

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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REGULAR PUBLIC HEARING

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WEDNESDAY

April 26, 2023

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The Regular Public Hearing of the District of Columbia Board of Zoning Adjustment convened via teleconference pursuant to notice at 9:30 a.m. EDT, Fred Hill, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

FRED HILL, Chairperson
LORNA JOHN, Vice Chairperson
CHRISHAUN SMITH, Commissioner
PETER MAY, Zoning Commissioner

BOARD OF ZONING ADJUSTMENT STAFF PRESENT:

CLIFFORD MOY, Secretary
PAUL YOUNG, Data Specialist

BOARD OF ZONING ADJUSTMENT LEGAL COUNSEL:

RYAN NICHOLAS, Esquire
MARY NAGELHOUT, Esquire

The transcript constitutes the minutes from the Regular Public Hearing held on April 26, 2023.

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

Case No. 20770
Application of District Properties.com, LLC 7

Case No. 20771
Application of District Properties.com, LLC 7

Case No. 20855
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Case No. 19943B
Application of Mills Building Associates, LLC
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Application of Amanda and Aaron Meyers 30

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

2 (9:30 a.m.)

3 CHAIRPERSON HILL: Good morning, ladies and gentlemen
4 and the Board of Zoning Adjustment. Today's date is 04/26/2023.
5 This public hearing will please come to order. My name is Fred
6 Hill,' Chairperson of the District of Columbia Board of Zoning
7 Adjustment. Joining me today is Lorna John, Vice Chair, and
8 Chrishaun Smith and Zoning Commissioner Peter May.

9 Today's meeting and hearing agendas are available on
10 the Office of Zoning's website. Please be advised that this
11 proceeding is being recorded by a court reporter and is also
12 webcast live via Webex and YouTube Live. The video of the webcast
13 will be available on the Office of Zoning's website after today's
14 hearing. Accordingly, everyone who is listening on Webex or by
15 telephone will be muted during the hearing. Also, please be
16 advised that we do not take any public testimony at our decision
17 meeting session.

18 If you are experiencing difficulty accessing Webex or
19 with your telephone call-in, then please call our OZ hotline
20 number at 202-727-5471 to receive Webex log-in or call-in
21 instruction.

22 At the conclusion of a decision meeting session, I
23 shall, in consultation with the Office of Zoning, determine
24 whether a full or summary order may be issued. A full order is
25 required when the decision it contains is adverse to a party,

1 including an affected ANC. A full order may also be needed if
2 the Board's decision differs from the Office of Planning's
3 recommendation. Although the Board favors the use of summary
4 orders whenever possible, an applicant may not request the Board
5 to issue such an order.

6 In today's hearing session, everyone who is listening
7 on Webex or by telephone will be muted during the hearing, and
8 only persons who have signed up to participate or testify will
9 be unmuted at the appropriate time. Please state your name and
10 home address before providing oral testimony or your
11 presentation. Oral presentations should be limited to a summary
12 of your most important points. When you have finished speaking,
13 please mute your audio so that your microphone is no longer
14 picking up sound or background noise.

15 Once again, if you're experiencing difficulty accessing
16 Webex or with your call-in, please call the OZ hotline number at
17 202-727-5471 which is also listed on the screen.

18 All persons planning to testify either in favor or in
19 opposition should have signed up in advance. They'll be called
20 by name to testify. If this is an appeal, only parties are
21 allowed to testify. By signing up to testify, all participants
22 completed the oath or affirmation as required by Subtitle Y,
23 Section 408.7. Requests to enter evidence at the time of an
24 online virtual hearing, such as written testimony or additional
25 supporting documents, other than live video, which may not be

1 presented as part of the testimony, may be allowed pursuant to
2 Subtitle Y 103.13, provided that the person making the request
3 to enter an exhibit explains, A, how the proposed exhibit is
4 relevant, B the good cause that justifies allowing the exhibit
5 into the record, including an explanation of why the requester
6 did not file the exhibit prior to the hearing pursuant to Subtitle
7 Y, Section 206, and, C, how the proposed exhibit would not
8 unreasonably prejudice any parties.

9 The order of procedures for special exceptions and
10 variances are pursuant to Y 409. The appeal is pursuant to
11 Subtitle Y 507.

12 At the conclusion of each case, an individual who was
13 unable to testify because of technical issues may file a request
14 for leave to file a written version of the planned testimony to
15 the record within 24 hours following the conclusion of public
16 testimony and the hearing. If additional written testimony is
17 accepted, then parties will be allowed a reasonable time to
18 respond as determined by the Board. The Board will then make
19 its decision at its next meeting session, but not earlier than
20 48 hours after the hearing. Moreover, the Board may request
21 additional specific information to complete the record. The
22 Board and the staff will specify at the end of the hearing exactly
23 what's expected and the date when persons must submit the evidence
24 to the Office of Zoning. No other information shall be accepted
25 by the Board.

1 Finally, the District of Columbia Administrative
2 Procedures Act requires that the public hearing on each case be
3 held in the open before the public. However, pursuant to Sections
4 405(b) and 406 of that Act, the Board may, consistent with its
5 rules of procedures and the Act, enter into a closed meeting on
6 a case for purposes of seeking legal counsel on a case pursuant
7 to D.C. Official Code Section 2-575(b)(4) and/or deliberating on
8 a case pursuant to D.C. Official Code Section 2-575(b)(13), but
9 only after providing the necessary public notice and in the case
10 of an emergency closed meeting after taking a roll call vote.

11 Mr. Secretary, do we have any preliminary matters?

12 You're on mute, Mr. Moy, if you are saying anything.

13 COMMISSIONER SMITH: No, we still can't hear you, Mr.
14 Moy.

15 CHAIRPERSON HILL: Nope, still can't hear you, Mr. Moy.

16 All right. While Mr. Moy is calling, I have received
17 information that is changing my world. To mark a text as unread
18 you hold the button down and then a little icon will pop up and
19 you can say mark unread. It's fantastic. It has now changed my
20 world for probably the worse, because now all my texts will be
21 marked unread as I have to follow back up on things. But I
22 couldn't figure out how to do that. And to the person that sent
23 that out, thank you so much. OMG.

24 Okay. Well, I know who the one was that -- thanking
25 that gentleman personally. Thank you for changing my little

1 world. We're still waiting for Mr. Moy.

2 MR. MOY: This one, is this one working?

3 CHAIRPERSON HILL: There we go, we got you.

4 MR. MOY: Okay. Okay. They can hear me now. Al right.

5 Thanks, Paul.

6 Am I still good Mr. Chairman?

7 CHAIRMAN HILL: We can hear you. Do we have any
8 preliminary matters, Mr. Moy?

9 MR. MOY: Oh, man, really sorry about that. Geez.
10 Okay. After all these years. Okay. I do, very quickly,
11 regarding today's docket. First, we have two applications that
12 have been rescheduled to a future date. The first is Application
13 No. 20770 of District Properties.com rescheduled to July 19th,
14 2023. And the second application is Case No. 20771 also of
15 District Properties.com rescheduled to July 26, 2023.

16 Other than that, Mr. Chairman, we do have preliminary
17 matters attendant to Appeal No. 20782 of Carol Howell, but I'll
18 bring them to your attention when I call the case.

19 CHAIRPERSON HILL: Okay. Great. All right. The first
20 case I am actually not on. It's a decision case. I believe it's
21 20855, and so I do very much appreciate Commissioner May for
22 reading into that one. And I will pop out and I'll let Vice
23 Chair John do it. Thank you.

24 VICE CHAIR JOHN: Thank you, Mr. Chairman.

25 So this case was continued because the Board requested

1 additional information from the Applicant --

2 MR. MOY: Pardon me, Madam Vice Chair. May I call the
3 case first into the record?

4 VICE CHAIR JOHN: Oh, but of course, Mr. Moy.

5 MR. MOY: No, I -- you can do it too, but I would not
6 mind at all. Anyhow. So for the transcript for the record, the
7 first decision making case before the Board is Application No.
8 20855 of 4402 Georgia, N.W., LLC. This is a self-certified
9 application pursuant to Subtitle X, Section 901.2 for special
10 exceptions under Subtitle C, Section 703.2 from the minimum
11 vehicle parking requirements of Subtitle C, Section 701.
12 Property located in the MU-4 zone at 4402 Georgia Avenue, N.W.,
13 Square 2917, Lot 89. And as the Vice Chair was going to say,
14 the Board last heard this at its public hearing on March 29th,
15 2023, and set this for decision and participating is Vice Chair
16 John, Board Member Mr. Smith, and now Zoning Commissioner Peter
17 May.

18 VICE CHAIR JOHN: Thank you, Mr. Moy.

19 So as I started saying earlier, we continued the case
20 so that the Applicant could provide additional information
21 concerning the placement of AC units on the roof and location of
22 the trash containers at the rear.

23 And I've reviewed the Applicant's supplemental
24 information and the Applicant has provided additional bike
25 storage in the basement level in the rear yard and has now located

1 six AC units on the roof and six in the rear yard. And the
2 revised plans show the enclosed trash at the rear as well.

3 With respect to trash collection, the Applicant states
4 that there will be no trash collection on Georgia Avenue and that
5 trash will be collected through the building, which is customary
6 on Georgia Avenue -- well, which is not unusual.

7 There was also a report from the ANC, and that report
8 comes with conditions with which we can discuss if the Board
9 decides to grant the application. OP is in support of the
10 application, and I believe it is OP that wanted trash to be sto-
11 -- I'm sorry -- short-term bicycle parking spaces to be located
12 at the front of the building. We can also discuss that as well.

13 So I believe the Applicant has met the criteria for
14 relief from the parking requirement because there is no alley,
15 and so the Applicant is not able to make that happen. And there's
16 also no parking within 600 feet of the building as represented
17 by the Applicant. So this is a fairly straightforward request
18 for parking relief, and I'm inclined to support the Application.
19 And I'd like to hear from everyone else and then we can discuss
20 the conditions or please feel free to discuss them in addition -
21 - you know, at the same time.

22 So who wants to start? Mr. Smith?

23 COMMISSIONER SMITH: I'll start. I, by and large,
24 agree with everything that you stated, Ms. John, and I thank the
25 Applicant for making the revisions to the record to account for

1 some of our concerns regarding trash pickup and bike storage.
2 And the Applicant has, for the most part, you know, met some of
3 those questions that were raised. As you stated, the property
4 doesn't have alley access. It's a very small narrow lot. So
5 being able to provide any type of parking on the site or render
6 any redevelopment improbable on the site probably from a space
7 and a financial standpoint.

8 So I am fairly comfortable with -- I do believe that
9 the Applicant's met the burden of proof for us to grant special
10 exception to reduce the amount of parking from one to zero. But
11 in light of that, I do believe that they should, you know, provide
12 some long-term and short-term bike parking to mitigate some of
13 those impacts of us reducing the parking requirement. And the
14 Applicant has stated that there will be long-term bike parking
15 spaces within the basement and two short-term bike parking
16 spaces. And you know, I recognize that DDOT recommended that one
17 of those short-term parking spaces be located in the public space
18 in the front of the building. I do not believe that this Board
19 is empowered to condition anything within the public right-of-
20 way. So I don't believe that we should include that particular
21 condition within the order. The zoning ordinance does state
22 there is a minimum number of short-term and long-term bike parking
23 spaces that are needed and that would be -- the placement of
24 those will be negotiation between the Applicant and the Office
25 of Buildings at the time of site planning and building permit.

1 So I'm comfortable with not including that condition.
2 (Indiscernible) --

3 VICE CHAIR JOHN: Thank you, Mr. Smith.

4 COMMISSIONER SMITH: -- that, I'll support the
5 application.

6 VICE CHAIR JOHN: Thank you, Mr. Smith.

7 Commissioner May, thank you for reading in.

8 ZC COMMISSIONER MAY: My pleasure. I was hoping to
9 actually have participated in this case when it was heard by the
10 Board, but had to leave unexpectedly. So I was happy to review
11 everything so I could participate in the decision making. I
12 agree with what Board Member Smith has stated in his rationale.
13 I do think this is very straightforward. It's kind of -- I rarely
14 say anything like this, but it's kind of open and shut, right?
15 There's a right to develop the property. There is not a
16 possibility of creating a parking space associated with it. And
17 the level of relief, you know, from one parking space to zero is
18 really very small. And the, you know, whatever conditions
19 actually go to mitigating that relief I think are appropriate.
20 So the conditions related to bike storage within the building
21 make sense. I'm not sure how well that's going to work on a
22 basement level in a building without an elevator, but I don't
23 know, maybe people are better at carrying their bikes around than
24 I am, and maybe I was better at that when I was younger. In any
25 case, I think this is -- the relief is pretty straightforward.

1 The support that it has from the Office of Planning and the ANC
2 makes sense. There's certain conditions that were included in
3 the discussions with the ANC that are not relevant to the relief,
4 so I don't think that we should be including them, and
5 particularly the IZ condition, which I'm glad to have the ANC
6 pushing for such an agreement from a developer, but it's -- again
7 it does not go to the specific relief that's requested here. So
8 I don't believe it's relevant to or should be included as a
9 condition in our decision making. So that's all that I would
10 add. Thank you.

11 VICE CHAIR JOHN: Thank you, Commissioner May. So I'm
12 in agreement with your comments as well as Board Member Smith's
13 comments, and the additional conditions that the ANC has
14 recommended really do not go to mitigation of the parking
15 question, including the construction -- the agreement regarding
16 construction and environmental concerns.

17 I do note that the regulations allow parking -- I'm
18 sorry, short-term parking in public space, but that is subject
19 to an application approved by DDOT. So that condition is also
20 not appropriate for the Board to include.

21 And so based on what everyone else said, I'm going to
22 make a motion to approve Application No. 20855 as captioned and
23 read for -- I'm sorry. Okay. Let's -- I believe that's an echo.
24 I don't know how to stop it. Okay. Let me try to finish the
25 sentence and then I'll sign off and start again. I' make a motion

1 to approve Application No. 20855 as captioned and read by the
2 secretary and ask for a second, Mr. Smith?

3 COMMISSIONER SMITH: Second.

4 VICE CHAIR JOHN: Mr. Moy, would you please take the
5 roll call?

6 MR. MOY: Yes. Thank you, Madam Vice Chair. So when
7 I call your name, if you'll please respond to the motion made by
8 Vice Chair John to approve the application for the special
9 exception relief that is requested. The motion to approve was
10 second by Mr. Smith.

11 Zoning Commissioner Peter May?

12 ZC COMMISSIONER MAY: Yes.

13 MR. MOY: Mr. Smith?

14 COMMISSIONER SMITH: Yes.

15 MR. MOY: Vice Chair John?

16 VICE CHAIR JOHN: Yes.

17 MR. MOY: Then staff would record the vote as three to
18 zero to two. We have two members not participating. Again,
19 record the vote as three to zero to two on the motion made by
20 Vice Chair John to approve the application. The motion to approve
21 was second by Mr. Smith who is also in support of the motion as
22 well as support to approve from Zoning Commissioner Peter May,
23 again also from Mr. Smith, Vice Chair John. Motion carries on a
24 vote of three to zero to two.

25 VICE CHAIR JOHN: Thank you, Mr. Moy.

1 Chairman Hill?

2 CHAIRMAN HILL: Hey, everybody.

3 Vice Chair John, do you want to pop off and pop back
4 on and see if your audio or are you okay?

5 VICE CHAIR JOHN: Are you still hearing it?

6 CHAIRPERSON HILL: I can still hear you. I don't hear
7 the delay. It sounds good.

8 VICE CHAIR JOHN: I don't hear it -- yeah, I don't hear
9 it either, so.

10 CHAIRMAN HILL: Okay.

11 VICE CHAIR JOHN: Let's continue and then I'll -- if
12 it comes back, I will log off and log on again. Thank you.

13 CHAIRPERSON HILL: Okay. Mr. Moy, do you want to call
14 our next decision please?

15 MR. MOY: Yes, sir. So this would be Application No.
16 19943B of Mills Building Association, LLC and White House
17 Historical. This is a minor modification pursuant to Subtitle
18 Y, Section 703 to plans approved in Order No. 19943 and modified
19 by Order No. 19943A, says to expand the authorized used to include
20 the museum/visitor center and meeting uses in addition to office
21 and retail use. Property located in the D-5/D-6 zone at 1700
22 Pennsylvania Avenue, N.W., Square 168, Lot 150. And I believe
23 that's all I have for you, Mr. Chairman.

24 CHAIRPERSON HILL: Thank you, Mr. Moy.

25 Commissioner May, I sent you a text just to kind of

1 mention that to you. As far as this case, I did review the
2 record, I really didn't have any issues with it. I mean, there's
3 no material facts that are being changed from the Board's original
4 approval. I mean, they're now trying to do a museum and gift
5 shops there. The space more or less seems to be the same. The
6 only part that -- I would agree with the analysis of the Office
7 of Planning provided as well as that of DDOT. The ANC did submit
8 a letter, and as I was reading it, I didn't see whether it said
9 they were in support or not. I assume it's support because
10 they're not stating that it's not in support, but am I missing
11 something? Did you all see something different? And I'll let
12 y'all let me know what you think. But I'm going to vote in favor
13 of this. Maybe y'all can tell me what you saw in that ANC letter.
14 Commissioner -- or not commissioner -- Mr. Smith, do you have
15 anything to add?

16 COMMISSIONER SMITH: No, I don't have anything to add.

17 CHAIRPERSON HILL: Okay.

18 Vice Chair John?

19 VICE CHAIR JOHN: I don't have anything.

20 I think it's the system this morning because I'm
21 hearing the echoe from other people as well.

22 CHAIRPERSON HILL: Commissioner May -- for the record,
23 Ms. John said she doesn't have anything to add. Commissioner
24 May?

25 ZC COMMISSIONER MAY: I don't have anything to add

1 either. Thank you.

2 CHAIRPERSON HILL: Okay. I'm going to suggest -- well,
3 I guess we just chug along here. Mr. Smith had an echo when he
4 spoke. Mr. Smith, would you mind saying something again?

5 COMMISSIONER SMITH: Yeah. It must be the system. I'm
6 not getting an echo.

7 CHAIRPERSON HILL: Yeah. I only get the echo when --
8 now I'm getting an echo. Will you mute yourself, Mr. Smith?
9 Yeah. Now I'm not getting an echo. So it may be you Mr. Smith,
10 I don't know. But I'm fine with that. I just -- we can kind of
11 just chug along here.

12 And so I'm going to go ahead and make a motion to
13 approve Application No. 19943B, as in boy, and ask for a second,
14 Ms. John?

15 VICE CHAIR JOHN: Second.

16 CHAIRPERSON HILL: The motion made and seconded, Mr.
17 Moy, if you'd take the roll call. And I'm going to mute myself
18 because maybe that'll do it, I don't know.

19 MR. MOY: When I call your name, if you'll please
20 respond to the motion made by Chairman Hill to approve the request
21 for a modification of consequence. The motion to grant the
22 modification was second by Vice Chair John.

23 Zoning Commissioner Peter May?

24 ZC COMMISSIONER MAY: Yes.

25 MR. MOY: Mr. Smith?

1 COMMISSIONER SMITH: Yes.

2 Are you still getting an echo?

3 MR. MOY: You're good for now, sir.

4 CHAIRPERSON HILL: Now I got the echo when you
5 unclicked, but whatever.

6 MR. MOY: Okay. Mr. Smith responded in the affirmative.
7 Vice Chair John?

8 VICE CHAIR JOHN: Yes.

9 MR. MOY: Chairman Hill?

10 CHAIRPERSON HILL: Yes.

11 MR. MOY: Staff would record the vote as four to zero
12 to one. We have one member not present. This goes to the motion
13 made by Chairman Hill to approve. The motion to approve was
14 second Vice Chair John, who is in support of the motion to approve
15 as well as support -- or vote to approve from Zoning Commissioner
16 Peter May, Mr. Smith, and again Vice Chair John, Chairman Hill.
17 The motion carries, sir, on a vote of four to zero to one.

18 CHAIRPERSON HILL: Thank you, Mr. Moy. Do you want
19 to call our first hearing case?

20 MR. MOY: The first hearing case is Appeal No. 20782
21 of Carol Howell, that's H-O-W-E-L-L. This is an appeal from a
22 decision made on August 9th, 2021, by the zoning administrator,
23 Department of Consumer and Regulatory Affairs to approve minor
24 deviation for lot occupancy in connection with Building Permit
25 No. B2011821. Property is located in the RF-3 zone at 316 2nd

1 Street, S.E., Square 763, Lot 21.

2 Again, as I mentioned earlier, Mr. Chairman, there are
3 preliminary matters in this application. The first being --
4 well, there is a motion to dismiss, but I can go through each
5 one of these if you need it. Other than that, I believe all the
6 parties to this application are present, Mr. Chairman.

7 CHAIRPERSON HILL: Okay. That's right. I kind of
8 think I know what's going to happen with this, so.

9 Let's see, i's Mr. Hall with us?

10 MR. HALL: Yes, Mr. Hall is with you.

11 CHAIRPERSON HILL: Okay. Can you please introduce
12 yourself for the record please?

13 Yes, David Hall, attorney, I represent Carol Howell.

14 CHAIRPERSON HILL: Okay. And then let's see, the
15 property owners are being represented by whom, and/or is the --
16 the Department of Buildings, could you identify yourself please?

17 MR. FULLER: Good Morning. It's Brent Fuller on behalf
18 of Department of Buildings.

19 CHAIRPERSON HILL: Okay, Mr. Fuller, well, welcome.
20 All right. So and I don't see whether the property owner's
21 representatives are here, are they, or is the property owner
22 here?

23 MR. FULLER: I don't -- my understanding I think was
24 that they were -- because there was a motion to dismiss that was
25 filed, that they have already filed a concurring --

1 CHAIRPERSON HILL: Yes.

2 MR. FULLER: -- motion. But I don't think they were
3 going to appear today.

4 CHAIRPERSON HILL: I got it. Okay, Mr. Fuller.

5 So Mr. Fuller and Mr. Hall, I hate to do this to you
6 guys, but apparently per the regulations because of some
7 rezonings that happened with the ANCs, the SMD wasn't notified.
8 So we have to let the SMD be notified and then we're going to
9 come back and determine whether or not we think this is moot or
10 not.

11 And the time that I think, Mr. Moy, you thought that
12 we had to give, there was a certain number of days, and I can't
13 remember when you and I were talking about when we might be able
14 to come back to this. Mr. Moy, did you have that date?

15 MR. MOY: I believe, Mr. Chairman, we -- the Board
16 could return I would say probably as early as June 28. But my
17 understanding from our legal staff that we would only need 30 or
18 40 days to reset this. So if you want to do that sooner, we can
19 do an earlier date, but right now, I'm looking at June 28.

20 CHAIRPERSON HILL: Okay. What's the one after that?

21 MR. MOY: The date after June 28 --

22 CHAIRPERSON HILL: Yeah.

23 MR. MOY: -- would be July the 12th.

24 CHAIRPERSON HILL: Okay. Let's do July 12th because
25 the 28th there's some possible conflict there.

1 And so, Mr. Fuller and Mr. Hall, I mean, there's a lot
2 in the record, and I know that I think, Mr. Hall, you, as I
3 recall, your client was not interested in -- they wanted us still
4 to figure out whether there was anything for us to actually hear
5 and rule on, correct, Mr. Hall?

6 MR. HALL: Yes. Ms. Howell does not want to withdraw
7 the appeal, but it -- she does anticipate a ruling on the motion
8 to dismiss.

9 CHAIRPERSON HALL: Okay. Yeah, she doesn't have to
10 withdraw -- I mean, I guess what I'm trying to say is there's -
11 - I don't want also to -- what am I trying to say --waste your
12 time.

13 MR. HALL: I understand.

14 CHAIRPERSON HILL: And in terms of also cost to your
15 Applicant -- I mean, sorry to your client. I mean, I will just
16 state that I have reviewed the record and I think that based upon
17 what is in the record and that this is no longer really kind of
18 before us anymore, it's probably, I think, going to -- at least
19 my thought would be that this is going to become a moot issue.
20 And so but you're welcome to come back on the 12th, as are you,
21 Mr. Fuller. I know you have to because it's your job. And so
22 we'll see you on the 12th.

23 And then, Mr. Moy, the SMD will be notified.

24 Mr. Hall, do you have any questions on anything I just
25 said?

1 MR. HALL: Yes, just one question. Who's going to
2 notify the SMD?

3 CHAIRPERSON HILL: It'll be the Office of Zoning.

4 MR. HALL: Okay. One other question. My client has -
5 - you were mentioning costs. My client has two experts. Since
6 the motion to dismiss is going to be taken as a preliminary matter
7 and my client anticipates that it will likely be granted, is
8 there any way that the panel could excuse the experts' appearance
9 on the 12th with respect to cost to my client?

10 CHAIRPERSON HILL: Yeah. Mr. Hall, I don't think you
11 need to bring those ex- -- it's up to your client. I can't tell
12 you what's going to happen. I'm indicating what I think will
13 happen.

14 MR. HALL: I understand.

15 CHAIRPERSON HILL: And so you know, I don't think we're
16 going to be speaking to your experts probably on the 12th. If,
17 however, it turns out -- I mean, I don't know exactly what's
18 going to happen, as I said. If it turns out on the 12th that
19 the Board, for some reason, wants to talk to experts or something
20 happens with the Single Member District representative, then we
21 will go ahead and, you know, grant a continuance, I suppose, if
22 that's something that you want to do and your client wants to
23 do. But again, I don't think this is going to be something that
24 your client wants to spend more money on.

25 MR. HALL: Thank you.

1 CHAIRPERSON HILL: Okay. Anything else, Mr. Hall?

2 MR. HALL: No, sir.

3 CHAIRPERSON HILL: Okay. I see Vice Chair John's hand
4 up. Before I get to Vice Chair John, Mr. Fuller, do you have
5 any questions?

6 MR. FULLER: I don't have anything. Thank you.

7 CHAIRPERSON HILL: Okay.

8 Vice Chair John?

9 VICE CHAIR JOHN: Thank you, Mr. Chairman. I was just
10 going to ask for some clarification of what is it the Board is
11 being asked to decide. I read the record, and I'm not quite
12 sure. Because if -- well, maybe the Appellant can explain what
13 the Board is being asked to decide based on what's happened with
14 the Department of Buildings.

15 MR. HALL: The Board is being asked to rule on a motion
16 to dismiss.

17 VICE CHAIR JOHN: Yes, but what is it before the Board,
18 what is the subject matter that the Board must decide if it
19 doesn't dismiss?

20 MR. HALL: The subject matter is a decision on my
21 client's rights to privacy, air, and light to her adjoining
22 property. Her property shares a party line. There's also notice
23 issues and there's also other issues with respect to -- well,
24 it's a complicated case. Those other issues wouldn't come in
25 because there's been a new building permit filed, B2300045. So

1 my client would have rights of challenging what happens under
2 that building permit once there's some administrative action,
3 which there hasn't been.

4 So you know, things are kind of convoluted. I think
5 my best answer to you is to say that there'll be a motion to
6 dismiss that's decided by the panel. Everything else might fall
7 under the new building permit, which is not in front of you.

8 VICE CHAIR JOHN: Right. And that's what's confusing
9 to me, it's not in front of us.

10 MR. HALL: That's right.

11 VICE CHAIR JOHN: And so what is left?

12 MR. HALL: The motion to dismiss the existing appeal
13 of my client.

14 CHAIRPERSON HILL: Which I guess, Vice Chair John,
15 we're still waiting now, we have to notify the SMD and then we
16 can process it. I think I know your question, Vice Chair John,
17 or understand it. And I think I can give you a call later. But
18 I know that there was some outstanding issue that we thought we
19 were going to have to work through, and I don't know if that's
20 the case anymore, but I know that we have to wait for the SMD.

21 VICE CHAIR JOHN: Okay. Thank You.

22 MR. FULLER: Would it be helpful -- my understanding
23 is that the Appellant filed a line noting that she does not oppose
24 our motion to dismiss. Would it be helpful to move things along
25 if they notified the Board that they're actually consenting to

1 our motion to dismiss? I don't know if that makes any difference
2 or not and/or if you guys, regardless, you have to provide this
3 additional notification, right?

4 CHAIRPERSON HILL: Mr. Hall, If you want to submit
5 anything into the record that you think might provide more clarity
6 as to what your client feels about this motion to dismiss, please
7 do so.

8 MR. HALL: Absolutely.

9 CHAIRPERSON HILL: We're waiting because we have to
10 wait for the SMD per the regulations.

11 MR. HALL: Yes, we certainly will do that.

12 CHAIRPERSON HILL: Okay. Great. All right. I'll see
13 you guys on 07/12 whether I like it or not. Okay?

14 MR. HALL: Thank you.

15 MR. FULLER: Thank you.

16 CHAIRPERSON HILL: Thank you. We'll see y'all on 07/12.
17 Okay. Bye-bye.

18 Thanks, Mr. Moy. Okay. You can call our next one, Mr.
19 Moy.

20 MR. MOY: So the next case before the Board is
21 Application No. 20869 of Colleen Durbin and Nicholas Tabori. T-
22 A-B-O-R-I. This is a self-certified application pursuant to
23 Subtitle X, Section 901.2 for a special exception under Subtitle
24 E, Section 5201 from the lot occupancy requirements of Subtitle
25 E, Section 304.1. Property is located in the RF-1 zone at 336

1 11th Street, N.E., Square 963, Lot 19. And I believe that's all
2 I have for you, Mr. Chairman.

3 CHAIRPERSON HILL: Okay, great. Thanks, Mr. Moy.

4 Could the Applicant please introduce themselves for the
5 record?

6 MS. FOWLER: Hi, good morning, everybody. Can you hear
7 me?

8 CHAIRPERSON HILL: Yes.

9 MS. FOWLER: Okay. Hi, I'm Jennifer Fowler. I'm the
10 architect representing the homeowners.

11 CHAIRPERSON HILL: Good Morning, Ms. Fowler.

12 MS. FOWLER: Good morning.

13 CHAIRPERSON HILL: If you could please walk us through
14 your application as to why you believe your client is meeting the
15 criteria for us to grant the relief requested? I'm going to put
16 15 minutes on the clock so I know where we are, and you can begin
17 whenever you like.

18 MS. FOWLER: Okay. Thank you.

19 So this is a single-family residence on 11th Street,
20 N.E. The project is to basically fill in the dogleg on the first
21 floor for a kind of kitchen expansion project, and that is the -
22 - kind of the element of relief that's required for this -- excuse
23 me -- project. And so currently we're at 61 percent occupancy,
24 and the dogleg infill's taking us to 66.5 percent.

25 Along with this, there's also a third-floor addition

1 that does not require BZA, but we did include it in the record
2 for the filing and as well for the HPRB process. The third floor
3 is well below the 60 percent cutoff. So we're really just looking
4 at this very small project. The project that we're asking for
5 relief does not have really any impact on light and air on either
6 neighbor. It's completely within the dogleg. And the adjacent
7 property at 334 has a solid party wall with no windows that the
8 addition will be kind of -- so it's basically connecting my
9 client's dogleg wall with the party wall. So any additional
10 views from the first floor will be kind of really just looking
11 into their own backyard and there will be no more shadows cast
12 with that.

13 We are proposing a little balcony on the second floor
14 above the kitchen, which will add some views into the rear yard
15 of the adjacent properties, but I think that they're really not
16 much more visibility than you would get from kind of the rear
17 bedroom windows because it is tucked into that dogleg. That
18 said, we do have support letters in the records from 334, Ms.
19 Lopez, who is the neighbor on the side where the addition is
20 going. And we also have support from Mr. Rupert who owns the -
21 - there's a apartment across the alley at 1015 D, N.E. So those
22 are the two primarily impacted by this proposal, or potentially
23 impacted. And they both have seen the plans and have supported.

24 Efforts were made to get a letter from 338. However,
25 the owner of that property passed away within the last few months

1 and it's been in probate, so they were not ever able to get a
2 hold of anybody that had the authority to sign a letter for 338.
3 However, there is, because it's on the other side of the dogleg,
4 it's -- they were not going to be impacted either way.

5 We do have Office of Planning support. ANC has
6 supported the project, and the restoration of society. So again,
7 it's been very well received, and with that I'll just leave it
8 open to questions.

9 CHAIRPERSON HILL: Okay, great. Thank you, Ms. Fowler.

10 Before I turn to questions, I'd like to just run through
11 with the Office of Planning if I could. Could we hear from the
12 Office of Planning please?

13 MR. KIRSCHENBAUM: Good morning, Chair Hill and
14 members of the Board of Zoning Adjustment. I'm Jonathan
15 Kirschenbaum with the Office of Planning and we recommend
16 approval of the lot occupancy special exception relief. Please
17 let me know if you have any questions. Thank you.

18 CHAIRPERSON HILL: Okay, great. Thank you, Mr.
19 Kirschenbaum.

20 Does the Board have any questions of either the
21 Applicant or the Office of Planning?

22 Okay. Mr. Young, is there anyone here wishing to speak?

23 MR. YOUNG: We do not.

24 CHAIRPERSON HILL: Okay. Ms. Fowler, is there anything
25 you'd like to add at the end?

1 MS. FOWLER: No. Thank you so much for your time.
2 Thank you, Mr. Kirschenbaum, as well.

3 CHAIRPERSON HILL: Okay. Thank you.

4 Mr. Young, if you could please excuse the Applicant and
5 the Office of Planning and anyone else.

6 Commissioner May, as I might not have an opportunity
7 to do this a whole lot more, would you like to begin, Commissioner
8 May?

9 ZC COMMISSIONER MAY: Well, there's not a whole lot to
10 say here.

11 CHAIRPERSON HILL: That's why I asked you to begin it,
12 Commissioner May.

13 ZC COMMISSIONER MAY: I will keep it very brief. It
14 is -- this is a very straightforward case. I mean, generally
15 speaking, filling in doglegs is often not a good idea from an
16 architecture or planning perspective. In this case, it's got no
17 real implications for the neighboring properties. So I -- there's
18 nothing really to be concerned about here. The fact that there's
19 support from the Office of Planning, I think we have a late report
20 from the ANC in support, and so I don't see any issues with this.
21 Maybe I'm wrong about that, we got some late reports. But yeah,
22 I don't see any issues with this whatsoever. I'm just confirming
23 that the ANC support. Yeah, they voted to support. So yeah, I
24 mean, this is very straightforward. I don't have any concerns
25 about proceeding with it.

1 CHAIRPERSON HILL: Great. Thank you.

2 Mr. Smith?

3 COMMISSIONER SMITH: I agree with everything that Mr.
4 May stated to the testament of the Applicant and the Office of
5 Planning, and the dialog between the Office -- I mean, the
6 Applicant and the ANC. This is a fairly straightforward
7 application. I do believe they've met the burden of proof for
8 us to grant the special exception in accordance with the standards
9 in E 5201 and the general special exception standards.

10 I will note that they have a letter in support from the
11 Capitol Hill Restoration Society who heavily weighs in on a lot
12 of these expansions we see in the Capitol Hill area, and I will
13 also support the application.

14 CHAIRPERSON HILL: Okay. Great. Thank you.

15 Vice Chair John?

16 VICE CHAIR JOHN: I have nothing to add, Mr. Chairman.
17 I am in support of the application. It's quite straightforward.

18 CHAIRPERSON HILL: Okay. Great. Thank you.

19 I'll make a motion to approve -- I have nothing else
20 to add to my colleagues, thank you for your thoughts. I'm going
21 to make a motion to approve Application No. 20869 as captioned
22 and read by the secretary and ask for a second, Ms. John?

23 VICE CHAIR JOHN: Second.

24 CHAIRPERSON HILL: The motion's been made and seconded,
25 Mr. Moy, if you'd take a roll call?

1 MR. MOY: Yes, thank you, Mr. Chairman. When I call
2 your name if you'll please respond to the motion made by Chairman
3 Hill to approve the application for the special exception relief
4 being requested. The motion to approve was second by Vice Chair
5 John.

6 Zoning Commissioner Peter May?

7 ZC COMMISSIONER MAY: Yes.

8 MR. MOY: Mr. Smith?

9 COMMISSIONER SMITH: Yes.

10 MR. MOY: Vice Chair John?

11 VICE CHAIR JOHN: Yes.

12 MR. MOY: Chairman Hill?

13 CHAIRMAN HILL: Yes.

14 MR. MOY: And we do not have another Board member.
15 Staff would record the vote as four to zero to one. And this is
16 on the motion made by Chairman Hill to approve. The motion to
17 approve was second by Vice Chair John, who is also in support of
18 the motion to approve, as well as support to the motion to approve
19 from Zoning Commissioner Peter May, Mr. Smith, and of course Vice
20 Chair John and Chairman Hill. The motion carries, sir, on a vote
21 of four to zero to one.

22 CHAIRPERSON HILL: Okay. Thank you, Mr. Moy. If you
23 could go ahead and call our final case, Mr. Moy.

24 MR. MOY: All right. So the case before the Board is
25 Application No. 20870 of Amanda and Aaron Meyers, M-E-Y-E-R-S.

1 This is a self-certified application pursuant to Subtitle X,
2 Section 901.2 for special exceptions under Subtitle E, Section
3 205.5 which would allow the construction of the rear wall of an
4 attached building to extend more than ten feet beyond the farthest
5 rear of any principal residential building, and under Subtitle
6 E, Section 5201 from the lot occupancy requirements of Subtitle
7 E, Section 304.1. Property is located in the RF-1 zone at 1236
8 Walter Street, S.E., Square 1015, Lot 226. And I believe I also
9 -- this is all I have for you, Mr. Chairman.

10 CHAIRPERSON HILL: Okay, great. Thank you, Mr. Moy.

11 Could the Applicant please introduce themselves for the
12 record?

13 MR. FOWLER: Okay. Hi, this is Mike Fowler from Pella
14 Architects representing the homeowner.

15 CHAIRPERSON HILL: Okay. Mr. Fowler, nice to meet you.

16 Commissioner, could you introduce yourself for the
17 record please?

18 ANC COMMISSIONER JAYARAMAN: Sure. I am Commissioner
19 Chander Jayaraman. I serve as the vice chair of ANC 6B and
20 represent Single Member District 6B06.

21 CHAIRPERSON HILL: Okay, great. Welcome, Commissioner.

22 All right, Mr. Fowler, if you could go ahead and just
23 walk us through your application for your client and why you
24 believe they're meeting the criteria for us to grant the relief
25 requested? I'm going to put 15 minutes on the clock so I know

1 where we are, and you can begin whenever you would like.

2 MR. FOWLER: Okay. Thank you.

3 Yes. This is a single-family residence on Walter
4 Street. It's two-story without a basement or cellar. And we're
5 asking for relief for lot coverage and the ten-foot rear extension
6 requirements. We are proposing the removal of an existing garage
7 structure at the rear of the property and as well as a screen
8 porch that exists. The existing dogleg, I'd like to note, does
9 include a projection at the second-floor level with windows.
10 It's kind of like a bay window at the second floor, so the
11 existing open court isn't completely open. It's partially closed
12 at the second floor as it is.

13 So we are proposing the elimination or the enclosure
14 of that open court, what remains of it, and an extension of 20
15 feet to the rear with the goal of improving bedroom space, adding
16 a bathroom, and also adding two inboard rooms to be used as home
17 offices. We looked at options that were a little bit bigger. We
18 pushed to the 70 percent threshold. And we also looked at matter-
19 of-right. But in order to achieve all the goals that our client
20 was looking for, this size kind of fell kind of in the sweet spot
21 to allow for those inboard offices.

22 The first floor would include a living space and an
23 office space, powder room, and then the second floor would have
24 an additional bathroom and office and an improved bedroom space
25 at the rear. The front half of the house is really able to remain

1 existing. We don't need to touch, you know, the existing front
2 portion of the house with this solution. We are not extending
3 the height of the property.

4 And because there isn't an existing cellar, it's a slab
5 on grade construction, expanding downward would have been
6 challenging, as well as doing an addition upward. We briefly
7 considered what a rear three-story addition would look like, but
8 because of the adjacency or proximity to the alley and the heights
9 of the structures along Walter Street, we felt that anything that
10 increased the height that much would not be appropriate. So
11 without the option of extending downward or upward, we felt that
12 this rear addition was appropriate and it gave them, you know,
13 all their programmatic needs they needed inside without
14 increasing the lot coverage too much beyond what is existing. As
15 I said, we're kind of transferring coverage from the rear of the
16 property where the garage sits to the rear of the house.

17 I believe that's it as far as our description of the
18 project. We do have ANC support and we are on the consent
19 calendar for the HPRB meeting tomorrow. One aspect that we did
20 modify when we were looking at this for a historic application
21 was the style of the awning over the rear door. So that's
22 something that we would request just minor flexibility, not the
23 size or -- just the slope basically, the configuration, the style
24 of that awning at the rear. But otherwise, from a historic
25 standpoint, you know, it's on the consent calendar tomorrow, no

1 other comments. The style with the awning was more our decision,
2 but we came across more from a historic standpoint with that
3 decision than a zoning one I think. And with that, I'll leave
4 it to questions.

5 CHAIRPERSON HILL: Okay, great. Mr. Fowler, is there
6 anything you can direct me to that shows the style of the awning?

7 MR. FOWLER: The rear elevation on Sheet, I believe
8 it's, 10. We just have a little roof structure over that rear
9 door, and it pitches to either side. We just wanted to change
10 that to a shed so that it slopes away, you know, from the house
11 rather than to either side. It's just a little three-foot awning
12 over the rear door for rain.

13 CHAIRPERSON HILL: No, I understand. I see it now.
14 Okay, thank you.

15 Does the Board have any questions for the Applicant?
16 Okay. We can always come back.

17 Commissioner, did you have some testimony that you
18 would like to give to the Board?

19 COMMISSIONER JAYARAMAN: No, I'm just here representing
20 ANC 6B if there are any questions from the Board for the
21 commission's actions. I'll note it was approved nine-zero-zero
22 or unanimously. Thank you very much.

23 CHAIRPERSON HILL: Okay. Thanks, Commissioner. Thanks
24 for taking the time.

25 Does anybody have any questions of the Commissioner?

1 All right. Going to turn to the Office of Planning.

2 MS. THOMAS: Yes. Good morning, Mr. Chair, members of
3 the Board. Karen Thomas with the Office of Planning. And the
4 Office of Planning is recommending approval of the lot occupancy
5 and the rear addition as proposed, and I'll rest on the record
6 of our report. Thank you.

7 CHAIRMAN HILL: All right. Thanks, Ms. Thomas. Let's
8 see, Ms. Thomas, there was some concerns from the Capitol Hill
9 Restoration Society about like shadow studies and such. I mean,
10 I know that this is something that is going beyond the ten-foot
11 rule, but it seems like on one side it's like eight feet from
12 that particular building. Did the Office of Planning look into
13 light and air or shadows when they were doing their report?

14 MS. THOMAS: We looked into the light and air. We did
15 not see any issues. Where it is going beyond the addition at
16 eight feet, it is within the ten-foot rule, so it doesn't exceed
17 that part of it. So that's how we viewed it. And in the other
18 case where it was -- and we also note that both abutting property
19 owners have signed letters in support, so we didn't have any
20 issues with that.

21 CHAIRPERSON HILL: Okay. You weren't concerned about
22 the shadowing though on the other side, right?

23 MS. THOMAS: No, not nece- -- no, sir.

24 CHAIRPERSON HILL: Okay.

25 Does anybody have any questions of the Office of

1 Planning?

2 All right. Mr. Young, is there anyone here wishing to
3 speak?

4 MR. YOUNG: We do not.

5 CHAIRPERSON HILL: Mr. Fowler, is there anything you
6 would like to add to the end?

7 I think you said no, but your mic was maybe muted.

8 MR. FOWLER: Sorry, it was. No, I don't have anything
9 to add.

10 CHAIRPERSON HILL: Okay, great.

11 All right. Commissioner, again, thanks for taking the
12 time. Y'all please have a good day.

13 Mr. Young, if you could please excuse everyone?

14 I mean, as Vice Chair John knows, we look at these
15 things pretty carefully in terms of beyond the ten-foot rule. I
16 mean, I still think that it's interesting that Commissioner May
17 was around for the creation, I think, of the ten-foot rule and
18 whether or not that was actually -- and I'd be curious, not on
19 the record right now, but as to what your actual thoughts were,
20 like whether ten feet was or wasn't the right place to stop it?
21 But we do take a pretty careful look at it when it goes beyond
22 the ten foot. In this particular case, I would agree with the
23 Office of Planning's recommendations. I know that one neighbor
24 it was only really eight feet from the, you know, eight feet more
25 than -- so it would- -- I mean, but it doesn't matter because

1 it's the other side that matters, that it's 20 feet beyond that
2 side, I guess. My thoughts about not needing an additional shadow
3 study or light and air issues is that other adjacent property is
4 on the end, so then there's an alley right after that. And so I
5 don't have as much concern about it as if it were possibly casting
6 shadow on an interior lot, or if we -- if I had any questions
7 about it. So I'm going to agree with the Applicant's argument
8 and also that of the Office of Planning, as well as the
9 recommendations of the ANC. And I again, thank the commissioner
10 for coming to the meeting and I will be voting in favor.

11 Mr. Smith, could you tell me what you think please?

12 COMMISSIONER SMITH: I don't have anything to add. I
13 agree with your assessment of this particular case. You know,
14 and maybe I may have had a different position on asking for
15 additional information about light and air if, you know, the
16 lengths of the houses to the east and west, the extension into
17 the rear yard, that was reversed where the rear yard of the
18 property to the west was not within that ten-foot rule regulation,
19 but the most impacted property would probably, as far as light,
20 to me, would be that west property. And as noted by the Office
21 of Planning, we have letters in support from both of those
22 property owners who understand the scale and the impact on their
23 properties and have decided to support the application. Other
24 than that, I do believe that the Applicant's met the burden of
25 proof for us to grant the special exception. So I give great

1 weight to the Office of Planning's staff report and will support
2 the application as well.

3 CHAIRPERSON HILL: Thank you.

4 Commissioner May?

5 COMMISSIONER MAY: Yeah. I'm pretty comfortable with
6 this. I agree with what's been said so far. I think the Chair's
7 comment about the fact that the property to the east is on the
8 alley, you know, it does help in terms of the light and air that's
9 available to that property. I also think -- I mean, there are -
10 - there's a lot of different additions on the backs of these
11 homes along Walter Street and in -- and all of the homes are
12 quite narrow. So it is -- it's not unreasonable to want to extend
13 further than the ten feet. And I think that, you know, again,
14 at least in this instance, I don't think the impacts are
15 extraordinary. The fact that, you know, the next-door neighbors
16 on both sides are supportive of this, I think is also very
17 positive. And you know, we, I think, we do want to try to
18 scrutinize any of these cases where they're seeking relief from
19 the ten-foot rule very carefully. I won't go into the whole
20 history of how that came about, but it's where we are and we are
21 there for, you know, for good reasons. The Zoning Commission
22 determined that it was smart to put this limitation on it because
23 there were some really problematic additions that had been
24 happening at the time where, you know, people were going very
25 deep into the yards and having really extraordinary impacts on

1 the neighboring properties. I mean, this is not without impact,
2 but again, you know, the mitigating circumstance really is the
3 proximity to the alley. It's also the height of the building.
4 It's not a three-story addition. There are some circumstances
5 where, you know, one person's yard is up against a 20-foot deep,
6 you know, 30- or 40-foot high wall, which is not a great
7 circumstance for those property owners. So this is, I think,
8 still relatively modest. And again, it has support of the
9 neighbors, so I'm okay with that. I'm sympathetic to the
10 arguments of the Restoration Society, but I don't think we really
11 need the studies to be able to make this call. So I'm in support.
12 Thank you very much.

13 CHAIRPERSON HILL: Thank you, Commissioner.

14 Vice Chair John?

15 VICE CHAIR JOHN: Thank you, Mr. Chairman. I don't
16 have very much to add to what's been said. I appreciate
17 Commissioner May's noting that there is no third floor, which is
18 something I also considered, and that I think would mitigate any
19 potential adverse impact because there is less massing. So I'm
20 in support and I will vote in favor of the application.

21 CHAIRPERSON HILL: Okay. Thank you.

22 All right. I'm going to go ahead and make a motion to
23 approve Application No. 20870 as captioned and read by the
24 secretary and ask for a second, Ms. John?

25 VICE CHAIR JOHN: Second.

1 CHAIRPERSON HILL: The motion has been made and second,
2 Mr. Moy, if you'd take a roll call please?

3 MR. MOY: Thank you, sir. When I call your name, if
4 you'll please respond to the motion made by Chairman Hill to
5 approve the application for the special exception relief that's
6 being requested. The motion to approve was second by Vice Chair
7 John.

8 Zoning Commissioner Peter May?

9 ZC COMMISSIONER MAY: Yes.

10 MR. MOY: Mr. Smith?

11 COMMISSIONER SMITH: Yes.

12 MR. MOY: Vice Chair John?

13 VICE CHAIR JOHN: Yes.

14 MR. MOY: Chairman Hill?

15 CHAIRPERSON HILL: Yes.

16 MR. MOY: Staff would record the vote as four to zero
17 to one, one vacancy on the Board. The motion to approve was
18 second by Chairman Hill to approve. The motion made by Chairman
19 Hill to approve, second by Vice Chair John, also in support of
20 the motion to approve, Zoning Commissioner Peter May, Mr. Smith,
21 and of course Vice Chair John and Chairman Hill. Motion carries,
22 sir, on a vote of four to zero to one.

23 CHAIRPERSON HILL: That's great. Thank you, Mr. Moy.

24 All right, everybody, it was a short one, but it's a
25 pleasure to see everybody in the little box that we get to live

1 in for the rest of our freaking lives. And I hope y'all have a
2 good day. Okay? All right. Bye-bye.

3 (Whereupon the above-entitled hearing was adjourned.)
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23 C E R T I F I C A T I O N
24

25 This is to certify that the foregoing transcript

In the matter of: Public Meeting

Before: BZA

Date: 04-26-2023

Place: Teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

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