

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

SEPTEMBER 18, 2024

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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
CHRISHAUN S. SMITH, NCPC Designee

ZONING COMMISSION MEMBER PRESENT:

ANTHONY J. HOOD, Chairperson

OFFICE OF ZONING STAFF PRESENT:

KEARA MEHLERT, Secretary
PAUL YOUNG, A/V Production Specialist

OFFICE OF PLANNING DEVELOPMENT REVIEW STAFF PRESENT:

RON BARRON
SHEPARD BEAMON
MICHAEL JURKOVIC
CRYSTAL MYERS
KAREN THOMAS

The transcript constitutes the minutes from the Regular Public Meeting held on September 18, 2024.

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

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(9:45 a.m.)

3 MS. MEHLERT: Next on the Board's meeting
4 session is Application No. 20507-B of Legacy Lofts II,
5 LLC, and Legacy Lofts III, LLC. This is a request
6 pursuant to Subtitle Y Section 703 for a modification
7 without hearing to the order issued in Application No.
8 20507 which was also modified in Application No. 20507-A
9 to add a third story addition to each building and
10 increase the total number of new dwelling units in each
11 building from 11 to 14.

12 This modification concerns two of eleven lots
13 for the Board approved changes in the number of units and
14 additions to existing two-story detached buildings which
15 originally were eight-unit apartment houses. It's located
16 in the RA-1 zone at 89 and 93 Hawaii Avenue, Northeast,
17 Square 3674, Lots 8 and 9.

18 BZA CHAIR HILL: Okay. So, I know that we have
19 all reviewed this. I think we're on the same page but I'm
20 going to, I'm basically just going to read some
21 information that has been put before us that I agree with.
22 And I just want to note here.

23 So, the applicant characterizes this
24 modification request as reinstatement of the original
25 approval. However, the original approval ended when the

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1 Board approved the first modification, 20507-A, which is
2 ||the approval that is currently in affect.

20 The first modification allowed a change in
21 plans eliminating the planned third floor and reducing the
22 number of units in each building to 11. Thus the first
23 modification changed the relief to a new residential
24 development of six new dwelling units in two existing
25 buildings.

12 Okay. So I think this has to come back before
13 us for a public hearing with the new requested relief. We
14 can't just go back to the old plans. And so, do you all
15 agree with this?

16 And I'm going to start with you Mr. Smith.

17 MEMBER SMITH: Chairman Hill, I agree
18 wholeheartedly with everything that you just stated
19 regarding this particular case. I do believe that for the
20 exact same reasons that you stated I do believe that this
21 needs to come back to us in a full public hearing and I
22 would support that. So I'll leave it at that.

23 BZA CHAIR HILL: Thank you.

1 BZA CHAIR HILL: Okay. Ms. Mehlert, when could
2 ||this then reasonably be back before us?

3 MS. MEHLERT: So, if you would like to remove
4 this from the consent agenda and schedule for a --
5 modification with hearing, we would need to notice it as a
6 hearing. So that would be at least 40 days.

7 So, we could do this on November 20th to allow
8 for proper noticing.

9 BZA CHAIR HILL: What does November 20th look
10 like? Is that the one just before Thanksgiving?

11 MS. MEHLERT: Yes. There's three cases and an
12 appeal scheduled.

13 BZA CHAIR HILL: Okay. All right. Okay.
14 Okay. So this would be the fourth case and the appeal.

15 MS. MEHLERT: Right.

16 BZA CHAIR HILL: Okay. Okay. Let's put it for
17 11/20 and hopefully the applicant would be able to get all
18 of their ducks in a row by then. Okay. All right. So
19 that's that one.

20 (Whereupon, the above-entitled matter went off
21 the record at 9:51 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: 09-18-24

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.

Neal R. Gross
Court Reporter

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