

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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REGULAR PUBLIC MEETING

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WEDNESDAY

JULY 20, 2022

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The Regular Public Meeting of the District of Columbia Board of Zoning Adjustment convened via Video Teleconference, 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 Chairperson
CARL BLAKE, Board Member
CHRISHAUN SMITH, Board Member (NCPC)

ZONING COMMISSION MEMBER[S] PRESENT:

ANTHONY HOOD, Chairman

OFFICE OF ZONING STAFF PRESENT:

SARAH BAJAJ, Attorney Advisor
MARK HAMALA, Zoning Specialist
RYAN NICHOLAS, Attorney Advisor
PAUL YOUNG, Zoning Data Specialist

OFFICE OF PLANNING STAFF PRESENT:

JONATHAN KIRSCHENBAUM
STEPHEN COCHRAN

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MARY NAGELHOUT, ESQ.

The transcript constitutes the minutes from
the Regular Public Meeting held on July 20, 2022.

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

9:34 A.M.

BZA CHAIR HILL: Good morning ladies and gentlemen. The Board of Zoning Adjustment will please come to order. My name is Fred Hill, Chairperson, District of Columbia Board of Zoning Adjustment. Joining me today is Lorna John, Vice Chair; Board Members Carl Blake and Chrishaun Smith; and Zoning Commissioner Chairman Anthony Hood.

Today's meeting and hearing agenda are available on the Office of Zoning's website. Please be advised that this proceeding is being recorded by a court reporter and is also webcast live via Webex and YouTube Live. The video of the webcast will be available on the Office of Zoning website after today's hearing. Accordingly, everyone who is listening on Webex or by telephone will be muted during the hearing. Also, please be advised that we do not take any public testimony at our decision meeting session.

If you are experiencing difficulty accessing Webex or login, please call our OZ Hotline number at 202-727-5471. Once again, 202-727-5471, to receive Webex login or call-in instructions.

At the conclusion of our decision meeting, I shall, in consultation with the Office of Zoning, determine whether a full or summary order may be issued. A full order

1 is required when the decision it contains is adverse to a
2 party including an affected ANC. A full order may also be
3 needed if the Board's decision differs from the Office of
4 Planning's recommendation. Although the Board favors the use
5 of summary orders whenever possible, an applicant may not
6 request the Board to issue such an order.

7 In today's hearing session, everyone who is
8 listening on Webex or by telephone will be muted during the
9 hearing and only persons who have signed up to participate
10 or testify will be unmuted at the appropriate time. Please
11 state your name and home address before providing oral
12 testimony or your presentation.

13 Oral presentations should be limited to a summary
14 of your most important points. When you are finished
15 speaking, please mute your audio so that your microphone is
16 no longer picking up sound or background noise. Once again,
17 if you are experiencing difficulty accessing Webex or your
18 telephone call-in, or if you have forgotten to sign up 24
19 hours prior to this hearing, then please call OZ Hotline at
20 number 202-727-5471.

21 All persons planning to testify either in favor
22 or in opposition should have signed up in advance. They will
23 be called by name to testify. If this is an appeal, only
24 parties are allowed to testify. By signing up to testify,
25 all participants have completed the oath or affirmation as

1 required by Subtitle Y408.7.

2 Requests to enter evidence at the time of an
3 online virtual hearing, such as written testimony or
4 additional supporting documents other than live video, which
5 may not be presented as part of testimony, may be allowed
6 pursuant to Subtitle Y103.13 provided that the person making
7 the request to enter an exhibit, explained how the proposed
8 exhibit is relevant, (b) has a good cause that justifies
9 allowing the exhibit into the record including an explanation
10 of why their request did not file the exhibit prior to the
11 hearing Subtitle Y206, and how the proposed exhibit would not
12 unreasonably prejudice any parties.

13 The order of procedures to a special exception to
14 a variance are pursuant to Y409.

15 At the conclusion of each case, an individual who
16 is unable to testify because of technical issues may file a
17 request for leave to file a written version of the planned
18 testimony to the record within 24 hours following the
19 conclusion of the public testimony in the hearing. If
20 additional written testimony is accepted, then parties will
21 be allowed a reasonable time to respond as determined by the
22 Board. The Board will then make its decision at its next
23 meeting session, but no earlier than 48 hours after the
24 hearing. Moreover, the Board may request additional specific
25 information be included in the record. The Board and the

1 staff will specify at the end of the hearing exactly what is
2 expected and the date when persons must submit the evidence
3 to the Office of Zoning. No other information shall be
4 accepted by the Board.

5 Finally, the District of Columbia Administrative
6 Procedures Act requires that a public hearing on each case
7 be held in the open before the public. However, pursuant to
8 Section 405(b) and 406 of the Act, the Board may, consistent
9 with its rules and procedures and the Act, enter into closed
10 meeting on a case for purposes of seeking legal counsel on
11 a case pursuant to D.C. Official Code Section 2-575(b)(4)
12 and/or deliberating on a case pursuant to D.C. Official Code
13 Section 2-575(b)(13), but only after providing the necessary
14 public notice in the case of an emergency closed meeting
15 after obtaining a roll call vote.

16 Mr. Secretary, do we have any preliminary matters?

17 MR. HAMALA: Yes, sir. We do. We have four cases
18 filed by District Properties.com, Inc. and all of them have
19 been postponed to the hearing on November 30th, 2022 and they
20 are Application Nos. 20768, 20769, 20770, and 20771. The
21 other preliminary matters can be addressed as we call the
22 cases.

23 BZA CHAIR HILL: Okay, great. Thank you. All
24 right, good morning, everybody. It's nice to see everyone.
25 If Mr. Hamala, you can call our first decision case, please.

1 MR. HAMALA: Our first case is Application No.
2 20752 of 1719-1721 Wisconsin Avenue, Northwest, D.C. LLC.
3 And as amended, this is a self-certified application for
4 special exceptions pursuant to Subtitle X Section 901.2,
5 first under Subtitle U Section 513.1(e) to allow food
6 delivery service and then pursuant to subtitle C Section
7 1506.1 from the enclosing wall requirements of Subtitle C
8 Section 1503.1 and from the rooftop set back requirements of
9 Subtitle C 1504.1. And this would be an operation of a food
10 delivery service in an existing two-story attached commercial
11 building in the MU-4 zone located at 1721 Wisconsin Avenue,
12 NW, Square 2154, Lot 42.

13 BZA CHAIR HILL: Thank you. I'm still trying to
14 get a little bit organized. Would somebody else please start
15 the deliberation, if you wouldn't mind, and if so, raise your
16 hand?

17 Okay, great. Mr. Blake, thank you so much.

18 MEMBER BLAKE: First of all, I believe that this
19 commissary kitchen concept has a lot of potential here and
20 in other parts of the city. In some ways, it's a new concept
21 and there are several unknowns and the location in this zone
22 which is bordering a residential zone and it being a
23 historically relevant structure, there are a few wrinkles.

24 Based on the information in the record, the
25 testimony received in the public hearing, and the conditions

1 outlined in Exhibit 50, I do believe that the applicant has
2 met the burden of proof to be allowed a food delivery service
3 under Subtitle U 513(1)(e) pursuant to Subtitle 1.2.

4 I also believe the applicant has met the burden
5 of proof pursuant to Subtitle C 1506.1 for relief from the
6 enclosing wall requirements of Subtitle X 1503.1 and from the
7 rooftop setback requirement of Subtitle C 1504.1.

8 I agree with the Office of Planning's analysis of
9 how these conditions are met. The concerns I have with
10 regard to the project centered around parking, vehicular
11 traffic, especially around S Street and the activities that
12 would be conducted in the alley which bordered the
13 residential zone.

14 I've reviewed the list of conditions and I believe
15 that they generally address the concerns that were raised
16 during the hearing and by the opposition parties and they are
17 necessary and in total, the least intrusive ways to mitigate
18 the potential adverse impacts that were identified.

19 There will be no pickup and delivery in the alley,
20 only trash, and it will be done during certain hours which
21 will be -- it will also be stored indoors and removed at
22 least three times a week. There will be no activities in the
23 alley after 10 p.m. The bags will be removed from the rear
24 to the front at that time and the lighting in the alley will
25 be regulated so that it can mitigate the impact on the

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1 adjacent residential properties. Screening will partially
2 mitigate the visual intrusion of the rooftop units.

3 In essence, what we have today, I think, shifts
4 the activity of the business towards the MU zone and away
5 from the residential zone.

6 As it relates to a term limit, I'm sympathetic to
7 the uncertainty created by a term limit, and I was one of the
8 main opponents of that. I'm not fully convinced that
9 opposing a term or sunset on the approved use of the property
10 severely compromises the feasibility of the project, but I'm
11 not wedded to a term limit. In my mind, the goal of the
12 sunset would be to incentivize ongoing actions to address
13 both unforeseen, adverse impacts on the neighboring
14 properties.

15 Assuming that the applicant operates in good
16 faith, the liaison will, as described in the condition
17 statement, Exhibit 50a condition 10, should provide a
18 mechanism to address issues on an on-going basis. So I give
19 great weight to the Office of Planning's recommendation for
20 approval and support his recommendation being incorporated
21 in the order. I note DDOT has no objection to the report and
22 the inclusion of conditions of the TDM, LMP, and PUDO plan
23 in the order.

24 I give great weight to the resolution presented
25 by the ANC in which no issues or concerns were raised. And

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1 while there were numerous concerns raised by community
2 members in opposition, I believe that the applicant has taken
3 sufficient actions along with conditions specified in this
4 order to mitigate the adverse impacts.

5 I would also note that the opposition party has
6 agreed to remove party status. Like I said, I'll be voting
7 in favor of the application.

8 BZA CHAIR HILL: Great. Thank you, Mr. Blake.
9 Mr. Smith?

10 MEMBER SMITH: Sorry, got a new setup over here.
11 I agree with Mr. Blake's opinion in this particular case.
12 I do agree wholeheartedly that it is a very interesting
13 concept and I do believe that there's a place for this type
14 of -- there's a demand for this type of business.

15 Food trucks are all the rage now and this
16 particular type of establishment will allow many potential
17 restaurateurs the opportunity to get into the restaurant
18 business without the overhead cost of having a food truck up
19 front or a brick and mortar location. So I wholeheartedly
20 welcome this concept and I think it's the type of concept
21 that would thrive in the District or any large metropolitan
22 area in the country.

23 So I was mostly concerned about the traffic, how
24 this particular project would impact traffic and parking
25 within the neighborhood. By and large, I do believe that the

1 applicant has attempted to address some of those concerns and
2 I wrote the addition of the additions as presented by the
3 applicant. I do believe that they mostly mitigate some of
4 my concerns.

5 I do value the teeth that a sunset would have to
6 hold the applicant to the -- their feet to the fire in
7 essence, but I do recognize that the conditions that are
8 there now do seem to mostly mitigate most of my concerns and
9 the condition that requires the applicant to meet with the
10 adjoining neighborhood should suffice in order to address
11 some of those concerns going forward that may be raised by
12 the neighborhood if there are concerns. So I believe that
13 on the table it would support the conditions as is.

14 I do believe that the applicant, with the
15 conditions, has met the burden of proof for us to grant the
16 special exceptions based on Subtitle X 901 for all the
17 reasons that Mr. Blake stated. So I'll rest there and I will
18 state that I support the application with the conditions in
19 the TDM plan as outlined by DDOT.

20 BZA CHAIR HILL: Okay, thanks. Chairman Hood.

21 ZC CHAIR HOOD: I believe that in this particular
22 case a relief has been mitigated, has been sought. I think
23 it's a well thought out practice of making sure that some of
24 the adverse impacts which it would impose on some of the
25 folks of the community have been met. I believe that the

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1 conditions have also, as stated by both my colleagues, will
2 help mitigate additional issues.

3 I think the support in the record without me
4 repeating anything that's in the record, I think the record
5 speaks for itself and I think it's memorialized in that we
6 have in front of us. I'll be voting in support of it and I'm
7 not sure if the sunset clause is still on the table, but I
8 do not support that as well. That's all I have. Thank you.

9 BZA CHAIR HILL: Thanks, Chair Hood. Vice Chair
10 John.

11 VICE CHAIR JOHN: Thank you, Mr. Chairman. So I'm
12 also in support of the application and I thank my colleagues
13 so far for their excellent summary of some of the issues and
14 how the applicant has proposed to mitigate any potential
15 impacts, adverse impacts.

16 I would add that I was very pleased that the
17 applicant withdrew its suggestion to use the S Street as a
18 pick up and drop off zone because I thought that that might
19 have been a non-starter.

20 So again, I support everything that's been said.
21 I believe the application as presented both in the record in
22 testimony is compliant with the special exception criteria
23 and especially in U513.4, 6, and 7. And the conditions will
24 address the issues raised by the opposition and other
25 neighbors.

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1 So I would just like to add that there was a lot
2 of concern about having this type of development near the
3 residential zone and I believe one of my colleagues also
4 addressed the notion that it is in an MU-4 zone and the
5 commissary is allowed a special exception even if its
6 location or is a residential zone. So with that, I will end
7 there.

8 Thank you, Mr. Chairman.

9 BZA CHAIR HILL: Thank you, Vice Chair John. I
10 appreciate you all starting the discussion. I also am in
11 agreement with everything that has been said. I thought it
12 was a pretty thorough hearing and I thought that we did a
13 good job trying to see if there was a way to mitigate some
14 of the concerns of the immediate neighbors. I know the ANC
15 had gone through this process and they had voted in favor,
16 however, there was one member I guess in opposition and one
17 abstention which sometimes tells you a little bit about how
18 the ANC meeting went. However, they did vote in favor.

19 I'm just concerned about some of the issues that
20 had been brought up concerning the -- what was proposed to
21 be going in there, but I do think that given all of the
22 conditions that are in Exhibit 50 and I do appreciate the
23 applicant's summarizing them all in one place, so it was just
24 easier to refer to them. I would be also comfortable voting
25 in favor of it.

1 I am also opposed to the term limit as everyone
2 seems to be currently leaning towards. I know there's been
3 times when we put a term limit in place and I'm sure that
4 we'll use that tool again in the future, but I don't think
5 it's necessary right now.

6 So unless anyone has anything else to say, I go
7 ahead and make a motion to approve Application No. 20752 and
8 as captioned and read by the Secretary including the
9 conditions there listed in Exhibit 50 and ask for a second.

10 Ms. John?

11 VICE CHAIR JOHN: Second.

12 BZA CHAIR HILL: Motion made and seconded.

13 Mr. Hamala, if you could take a roll call, please?

14 MR. HAMALA: When I call your name, please respond
15 with a yes, no, or abstain.

16 Chairman Hill.

17 BZA CHAIR HILL: Yes.

18 MR. HAMALA: Vice Chair John.

19 VICE CHAIR JOHN: Yes.

20 MR. HAMALA: Mr. Blake.

21 MEMBER BLAKE: Yes.

22 MR. HAMALA: Mr. Smith.

23 MEMBER SMITH: Yes.

24 MR. HAMALA: Mr. Hood.

25 ZC CHAIR HOOD: Yes.

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1 MR. HAMALA: Staff will record the vote as 5 to
2 0 to 0 to approve the application with the conditions as
3 stated in Exhibit 50 with the motion made by Chairman Hill,
4 seconded by Vice Chair John, with support by Mr. Blake, Mr.
5 Smith, and Mr. Hood.

6 BZA CHAIR HILL: Thank you, Mr. Hamala. Hamala.
7 I'm sorry, I'm just going to have a hard time with it for a
8 little while. Let's see -- even though I've been given
9 hints, I'm still having a hard time.

10 If you could please call our next case, when you
11 get a chance, for decision.

12 MR. HAMALA: The next application is No. 20764 of
13 Sukhmohinder Mutneja. And this is a self-certified
14 application for a special exception pursuant to Subtitle E
15 Section 205.5, Subtitle E Section 5201, and Subtitle X
16 Section 901.2 from the rear addition requirements of Subtitle
17 E Section 205.4 and proposals for an enlargement of an
18 existing two-story attached principal dwelling with a third
19 story addition and a three story rear addition for conversion
20 to a flat in the RF-1 zone. The property is located at 3224
21 Sherman Avenue, NW, Square 2845, Lot 809.

22 And there are some preliminary matters before the
23 Board. We have two requests for untimely filings. Then we
24 also have three more requests for letters that came in within
25 the 24-hour rule and are not in the record.

1 BZA CHAIR HILL: Okay. I'm going to take up a
2 couple of questions here. And I'm going to look to my Board
3 members that are with us pretty regularly. We've accepted
4 a lot of stuff now inside the 24-hour rule and I don't know
5 -- I'm just kind of putting this out on the table for like
6 next year maybe when we come back. I don't know, just to try
7 and consider things. I mean we basically take pretty much
8 things that come in because we want to hear, right? We want
9 to know. And so I don't know what -- I'm not saying this is
10 the limit, but I don't know what the limit is one day to
11 where -- I guess the limit would be if we just keep having
12 to push a case back over and over again to where we never get
13 to it, that would I guess a problem. Not necessarily, and
14 you all can go around the table and comment on this if you
15 want, but as far as the things as these people are trying to
16 get read into the record, I like to let them into the record.
17 A couple of items already snuck into the record. And when
18 I say snuck into the record like we've actually been able to
19 see them and so one of the letters is from an adjacent
20 property owner and there does seem to be some questions now
21 that were not addressed at the previous hearing.

22 Now the problem I'm kind of having with it again
23 is the hearing was on the docket. The placard was there. The
24 ANC meetings happened. I mean there's plenty of time that
25 the public should have had an opportunity to comment on this.

1 However, I know that there are some other questions that the
2 Board kind of has about this, so I'm going to go ahead and
3 unless anybody has any issues and if so, please speak up, let
4 all the items listed into the record, including the letters
5 in the 24-hour period.

6 Okay, hearing no objection, we'll go ahead and do
7 that.

8 Okay, now I'm moving on to the deliberation. I
9 believe that there was some questions that some fellow Board
10 members had and I'm going to start with Vice Chair John in
11 a moment, about where we were with this. And my thoughts on
12 that were that if given that there are letters now from the
13 adjacent property owners that we're unclear about, I would
14 also be interested, I suppose, in hearing from them.
15 However, depending upon what you all's thoughts are and what
16 you still think you might need, we can decide today, have a
17 deliberation today, or reopen this and at least maybe just
18 reopen the record itself for filings and/or have a continued
19 hearing, whatever you all think.

20 Vice Chair John, may I ask you your thoughts?

21 VICE CHAIR JOHN: Thank you, Mr. Chairman. So in
22 reviewing the application in order to make a decision, I was
23 concerned that the applicant appears to be constructing two
24 principal buildings on a one record lot. And I am not -- I
25 don't believe there is a lot in the record on this and just

1 looking at the drawings submitted which I didn't think the
2 renderings were the clearest. And perhaps it's why I did not
3 pay a lot of attention to it at the previous hearing. But in
4 looking at the drawings again, it appears that the connection
5 to the two buildings is underground. It's not above ground
6 and conditioned which would make it one principal dwelling.
7 So I think -- I'm sorry, one building having two principal
8 dwelling units.

9 So I think that the hearing should be reopened to
10 hear from the applicant. Alternatively, we could decide and
11 the applicant would have to return to the Board for further
12 relief. But I would prefer to give the applicant an
13 opportunity to correct -- if the applicant thinks that there
14 needs to be correction. As I said, it's a self-certified
15 application and the Board can decide.

16 BZA CHAIR HILL: Well, that's great and Vice Chair
17 John to be clear again, you're looking for the meaningful
18 connection.

19 VICE CHAIR JOHN: I'm looking for the meaningful
20 connection.

21 BZA CHAIR HILL: Between the two dwellings, right?

22 VICE CHAIR JOHN: Yes.

23 BZA CHAIR HILL: That allows this to be before us
24 in this fashion. And this is for the applicant if they're
25 listening, there needs to be a meaningful connection in order

1 for this to go through in this way. And that's what I guess
2 the clarification is that we're looking for that we'll
3 probably have, reopen the hearing in order to get further
4 discussion on this point.

5 I believe, Mr. Blake, you also had some questions?

6 MEMBER BLAKE: Sure. I would agree with Vice
7 Chair John's assessment of the situation and my concern with
8 that as well.

9 As we recall, in the hearing, the applicant had
10 adjusted its plan in response to concerns by the ANC and was
11 moving the basement, was creating an adjustment to the
12 cellar, moving to the basement, what have you. But in that
13 change, it did appear that the connection wouldn't be above
14 grade, as required by the 309 and therefore, we talk about
15 it would be a separate, accessory structure and then showing
16 the 22 feet and two stories. So I do think that there's some
17 issues that need to be addressed in this. I would feel
18 uncomfortable moving forward with this until we had clarity
19 on that. But I do agree with the drawings to make it clear
20 as to what it is and to make sure we address any additional
21 relief that might be required.

22 BZA CHAIR HILL: Okay. That's enough for me, but
23 I mean Mr. Smith, do you have any thoughts?

24 MEMBER SMITH: Yes, I completely agree with the
25 assessment. The architectural drawings aren't exactly clear

1 in the connection between the two properties above grade, so
2 it would be great to get some additional clarity from the
3 applicant to ensure that they are in compliance with the
4 provisions of the connection, so let's reopen it.

5 BZA CHAIR HILL: Okay. Chairman Hood, you don't
6 have an issue with this process?

7 ZC CHAIR HOOD: I don't have an issue, but I would
8 be interested in having a discussion about meaningful
9 connection because I noticed it kind of differs. We tried
10 to fix it as ZR-16 as stated, but I will go back to your
11 first point about late submissions.

12 Good luck. We've been working on that for years,
13 so I would like to see how that works out. I have no
14 problems with what I've heard. Thank you.

15 BZA CHAIR HILL: Okay. Thanks, Chairman Hood.
16 All right. Okay.

17 Vice Chair John?

18 VICE CHAIR JOHN: Mr. Chairman, I'm not entirely
19 sure I understand the impact of the shadow study. If
20 everyone else is fine with it, I don't know how it affects
21 both neighbors, but I would defer to my Board members on
22 that.

23 BZA CHAIR HILL: That's fine. I mean let's -- and
24 I see Mr. Blake's hand up. Let's make sure we get everything
25 of the applicant that we might need to want to know about at

1 the next hearing.

2 Mr. Blake?

3 MEMBER BLAKE: Expressed by the neighbor to the
4 north, not the immediate adjacent neighbor, but the neighbor
5 beyond that as to the impact on their property, I did not
6 think that the shadow study did give a good rendering of that
7 with those implications. So I would like to see it capture
8 that as well.

9 BZA CHAIR HILL: Okay. So what I understand is
10 that we're going to discuss the meaningful connection and the
11 applicant should be able to understand that and how that
12 applies towards the regulations. And what we're looking at
13 in terms of -- I think it's an enclosed space conditioned
14 above grade and so that's something that we need to take a
15 look at. Then also the shadow studies. And in particular,
16 the home to the north that Mr. Blake just spoke to is what
17 there was some questions about. And then also, the applicant
18 can know that we'd be speaking about the latest filings that
19 have been put into the record concerning comments from the
20 public on the adjacent neighbors.

21 So that being said, Mr. Hamala, can you hear me?

22 MR. HAMALA: I can, sir.

23 BZA CHAIR HILL: When is -- and I know that
24 Chairman Hood doesn't like me saying this, but when is
25 Chairman Hood back with us again after the break?

1 MR. HAMALA: His first date back would be
2 September 14th, although there's already 9 cases on the
3 agenda for that that day. Or October 5th, same situation
4 with 9 cases.

5 BZA CHAIR HILL: Okay, give me a second.
6 September 14th, and then what's -- Chairman Hood, if we do
7 this in the beginning, would you come back on a particular
8 day?

9 ZC CHAIR HOOD: Yes, just whatever date you pick
10 out I'll be here.

11 BZA CHAIR HILL: Well, that's so kind of you, sir.
12 We're so happy to see your smiling face every Wednesday as
13 well, when we can get you.

14 Let's see, I'm smiling because like the 14th is
15 going to be a weird day for me, and so that's not going to
16 actually work out probably also. But so the 21st or the
17 28th, how is that looking?

18 MR. HAMALA: The 21st, there is one appeal case
19 and five overall scheduled for that day.

20 BZA CHAIR HILL: There's one appeal and four
21 additional cases?

22 MR. HAMALA: That's right.

23 BZA CHAIR HILL: Okay. And then what's the next
24 one, the 28th?

25 MR. HAMALA: The 28th, there are nine cases on the

1 agenda that day.

2 BZA CHAIR HILL: Okay. The 28th, there's nine
3 cases on the agenda and then -- the 28th, there's nine cases
4 on the agenda, 28th, there's nine cases -- and then the 5th
5 is when I'm back here with Chairman Hood.

6 MR. HAMALA: Yes.

7 BZA CHAIR HILL: And how many have you got on the
8 5th?

9 MR. HAMALA: Nine.

10 BZA CHAIR HILL: All right, let's go ahead and put
11 it on the 21st, unless you all got a problem. I mean
12 whatever. I mean it is going to be a long day anyway. So
13 the 21st. Let's do the 21st and Chairman Hood will come back
14 if he's so kind, to come back at the very beginning. We'll
15 do this the first thing on the 21st, continued hearing. Okay?
16 That will be September, 9/21, continued hearing, 9/21.

17 And Mr. Hamala, the staff can reach out -- I know
18 you'll post something in the record, but reach out to the
19 applicant for specifics of what the Board was looking for.

20 MR. HAMALA: Yes, sir. And is the record being
21 reopened in general or just for the Board requests?

22 BZA CHAIR HILL: Thank you, Mr. Hamala. The Board
23 will leave the record items that the Board asked about. Just
24 so the public knows, this is a continued hearing on specific
25 issues that the Board was interested in speaking about. And

1 so we're going to be addressing those issues and I guess
2 we're going to be speaking about some concerns that have come
3 up with the adjacent properties. But other than that, the
4 record is closed. So Mr. Hamala, we'll see everybody on the
5 21st, okay?

6 MR. HAMALA: You got it.

7 BZA CHAIR HILL: Great.

8 (Whereupon, the above-entitled matter went off the
9 record at 10:04 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: 07-20-22

Place: teleconference

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



Court Reporter

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