

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC MEETING

+ + + + +

TUESDAY

SEPTEMBER 9, 2014

+ + + + +

The Regular Public Meeting convened in the Jerrily R. Kress Memorial Hearing Room, Room 220 South, 441 4<sup>th</sup> 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:

SHERRY 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

Application No. 18685 - Polinger Shannon  
& Luchs ..... 7

**Expedited Review Calendar**

Application No. 18818 - Stephanie  
Heige Berger ..... 8

Application No. 18822 - Urban Edge, LLC ... 8

Vote to Approve Application No. 18818  
and Application No. 18822 ..... 10

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

2 9:38 a.m.

3 CHAIRPERSON JORDAN: Good morning.

4 Welcome to the Board of Zoning Adjustment for  
5 the District of Columbia. We're located at the  
6 Jerrily R. Kress Memorial Hearing Room at 441  
7 4<sup>th</sup> Street, N.W. Today's date is September 9th,  
8 2014

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

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

22 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.

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.

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

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