GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment

NOTICE OF VIRTUAL PUBLIC MEETING

TIME AND PLACE: Wednesday, February 10, 2027, @ 9:30 a.m.
Via WebEx & YouTube (Office of Zoning): https://dcoz.dc.gov/BZA02-10-2027
Instructions: https://dcoz.dc.gov/release/virtual-public-hearings
Witness Sign Up: https://dcoz.dc.gov/service/sign-testify

TO CONSIDER THE FOLLOWING APPLICATION THAT HAS BEEN ACCEPTED BY THE OFFICE OF ZONING AND SCHEDULED FOR PUBLIC MEETING:

Application No. 21549 of Sean O'Donnell – EXPEDITED REVIEW

Address: 2458 39th Place, N.W. (Square 1810, Lot 105)
ANC: 3B
Relief: Special Exceptions from:

- The rear yard requirements of Subtitle D § 207.1 (pursuant to Subtitle D § 5201 and Subtitle X § 901.2)
- The lot occupancy requirements of Subtitle D § 210.1 (pursuant to Subtitle D § 5201 and Subtitle X § 901.2)

Project: To construct a rear addition to an existing, attached, two-story principal dwelling unit in the R-3/GT zone.

Notice is hereby given that the Board of Zoning Adjustment (**BZA**) has tentatively placed the above referenced application on its Expedited Review Calendar for a decision without a public hearing.

This public meeting will be conducted in accordance with the contested case provisions of Subtitle Y, Chapters 4 & 5, as well as the text adopted by the Zoning Commission on October 15, 2020, in Z.C. Case No. 20-11, as published in the Notice of Final Rulemaking published in the D.C. Register on October 30, 2020.

REMOVAL FROM EXPEDITED REVIEW CALENDAR:

The case may be removed from the Expedited Review Calendar and scheduled for a public hearing upon the approval by the presiding officer of a timely filed request for removal submitted by:

- An owner or occupant of any property located within 200 feet of the subject property;
- The affected ANC(s) or affected Single-Member District(s); or
- The Councilmember representing the area in which the subject property is located or representing an area located within 200 feet of the subject property.

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CASE NO. 21549
EXHIBIT NO. 21

It will also be automatically removed from the Expedited Review Calendar and scheduled for public hearing upon the receipt of a timely filed request for party status in opposition to the application.

PLEASE NOTE:

The meeting date shown above may be RESCHEDULED prior to this date, in which case the new meeting date or hearing date (in the case of an application removed from the Expedited Review Calendar) will be posted on the online calendar for the BZA on the website of the Office of Zoning ("**OZ**") at https://dcoz.dc.gov/BZACalendar as well as on the case record webpage available on the Interactive Zoning Information System ("**IZIS**") on the OZ website https://dcoz.dc.gov/CaseRecord (access instructions below). **Please check these webpages to confirm the final meeting date and time** as there will be no other notice of these changes provided. One day before the meeting, the order of cases, agenda, and any other scheduling changes will be posted to the BZA'S online calendar on OZ's website.

HOW TO FAMILIARIZE YOURSELF WITH THE CASE:

Online Case Record

- To access OZ's online case record, visit the OZ website and select the **IZIS** option (available at https://dcoz.dc.gov/CaseRecord);
- To select a case to view, enter the Application number indicated at the top of this notice and click the "Search" button;
- To view the record for a specific case, click the corresponding "View" button on the right;
- To view the full list of documents in the case record, click "View Full Log" under "Case Documents" on the lower right; and
- To view a specific exhibit, click the corresponding "View" button on the right and it will open a PDF document in a separate window.

How to participate as a witness - written statements

An owner or occupant of any property located within 200 feet of the subject property may file a written request that the application be removed from the Expedited Review Calendar and scheduled for public hearing. The request must be filed at least 14 days prior to the meeting date. The written request must be accompanied by a statement indicating that owner or occupant will appear as a witness and it must contain a summary of the testimony to be given at the meeting. The Board may deny a request to remove an application if the proffered testimony is irrelevant.

Written statements may be submitted for inclusion in the record, provided that **ALL WRITTEN COMMENTS AND/OR TESTIMONY MUST BE SUBMITTED TO THE RECORD AT LEAST 24 HOURS PRIOR TO THE START OF THE MEETING, unless the BZA approves a request to introduce written comments at the public meeting upon demonstration of good cause and no prejudice to parties**. The public is encouraged to submit written testimony through IZIS at https://app.dcoz.dc.gov/Login.aspx; however, written statements may also be submitted by

e-mail to bzasubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Robert Reid at (202) 727-5471 for further assistance.

How to participate as a party

Any person who desires to participate as a party in this case must request party status and must comply with the provisions of Subtitle Y § 404.1. Persons seeking party status must submit a Form 140 - Party Status Application through the Interactive Zoning Information System ("IZIS"). The form is also available to download from OZ's website at: https://app.dcoz.dc.gov/Help/Forms.html. The request must be filed the BZA **NO LESS THAN 14 DAYS PRIOR TO THE ORIGINAL DATE SET FOR THE MEETING (**or 14 days prior to a scheduled public meeting if seeking advanced party status consideration). Upon the timely filing of request for Party Status in opposition, the application will be removed from the Expedited Review Calendar and rescheduled to a public hearing.

Except for an affected ANC, any person or entity that desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Board, and to exercise the other rights of parties as specified in the Zoning Regulations.

If you are still unsure of what it means to participate as a party and would like more information on this, please review the summary available at https://dcoz.dc.gov/publication/party-vs-person or contact OZ at dcoz@dc.gov or at (202) 727-6311.

Advisory Neighborhood Commission ("ANC")

The property for which zoning relief is requested is within or adjacent to the boundaries of ANC 3B, which is therefore an "affected" ANC and so automatically a party in this case. Please contact your ANC commissioner to learn how to participate in your ANC's deliberation process and to find out if or when the Applicant is scheduled to appear before the ANC. To find contact information for your ANC, visit http://anc.dc.gov.

The ANC and/or the affected Single Member District may file a written request that the application be removed from the Expedited Review Calendar and scheduled for public hearing. The request must be filed at least 14 days prior to the meeting date. The written request must be accompanied by a statement indicating that an ANC representative will appear as a witness and it must contain a summary of the testimony to be given at the meeting. The BZA may deny a request to remove an application if the proffered testimony is irrelevant.

The BZA must give "great weight" to the "issues and concerns" raised in a written report of an "affected" ANC approved at a properly noticed meeting that was open to the public by the full ANC with a quorum present. The BZA may give "great weight" to the oral testimony of the "affected" ANC's authorized representative if it complies with the requirements of Y §§ 406.3 & 406.4.

Section 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.)) and Subtitle Y §§ 406.2 & 406.4.

FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311 and refer to the five-digit application number listed at the top of the notice.

MICHELLE POURCIAU, PAUL GOLDSTEIN, ROBYN WELLS, AND MELISSA LINDSJO -------- BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY KEARA M. MEHLERT, SECRETARY TO THE BOARD OF ZONING ADJUSTMENT.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

您需要有人帮助参加活动吗？如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 Zelalem.Hill@dc.gov 这些是免费提供的服务。

Quí vị có cần trợ giúp gì để tham gia không? Nếu quí vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለመሳተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኤሜል Zelalem.Hill@dc.gov ይገናኙ። እነኝህ አገልግሎቶች የሚሰጡት በነጻ ነው።