

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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PUBLIC MEETING

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TUESDAY

SEPTEMBER 9, 2014

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The Regular Public Meeting 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 9:38 a.m., Lloyd Jordan, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

LLOYD JORDAN, Chairperson
S. KATHRYN ALLEN, Vice-Chairperson
MARNIQUE HEATH, Board Member
JEFF HINKLE, Board Member (NCPC)

ZONING COMMISSION MEMBERS PRESENT:

MARCIE COHEN, Vice-Chairperson

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Secretary
JOHN NYARKU, Zoning Specialist

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D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

SHERY GLAZER, ESQ.

OFFICE OF PLANNING STAFF PRESENT:

STEPHEN GYOR
STEPHEN MORDFIN
KAREN THOMAS
ELISE VITALE
MATT JESSICK

The transcript constitutes the
minutes from the Public Meeting held on
September 9, 2014.

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

<u>Application No. 18685 - Polinger Shannon & Luchs</u>	7
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Expedited Review Calendar

<u>Application No. 18818 - Stephanie Heige Berger</u>	8
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<u>Application No. 18822 - Urban Edge, LLC</u> ...	8
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<u>Vote to Approve Application No. 18818 and Application No. 18822</u>	10
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P-R-O-C-E-E-D-I-N-G-S

9:38 a.m.

CHAIRPERSON JORDAN: Good morning.

Welcome to the Board of Zoning Adjustment for the District of Columbia. We're located at the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W. Today's date is September 9th, 2014

My name is Lloyd Jordan, Chairperson of the Board. To my right is S, Kathryn Allen, Vice Chair. To her right is Jeffrey Hinkle, Member of the Board. To my left is Marnique Heath, Member of the Board. To her left is Marcie Cohen, Member of the Board for the day, sitting in from the Zoning -- I mean Zoning Commissioner Marcie -- I mean Marcie Cohen who is sitting in as a Member of the Board today.

And we're going to have -- we're kind of going to play musical Zoning Commission Members for a couple of cases.

Please be advised that today's

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1 proceedings are being recorded by a court
2 reporter who is to my right and also being
3 webcast live.

4 Therefore, we're going to ask you to
5 refrain from any disruptive noises here in this
6 room. It's a good time now to silence any
7 device you may have that will make noise.

8 The Board's hearing procedures are
9 contained in a document to the door to my left
10 in the back. If you're not familiar on how we
11 operate at the Board, please feel free to go
12 back and pick up the document to understand how
13 we operate here at the Board.

14 Additionally, if you're here to
15 provide any testimony or make any statement or
16 address the Board in anyway, I'm going to need
17 you to do two things prior to you providing a
18 statement or testimony to the Board.

19 The first of which, I'm going to
20 need you to complete two witness cards per
21 person. Complete two witness cards per person
22 and prior to testifying, please give those

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1 witness cards to the court reporter.

2 The court reporter is over there in
3 the corner. Hey, court reporter.

4 And please -- we're just a kinder,
5 gentler Board. So, give it to the court
6 reporter. We're just trying to make light.
7 Some people in here are kind of tense. Right?

8 The second thing I'm going to need
9 you to do today is if you're going to provide
10 any statement or testimony to the Board, I'm
11 going to ask you now to stand and take the oath
12 which will be given by Mr. Moy.

13 So, if you're going to provide any
14 statement or testimony to the Board, I'm going
15 to need you now to stand to be sworn by Mr. Moy.
16 I said Mr. Moy.

17 MR. MOY: Thank you, Mr. Chairman.

18 Good morning. Do you solemnly
19 swear or affirm that the testimony you're about
20 to present in this proceeding is the truth, the
21 whole truth and nothing but the truth?

22 Thank you. Ladies and gentlemen,

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1 you may consider yourselves under oath.

2 CHAIRPERSON JORDAN: Okay. Mr.
3 Moy, are there any announcement we need to make?
4 We'll begin the public meeting.

5 MR. MOY: Yes, sir. Thank you, Mr.
6 Chairman. Good morning, to the Board Members.

7 On the docket for today for the
8 record, we have two applications that have been
9 rescheduled.

10 The first that was in public meeting
11 session is Application Number 18685 of
12 Polinger. That application has been
13 rescheduled for a decision to or rather on
14 November 5th, 2014.

15 The public hearing Case 18809 of
16 Industrial Bank of Washington has been
17 rescheduled to September 30th.

18 And that completes the staff's
19 status of cases for this morning, Mr. Chairman.

20 CHAIRPERSON JORDAN: Okay. We
21 have on the agenda for public meeting decision
22 Case Number 18818 and 18822. Correct?

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1 These matters are on for our
2 expedited docket.

3 It could be my preference that we --
4 unless the Board has any opposition, that we
5 include the approval of these applications in
6 one motion unless there is someone that needs
7 to talk about anything in particular in these
8 cases.

9 ZC VICE CHAIR COHEN: I have a
10 question.

11 CHAIRPERSON JORDAN: Okay. On
12 which one?

13 ZC VICE CHAIR COHEN: Oh, 18682.

14 CHAIRPERSON JORDAN: Eight six
15 two? No, we're in the public --

16 ZC VICE CHAIR COHEN: One eight
17 eight two two. I'm sorry.

18 CHAIRPERSON JORDAN: Okay. Got
19 you. All right. Um-hum.

20 ZC VICE CHAIR COHEN: Did the ANC
21 finally submit a report?

22 CHAIRPERSON JORDAN: Yes, the ANC,

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1 I believe we got it last night. Is that -- Mr.
2 Moy, would you report out on the ANC letter?

3 MR. MOY: Yes, sir, the ANC 4D to
4 that application actually met last night, Ms.
5 Cohen and the Applicant submitted a copy of the
6 ANC letter around 9:00 to 9:30 last night.

7 ZC VICE CHAIR COHEN: Thank you.

8 CHAIRPERSON JORDAN: What is the
9 vote and what was the -- Mr. Moy.

10 MR. MOY: Yes, sir, the --

11 CHAIRPERSON JORDAN: The vote is 4
12 to 0.

13 MR. MOY: Yes, the recorded vote on
14 motion to adopt the ANC report is 4 to 0.
15 That's correct.

16 CHAIRPERSON JORDAN: Recommending
17 the approval of the request and okay.

18 So, with that, I would move that the
19 Board grant the relief requested in 18818 and
20 18822.

21 BZA VICE CHAIR ALLEN: Second.

22 CHAIRPERSON JORDAN: Motion made

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1 and second. Any discussion?

2 All those in favor of the motion
3 signify by saying aye.

4 (Ayes.)

5 CHAIRPERSON JORDAN: Those opposed
6 nay. The motion carries.

7 Let's now --

8 MR. MOY: Can I record the vote,
9 sir?

10 CHAIRPERSON JORDAN: Yes, you can.

11 MR. MOY: Thank you, sir.

12 CHAIRPERSON JORDAN: If you want.

13 MR. MOY: Well, I'll do it at the
14 desire of the Board.

15 But, for the record, Chairman
16 Jordan made a motion to approve the calendar
17 consisting of two applications 18818 and 18822.
18 Second the motion I believe was Ms. Allen.
19 Right. Also in support Ms. Cohen, Ms. Heath
20 and Mr. Hinkle.

21 CHAIRPERSON JORDAN: All right.
22 Thank you.

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1 (Whereupon, the above-entitled
2 matter went off the record at 9:44 a.m.)
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