

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



August 20, 2021

Elizabeth C. Rogers
7600 Wisconsin Avenue
Suite 700
Bethesda, Maryland 20814

Re: BZA Application No. 20569

Dear Applicant,

Your application has been accepted as complete. At your request, this application has been tentatively placed on the Board of Zoning Adjustment's (Board) Expedited Review Calendar on **Wednesday, December 8, 2021 beginning at 9:30 am**, virtually via WebEx, for a decision without a public hearing as an Expedited Review Calendar item concerning the following application:

Application of: **Bradley Halligan**

Case No.: 20569

Address: 5182 Fulton Street N.W. (Square 1419, Lot 838)

ANC: 3D

Relief: Special Exception from:

- the non-conforming side yard requirements of Subtitle D § 206.7 (pursuant to Subtitle D § 5201 and Subtitle X § 901.2)

Project: To construct a two-story with basement rear addition to an existing, semi-detached, two-story with basement principal dwelling unit, in the R-1-B Zone.

Though your attendance for the decision is not required, it is recommended so that you may offer clarifications should the Board have questions about your case. If you choose not to attend, you can watch the webcast live or access video-on-demand by visiting <http://dcoz.dc.gov/onlineservices/webcast.shtm>.

REFERRAL TO GOVERNMENT AGENCIES

Your case has been referred to **Advisory Neighborhood Commission (ANC) 3D**.

Your case has also been referred to the Office of Planning (OP). OP has assigned a development review specialist to review your case and prepare a report for the record. OP will contact you about your case and it is recommended that you consult with them prior to the public meeting. Other agencies, including the District Department of Transportation (DDOT), may contact you as well.

NEXT STEPS PRIOR TO THE PUBLIC MEETING

- **ANC:** Contact the ANC to ensure that your case has been scheduled for review well in advance of the public meeting. Visit <http://anc.dc.gov> to find contact information for your ANC.

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov

Board of Zoning Adjustment
District of Columbia
CASE NO.20569
EXHIBIT NO.28

- **Notice of the public meeting:** A large yellow placard sign featuring the case description must be posted and maintained on the subject property for at least 15 days prior to the public meeting. Obtain this sign at the Office of Zoning (OZ). Please call OZ at 202-727-6311 in advance to ensure that the sign is ready when you come in to pick it up.
- **Affidavit of Posting:** An Affidavit of Posting (Form 145) must be filed at least 5 days prior to the public meeting.
- **Agent authorization:** If not already filed, a signed letter of authorization must be submitted by the Applicant if represented by an agent, including a licensed architect or attorney. Visit http://dcoz.dc.gov/resources/Letter_of_Agent_Authorization/index.shtm if you wish (or if you are the agent, your client wishes) to be represented by a third party.
- **Changes to application:** In the event that the zoning relief requested changes prior to the decision, a revised Self-Certification (Form 135) or a revised Zoning Deficiency Letter from the Zoning Administrator must be filed, as well as any additional filing fees that may apply.

Failure to submit required documents and additional fees could delay the decision date of your case.

INTERACTIVE ZONING INFORMATION SYSTEM (IZIS)

In order to access and file documents for this case, log-in to IZIS at <http://app.dcoz.dc.gov>.

All documents provided must be submitted through IZIS at least 21 days prior to the public meeting (except for the Affidavit of Posting which must be submitted within five days prior to the public meeting). If you submit documents less than 21 days before the public meeting (or within five days in the case of the Affidavit of Posting), you must file a Motion to Request Waiver of Time Requirements (Form 150) in addition to the documents for consideration by the Board.

REMOVAL FROM EXPEDITED REVIEW CALENDAR

Letters and other documents may be filed by individuals and organizations in support of or in opposition to your application. Review the file in your application frequently so that you are prepared to respond to any issues that may be raised regarding your case.

Your application will remain on the Expedited Review Calendar unless a request for party status is filed in opposition, or if a request to remove the application from the agenda is made by: (1) a Board member; (2) OP; (3) an affected ANC or affected Single Member District; (4) the Councilmember representing the area in which your property is located, or representing an area located within two-hundred feet of the property; or (5) an owner or occupant of any property located within 200 feet of your property.

The removal of your application from the Expedited Review Calendar will be announced as a preliminary matter on the scheduled decision date and then rescheduled for a public hearing on a later date. You will not receive notice of the public hearing date. Rather, the notice will be posted on the Office of Zoning website calendar at <http://dcoz.dc.gov/bza/calendar.shtm> and on a revised public hearing notice in the OZ office. If you fail to appear at the public hearing, this application may be dismissed.

If you have any questions or require any additional information, please call OZ at 202-727-6311.

SINCERELY,



CLIFFORD W. MOY
Secretary, Board of Zoning Adjustment
Office of Zoning

*******PRINT & SAVE FOR FUTURE REFERENCE*******

HOW TO PARTICIPATE IN THE VIRTUAL HEARING:

A. Sign up to Testify

At least 24 hours before the virtual hearing, sign up to provide testimony.

As the Applicant, you are responsible for ensuring that your Team Members sign up to testify. This includes Agents and any proffered or accepted Expert Witnesses. It is the responsibility of all individuals wishing to testify to sign up using the “Sign Up to Testify” tab (identified by a hand symbol under “Featured Services” on the home page of the Office of Zoning website at dcoz.dc.gov)

To sign up (either as an Applicant or as an Applicant’s witness), do one of the following:

Participants may sign up via the “Sign Up to Testify” tab on the Office of Zoning Home Page

1. Select the Hand icon under the heading **Featured Services**.
2. Click on the Orange Tab labeled **“Sign-Up to Testify >”**. This will take you to the Kiosk Application.
3. Under **Select a Type**, select **Board of Zoning Adjustment**.
4. Under **Select an Event**, from the drop-down menu, choose the BZA Public Hearing date that the case is scheduled for.
5. Under **Select a Case**, from the drop-down menu, choose the BZA case from the list.
6. Once you have completed these steps, a **form** will appear where the participant will enter the name and contact information that will be used the day of the hearing and check the **Oath box**. Click “Submit”.
7. Once you click submit, you will be taken to a screen that reads, “Thank you for signing-up to testify.”

OR

Call BZA Staff

1. If you are unable to sign up through the online kiosk call Robert Reid at 202-727-5471 for assistance in signing up.

Confirmation of sign-up will be provided by Office of Zoning staff.

B. Submit evidence into the record:

As noted above, **all evidence** is to be submitted 21 days before the hearing, therefore, 24 hours before the hearing, all documents should be in the case file. However, if there is any supplemental documentation not already in the record as the hearing day approaches, and you intend to present it as part of your testimony, you must do **ALL** of the following:

1. **Upload** the document(s) into the case record in IZIS (or email to bzsubmissions@dc.gov) **at least 24 hours before the hearing.**
2. **Request** that the Board waive the 21-day filing deadline to accept the late documentation into the record (submit Form 150 or request a waiver in the document itself.)
3. For documents being submitted during the public hearing, **make a verbal request** that the Board accept the exhibit. (See Subtitle Y § 103.13(g) for applicable regulations.)
4. **Email** any **PowerPoint or other materials** that you **plan to present during your testimony**, to **Paul Young** (Paul.Young@dc.gov) prior to the hearing.

NOTE

- **Hard copies** of documents will **not** be accepted at this time.
- Documents filed either in IZIS or through bzsubmissions **less than 24 hours** before the start of the hearing session shall be **excluded** from the record.

DETAILS

To watch/listen and provide testimony on the day of the virtual hearing:

Via the Webex application:

*****You must use Chrome, Internet Explorer, or Mozilla browsers*****

You need a high-speed internet connection and a working camera if using video, as well as a microphone and speakers that are either connected to your computer or through a telephone.

1. Click on the URL link provided for the scheduled hearing.
2. A web page should load, and the right-hand side the page should say "Join Event Now".

3. If the hearing has started, enter the same First name, Last name, and email address that was filled in when signing up per the instructions above. Enter the Event Password provided (if not already auto-filled in), then click “Join Now”.
*Note: if the hearing has not started yet, you will not be able to join the hearing and the contact fields will be greyed out.
4. On the next screen, if you do not have the Webex application installed on your device, select “Run a temporary application” on your browser page.
5. The temporary application should download, then click the downloaded file at the bottom of the browser if it does not automatically open.
6. The Webex application will open and a preview screen will appear. Click “Join Event”.
7. When initially joining the meeting, you will be muted and have “listen-only” capabilities during the Webex hearing.
8. When your case is called, you will then be unmuted by the Event Administrator and the Chair will specify when it is your turn to speak.

Via telephone:

1. Call the Webex conference phone number for the scheduled hearing using the same phone number that you provided when signing up to testify per the instructions above.
2. When prompted, enter the Access Code provided with the call-in number and press #.
3. When asked for Attendee ID number, press # again to access the meeting.
4. When initially joining the meeting, you will be muted and have “listen-only” capabilities during the Webex hearing.
5. When your case is called, you will then be unmuted by the Event Administrator and the Chair will specify when it is your turn to speak.

FAQs

To see **ZC and BZA Virtual Hearing FAQs** follow this link:

<https://dcoz.dc.gov/page/zoning-commission-zc-and-board-zoning-adjustment-bza-virtual-hearing-faqs>

Having Trouble Accessing the Meeting?

Contact the Office of Zoning staff for assistance:

Email: itzone@dc.gov

Phone: 202-727-6311