

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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PUBLIC MEETING

+ + + + +

WEDNESDAY

MARCH 4, 2020

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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., 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 MEMBERS PRESENT:

ANTHONY HOOD, Chairman  
MICHAEL TURNBULL, Commissioner

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Secretary

The transcript constitutes the minutes from the Public Meeting held on March 4, 2019.

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

10:44 a.m.

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2  
3 CHAIRPERSON HILL: All right. Mr. Moy, we're  
4 going to go ahead and do -- let's do our decision cases and  
5 then we'll get back onto the agenda, the hearing agenda that  
6 is.

7 If the audience has a question for anybody, you  
8 can just speak with the Secretary. If you could just let him  
9 go ahead and announce this first case for us to deliberate  
10 on and then you can maybe walk up to the bench.

11 MR. MOY: All right. So the first case for  
12 decision-making, Mr. Chair, is an expedited review  
13 Application Number 20212 of Thomas and Nancy Gavin, G-A-V-I-  
14 N, as amended, for special exceptions under Subtitle D,  
15 Section 520.1, lot occupancy requirements, Subtitle D,  
16 Section 304.1, front setback requirements, Subtitle D,  
17 Section 305.1, rear yard requirements, Subtitle D, Section  
18 306.1, and from the non-conforming structural requirements,  
19 Subtitle C, Section 202.2, to construct a front and rear  
20 addition to an existing detached principal dwelling unit, R-  
21 1B Zone. This is at 3115 15th Street Northeast, Square 4014,  
22 Lot 32.

23 CHAIRPERSON HILL: Okay. Is the Board ready to  
24 deliberate? Okay. I can start. I thought that upon  
25 reviewing the record, I do believe that they've met the

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1 criteria for us to approve this application.

2 I went and saw the information that was supplied  
3 by the Office of Planning and would agree with their  
4 analysis. The ANC was in support of the application. And  
5 I guess there was a little bit of a discussion in terms of  
6 there was technical changes to the application that -- I'm  
7 having trouble here pulling up my files. Okay. That the --  
8 and my computer is completely -- okay, my computer is going  
9 -- so they had some technical changes to the application.  
10 However, it didn't actually change the relief nor did it  
11 necessarily change the project, it was just there was some  
12 specific issues that they were trying to address.

13 And their technical report, the technical issues,  
14 were in Exhibit 44 in terms of -- I'm sorry. Then the Office  
15 of Planning supplied another report with the additional  
16 technical relief, and they continued to be in support in  
17 Exhibit 44.

18 I would continue to be in agreement with the  
19 Office of Planning's analysis, and I do not think that this  
20 changes the issues concerning the relief requested enough to  
21 send it back to the ANC as they have seen the original  
22 design, and they had no issues or concerns with that.

23 In addition to that, there were eight letters in  
24 support and DDOT had no objection. But, again, I believe  
25 they are meeting the standard for which we can grant this

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1 relief. Does anyone have anything they would like to add?

2 MEMBER JOHN: Just that this is a fairly  
3 straightforward application and the changes were technical  
4 because the applicant amended the application to add  
5 additions to non-conforming structures under C 202.2 and  
6 under D 305.1, front setback. And that was because of the  
7 enclosure of the mud room that actually moved the distance  
8 back 7 feet. So there was no change to the project. The mud  
9 room was always in the plan to be enclosed.

10 And so I agree that the Office of Planning's  
11 analysis describes in detail how the application meets the  
12 regulation. And so I would support the application.

13 VICE CHAIRPERSON HART: Yes, I also would be in  
14 support of the application for the reasons that my colleagues  
15 have just noted and didn't really have much else to say.

16 CHAIRPERSON HILL: All right. I'm going to make  
17 a motion to approve Application Number 20212, as captioned  
18 and read by the Secretary, and ask for a second.

19 VC CHAIR HOOD: Second.

20 CHAIRPERSON HILL: Motion made and seconded. All  
21 those in favor say aye.

22 (Chorus of ayes.)

23 CHAIRPERSON HILL: All those opposed?

24 (No audible response.)

25 CHAIRPERSON HILL: Motion passed. Mr. Moy?

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1 MR. MOY: Staff would record the vote as 4 to 0  
2 to 1. And this is on the motion of Chairman Hill to grant  
3 the application to approve the application for the relief  
4 that's being requested. Seconding the motion is Zoning  
5 Commissioner Anthony Hood. Also in support Vice Chair Hart  
6 and Ms. John. There were no other members present. The  
7 motion carries, sir.

8 CHAIRPERSON HILL: All right. Thank you, Mr. Moy.  
9 You can call our next one, Mr. Moy, when you get a chance.

10 MR. MOY: All right. This last case for decision-  
11 making is Application Number 19669A of David B. Douglas, II.  
12 This is a request for a two year time extension for BZA Order  
13 Number 19669 approving special exception under Subtitle D,  
14 Section 5201, from the lot occupancy requirements, Subtitle  
15 D, Section 304.1, and from the rear yard requirements,  
16 Subtitle D, Section 306.2, and under Subtitle C, Section  
17 703.2, from the minimum parking requirements, Subtitle C,  
18 Section 701.5. This would construct a two story rear  
19 addition to an existing one family dwelling, R-3 Zone, at  
20 2339 3rd Street Northeast, Square 3558, Lot 51.

21 CHAIRPERSON HILL: Okay. Great. Thank you, Mr.  
22 Moy. Is the Board ready to deliberate? Okay. I can begin.  
23 After taking a look at the explanation as to the time  
24 extension, I thought just as was, you know, my opinion again,  
25 it just seems a little light in terms of the explanation that

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1 they were giving in terms of the regulatory delays that were  
2 beyond the applicant's control.

3           However, I would agree that that seems enough to  
4 grant the extension since this is also a first-time  
5 extension. Also we have the analysis that was provided from  
6 the Office of Planning, and they also would agree with the  
7 good cause in terms of the time extension.

8           The ANC, we did not get something from them.  
9 However, they had been notified. And as, I think, Vice Chair  
10 Hart had mentioned, at one point that they, in the previous  
11 order, had been in approval 9 to 0 to 0. So I would imagine  
12 if they did have an issue with this time extension, someone  
13 would have reached out to us. But since they did have a  
14 unanimous vote when this was originally first heard, I would  
15 be in support of the time extension. Does anyone have  
16 anything they would like to add?

17           I'm going to make a motion to approve Application  
18 Number 19669A, as captioned and read by the Secretary, and  
19 ask for a second.

20           VICE CHAIRPERSON HART: Second.

21           CHAIRPERSON HILL: Motion made and seconded. All  
22 those in favor say aye.

23           (Chorus of ayes.)

24           CHAIRPERSON HILL: All those opposed?

25           (No audible response.)

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1 CHAIRPERSON HILL: The motion passed. Mr. Moy?

2 MR. MOY: Staff would record the vote as 4 to 0  
3 to 1. And this is on the motion of Chairman Hill to approve  
4 the application for the relief requested. Seconding the  
5 motion is Vice Chair Hart. Also in support Ms. John and  
6 Zoning Commission Anthony Hood. No other members were  
7 present.

8 Mr. Moy, we're going to switch up the agenda just  
9 a little bit. So if you could go ahead and call, I guess,  
10 20168 next.

11 (Whereupon, the above-entitled proceeding went off  
12 the record at 10:53 a.m.)

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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: 03-04-20

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.



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Court Reporter

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