

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC MEETING

+ + + + +

WEDNESDAY

DECEMBER 11, 2019

+ + + + +

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 5:30 p.m., Frederick L. Hill, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

FREDERICK L. HILL, Chairperson
LORNA JOHN, Board Member
CARLTON HART, Board Member (NCPC)

ZONING COMMISSION MEMBER PRESENT:

ANTHONY HOOD, Chairman

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Secretary
JOHN NYARKU, Zoning Specialist

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.
DANIEL BASSETT, ESQ.

The transcript constitutes the minutes from the Public Meeting held on December 11, 2019.

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

5:31 p.m.

CHAIRPERSON HILL: And, we have a decision case, too. Nobody's here for this decision case, are they? Oh, you're kidding me. Oh, okay. We can do that now.

All right. So, Mr. Moy, go ahead and read -- I can't believe -- the only reason -- and I'm sorry, I smiled. We don't take any public testimony during the decision cases. So, there's nothing anybody says during the decision cases.

So, but go ahead, Mr. Moy, and you call our decision case when you get a chance.

SECRETARY MOY: Thank you, sir.

So, this is, as you just said, it's an expedited review case. And, it's Case Application Number 20169, Sheryl, S-H-E-R-Y-L, Goddard. Caption, advertised for special exception under Subtitle D, Section 5201 from the side yard requirement, Subtitle D, Section 206.7 and from the nonconforming structures requirements, Subtitle C, Section 202.2 to construct a front vestibule, rear balcony, and a rear deck addition to an existing detached principle dwelling unit, R-1 B Zone. This is at 1348 Kearny, K-E-A-R-N-Y, Street, Northeast, Square 3962, Lot 812.

CHAIRPERSON HILL: Okay, great, thank you, Mr. Moy.

Mr. Moy, is the Board ready to deliberate? Okay,

1 I can start.

2 All right, so, after looking through the record,
3 I didn't have a particular issue with this expedited review.
4 At one point, I was concerned about the affidavit and
5 maintenance. However, that has come in and, therefore, I
6 didn't really have any specific questions of the Applicant,
7 so I wasn't going to have to try to put this off into a
8 hearing calendar.

9 I would agree with the analysis the Office of
10 Planning has supported. I also am glad to see that DDOT had
11 no objection and that ANC 5B was in support.

12 I do think that they are meeting the standard and
13 the requirement for us to grant the requested relief, so I
14 will be voting in favor.

15 Is there anything else anyone else wants to add?

16 VICE CHAIRPERSON HART: Yes, only that I thought
17 it was small expansion that we're really talking about to an
18 existing house.

19 The application provided sufficient information.
20 The Applicant, excuse me, has provided sufficient
21 information, demonstrating how they meet the criteria in
22 their updated burden of proof which is Exhibit 22.

23 And, I would agree with the Office of Planning
24 report. And, as you've noted, there are -- there were no
25 other -- and the ANC report, as well, which was -- which

1 voted 4-0-0 I think in support of the application.

2 So, that's it.

3 CHAIRPERSON HILL: Okay. And I will note, and it
4 is somewhat unfortunate, but I will note that, normally, we
5 do these at the beginning of the day. However, the day got
6 kind of out of hand in a lot of ways. And, again, for a
7 meeting, public meeting, we don't take any testimony. So,
8 we just kind of deliberate under an expedited review format
9 which is the format which is the format we're currently
10 under.

11 So, if, for any reason, somebody was in the
12 audience today to wait on this case, I hope they enjoyed
13 their day. And, I'm going to make a motion to approve
14 Application Number 20161 as captioned and read by the
15 Secretary and ask for a second.

16 VICE CHAIRPERSON HART: Second.

17 CHAIRPERSON HILL: Motion has been made and
18 seconded. All those in favor say aye?

19 (CHORUS OF AYES)

20 CHAIRPERSON HILL: All those opposed?

21 (NO AUDIBLE RESPONSE)

22 CHAIRPERSON HILL: The motion passes, Mr. Moy.

23 SECRETARY MOY: Staff would record the vote as 4-
24 0-1. And, again, this is on the motion of Chairman Hill to
25 approve the application for the relief requested. Seconding

1 the motion is Vice Chair Hart. Also in support, Ms. John and
2 Zoning Commissioner Chairman Anthony Hood. No other Board
3 members were participating.

4 CHAIRPERSON HILL: Okay, great, thank you, Mr.
5 Moy.

6 All right, so, we are going to take our break now
7 and we will be back after a break. And, we will do our last
8 case. Thank you.

9 (Whereupon, the above-entitled matter went off the
10 record at 5:35 p.m.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Meeting

Before: DC BZA

Date: 12-11-19

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701