out which one -- because I thought the  
21 back was at ground -- at the existing ground level so that  
22 -- you walk out onto the -- from the first floor you walk  
23 out?

24 MR. GOETZ: Yes, when you walk out the back door,  
25 you're basically at ground level.

1 VICE CHAIRPERSON HART: Okay.

2 MR. GOETZ: You're one step up or something like  
3 that.

4 VICE CHAIRPERSON HART: And then you're saying  
5 that this, whatever this is, there's a set of stairs that  
6 currently go down to --

7 MR. GOETZ: Yes, if I -- if you -- if I can scroll  
8 up to the photo --

9 VICE CHAIRPERSON HART: Please.

10 MR. GOETZ: -- that might make more sense.

11 VICE CHAIRPERSON HART: Ah.

12 MR. GOETZ: This is the condition. So the dogleg  
13 actually has stairs that go down to the basement.

14 VICE CHAIRPERSON HART: Okay.

15 MR. GOETZ: So the ground level where you see the  
16 brick there, that's more or less the ground level of the  
17 first floor. And that's a window of the first floor there  
18 to the left.

19 VICE CHAIRPERSON HART: Okay.

20 MR. GOETZ: And so that area is kind of exposed  
21 down there because it's an area well, if you will.

22 VICE CHAIRPERSON HART: And the addition that you  
23 see with the siding on the I guess far left of this image,  
24 that's -- well, of course that's existing. That will stay?  
25 That will -- or that will be removed?

1 MR. GOETZ: That will be renovated. So part of  
2 that will be demolition -- demolished, yes.

3 VICE CHAIRPERSON HART: And so what you then would  
4 be adding to it is where you said -- the hardiplank part,  
5 that's where that would start --

6 MR. GOETZ: Correct. Yes.

7 VICE CHAIRPERSON HART: -- on -- back to the  
8 extent of the new addition?

9 MR. GOETZ: Correct. Yes, so the masonry, all the  
10 brick here will remain and that will -- it will -- the new  
11 siding will start from that brick going farther back.

12 VICE CHAIRPERSON HART: Okay. And so why are you  
13 doing the overhand on the rear of the property?

14 MR. GOETZ: Well, a couple things. One, just to  
15 get a little bit more space on the second floor, but we've  
16 also noticed that it's better to have that protection on  
17 exterior doors, especially if it's going to be used a lot.

18 VICE CHAIRPERSON HART: Yes, I mean, you can do  
19 -- you could do a lot of things for exterior doors. They  
20 don't have to be -- it doesn't have to be an overhang. I'm  
21 just -- I was just trying to figure out -- you're saying that  
22 it's just really for the --

23 MR. GOETZ: It's this space also inside. They're  
24 trying to get two bedrooms side by side for their daughters  
25 in that space, and so any space they can gain.

1 VICE CHAIRPERSON HART: Okay. Thank you.

2 MEMBER JOHN: So can we go back to that slide, the  
3 one showing the siding and the dogleg? So just so I'm clear,  
4 right now there is an addition in here. And so the 15-foot  
5 addition is from here to here?

6 MR. GOETZ: So currently the -- currently there  
7 is an addition there.

8 MEMBER JOHN: Yes.

9 MR. GOETZ: It's a smaller addition.

10 MEMBER JOHN: Yes.

11 MR. GOETZ: And then the 15 feet will go from  
12 where the existing addition ends to the end of the lot. So  
13 if I take you back to here, you can see how that small area  
14 there that kind of bumps in, the existing, and then the new  
15 addition kind of envelops it.

16 VICE CHAIRPERSON HART: That area right here?

17 MR. GOETZ: Yes.

18 VICE CHAIRPERSON HART: Okay.

19 MR. GOETZ: That's the existing addition, yes.

20 MEMBER JOHN: Okay.

21 MR. GOETZ: So those walls will come down in order  
22 for the new addition to merge with that space.

23 VICE CHAIRPERSON HART: You also provided an  
24 image, Exhibit 32, with updated plans. What is the  
25 difference between the two plans? And I don't know -- I'm

1 not -- I wasn't exactly sure what the difference was because  
2 the existing -- the original plans in Exhibit 4 had kind of  
3 the addition included in it, but the updated plans don't, and  
4 I just was curious as to --

5 MR. GOETZ: There were updates to just a few  
6 sheets primarily for the siding, illustration of the siding  
7 on the rear and the trim and then the notation of what kind  
8 of siding we were going to use as well as what kind of trim  
9 package and the value of the color and so forth.

10 VICE CHAIRPERSON HART: So those are replacement  
11 pages for what's happening in Exhibit 4, but Exhibit 4 still  
12 is in effect because it has the actual plans and -- floor  
13 plans and -- well, I guess the floor plans to the extent of  
14 the addition on -- kind of included in that. It doesn't  
15 really have that in the updated plans, so that's why I was  
16 kind of like, okay, so what am I looking at exactly?

17 MR. GOETZ: Yes, I have a full set here, but yes,  
18 that's exactly right. The updated plans were just updated  
19 sheets, not the entire set. So the newer sheets that came  
20 in would replace the previous sheets. And I don't -- there  
21 wasn't any changes to the interior or the overall massing or  
22 anything like that. It was primarily the skin of it and the  
23 details on it.

24 VICE CHAIRPERSON HART: No, it's fine. When we  
25 go through and when the Office of Zoning puts forward the --

1 whatever the order is, they have to refer to something. And  
2 so it's -- I was trying to understand what it is that they  
3 can refer to, I guess both of these, so that there's an  
4 understanding that these are kind of replacing some pages  
5 that are in the Exhibit No. 4.

6 MR. GOETZ: Correct.

7 VICE CHAIRPERSON HART: Thank you.

8 CHAIRPERSON HILL: Okay. I just had a question  
9 for you. In terms of the people over at 915, the next door  
10 neighbors, I know you have support, you have letters of  
11 support from both next door neighbors. Do you know -- can  
12 you go back to the one that had the -- the picture that had  
13 915? Yes, yes. That one. Thanks. Yes. No. You had it  
14 there. The slide that had the drawing. Yes, right there.

15 I mean, I was just always curious. So you don't  
16 know what 915 has -- you don't know what their interest is  
17 in also going back, right? I mean, not that you would know,  
18 but you don't know if they also plan on extending back  
19 farther? Is it 915?

20 ZC BOARD MEMBER HOOD: Yes.

21 CHAIRPERSON HILL: Yes, 915. I mean --

22 MR. GOETZ: The one on the north?

23 CHAIRPERSON HILL: Yes, the one on the north.

24 MR. GOETZ: I know that they've mentioned some  
25 intent to potentially go back in the future.

1 CHAIRPERSON HILL: Right. I'm just curious  
2 because I get --

3 MR. GOETZ: Yes.

4 CHAIRPERSON HILL: -- we get a lot of stuff like  
5 this now. And so --

6 MR. GOETZ: Yes.

7 CHAIRPERSON HILL: -- sometimes it -- and this is  
8 actually for the Zoning Commission, which is that what tends  
9 to -- I'm kind of having a discussion, which is that when  
10 both next door neighbors seem to be interested in moving back  
11 and that it seems a little bit -- it's -- if both -- I don't  
12 think -- and I don't know if I'm making such a bold statement  
13 here. Both neighbors on either side are unopposed and it  
14 seems to kind of move through, but if one person is opposed,  
15 then it -- the 10-foot rule thing is a little bit still one  
16 that we -- I struggle with a little bit at times. And so I'm  
17 just kind of throwing that out, not necessarily needing a  
18 response or anything, but I was just kind of curious of --

19 ZC BOARD MEMBER HOOD: You don't want me to  
20 comment?

21 CHAIRPERSON HILL: Right, you --

22 (Laughter.)

23 CHAIRPERSON HILL: I'm sorry. I'm sorry. I  
24 apologize. I did bring up the Zoning Commission, and so if  
25 you do have a thought, Chairman Hood, you're most welcome to

1 share it. I just -- I was just kind of speaking  
2 extemporaneously.

3 ZC BOARD MEMBER HOOD: Okay. Well, I'll wait  
4 until I'm recognized.

5 CHAIRPERSON HILL: Okay. Well, you are definitely  
6 most certainly recognized.

7 ZC BOARD MEMBER HOOD: Okay. Well, when I look  
8 at this case; and I agree with you actually, Chairman Hill,  
9 the 10-foot rule -- I'm thinking I know Office of Planning  
10 is doing a little more research for us. And I don't really  
11 necessarily -- even though I've never been really fond of  
12 these continuations of beyond 10 feet, and we put it in place  
13 for a reason. And after we've had -- you all have -- the BZA  
14 has had so many applications I'm not even sure if we need to  
15 leave that in, but that's a whole other discussion.

16 But in this case, like you said, you have so much  
17 support. And then looking at the other neighbor, as you  
18 mentioned, 915, possibly doing it. Nine -- what's that, 911  
19 has already done something, I believe. So I think that, I  
20 don't know, maybe we're revisiting that. And that discussion  
21 will come up again because we already have the Office of  
22 Planning looking into it as well.

23 CHAIRPERSON HILL: Yes, and I mean I'm just kind  
24 of bringing it up in terms of -- I don't even know what the  
25 next number is across, but like they're all already out --

1 it seems like they're all going to line up eventually, so I  
2 mean, they are on -- and this is actually more speaking to  
3 that each case is individual --

4 ZC BOARD MEMBER HOOD: Right, right.

5 CHAIRPERSON HILL: -- and that you should -- we  
6 should have the flexibility to be able to do things like  
7 that, which is that if it makes sense, then -- and it fits  
8 within the standards. So, but I'm going to -- oh, does  
9 someone else --

10 VICE CHAIRPERSON HART: Yes, just one --

11 CHAIRPERSON HILL: Sure.

12 VICE CHAIRPERSON HART: -- kind of follow-up  
13 question.

14 Mr. Goetz, did you have a -- did you do any sort  
15 of sun study for this? The reason I ask is that while you  
16 may have the approval or the support from the neighbors,  
17 there is a -- this is a project that is -- that has somebody  
18 to the north of it and this is a kind of east-west building.  
19 And when you have cases like this, there is an ability for  
20 the sun impacts, shade impacts to affect the neighbor to the  
21 north. And I understand that there's a letter that says  
22 that, but we're supposed to be looking at not what the  
23 neighbor says, but what the actual impacts are going to be  
24 according to the criteria in the Zoning Regs.

25 So did you conduct a sun study, or how do you

1 understand that -- what the impacts are going to be?

2 MR. GOETZ: We didn't conduct a sun study through  
3 graphics and so forth, but we have had various conversations  
4 about it in terms of obviously with the owners and then also  
5 with the neighbor to the north, not so much with the neighbor  
6 to the south. But we did take a look at it. We walked off  
7 the area. We met on site and so forth. And we talked about  
8 it quite a bit. However, we didn't do a formal sun study,  
9 if you will.

10 VICE CHAIRPERSON HART: I mean, it's -- in this  
11 case it isn't like -- the building is already above what --  
12 larger than the building, than 915 7th Street. And so that's  
13 why I was asking is because it already has the, you know,  
14 more than kind of 10 feet and now you're adding on like 15  
15 more feet to that. It just seems as though that would  
16 necessitate some look at that just to understand what the  
17 impacts might be for the -- whomever is the property owner  
18 to the north. And it may be more than just 915, because it  
19 could also be for 917 as well, because during the winter and  
20 spring you may actually have longer shadows that are --  
21 you're having to deal with.

22 MR. GOETZ: Yes, I know some of the discussions  
23 we had was to keep that dogleg open specifically for that and  
24 that it would -- again, no formal study in that sense, but  
25 we did take a look at the proximity of where the addition is

1 proposed and the proximity to the rear of the current 915.  
2 And so, the deduction and the discussion was that while it's  
3 farther back, there is a larger light well there and it's  
4 also -- might impact part of the yard, but not necessarily  
5 very much the windows and so forth of the actual 915  
6 structure. Obviously there will be some impact at very  
7 early hours right when the -- and especially in the winter  
8 when it's really low, but generally speaking it was far  
9 enough away that it would have less impact because of that.

10 VICE CHAIRPERSON HART: Yes, I mean, the current  
11 building is, but if they were to build an expansion to the  
12 rear of their property similar to the expansion that you're  
13 proposing here, that could be right up against their -- I  
14 mean, they have the ability to build from property line to  
15 property line. So while there is a light well now there, a  
16 dogleg, they have that capability or they are able to build  
17 as much as you all are proposing as well. So I'll stop the  
18 line of questioning. I just was more curious as to how you  
19 were thinking about it. Thank you.

20 MR. GOETZ: Thank you.

21 MEMBER WHITE: I notice also that the ANC kind of  
22 addressed that whole open court area as being something that  
23 would reduce the light and air impacts. Is that correct?  
24 I mean, I'm looking at ANC's support and they made note of  
25 that in Exhibit -- what is that, 30, towards the end of the

1 letter. So I'm very sensitive to these rear additions, but  
2 it seems that you've gotten pretty strong support from all  
3 the relevant parties. And then the lot occupancy is within  
4 a certain level as well. So that's not a question. Just a  
5 statement. Yes.

6 CHAIRPERSON HILL: Okay.

7 ZC BOARD MEMBER HOOD: Mr. Chairman?

8 CHAIRPERSON HILL: Sure. Go ahead.

9 ZC BOARD MEMBER HOOD: A quick question. On the  
10 other side is that a school?

11 MR. GOETZ: The large building at the bottom of  
12 the page is a church.

13 ZC BOARD MEMBER HOOD: Oh, okay.

14 MR. GOETZ: And then on the other corner, which  
15 is not shown here but is in some of the aerial views -- the  
16 other corner is a very large -- what I believe is an  
17 apartment building. It's either that or condos. But  
18 probably larger than this church building here as well.

19 ZC BOARD MEMBER HOOD: All right. Okay. Thank  
20 you.

21 CHAIRPERSON HILL: Okay. Going to go ahead and  
22 turn to the Office of Planning.

23 MS. MYERS: Good afternoon. Crystal Myers for the  
24 Office of Planning. The Office of Planning is recommending  
25 approval of this case and will stand on the record of the

1 staff report.

2 CHAIRPERSON HILL: Does anybody have any questions  
3 for the Office of Planning?

4 VICE CHAIRPERSON HART: A similar question that  
5 I had for the applicant. Ms. Myers, thank you. How do you  
6 see the sun/shade impacts on this for sun and light purposes?

7 MS. MYERS: Certainly. Pretty much, as you  
8 mentioned earlier, the fact that they are preserving their  
9 court as well as having still quite an ample rear yard that  
10 is not impacted. I's going to be over 20 feet, which is the  
11 minimum requirement. So the neighbors' yards as well as the  
12 applicant's yard will still have ample yard that's not  
13 impacted by any light issues or air issues. So the rear yard  
14 should be generally substantially no impact. And when you  
15 look at it, like as you noted earlier, both neighbors are in  
16 support, so it did seem that there is not a substantial undue  
17 impact to the light and air of the neighbors.

18 VICE CHAIRPERSON HART: And are you -- thank you.  
19 And are you also looking at it as a -- are you looking at  
20 this as a 15-foot extension or are you looking at it as a 30-  
21 foot for the total distance between the neighbor at 913 to  
22 the north and the full extent of this, or are you looking at  
23 something else? I'm just curious.

24 MS. MYERS: Both qualify, but obviously the more  
25 substantial one is the 39 feet or 38 feet impact to the

1 neighbor to the north.

2 VICE CHAIRPERSON HART: Okay. Thank you.

3 CHAIRPERSON HILL: And, Ms. Myers, with regard to  
4 the letter from the Capitol Hill Restoration Society, do you  
5 have any thoughts?

6 MS. MYERS: Well, this property is not in a  
7 historic district, so we did not consider it at the same  
8 level as we would historic district property. And as I  
9 mentioned, I know they mentioned light and air. We thought  
10 it did not substantially have an undue impact on the  
11 neighbors' light and air because of the discussion we just  
12 had earlier. So we did not feel that we disagree when it  
13 comes to the light and air concerns of the letter.

14 CHAIRPERSON HILL: Okay. Thank you.

15 Does the applicant have any questions for the  
16 Office of Planning?

17 MR. GOETZ: No, sir.

18 CHAIRPERSON HILL: Okay. Is there anybody here  
19 wishing to speak in support?

20 (No audible response.)

21 CHAIRPERSON HILL: Is there anyone here wishing  
22 to speak in opposition?

23 (No audible response.)

24 CHAIRPERSON HILL: Does the Board have any final  
25 questions for the applicant?

1 (No audible response.)

2 CHAIRPERSON HILL: Does the applicant have  
3 anything they'd like to add at the end?

4 MR. GOETZ: No, thank you.

5 CHAIRPERSON HILL: Okay. Going to go ahead and  
6 close the hearing. Is the Board ready to deliberate?

7 (No audible response.)

8 CHAIRPERSON HILL: I can begin. After reviewing  
9 the record, I would agree with the analysis that's provided  
10 with the Office -- by the Office of Planning, as well as the  
11 analysis that was provided by ANC 6C. They were in support  
12 unanimously six to zero. DDOT did not have any objection.  
13 There were both letters of support from either neighbors,  
14 however, I do believe that after hearing the testimony and  
15 again from the record that the applicant has met the standard  
16 with which we can grant this application.

17 I do think that these extensions are either -- we  
18 look at them individually, and so I still find them -- I find  
19 them very interesting, actually, sometimes in how we go  
20 through this, but I would be in support of this one and do  
21 think that they meet the criteria necessary to grant it.

22 Does anyone have anything they'd like to add?

23 MEMBER JOHN: Mr. Chairman, I agree with  
24 everything you said and I'm prepared to support the  
25 application. I just note that for me looking at this case

1 that the light well makes a huge difference in my decision  
2 to support it.

3 VICE CHAIRPERSON HART: The only part that I would  
4 add is that I -- well, I am -- I mean, I look at each one of  
5 these and in this particular case I'm not sure if I could  
6 support it, and I think partially because I don't think that  
7 we have the information regarding the light impacts because  
8 this is 15 feet larger than an already large -- a building  
9 that is larger than the building to the north. I know that  
10 that may not be the opinion of my fellow Board Members, but  
11 it's kind of where I am. I just think that it would be  
12 helpful to have the light and sun impacts to actually be able  
13 to say, okay, yes, I can kind of see that. I understand the  
14 Office of Planning has brought their expertise and they're  
15 on the -- in the opinion that this is not an undue impact.  
16 I just don't know. So I don't think I would be able to  
17 support the application.

18 MEMBER WHITE: Typically I'm very critical of  
19 these types of applications because of the 10-foot rule and  
20 sometimes I'm willing to be a little flexible to allow  
21 applicants to go beyond that if there is neighbor support and  
22 ANC support and OP support.

23 In this case I think I will be able to support it  
24 because you've got support from the adjacent owners. And  
25 looking at the special exception criteria I don't think there

1 are any significant light and air impacts. The ANC didn't  
2 seem to have any concerns about it, nor did the Office of  
3 Planning. There aren't any privacy concerns that have been  
4 included in the record. So in this particular case; we'll  
5 see how it goes, I'm -- I think there is sufficient support  
6 in the record to support the application.

7           ZC BOARD MEMBER HOOD: Mr. Chairman, I think that  
8 this is -- as you know, I've always had a problem with  
9 putting a rule in and then we go beyond and keep going  
10 beyond, and this is one of those cases. But it looks like  
11 there is a lot of support. This has been analyzed to the  
12 fullest, but I think that the Vice Chair brings up a very  
13 strong point, and I'm sitting here grappling with -- I'm  
14 leaning with the Vice Chair saying vote against it. I really  
15 don't want to vote against it, but I would also like to see  
16 if there are any impacts. But then I'm looking at all the  
17 support, especially with the Office of Planning and  
18 everything.

19           And I'm actually talking and thinking out loud at  
20 the same time because I do want to make sure that there are  
21 no impacts. And we're going to have -- the record is not  
22 complete to show if there are any impacts of light and air,  
23 even though it's been analyzed and with the dogleg being in  
24 place and all that. So that should lessen the burden.

25           But I would probably vote in favor of it, but I

1 don't know what others think, I mean, what you may think, Mr.  
2 Chairman, other than what the Vice Chair had -- comments he  
3 mentioned. I think to me that would complete the record.  
4 But with all the support I could probably just vote in favor  
5 of this as it is, but I would really like to have that for  
6 the record. So I'll leave -- those are my comments, if it  
7 helps out any.

8 CHAIRPERSON HILL: Yes. No, I think the votes  
9 here are now ready to pass it, so I don't want to go with  
10 delaying this in terms of -- I just don't think it's  
11 necessary at this point to kind of go back and try to deal  
12 with the applicant and try to get a shadow study and then go  
13 through this process again. However, as I mentioned before,  
14 and this is more just kind of like a discussion, in that, I  
15 mean, I don't think that -- I mean, from what the standards  
16 are, which is again light and air, privacy and original  
17 building, view from the -- the view, the public alleyways,  
18 graphical representations, and then just the special  
19 exception general criteria, I mean, I think they meet the  
20 criteria.

21 And so I'm not -- I mean, it is something that we  
22 constantly kind of talk about, but I don't think that it's  
23 necessary to reopen the record right now just to do a shadow  
24 study to come back and get to the same spot. Also agreeing  
25 with the analysis that the Office of Planning has provided,

1 as well as that of the ANC, as well as that of the neighbors  
2 in that they don't think that -- they believe that the  
3 special exception has been met.

4 So I'm going to go ahead and make a motion to  
5 approve Application No. 19917 and ask for a second.

6 MEMBER JOHN: Second.

7 CHAIRPERSON HILL: Motion made and seconded. All  
8 those in favor, say aye?

9 (Chorus of aye.)

10 CHAIRPERSON HILL: All those opposed?

11 VICE CHAIRPERSON HART: Nay.

12 CHAIRPERSON HILL: Okay. So the motion passes.

13 Mr. Moy?

14 MR. MOY: Yes, staff would record the vote as 4-1-  
15 0. This is on the motion of Chairman Hill to approve the  
16 application for the relief. Seconding the motion, Ms. John.  
17 Also in support Ms. White, Mr. Anthony Hood. Vice Chair Hart  
18 is opposed to the motion, but the motion carries 4-1-0.

19 CHAIRPERSON HILL: Okay. Great. Thank you, Mr.  
20 Moy.

21 Thank you very much.

22 All right. Mr. Moy, we got one more thing to do  
23 I guess when we get a chance here, I think.

24 MR. MOY: Thank you, Mr. Chairman. There is one  
25 other administrative action before the Board, and as you

1 know, every year attendant to the Regulations that the Board  
2 conducts Board elections, and this is the time.

3 CHAIRPERSON HILL: Okay. Great. Thank you, Mr.  
4 Moy.

5 So up for election again on our Board is Vice  
6 Chair and Chair. Would someone have a motion or would  
7 someone like to put forward a candidate for the Vice  
8 Chairmanship?

9 MEMBER JOHN: Mr. Chairman, I nominate the current  
10 Vice Chair to Mr. Carlton Hart to be the Vice Chair for  
11 another year.

12 CHAIRPERSON HILL: Could I get a second?

13 MEMBER WHITE: Second.

14 CHAIRPERSON HILL: Motion made and seconded. All  
15 those in favor, say aye?

16 (Chorus of aye.)

17 CHAIRPERSON HILL: The motion passes.

18 Mr. Moy?

19 MR. MOY: Staff would record the vote as 5-0-0.  
20 This is on the motion to reelect Mr. Hart as Vice Chair.  
21 Seconding that motion, Ms. White. And the motion carries 5-  
22 0-0.

23 CHAIRPERSON HILL: Okay. Just because the Vice  
24 Chair did have a question. He's able to vote, correct?

25 MR. MOY: Yes.

1 CHAIRPERSON HILL: All right. Okay.

2 MR. MOY: He can vote --

3 CHAIRPERSON HILL: He can vote, right.

4 MR. MOY: -- for himself or against himself.

5 CHAIRPERSON HILL: Well, that's another thing,  
6 right?

7 (Laughter.)

8 CHAIRPERSON HILL: Okay. Well, no, I'm only  
9 asking because like the rotating member of the Zoning  
10 Commission then also gets to vote.

11 MR. MOY: Yes, of course.

12 CHAIRPERSON HILL: Whoever happens to be there at  
13 that time is how it works?

14 ZC BOARD MEMBER HOOD: Typically the Zoning  
15 Commission consults and talks, but that did not happen, so  
16 I'm going to use my prerogative as the chair.

17 CHAIRPERSON HILL: Okay. All right. So that  
18 being the case does anyone have nominations for Chair for  
19 this year?

20 VICE CHAIRPERSON HART: Yes, I would like to --  
21 unless the --

22 MEMBER WHITE: Yes, Mr. Chair, I'd like to  
23 nominate Chair Fred Hill as the Chair for the BZA for the  
24 next term.

25 CHAIRPERSON HILL: I accept the nomination. Does

1 anyone have a second?

2 MEMBER JOHN: Second.

3 CHAIRPERSON HILL: Motion made and --

4 ZC BOARD MEMBER HOOD: Are there any more  
5 nominations?

6 CHAIRPERSON HILL: Are there any more nominations  
7 for Chair?

8 (No audible response.)

9 ZC BOARD MEMBER HOOD: No, I would concur with  
10 the --

11 CHAIRPERSON HILL: Hearing none, all in favor, say  
12 aye?

13 (Chorus of aye.)

14 CHAIRPERSON HILL: All those opposed?

15 (No audible response.)

16 CHAIRPERSON HILL: The motion passes.

17 Mr. Moy?

18 MR. MOY: The staff would record the vote as 5-0-  
19 0. This is the nomination and the motion for Chairman Hill  
20 to continue as the Chair. The motion from Ms. White,  
21 seconded by Ms. John, and in support of that motion is Mr.  
22 Hill, Chairman Hill and --

23 CHAIRPERSON HILL: Okay. Great. Vice Chair Hart,  
24 do you have anything you'd like to say?

25 VICE CHAIRPERSON HART: Only that I'm honored to

1 be the Vice Chair again and I look forward to a new year.

2 CHAIRPERSON HILL: Thank you. And I do want to  
3 say something. I really do appreciate the nomination and the  
4 support that I've been given by everyone here on the Board  
5 and I do very much appreciate the opportunity to serve the  
6 city and appreciate that Mayor Muriel Bowser has allowed me  
7 to be here in this effort. And so, but I do appreciate all  
8 my colleagues. I really enjoy it very much, so thank you  
9 very much. Thank you for the honor.

10 Okay. Mr. Moy, is that it?

11 MR. MOY: Nothing else from the staff, Mr.  
12 Chairman.

13 CHAIRPERSON HILL: Okay. Great. Then we stand  
14 adjourned.

15 (Whereupon, the hearing was concluded at 2:27  
16 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCZC

Date: 02-06-19

Place: Washington, DC

was duly recorded and accurately transcribed under  
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