

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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REGULAR PUBLIC HEARING

+ + + + +

WEDNESDAY

JANUARY 29, 2025

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The Public Hearing of the District of Columbia Board of Zoning Adjustment convened via 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
CHRISHAUN SMITH, Commissioner
CARL H. BLAKE, Commissioner
ANTHONY J. HOOD, Zoning Commission Chairperson

OFFICE OF BOARD OF ZONING ADJUSTMENT STAFF PRESENT:

KEARA MEHLERT, Secretary
PAUL YOUNG, A/V Specialist

The transcript constitutes the minutes from the Regular Public Hearing held on January 29, 2025.

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

(9:30 a.m.)

CHAIRPERSON HILL: Good morning ladies and gentlemen to the Board of Zoning Adjustment. Today is 1/29/2025. This public hearing will come to order. My name is Fred Hill, Chairman of the District of Columbia Board of Zoning Adjustment. Joining me today are Board members Carl Blake, Crishaun Smith, Zoning Commissioner Anthony Hood and perhaps Lorna John. I'm not clear yet.

Today's meeting and hearing agenda are available on the Office of Zoning's website. Please be advised this proceeding is being recorded by a court reporter and is also webcast live via YouTube and Webex. The video of the webcast will be available on the Office of Zoning's 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 we do not take any public testimony in our decision meeting session. If you're experiencing difficulty accessing Webex or with your telephone call-in, then please call our OZ hotline number at 202-727-5471 to receive Webex login or call-in instructions.

At the conclusion of a decision meeting session I shall, in consultation with the Office of Zoning, determine whether a full or summary order may be issued. A full order is required when the decision it contains is adverse to a party including an affected ANC. A full order may also be needed if

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1 the Board's decision differs from the Office of Planning's
2 recommendation. Although the Board favors the use of summary
3 orders whenever possible, an Applicant may not request the Board
4 to issue such an order.

5 In today's hearing session everyone who is listening
6 on Webex or by telephone will be muted during the hearing and
7 only persons who have signed up to participate or testify will
8 be unmuted at the appropriate time. Please state your name and
9 home address before providing oral testimony or your
10 presentation. Oral presentations should be limited to a summary
11 of your most important points. When you're finished speaking,
12 please mute your audio so that your microphone is no longer
13 picking up sound or background noise.

14 All persons planning to testify either in favor or in
15 opposition should have signed up in advance. They'll be called
16 by name to testify. If it's an appeal only parties are allowed
17 to testify. By signing up to testify all participants complete
18 the oath or affirmation as required by Subtitle Y-408.7. Requests
19 to enter evidence at the time of an online virtual hearing such
20 as written testimony or additional supporting documents other
21 than live video which may not be presented as part of the
22 testimony, may be allowed pursuant to Y-103.13 provided that the
23 person making the request to enter an exhibit explain, a) how the
24 proposed exhibit is relevant, b) the good cause justifies
25 allowing an exhibit into the record including an explanation of

1 | why the requester did not file the exhibit prior to the hearing
2 | pursuant to Y-206 and how the proposed exhibit would not
3 | unreasonably prejudice any parties. The order of procedures for
4 | special exceptions and variances are in Y-409.

5 | Pursuant to Y-408.2, oh, never mind (indiscernible).
6 | At the conclusion of each case an individual who is unable to
7 | testify because of technical issues may file a request for leave
8 | to file a written version of the planned testimony to the record
9 | within 24 hours following the conclusion of public testimony in
10 | the hearing. If additional written testimony is accepted, the
11 | parties would be allowed a reasonable time to respond as
12 | determined by the Board. The Board will then make its decision
13 | at its next meeting session no earlier than 48 hours after the
14 | hearing. Moreover, the Board may request additional specific
15 | information to complete the record. The Board's staff will
16 | specify at the end of the hearing exactly what is expected and
17 | the date when persons must submit the evidence to the Office of
18 | Zoning. No other information shall be accepted by the Board.

19 | Finally, the District of Columbia Administrative
20 | Procedures Act requires that a public hearing on each case be
21 | held in the open before the public. However, pursuant to Section
22 | 405(b) and 406 of that Act the Board may, consistent with its
23 | rules and procedures and the Act, enter into a closed meeting on
24 | a case for purposes of seeking legal counsel on a case pursuant
25 | to D.C. Official Code Section 2-575(b)(4) and/or deliberate on a

1 case pursuant to D.C. Official Code Section 2-575(b)(13) but only
2 after providing the necessary public notice in the case of an
3 emergency closed meeting after taking a roll call vote.

4 Madam Secretary, do we have any preliminary matters?

5 MS. MEHLERT: Good morning, Mr. Chairman and members
6 of the Board.

7 There are a couple of schedule changes for today.
8 Appeal No. 21221 of West End DC Community Association has been
9 withdrawn and Application No. 21194 of Karen Marsh has been
10 postponed to April 2nd, 2025. Any preliminary matters will be
11 noted when the case is called.

12 CHAIRPERSON HILL: Okay. Great. Thank you.

13 Well, good morning everyone. We have a shorter day
14 today and so I am going to move forward. Madam Secretary, if
15 you can call our first item of business.

16 MS. MEHLERT: The first case is in the Board's meeting
17 session. It's Application No. 20949-A of George R. Rice and
18 Elizabeth A. Gaines. This is a request pursuant to Subtitle Y,
19 Section 703 for a modification without hearing of the plans
20 approved in Application No. 20949 to add a new second-story
21 addition to a previously approved one-story accessory structure
22 in the rear yard of a two-story attached principal dwelling.
23 This is located in the RF-1 zone at 57 W Street, Northwest, Square
24 3123, Lot 86.

25 CHAIRPERSON HILL: Okay. Thank you. All right.

1 After reviewing the record I was a little bit unclear
2 as to whether or not they had met the burden for us to do this
3 as a modification without hearing. However, after taking a look
4 more closely at the record and also having some contact, not
5 contact, discussions with the Office of Zoning Legal Department
6 which was very helpful for me and I thank them for that with this
7 modification, I guess this works because of the second floor lot
8 occupancy is less than the first floor and then we referred to
9 the plans from the original case which was in Exhibit 6 of Case
10 No. 20949 which then made it a little bit more clear as to how
11 this could proceed as a modification without hearing.

12 After taking a look at those exhibits and then also
13 looking through the Office of Planning's recommendation which was
14 also in support of this application and understanding how they
15 believe this could be done as a modification without hearing, I'm
16 comfortable in moving forward and approving this application.

17 Mr. Smith, do you have anything you'd like to add?

18 COMMISSIONER SMITH: No, I don't have anything to add,
19 Chairman Hill, and I agree with your assessment of this case.

20 CHAIRPERSON HILL: Thank you.

21 Mr. Blake?

22 COMMISSIONER BLAKE: I agree with your analysis on this
23 case and I will be voting in support of the application.

24 CHAIRPERSON HILL: Thank you.

25 Chairman Hood?

1 ZC CHAIRPERSON HOOD: Good morning, Mr. Chairman, and
2 everyone.

3 I have nothing to add. Thank you.

4 CHAIRPERSON HILL: Thank you.

5 All right. I'm going to make a motion to approve
6 Application No. 20949-A as captioned and read by the secretary,
7 and ask for a second. Mr. Blake?

8 COMMISSIONER BLAKE: Second.

9 CHAIRPERSON HILL: Motion is made and seconded. Madam
10 Secretary, if you could take a roll call, please?

11 MS. MEHLERT: Please respond to the Chair's motion to
12 approve the application.

13 Chairman Hill?

14 CHAIRPERSON HILL: Yes.

15 MS. MEHLERT: Mr. Smith?

16 COMMISSIONER SMITH: Yes.

17 MS. MEHLERT: Mr. Blake?

18 COMMISSIONER BLAKE: Yes.

19 MS. MEHLERT: Chairman Hood?

20 ZC CHAIRPERSON HOOD: Yes.

21 MS. MEHLERT: Staff would record the vote as four to
22 zero to one to approve Application 20949-A on the motion made by
23 Chairman Hill and seconded by Mr. Blake, with Board member John
24 not participating.

25 CHAIRPERSON HILL: Thank you.

1 Madam Secretary, you may call our next one, please.

2 MS. MEHLERT: Next in the Board's meeting session is
3 Application No. 20819-A of TDC Acquisitions, LLC. This is a
4 request pursuant to Subtitle Y, Section 705.2 for a two year time
5 extension of the validity of the order in Application No. 20819.
6 This is for an eating and drinking establishment in the penthouse
7 of an existing 12-story office building undergoing conversion to
8 a residential building with ground floor commercial space. It's
9 located in the D-6 zone at 1133 19th Street, Northwest, Square
10 140, Lot 907.

11 CHAIRPERSON HILL: Okay. Thank you.

12 I actually remember this application and I was
13 comfortable with when we approved this application, and after
14 reviewing the request for a time extension I believe they're
15 meeting the criteria for us to grant the time extension. I'll
16 cite (phonetic) the Office of Planning's report and also the
17 argument that the Applicant had made concerning economic and
18 marketing conditions that are beyond their reasonable control,
19 namely difficulties adhering to the conversion of an office
20 building to residential and the ongoing challenges of adverse
21 market conditions facing the commercial real estate sector with
22 a variety of other issues concerning interest rates and shifts
23 in the financial market.

24 So I'm going to be voting for this time extension. Mr.
25 Smith, do you have anything you'd like to add.

1 COMMISSIONER SMITH: No. I don't have anything to add,
2 Chairman Hill, and will support the application.

3 CHAIRPERSON HILL: Thank you.

4 Mr. Blake?

5 COMMISSIONER BLAKE: Mr. Chair, I agree with your
6 analysis and will be in support of the time extension. I would
7 also add though that credit due the Office of Planning's report
8 as it relates to the fact that there have been no substantial
9 changes that would alter from what the Board's original decision
10 was based which would mark the zoning regulations as well as
11 surrounding developments or anything with regard to the proposed
12 development.

13 So that said, I'll be voting in favor of the application
14 (indiscernible).

15 CHAIRPERSON HILL: Thank you.

16 Chairman Hood?

17 ZC CHAIRPERSON HOOD: Thank you, Mr. Chairman.

18 I would agree along with my colleagues. I believe that
19 this warrants an extension, especially with the merits and what's
20 filed in the record.

21 Thank you.

22 CHAIRPERSON HILL: Thank you.

23 All right. I'm going to make a motion to approve
24 Application No. 20819-A as captioned and read by the secretary,
25 and ask for a second. Mr. Blake?

1 COMMISSIONER BLAKE: Mr. Chairman, one clarification
2 before I second. The new period of validity would be
3 (indiscernible) through December 19th, 2026, just to be clear on
4 that, correct?

5 CHAIRPERSON HILL: Thank you. Yes, that is correct,
6 Mr. Blake. Thank you.

7 COMMISSIONER BLAKE: That said, I second.

8 CHAIRPERSON HILL: Thank you.

9 Madam Secretary, the motion is made and seconded.

10 MS. MEHLERT: Please respond to the Chair's motion to
11 approve the time extension to December 19th, 2026.

12 Chairman Hill?

13 CHAIRPERSON HILL: Yes.

14 MS. MEHLERT: Mr. Smith?

15 COMMISSIONER SMITH: Yes.

16 MS. MEHLERT: Mr. Blake?

17 COMMISSIONER BLAKE: Yes.

18 MS. MEHLERT: Chairman Hood?

19 ZC CHAIRPERSON HOOD: Yes.

20 MS. MEHLERT: Staff would record the vote as four to
21 zero to one to approve Application 20819-A on the motion made by
22 Chairman Hill and seconded by Mr. Blake, with Vice Chair John not
23 participating.

24 CHAIRPERSON HILL: Thank you.

25 Madam Secretary, you may call our next when you get an

1 opportunity.

2 MS. MEHLERT: Next is in the Board's hearing session.
3 This is Application No. 21214 of Elizabeth Sell and Andrew
4 Grossman. This is an application pursuant to Subtitle X, Section
5 901.2 for a special exception under Subtitle E, Section 207.5 to
6 allow the rear wall of a row building to extend farther than ten
7 feet beyond the farthest rear wall of an adjoining principal
8 residential building on an adjacent property. This is for a one-
9 story rear addition to an existing two-story attached principal
10 dwelling. It's located in the RF-1 zone at 1702 Lyman Place,
11 Northeast, Square 4471, Lot 168.

12 CHAIRPERSON HILL: Thank you.

13 Can the Applicant hear me and if so, could they please
14 introduce themselves for the record?

15 MS. SELL: Hello. My name is Elizabeth Sell. I'm the
16 Applicant and I'm present.

17 CHAIRPERSON HILL: Okay.

18 Ms. Sell, does your camera work?

19 MS. SELL: Yes.

20 CHAIRPERSON HILL: Okay. Great. I see you, Ms. Sell.
21 Thank you. Is Ms. Lobo with you, Ms. Sell?

22 MS. SELL: I think I saw her name on, yes, I see her
23 on the (indiscernible).

24 CHAIRPERSON HILL: I see her there. Let's see. Ms.
25 Lobo, would you like to introduce yourself for the record?

1 MS. LOBO: Yes. I'm Renata Lobo. I'm with Ms. Sell.
2 I'm the contractor with Traylor Design & Construction.

3 CHAIRPERSON HILL: Okay.

4 Ms. Sell, who's going to be presenting to us?

5 MS. SELL: (Audio interference). I'm sorry. I'm
6 getting a ton of feedback each time everybody speaks. So, I'm
7 happy to start and then, but with any technical questions I would
8 defer to Renata.

9 CHAIRPERSON HILL: Great. Why doesn't everybody mute
10 unless they're talking and I'll also do the same thing, I'll mute
11 when I'm talking and, Chairman Hood, I saw you smiling. Your
12 stuff doesn't necessarily go that smoothly either, okay?

13 ZC CHAIRPERSON HOOD: I just enjoyed hearing it twice
14 so I can make sure I got it.

15 CHAIRPERSON HILL: Right, right. That's great. Okay.

16 All right. Ms. Sell, if you want to go ahead and tell
17 us about your project and why you believe you're meeting the
18 criteria for us to grant the relief requested. I know you're
19 not a zoning expert but you want to tell us about your project
20 and we'll be able to work through it from that point forward,
21 and you can begin whenever you like and I'm hitting mute.

22 MS. SELL: Okay. You bet.

23 So my husband and I have owned the property at 1702
24 Lyman Place since 2019 and we're applying to grant a special
25 exception to build a one-story rear addition to our existing two-

1 story row house. The proposed addition would further increase
2 the lot occupancy by 1.6 percent.

3 The previous owner had actually already added a two-
4 story addition to our house at some unknown time and their, the
5 first story measures 11.6 feet deep and 16. (audio interference)
6 feet wide. The basement room below it (audio interference) feet
7 deep, so basically what we're asking to do is extend the basement
8 wall to meet the current first-story wall.

9 CHAIRPERSON HILL: Okay, Ms. Sell. Thank you.

10 Why don't you go ahead and mute? Why doesn't everybody
11 mute and let me see if I can hear from the Office of Planning.

12 MR. BRADFORD: Good morning, Chairman Hill, and members
13 of the Board. For the record, my name is Philip Bradford,
14 Development Review Specialist with the Office of Planning.

15 The Office of Planning recommends approval of the
16 requested special exception relief and finds that their request
17 meets the criteria in Subtitles E and X, and we stand on the
18 record of the report in Exhibit 22.

19 Thanks, and I'm available for any questions.

20 CHAIRPERSON HILL: Thank you.

21 Mr. Bradford, you're not new, correct? Okay. You look
22 a little different to me. Happy new year.

23 MR. BRADFORD: Thanks. Happy new year.

24 CHAIRPERSON HILL: Okay.

25 Does the Board have any questions for the Office of

1 Planning or the Applicant? Okay. Mr. Young, is there anyone
2 here wishing to speak?

3 MR. YOUNG: We do not.

4 CHAIRPERSON HILL: Okay. Great.

5 Ms. Sell, I'd let you talk again but I'm worried that
6 the feedback's kind of odd and so I do appreciate you coming with
7 us and I believe that actually you spoke, you spoke more clearly
8 than most people do that don't do this for a living. So, thank
9 you for taking that time to understand the regulations a little
10 bit more than some.

11 I'm going to go ahead and close the hearing and the
12 record. Will you please excuse everyone?

13 (Pause.)

14 CHAIRPERSON HILL: Okay.

15 I didn't have a lot of issues with this application.
16 I thought it was relatively straightforward. I would agree with
17 the analysis that the Office of Planning has put forward
18 concerning, you know, any kind of issues with light and air and
19 privacy, or visual intrusion. I do not think that there any
20 concerning this application. I also will note that the ANC has
21 had an opportunity to take a look at this in 5D and has also
22 submitted their report in favor of this application, so I
23 appreciate that the Applicant has gone through the process to
24 reach out to their ANC and I'll be voting in favor of this
25 application.

1 Mr. Smith, do you have anything you'd like to add?

2 COMMISSIONER SMITH: I have nothing to add, Chairman
3 Hill. I agree with you that this is a fairly straightforward
4 case and that there would be very limited impact and absolutely
5 to me no adverse impact on the adjacent properties as it relates
6 to light, air and privacy.

7 Also with that, I agree with, like you I agree with the
8 analysis of the Office of Planning and recognize that the ANC is
9 also in support of the application and will be in support as
10 well. (Indiscernible).

11 CHAIRPERSON HILL: Thank you.

12 Mr. Blake?

13 COMMISSIONER BLAKE: Mr. Chair, I agree and align
14 myself with the comments that you and Board member Smith made.
15 I am, be voting in support of the application.

16 CHAIRPERSON HILL: Thank you.

17 Chairman Hood?

18 ZC CHAIRPERSON HOOD: I too would agree, Mr. Chairman.
19 I think looking at it on the face of this I think it's very de
20 minimis as has already been mentioned by you all, and I will be
21 voting in support of this.

22 Thank you.

23 CHAIRPERSON HILL: Thank you.

24 All right. I'm going to make a motion to approve
25 Application No. 21214 as captioned and ready by the secretary,

1 and ask for a second. Mr. Blake?

2 COMMISSIONER BLAKE: Second.

3 CHAIRPERSON HILL: The motion is made and seconded.
4 Madam Secretary, if you could take a roll call?

5 MS. MEHLERT: Please respond to the Chair's motion to
6 approve the application.

7 Chairman Hill?

8 CHAIRPERSON HILL: Yes.

9 MS. MEHLERT: Mr. Smith?

10 COMMISSIONER SMITH: Yes.

11 MS. MEHLERT: Mr. Blake?

12 COMMISSIONER BLAKE: Yes.

13 MS. MEHLERT: Chairman Hood?

14 ZC CHAIRPERSON HOOD: Yes.

15 MS. MEHLERT: Staff would record the vote as four to
16 zero to one to approve Application 21214 on the motion made by
17 Chairman Hill and seconded by Mr. Blake, with Vice Chair John not
18 participating.

19 CHAIRPERSON HILL: Thank you.

20 If you want to go ahead and call our next one when you
21 get the chance?

22 MS. MEHLERT: The last case in the Board's hearing
23 session is 21219 of Sean and Audrey Ward. This is a self-
24 certified application pursuant to Subtitle X, Section 901.2 for
25 a special exception under Subtitle E, Section 5201 from the lot

1 occupancy requirements of Subtitle E, Section 210.1. This is for
2 a third-story in a three-story rear addition to an existing
3 attached principal dwelling for use as a two-unit flat. This is
4 located in the RF-1 zone at 717 5th Street, Northeast, Square
5 833, Lot 802.

6 CHAIRPERSON HILL: Good morning. If the Applicant can
7 hear me, if they could please introduce themselves for the record.

8 (Pause.)

9 CHAIRPERSON HILL: Can't hear you, Ms. Fowler.

10 MS. FOWLER: Can you hear me now?

11 CHAIRPERSON HILL: Yes.

12 MS. FOWLER: Okay. I'm Jennifer Fowler with Fowler
13 Architects representing the homeowners.

14 CHAIRPERSON HILL: Okay. Great. Thank you, Ms. Fowler.
15 Happy new year, unless you've been here before and I'm repeating
16 myself.

17 If you want to go ahead and walk us through your
18 client's application and why you believe they're meeting the
19 criteria for us to grant the relief requested. I'm going to put
20 15 minutes on the clock so I know where we are, and you can begin
21 whenever you like.

22 MS. FOWLER: Okay. Thank you everybody for your time.

23 This is a special exception relief request for lot
24 occupancy for a rear addition with a third-floor addition. So
25 the requested relief we're asking for is really about a 61.9

1 square foot expansion of the existing sun room footprint. So
2 currently there's a two-story sunroom that covers, and the house
3 covers 67 percent occupancy, because of a large carriage house,
4 they have a carriage house that's 592 square feet in footprint.
5 So we're requesting to go from 67 percent to 70 percent, that's
6 a .3 percent increase, 61.9 square feet. Really just extending
7 the sunroom wall to the north by 8.8 feet. So it's a very, very
8 minor adjustment to the occupancy for a property that's already
9 kind of over-built.

10 On the third floor we're showing you the plans but
11 that's actually by-right because the carriage house is only two
12 stories and so the lot occupancy of the third floor is way below
13 the 60 percent threshold.

14 So the neighbor to the south is not impacted by this
15 project. We're not extending any further past the rear wall.
16 The extension kind of goes towards the north wall. The south
17 neighbor, there's a four-unit condo building there. We've been
18 in communication with them over the last several months. But the
19 wall that we're extending towards them faces a portion of their
20 building that has two bricked in windows, so the windows that are
21 actually facing the side of the addition are blocked in on that
22 project, on that property and there's also still a dog leg between
23 our addition and their face of the wall.

24 So we've had ANC support. We've had very good feedback
25 from the neighborhood and the CHRS has supported us as well. I

1 don't see the ANC letter in the file for some reason but they
2 did vote to support last month, which I'm surprised it's not in
3 there because it is Mark Eckenwiler's ANC. But they did support
4 the project and I believe the Office of Planning is also in
5 support.

6 So with that, I'll just leave it open to questions.
7 Thank you.

8 CHAIRPERSON HILL: Okay.

9 Before I turn to my Board members, can I turn to the
10 Office of Planning?

11 MR. BEAMON: Good morning, Board members. For the
12 record, Shepard Beamon with the Office of Planning.

13 OP has reviewed the application for the requested
14 special exception relief of lot occupancy and finds that the
15 request meets the criteria for Subtitles E and X. Therefore, OP
16 recommends approval and I can take any questions.

17 CHAIRPERSON HILL: Great. Thank you.

18 Does anybody have any questions for the Office of
19 Planning and/or the Applicant? Okay.

20 Mr. Young, is there anyone here wishing to speak?

21 MR. YOUNG: We do not.

22 CHAIRPERSON HILL: All right. Okay.

23 I'm going to go ahead and close the hearing and the
24 record. Thank you, Ms. Fowler.

25 MS. FOWLER: Thank you very much. Have a great day.

1 CHAIRPERSON HILL: You too.

2 (Pause.)

3 CHAIRPERSON HILL: Okay.

4 I thought this was actually very de minimis. We're
5 talking about 3 percent increase in lot occupancy. I do not
6 think it has any effects on light and air. I think that, or any
7 of the other issues within the regulations. I think that the
8 ANC on the record now, the Applicant has said that they did vote
9 in favor, this also being an ANC that we hear a lot from. I
10 would imagine that if we did have any issues with the ANC we
11 would hear from them, and I also would agree with the analysis
12 that the Office of Planning has put forward, and I'm comfortable
13 voting in favor of this application.

14 Mr. Smith, do you have anything you'd like to add?

15 COMMISSIONER SMITH: Nothing to add. I agree with your
16 assessment on this particular case. It's fairly de minimis with
17 very minimal impacts, and will also support the application.

18 CHAIRPERSON HILL: Thank you.

19 Mr. Blake?

20 COMMISSIONER BLAKE: Mr. Chairman, I have nothing to
21 add. I'm in support of the application.

22 CHAIRPERSON HILL: Thank you.

23 Chairman Hood?

24 ZC CHAIRPERSON HOOD: Thank you, Mr. Chairman. I too
25 will be supporting the application. Thank you.

1 CHAIRPERSON HILL: Thank you.

2 I'm going to make a motion to approve Application No.
3 21219 as captioned and read by the secretary, and ask for a
4 second. Mr. Blake?

5 COMMISSIONER BLAKE: Second.

6 CHAIRPERSON HILL: Motion is made and seconded. Madam
7 Secretary, take a roll call, please.

8 MS. MEHLERT: Please respond to the Chair's motion to
9 approve the application.

10 Chairman Hill?

11 CHAIRPERSON HILL: Yes.

12 MS. MEHLERT: Mr. Smith?

13 COMMISSIONER SMITH: Yes.

14 MS. MEHLERT: Mr. Blake?

15 COMMISSIONER BLAKE: Yes.

16 MS. MEHLERT: Chairman Hood?

17 ZC CHAIRPERSON HOOD: Yes.

18 MS. MEHLERT: Staff would record the vote as four to
19 zero to one to approve Application 21219 on the motion made by
20 Chairman Hill and seconded by Mr. Blake, with Vice Chair John not
21 participating.

22 CHAIRPERSON HILL: Okay. Great. Thank you.

23 We have one more thing to do but for the record, I've
24 finished and I've finished before 10 o'clock which I've never
25 finished before 10 o'clock, and so obviously it's because the

1 appeal got dropped but I just had to get in before 10 o'clock.

2 So, okay. So now let me see if I can see Ms. Mehlert's
3 thing that I still have to do. I'll find it.

4 (Pause.)

5 CHAIRPERSON HILL: Okay.

6 As Chairman of the Board of Zoning Adjustment for the
7 District of Columbia and in accordance with Section 405(c) of the
8 Open Meetings Act, I move that the Board of Zoning Adjustment
9 hold closed meetings at 2 o'clock p.m., each Monday or Tuesday
10 if Monday is a government holiday, prior to a public meeting that
11 is scheduled to be held on the following Wednesday for the
12 calendar year 2025. The closed meetings will be held virtually
13 by Webex videoconference.

14 The purpose of the closed meetings will be to receive
15 legal advice from the Board's counsel and to deliberate, but not
16 vote, on the contested cases. Per Section 405(b)(4) and (13) of
17 the Act, D.C. Official Code Section 2-575(b)(4) and (13)
18 scheduled for the Board's public meeting and/or hearing the
19 following Wednesday. Per D.C. Official Code 1-207.42(a), no
20 resolution, rule, act, regulation or other official action shall
21 take place except at an open public meeting. The closed meeting
22 will be electronically recorded pursuant to D.C. Official Code
23 Section 2-578(a).

24 Is there a second? Mr. Blake?

25 COMMISSIONER BLAKE: Second.

1 CHAIRPERSON HILL: The motion was made and seconded.
2 Madam Secretary, if you could take a roll call, please?

3 MS. MEHLERT: Please respond to the Chair's motion to
4 hold closed meetings in 2025.

5 Chairman Hill?

6 CHAIRPERSON HILL: Yes.

7 MS. MEHLERT: Mr. Smith?

8 COMMISSIONER SMITH: Yes.

9 MS. MEHLERT: Mr. Blake?

10 COMMISSIONER BLAKE: Yes.

11 MS. MEHLERT: Chairman Hood?

12 ZC CHAIRPERSON HOOD: Yes.

13 MS. MEHLERT: Staff would record the vote as four to
14 zero to one to approve the motion made by Chairman Hill and
15 seconded by Mr. Blake, Vice Chair John not participating.

16 CHAIRPERSON HILL: Okay. Thank you. Wow, still made
17 it by 10 o'clock.

18 Okay. Well, you all have a lovely day and this is a
19 blessing, so enjoy it. Okay?

20 ZC CHAIRPERSON HOOD: Have a good day.

21 CHAIRPERSON HILL: Bye bye.

22 (Whereupon, the above-entitled matter went off the
23 record at 9:59 a.m.)

24

25

C E R T I F I C A T I O N

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DC BZA

Date: 01-29-25

Place: Webex videoconference

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

Cecelia Baptiste

Cecelia Baptiste