

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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PUBLIC MEETING

+ + + + +

TUESDAY

SEPTEMBER 16, 2014

+ + + + +

The Regular or 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
JEFF HINKLE, Board Member (NCPC)

ZONING COMMISSION MEMBER PRESENT:

MICHAEL TURNBULL, Commissioner

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Secretary
JOHN NYARKU, Zoning Specialist

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D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALLISON MYERS, ESQ.

The transcript constitutes the
minutes from the Public Meeting held on
September 16, 2014.

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

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Lloyd Jordan, Chairperson	
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Postponed & Rescheduled	
for October 21st, 2014.	
Expedited Review Application	7
No. 18823 of Peggy Joyner	
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Decision Case	
Application No. 18776	7
of Ann Campbell-Approved.	
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1 P-R-O-C-E-E-D-I-N-G-S

2 (9:38 a.m.)

3 CHAIRPERSON JORDAN: Okay, if we
4 could please come to order. Good morning.
5 We're located at Jerrily R. Kress Memorial
6 Hearing Room at 441 4th Street, N.W. And we're
7 here for the meeting and hearings of the Board
8 of Zoning Adjustment of the District of
9 Columbia.

10 My name is Lloyd Jordan,
11 Chairperson. To my right is Jeffrey Hinkle,
12 Member of the Board. To my left is Michael
13 Turnbull, Member of the Zoning Commission
14 sitting in as a Member of the Board of Zoning
15 Adjustment.

16 Please be advised that today's
17 proceedings are being recorded by a court
18 reporter who is seated to my right. And also
19 being webcast live.

20 Therefore, I'm going to ask you to
21 refrain from any disruptive noises here in the
22 hearing room today, and so again that's a signal

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1 time to make sure you've silenced all your
2 electronic devices.

3 If you're unfamiliar with how this
4 Board operates, there is a document to my left
5 by the back door, to my left which explains how
6 we handle meetings and hearings. So feel free
7 to get those documents.

8 If you're here to provide testimony
9 to the Board, by testimony I mean if you're
10 going to read a statement, if you're going to
11 be a witness, if you're going to say anything
12 to the Board, then I'm going to need you to do
13 two things.

14 The first of which is to complete
15 two witness cards per person. That's two
16 witness cards per person and prior to your
17 testimony, would you be so kind as to provide
18 those cards to the court reporter?

19 Again, prior to your testifying,
20 I'm going to need you to do two things. To
21 complete two witness cards per person and give
22 those cards to the court reporter prior to

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1 testifying.

2 The second thing I'm going to need
3 you to do is to now stand and take the oath which
4 will be given by Mr. Moy, the Secretary to the
5 Board. So if you're going to provide any
6 statement or testimony to the Board, or address
7 the Board in any way, I'm going to need you to
8 stand and take the oath.

9 MR. MOY: Good morning. Do you
10 solemnly swear or affirm that the testimony
11 you're about to present in this proceeding is
12 the truth, the whole truth and nothing but the
13 truth?

14 (No audible response)

15 Ladies and Gentlemen, you may
16 consider yourselves under oath.

17 CHAIRPERSON JORDAN: Okay, let's
18 do this, let's go ahead and do our meeting case
19 first, and then we'll go back and before we move
20 into -- and just move that off.

21 MR. MOY: Okay. I'm not very good.
22 Good morning Mr. Chairman, Members of the

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1 Board.

2 Just very quickly Mr. Chairman, for
3 the record, for the cases on the docket. Two
4 of the cases have been postponed and
5 rescheduled. And the third case has been
6 withdrawn. And that is Appeal No. 18618 of
7 Ginia Avery, has been withdrawn.

8 Application No. 18814 of 2341
9 Ontario Road, LLC, has been postponed and
10 rescheduled to October 21st, 2014.

11 And finally the Expedited Review
12 Application No. 18823 of Peggy Joyner has been
13 postponed and rescheduled to November 18, 2014.

14 So with that Mr. Chairman, Case for
15 Decision as you've requested is Application No.
16 18776 of Ann Campbell.

17 This was the request for variances
18 from lot occupancy, court requirements for a
19 second floor rear deck. It was last heard on
20 July 15th and scheduled for a decision today,
21 on the 16th.

22 In your case folders, Mr. Chairman,

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1 there are two filings that the Board requested.
2 One is from the applicant, and the second is a
3 supplemental report from the Office of Planning
4 under Exhibit 33.

5 CHAIRPERSON JORDAN: Thank you,
6 Mr. Moy

7 Just for the record, I was not here
8 for the hearing on July 15th, but I have
9 completely reviewed the record and able to sit
10 in to make a decision in this case.

11 With that, is the Board ready to
12 deliberate on 18776?

13 COMMISSIONER TURNBULL: I am Mr.
14 Chair. I think at the time we had the hearing,
15 I think there was some issues with the property.
16 OP could not agree to it.

17 But I think in light of the
18 supplemental material that was submitted by the
19 applicant, and with the OP report now
20 recommending approval, I think we're set to go.

21 CHAIRPERSON JORDAN: Okay, with
22 that is there any other discussion?

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1 (No audible response)

2 I believe the file now certainly
3 represents what's necessary to grant the
4 relief. And also in light of what was produced
5 during the hearing, with that I would move that
6 we grant the relief requested under 18776.

7 MEMBER HINKLE: Second.

8 CHAIRPERSON JORDAN: Motion made
9 and seconded. Any further discussion?

10 (No audible response)

11 CHAIRPERSON JORDAN: All those in
12 favor of the motion, signify by saying aye.

13 (Chorus of ayes)

14 CHAIRPERSON JORDAN: Those
15 opposed, nay.

16 (No audible response)

17 CHAIRPERSON JORDAN: The motion
18 carries. Mr. Moy.

19 MR. MOY: Yes, this our staff would
20 have recorded the vote as 3-0. This on the
21 motion of Chairman Jordan to approve the
22 Application No. 18776, variance relief on lot

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1 occupancy and court.

2 Seconded the motion, Mr. Hinkle,
3 also support Mr. Turnbull, and we have two
4 members not present with us today. So the
5 motion carries 3-2, Mr. Chairman.

6 CHAIRPERSON JORDAN: And Summary
7 Order please.

8 MR. MOY: Thank you.

9 CHAIRPERSON JORDAN: Let's have a
10 representative from Case 18817 come forward
11 please.

12 (Whereupon, the above-entitled
13 Public Meeting went off the record at 9:44 a.m.
14 and the Public Hearing began at 9:44 a.m.)
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