

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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REGULAR PUBLIC MEETING

+ + + + +

WEDNESDAY

OCTOBER 7, 2020

+ + + + +

The Regular Public Meeting of the District of Columbia Board of Zoning Adjustment convened via Videoconference, pursuant to notice at 9:30 a.m. EDT, Frederick L. Hill, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

FREDERICK L. HILL, Chairperson  
LORNA JOHN, Vice Chair  
CHRISHAUN SMITH, Board Member

ZONING COMMISSION MEMBER PRESENT:

PETER MAY, Commissioner

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Secretary  
PAUL YOUNG, Zoning Data Specialist

The transcript constitutes the minutes from the Regular Public Meeting held on October 6, 2020.

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

Case Number 20285, Application of Bryce Jacobs

Case Number 19739-A, Application of Ben Safran  
and Margot Locker

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WASHINGTON, D.C. 20005-3701

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

2 (9:37 a.m.)

3 CHAIRPERSON HILL: Good morning, ladies and  
4 gentlemen. The meeting will please come to order. We are  
5 convening and broadcasting this decision meeting by  
6 videoconference. This is the October 7th, 2020, meeting of  
7 the Board of Zoning Adjustment, District of Columbia. My  
8 name is Fred Hill, Chairperson.

9 Joining me today is Lorna John, Vice Chair;  
10 Chrishaun Smith, Board Member; and representing the Zoning  
11 Commission is Peter May.

12 Today's meeting agenda is available to you on the  
13 Office of Zoning website. Please be advised this proceeding  
14 is being recorded by a court reporter, and is also webcast  
15 live via Webex D.C.-wide. The video of the webcast will be  
16 available on the Office of Zoning website after today's  
17 meeting session. Accordingly, everyone who is listening on  
18 Webex or by telephone will be muted during the meeting.

19 We do not take any public testimony at our  
20 decision -- at our decision meetings.

21 If you are experiencing difficulty accessing Webex  
22 or with your telephone call-in, then please call our OZ  
23 hotline number at 202-727-5471, once again that's 202-727-  
24 5471, to receive Webex login or call instructions.

25 At the conclusion of the meeting session I shall,

1 in consultation with the Office of Zoning, determine whether  
2 a full or summary order may be issued. A full order is  
3 required when a decision it contains is adverse to a party,  
4 including an affected ANC. A full order may also be needed  
5 if the Board's decision differs from the Office of Planning's  
6 recommendation.

7 Although the Board favors the use of summary  
8 orders whenever possible, an applicant may request the Board  
9 to issue such an order.

10 Preliminary matters are those which relate to  
11 whether a case really should be heard today, such as request  
12 for a postponement, continuance for a trial, or whether  
13 proper and adequate notice of a meeting has been given.

14 Mr. Secretary, do we have any preliminary matters  
15 today?

16 MR. MOY: Good morning, Mr. Chairman, members of  
17 the Board. I don't have any general preliminary matters.  
18 There is one when I call the case for one of the, for one of  
19 the few decision cases this morning in this session.

20 CHAIRPERSON HILL: Okay. Let's see. Then you  
21 want to go ahead and call our first case, Mr. Moy.

22 MR. MOY: Thank you, sir. This would be Case  
23 Application No. 20285 of Bryce Jacobs, capture and advertise  
24 for special exception under Subtitle E, Section 5201 from  
25 the lot occupancy requirements of Subtitle E, Section 304.1

1 and the rear yard requirements of Subtitle E, Section 306.1.  
2 This will construct a second-story rear deck addition to an  
3 existing principal attached dwelling unit. This is in RF-1  
4 District at premises 1833 Ontario Place, Northwest, Square  
5 2584, Lot 828.

6 This is a case on the Expedited Review Calendar,  
7 Mr. Chairman. And there is a request from the adjacent  
8 neighbors to withdraw from expedited review.

9 CHAIRPERSON HILL: Okay. Are you guys all ready  
10 to kind of talk about this? I can give you my opinion.

11 I think, I think actually this is, there's a lot  
12 of things that are going on with this. I mean, they changed  
13 their plans in mid-September, which was necessitating a  
14 waiver from us. And then it seems kind of unclear to me as  
15 to whether the ANC, whether the new design would be in line  
16 with what the ANC was kind of thinking about.

17 So, I'd rather go ahead and just pull this off of  
18 the expedited review calendar on our own motion, under Y  
19 401.7(A) rather than anything else. I mean, any one of us  
20 can pull this off of the expedited review calendar and put  
21 it on the hearing.

22 So that those are my thoughts.

23 Mr. May?

24 COMMISSIONER MAY: I'm with you, Mr. Chairman.  
25 If you weren't going to make that motion, I was going to go

1 that direction. I think that we should just take it off the  
2 expedited review.

3 CHAIRPERSON HILL: Okay. Mr. Smith?

4 MEMBER SMITH: I agree with you both. I think we  
5 need additional information from the ANC and from the  
6 applicant. And I do agree we should take it off.

7 CHAIRPERSON HILL: Vice Chair John?

8 VICE CHAIR JOHN: I agree with all of the reasons  
9 given so far.

10 CHAIRPERSON HILL: Okay. Mr. Moy, when can we put  
11 this back on the hearing agenda? How can we do this?

12 MR. MOY: Okay. Yes, Mr. Chairman, you could do  
13 this as early as next week, October 14th, if you wish. We  
14 only have two -- well, I was going to say only have two cases  
15 -- we have one appeal, one application.

16 Or we could set it two weeks from now on October  
17 21st where we currently have six cases.

18 CHAIRPERSON HILL: What do you, what did you say  
19 we have next week?

20 MR. MOY: One appeal and one application.

21 CHAIRPERSON HILL: If we can, I'd rather put it  
22 on next week. I just don't know whether or not the ANC --  
23 well, let's see what happens. I mean, will you be able to  
24 put it on next week? I'd rather put it on next week than add  
25 to another case to that calendar.

1 MR. MOY: You mean for October 21st?

2 CHAIRPERSON HILL: Yes.

3 MR. MOY: Yeah, it's your choice.

4 CHAIRPERSON HILL: Okay. Let's put it on next  
5 week and see if we can get everybody there. And then, yeah,  
6 let's try that.

7 So that's, what, that's October 14th.

8 MR. MOY: Yes, sir.

9 Is this by consent or are you going to take a  
10 vote?

11 CHAIRPERSON HILL: No, I think we can pull it off  
12 on the motion. I'm just pulling it off.

13 MR. MOY: That's correct.

14 CHAIRPERSON HILL: Okay.

15 COMMISSIONER MAY: So, Mr. Chairman and Mr. Moy,  
16 I assume that since we've not heard any of the facts of the  
17 case that this will just go on to whoever is representing the  
18 Zoning Commission next week.

19 MR. MOY: Yes, sir.

20 COMMISSIONER MAY: Will be part of this one.

21 MR. MOY: Yes, sir.

22 CHAIRPERSON HILL: Okay. Mr. Moy, you can call  
23 the next one.

24 MR. MOY: All right. This application is a  
25 request for a time extension. And it is Case Application No.

1 19739 A of Ben Safran and Margot Locker. Caption has a  
2 request for a two year time extension of BZA Order No. 19739  
3 that approves special exceptions under Subtitle E, Section  
4 5201 from the lot occupancy requirements of Subtitle E,  
5 Section 404.1, and under Subtitle E, Section 5007.1 from the  
6 accessory parking -- accessory building rear yard setback  
7 requirements of Subtitle E, Section 5004.1, to construct a  
8 two-story rear addition to the existing principal dwelling  
9 unit, and to construct a two-story accessory structure in the  
10 RF-2 Zone at premises 1828 15th Street, Northwest, Square  
11 191, Lot 58.

12 CHAIRPERSON HILL: Okay. Is the Board ready to  
13 deliberate? Yes. Okay.

14 I didn't have any issue with the justification.  
15 The applicant's seeking a two year time extension due to the  
16 ongoing pandemic, and circumstances are beyond the  
17 applicant's control because of the pandemic.

18 The application was served on all the parties.  
19 We did not hear from the ANC. However, the ANC in the  
20 original application was in support. And there is no,  
21 there's no changes to the application.

22 So, I'm fine with the time extension.

23 Mr. May?

24 COMMISSIONER MAY: I agree.

25 CHAIRPERSON HILL: Mr. Smith?

1 MEMBER SMITH: I completely agree with --

2 CHAIRPERSON HILL: Vice Chair John?

3 Sorry, Mr. Smith.

4 MEMBER SMITH: I was done. Agree with you.

5 VICE CHAIR JOHN: I agree, Mr. Chairman.

6 CHAIRPERSON HILL: Okay. I'm going to make a  
7 motion to approve Application No. 19739 A, as captioned and  
8 read by the Secretary, and ask for a second at this time.

9 VICE CHAIR JOHN: Second.

10 CHAIRPERSON HILL: Motion made and seconded.

11 Mr. Moy, if you could take roll call, please.

12 MR. MOY: Staff would record the vote as 4 to 0  
13 to 1. And this is on motion made by Chairman Hill to approve  
14 the request for a two year time extension.

15 Second to motion by Vice Chair John. Also in  
16 support is Mr. Smith and Zoning Commissioner Peter May.

17 Again, the motion passes on a vote of 4 to 0 to  
18 1. That one is the board seat that's vacant.

19 CHAIRPERSON HILL: Okay.

20 (Whereupon, the above-entitled matter went off the  
21 record at 9:47 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: DCBZA

Date: 10-07-20

Place: teleconference

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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