

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

MARCH 6, 2024

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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 9:43 a.m. EST, Frederick L. Hill, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

FREDERICK L. HILL, Chairperson  
LORNA L. JOHN, Vice-Chairperson  
CHRISHAUN S. SMITH, NCPC Designee  
CARL H. BLAKE, Member

ZONING COMMISSION MEMBERS PRESENT:

JOE IMAMURA, Commissioner

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Secretary  
PAUL YOUNG, A/V Production Specialist

The transcript constitutes the minutes from the Regular Public Meeting held on March 6, 2024.

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

9:43 a.m.

BZA CHAIR HILL: Okay. You want to call our first case, Mr. Moy?

MR. MOY: In the Board's meeting session there is one case on today's docket, and that is an expedited review case. It is Application No. 21074 of William Reynolds and Valerie Reynolds. It's an application for special exception from the accessory building area requirements of Subtitle E, Section 5003.1, pursuant to Subtitle E, Subsection 5201.2 and Subtitle X, Subsection 901.2; and special exception from the accessory building rear yard requirements of Subtitle E, Subsection 5004.1(a), pursuant to Subtitle E, Subsection 5201.2 and Subtitle X, Subsection 901.2.

The property is located in the RF-1 Zone at 1362 K Street, Southeast, Square 1046, Lot 143.

And that's all I have for you, sir.

BZA CHAIR HILL: Okay, thanks. I asked some people to help me with this, but I think what I'll do also to help myself, and also others, I think, because I'm going to read some of the information that is before me here.

Consistent with the ZA referral memo, the applicant seeks relief from the requirements of E 5003, accessory structure building area, and E 5004, accessory structure location.

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1           The Office of Planning recommended relief from E  
2 5003, but doesn't address 5004. Instead, the Office of  
3 Planning recommended approval of relief from E 207, rear  
4 yard, which the applicant did not request. The Office of  
5 Planning's report doesn't explain why Subtitle E 207.1  
6 applies to this application instead of Subtitle E 5004.1(a),  
7 except that OP apparently measured the rear yard of the  
8 subject property as the distance between the principal  
9 dwelling and the accessory building.

10           In 5100.2, the rear yard is defined as the yard  
11 between the rear line of the building or other structure at  
12 the rear lot line, except as provided elsewhere in the title.  
13 The rear yard shall be for the full width of the lot and  
14 shall be unoccupied except as specifically authorized in the  
15 zoning regulations because an accessory structure may not be  
16 located in the rear yard. The rear yard is measured with  
17 respect to the principal dwelling.

18           Also, per B 100.2, the depth of a rear yard is the  
19 mean horizontal distance between the rear line of a building  
20 and the rear lot line, except as provided elsewhere in the  
21 title. The plat showed that the subject property has an  
22 irregular rear lot line such that the distance between the  
23 principal building and the rear lot line is approximately  
24 either 40 or 45 feet, where a rear yard setback of at least  
25 20 feet is required.

1           The application proposes an addition to an  
2 existing accessory structure that is located in a portion of  
3 the requested rear yard. Accordingly, the application seeks  
4 relief from E 5004 to allow an addition to the nonconforming  
5 accessory structure.

6           I read all that just to provide clarification as  
7 do I believe that what the applicant is requesting is the  
8 correct relief. If we were here with a hearing, we could  
9 have asked for other clarification with the Office of  
10 Planning.

11           After continuing to review the record, I believe  
12 that the Office of Planning was looking at the correct relief  
13 in terms of the project. They were looking at the project  
14 in the correct way. It's just that I think there was some  
15 miscalculations and/or a couple of clerical errors, perhaps.

16           In addition to that, the ANC 6B was in support,  
17 and also both adjacent neighbors were in support. I believe  
18 that the applicant is meeting the regulations for us to allow  
19 this relief to be granted and I will be voting in favor.

20           Is there anything anyone would like to add?

21           Mr. Smith. No?

22           MEMBER SMITH: I don't have anything to add. I  
23 agree with your assessment.

24           BZA CHAIR HILL: Mr. Blake?

25           MEMBER BLAKE: I have nothing to add.

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1 BZA CHAIR HILL: Commissioner Imamura?

2 COMMISSIONER IMAMURA: Nothing to add, Mr.  
3 Chairman. I also agree with your summary and assessment.

4 BZA CHAIR HILL: Thank you. Vice Chair John?

5 VICE CHAIR JOHN: Chairman, I agree with your  
6 assessment that this is an existing two-story building in a  
7 required rear yard and that the applicant requested the  
8 proper relief and that is a straightforward application. And  
9 I am supporting it.

10 BZA CHAIR HILL: Thank you. I would also like to  
11 thank the Office of Zoning's Legal Division for their help  
12 in this issue.

13 I'm going to make a motion to approve Application  
14 No. 21074, as captioned and read by the Secretary, and ask  
15 for a second. Ms. John?

16 VICE CHAIR JOHN: Second.

17 BZA CHAIR HILL: The motion has been made and  
18 seconded. Mr. Moy, if you could take a roll call, please.

19 MR. MOY: When I call your name, if you would  
20 please respond to the motion made by Chairman Hill to approve  
21 the application for the relief requested. The motion to  
22 approve was seconded by Vice Chair John.

23 Zoning Commissioner Imamura?

24 COMMISSIONER IMAMURA: Yes.

25 MR. MOY: Mr. Smith?

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1 (No audible response.)

2 MR. MOY: Mr. Blake?

3 MEMBER BLAKE: Yes.

4 MR. MOY: Vice Chair John?

5 VICE CHAIR JOHN: Yes.

6 MR. MOY: Chairman Hill?

7 BZA CHAIR HILL: Yes.

8 MR. MOY: Staff would record the vote as 5-0-0.

9 This is on the motion -- this is on the motion made by  
10 Chairman Hill. The motion was seconded by Vice Chair John.  
11 Vice Chair John also voted to approve the application, as  
12 well as approval from Zoning Commissioner Dr. Imamura, Mr.  
13 Smith, Mr. Blake, Vice Chair John, and Chairman Hill. Motion  
14 carries, sir, 5-0-0.

15 BZA CHAIR HILL: Thank you.

16 (Whereupon, the above-entitled matter went off the  
17 record at 9:50 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: 03-06-24

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.

  
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Court Reporter

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