

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
JUNE 23, 2015

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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 9:30 a.m., Lloyd Jordan, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

LLOYD JORDAN, Chairperson
MARNIQUE HEATH, Vice-Chairperson
JEFFREY HINKLE, Board Member (NCPC)

ZONING COMMISSION MEMBER PRESENT:

MICHAEL TURNBULL

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Secretary

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MARY NAGELHOUT, ESQ.

OFFICE OF PLANNING STAFF PRESENT:

BRANDICE ELLIOTT
STEPHEN GYOR
MATT JESICK
STEPHEN MORDFIN
MEGAN RAPPOLT
RYAN WESTROM

The transcript constitutes the minutes from the Public Meeting held on June 23, 2015.

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

(9:37 a.m.)

CHAIRPERSON JORDAN: Good morning. We will please come to order. Today's date is June 23, 2015 and we're located at the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, NW, and we're here for the meeting of the Board of Zoning Adjustment of the District of Columbia. My name is Lloyd Jordan, Chairperson. To my right is Jeffrey Hinkle, a Member of the Board. To my left is Vice Chair Marnique Heath. To her left is Mike Turnbull, a Member of the Zoning Commission sitting in as a Member of the Board of Zoning Adjustment.

Please be advised that today's proceedings are being Webcast live and also being recorded by a court reporter. Therefore, I'm going to ask you to refrain from any disruptive noises here in the room. It's a good time to take a look at what might ring, buzz, or what have you, because invariably, it'll happen, then I'm going to give you this look. So take a look at any devices that you may have.

If you're going to testify, and by testify, meaning, are you going to make any statements to the Board, read a letter, or present any evidence to the Board, prior to you doing that, I'm going to need to do two things. If you're going to testify or address the Board in any manner, i.e., come to this table and take a seat, I need you to do two things.

Prior to taking a seat at this table, prior to taking

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1 a seat at this table, I'm going to need you to give witness
2 cards to the court reporter. So each person who's going to
3 testify needs to complete two witness cards per person.
4 That's two witness cards per person and prior to taking a seat,
5 please give those to the court reporter who's seated to my
6 right.

7 The second thing I'm going to need you to do is to now
8 stand and be sworn by Mr. Moy, Secretary to the Board.

9 MR. MOY: Good morning.

10 (Witnesses sworn)

11 MR. MOY: Ladies and gentlemen, you may considered
12 yourselves under oath.

13 CHAIRPERSON JORDAN: Very good. As you know, we don't
14 necessarily take the cases in order on the docket, but we take
15 them in a way that we think is advantageous to move the docket
16 along, so that's kind of how we proceed. If you're not
17 familiar with how we proceed here at the Board, there should
18 be a couple of documents back to the wall to my left by the
19 door, which will talk about our policies and processes, so feel
20 free to take a moment to go back and get those things and read
21 it, okay?

22 Mr. Moy, any announcements?

23 MR. MOY: Yes, I do, Mr. Chairman. Good morning, and
24 good morning to the Members of the Board.

25 CHAIRPERSON JORDAN: Wait a minute. I don't even think

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1 I know of one, but it sounds like you have a lot more. Very
2 good.

3 MR. MOY: Well, it's not a great deal, but this is for
4 the record, of course.

5 CHAIRPERSON JORDAN: Okay.

6 MR. MOY: Concerning three cases that were on the docket
7 for today's docket. First is Application Number 18979 of
8 Adal. At the request of the Applicant for postponement and
9 is rescheduled to September 22, 2015. The second application
10 is 19010 of Mitchell that was on the expedited review calendar.
11 At the request of the Applicant for postponement, it has been
12 rescheduled to July 14th. And finally, Application Number
13 19013, this is the application of the Holy See, which has been
14 withdrawn by the Applicant.

15 And that completes the -- my statement, Mr. Chairman.

16 CHAIRPERSON JORDAN: Very good. Okay. Then let's
17 start with the meeting cases, and if you will call the -- that
18 case is gone, 12 please.

19 MR. MOY: Okay. Both these following cases are in
20 expedited review calendar. The first is Application Number
21 19012 of Jeffrey Fine.

22 CHAIRPERSON JORDAN: All right. Is the Board ready to
23 deliberate on 19012? All right. This matter's on for our
24 expedited meeting that there's no hearing required and that
25 they believe as a matter of the filings that they should be

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1 granted the relief requested. There's been no objections
2 filed by anyone in this matter.

3 We have the Office of Planning report and we have the
4 ANC report, and there's nine letters of support from neighbors.
5 I think the file supports the relief requested, so I would move
6 that the Board grant the requested relief in 19012.

7 VICE-CHAIRPERSON HEATH: Second.

8 CHAIRPERSON JORDAN: Motion made and second. Any
9 further discussion? Seeing none, all those in favor, signify
10 by saying aye.

11 (Chorus of ayes)

12 CHAIRPERSON JORDAN: Those opposed, nay. The motion
13 carries. Mr. Moy?

14 MR. MOY: The staff would record the vote as 4-0. This
15 is on the motion of Chairman Jordan to approve the request for
16 relief from the Applicant. Also in support, Vice Chairperson
17 Heath, or rather, seconded the motion. Also in support, Mr.
18 Turnbull and Mr. Hinkle, Board seat vacant. Motion carries,
19 sir.

20 CHAIRPERSON JORDAN: All right. Thank you. Summary
21 order.

22 MR. MOY: Thank you.

23 CHAIRPERSON JORDAN: Our next meeting case, please.

24 MR. MOY: That would be Application Number 19015 of
25 Richard Barxton.

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1 CHAIRPERSON JORDAN: Then where do we go? 22 maybe.
2 Let me take a look. All right. So we have before us 19015.
3 We don't have the ANC report, do we? Okay. But notice was
4 sent to the ANC. I don't see any reason -- anything in the
5 file why the application should not be granted. Anyone have
6 a concern about 19015? Okay. With that then, I would move
7 that we grant the relief in Case 19015.

8 COMMISSIONER TURNBULL: Second.

9 CHAIRPERSON JORDAN: Motion made and second. Any
10 additional discussion? All those in favor, aye.

11 (Chorus of ayes)

12 CHAIRPERSON JORDAN: Those opposed, nay. The motion
13 carries. Mr. Moy?

14 MR. MOY: Staff would record the vote as 4-0. That's
15 on the motion of Chairman Jordan to approve the request for
16 relief. Second the motion, Mr. Turnbull. Also in support
17 Vice Chairperson Heath and Mr. Hinkle. Board seat vacant.
18 Motion carries, 4-0, sir.

19 CHAIRPERSON JORDAN: 22, please. We're moving into
20 the hearing cases.

21 MR. MOY: Okay. Summary order.

22 CHAIRPERSON JORDAN: Thank you for reminding me.
23 Summary order.

24 MR. MOY: Okay.

25 CHAIRPERSON JORDAN: I saw that look.

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1 MR. MOY: You saw that look.

2 CHAIRPERSON JORDAN: It's like, he didn't say summary
3 order. I was testing you, Mr. Moy.

4 MR. MOY: I realized that.

5 (Whereupon, the meeting in the above-entitled matter
6 was concluded at 9:44 a.m.)

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