

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA

2 Office of Zoning

3 Board of Zoning Adjustment

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9 SPECIAL EMERGENCY MEETING OF THE BOARD OF ZONING
10 ADJUSTMENT
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14 12:36 a.m. to 12:38 a.m.

15 Tuesday, May 3, 2016

16
17 441 4th Street, N.W.
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20

21 Jerrily R. Kress Memorial Room

22 Second Floor Hearing Room, Suite 220-South

23 Washington, D.C. 20001
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25

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1 Board Members:

2 FREDERICK L. HILL, Vice Chair

3 JEFFREY HINKLE, Board Member

4 ANITA D'SOUZA, Board Member

5 ANTHONY HOOD, Zoning Commission

6 CLIFFORD MOY, BZA Secretary

7

8 Office of Attorney General

9 ALAN BERGSTEIN, Esq.

10 ARIEL EBI, Esq.

11

12 Office of Planning

13 MEGAN RAPPOLT

14 ELISA VITALE

15 ANNE FOTHERGILL

16 STEPHEN MORDFIN

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

2 MR. HILL: Mr. Moy, since I was presiding over
3 this case at the time I just wanted to try to make a
4 motion to reopen for a closed meeting to advise --
5 legal advice with counsel.

6 And this is on the Board of Zoning Adjustment
7 notice of emergency closed meeting for Case No. 19124.
8 And the date and the time of this emergency closed
9 meeting is today, May 3rd, about 12:35.

10 And the reason for holding this emergency
11 closed meeting is so that we can receive legal advice
12 from counsel on the noticed above; case noted above,
13 under the D.C. Code 2-575(b) (4). And that's the
14 motion that I would like to make.

15 MR. BERGSTEIN: Can I ask -- I'm sorry. Can I
16 ask that you modify the motion to also add that you
17 will be deliberating but not voting upon a contested
18 case, because I believe that you wish to have a
19 discussion pertaining this case that's not going to
20 involve, necessarily, me.

21 MR. HILL: Certainly. So further in my motion
22 would be to deliberate but not actually decide on the
23 case during this closed meeting. May I have a second?

24 MR. HINKLE: I'll second.

25 [Vote taken.]

1 MR. HILL: Mr. Moy, the motion carries.

2 MR. MOY: Yes. Staff would record the vote as
3 four to zero to one. This is on the motion of --

4 MR. BERGSTEIN: I'm sorry, you need a roll
5 call vote to close a meeting. Don't you, Ms. -- yes.
6 You need a roll call vote.

7 MR. HILL: Oh, sorry.

8 MR. BERGSTEIN: I'm sorry.

9 MR. HILL: I apologize, Mr. Moy. I didn't
10 know.

11 MR. MOY: No, that's okay.

12 MR. HILL: Not know that.

13 MR. MOY: That's fine. That's fine. You kind
14 of preceded this, but that's fine.

15 So for the roll call vote then, when I call
16 your name if you can respond with a yes or a no.

17 [Roll call vote taken.]

18 MR. MOY: Mr. Hood.

19 MR. HOOD: Yes.

20 MR. MOY: Vice Chair Butani.

21 MS. BUTANI-D'SOUZA: Yes.

22 MR. MOY: Mr. Hill.

23 MR. HILL: Yes.

24 MR. MOY: Mr. Hinkle.

25 MR. HINKLE: Yes.

1 MR. MOY: We have a board member not present.
2 Motion carries.

3 MR. HILL: Thank you, Mr. Moy.

4 MR. BERGSTEIN: I'm sorry. So you now close
5 this special open meeting and we'll go into closed
6 session.

7 MR. HILL: Thank you. So as I was the
8 presiding member at the time, I now close this special
9 meeting. And now we're going to go into closed
10 session. Thank you.

11 [Whereupon, at 12:38 p.m., the Special
12 Emergency Board Meeting was adjourned.]

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