

GOVERNMENT OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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REGULAR PUBLIC HEARING

+ + + + +

WEDNESDAY

FEBRUARY 12, 2025

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The Public Hearing of the District of Columbia Board of Zoning Adjustment convened via teleconference, pursuant to notice at 10:00 a.m. EDT, Frederick L. Hill, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

FREDERICK L. HILL, Chairperson  
LORNA JOHN, Vice Chair  
CHRISHAUN SMITH, Commissioner  
CARL H. BLAKE, Commissioner  
ROBERT E. MILLER, Zoning Commission Vice Chair  
TAMMY STIDHAM, Zoning Commissioner

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 February 12, 2025.

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

(10:00 a.m.)

CHAIRPERSON HILL: Good morning, ladies and gentlemen. The Board of Zoning Adjustment 2/12/2025 public hearing will please come to order. My name is Fred Hill, Chairman of the Board of Zoning Adjustment. Joining me today are Board members Lorna John, Carl Blake, Chrishaun Smith and Zoning Commissioners Tammy Stidham and Rob Miller. 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 Webex and YouTube Live. The video of the webcast will be available on the Office of Zoning's website after today's hearing. Accordingly, everyone who is listening by 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'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. Once again, 202-727-5471. 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 the Board's decision differs from the Office

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

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

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

1 exhibit prior to the hearing pursuant to Y-206 and, c) how the  
2 proposed would not unreasonably prejudice any parties. The order  
3 of procedures for special exception and variances are pursuant  
4 to Y-409.

5 At the conclusion of each case an individual who is  
6 unable to testify because of technical issues may file a request  
7 for leave to file a written version of the planned testimony to  
8 the record within 24 hours following the conclusion of public  
9 testimony in the hearing. If additional written testimony is  
10 accepted then prior to the amount of reasonable amount of time  
11 to respond as determined by the Board. The Board will then make  
12 its decision at its next meeting but no earlier than 48 hours  
13 after the hearing. Moreover, the Board may request additional  
14 specific information to complete the record. The Board and the  
15 staff will specify at the end of the hearing exactly what is  
16 expected and the date when persons must submit the evidence to  
17 the Office of Zoning. No other information shall be accepted by  
18 the Board.

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

1 pursuant to D.C. Official Code Section 2-575(b)(13) but only  
2 after filing 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, members of  
6 the Board.

7 Regarding the schedule today, the advanced party status  
8 request in Application No. 21220 of 327 Upshur, LLC was withdrawn.  
9 The hearing is still scheduled for February 26th and Application  
10 No. 21228 of D.C. Department of General Services has been  
11 withdrawn.

12 Also the Chairman has reviewed and granted waivers to  
13 allow late filings into the applicable case records pursuant to  
14 Subtitle Y, Section 206.7 and Section 103.13. Any other late  
15 filings during the course of today's live hearing should be  
16 presented before the Board by the Applicant party to the witnesses  
17 after the case is called. Any other preliminary matters will be  
18 noted when the case is called.

19 CHAIRPERSON HILL: Okay. Great. Thank you.

20 You may go ahead and, well, good morning everybody.  
21 You may go ahead and call, I think, is Commissioner Miller with  
22 us?

23 ZC VICE CHAIRPERSON MILLER: I am here. I think there  
24 is a request for postponement of the one case that I'm on.

25 CHAIRPERSON HILL: Yes. That's it, Commissioner

1 Miller. So we'll go ahead and do that one first.

2 I guess, Ms. Mehlert, if you want to call it.

3 MS. MEHLERT: Yes. This is in the Board's hearing  
4 session. It's Application No. 19887-A of Marjorie Hutchinson.  
5 This is a request pursuant to Subtitle Y, Section 704 for a  
6 modification with hearing to remove a condition of approval  
7 adopted in the order approving Application No. 19887. This will  
8 eliminate condition No. 10 to allow trash storage in the shed  
9 outside of the building. It is located in the RF-1 zone at 1724  
10 North Capitol Street, Northwest, Square 3105, Lot 72.

11 This hearing began on September 11th after the Board  
12 re-scheduled as a modification of hearing. The hearing was  
13 continued and submissions were requested, and participating are  
14 Chairman Hill, Board members Smith, Blake and Commissioner Miller  
15 and in the record as a preliminary matter there is a request to  
16 postpone from the Applicant, and this would be the fourth  
17 postponement.

18 CHAIRPERSON HILL: Great. Okay.

19 Can the Applicant hear me and if so, can they introduce  
20 themselves for the record?

21 (Pause.)

22 CHAIRPERSON HILL: Ms. Hutchinson, can you hear me?

23 MS. HUTCHINSON: Hello, can you hear me?

24 CHAIRPERSON HILL: Yes. Yes, can you hear me?

25 MS. HUTCHINSON: Yes, I can hear you.

1 CHAIRPERSON HILL: Great. Could you introduce yourself  
2 for the record, please?

3 MS. HUTCHINSON: My name is Marjorie Hutchinson.

4 CHAIRPERSON HILL: Okay.

5 MS. HUTCHINSON: 1724 North Capitol Street, Northwest.

6 CHAIRPERSON HILL: Great. Thank you, Ms. Hutchinson.

7 So, I know you have a request here for a postponement  
8 and I think you still have to meet with Public Space. Can you  
9 tell me where you are in this process?

10 MS. HUTCHINSON: I myself is not the one that has been  
11 the case. My daughter is Janet Stedman and she's online also.  
12 She has all the information so would you direct that question to  
13 her, please?

14 CHAIRPERSON HILL: Sure, of course.

15 Ms. Stedman, can you hear me?

16 (Pause.)

17 MS. STEDMAN: Can you hear me?

18 CHAIRPERSON HILL: Yes. Is that Ms. Stedman?

19 MS. STEDMAN: Yes.

20 CHAIRPERSON HILL: Hi.

21 Ms. Stedman, can you go ahead and introduce yourself  
22 for the record?

23 MS. STEDMAN: Sure. Janet Stedman from 1724 North  
24 Capitol Street, Northwest, Washington, D.C.

25 CHAIRPERSON HILL: Okay. Great.



1           So, Ms. Stedman, you're requesting a postponement and  
2 I think you still have to go to Public Space I think or can you  
3 tell me where you are and how much of a postponement you think  
4 you may need?

5           MS. STEDMAN: Well, we're scheduled for the Public  
6 Space hearing on the 27th of this month. So after that then we  
7 can move forward with the BZA case. I believe that those were  
8 the indications at the first meeting.

9           CHAIRPERSON HILL: Okay.

10          Would you go back to the ANC after you go to Public  
11 Space or no? Let me look here at the ANC.

12          MS. STEDMAN: No. I don't need to go back to the ANC.

13          CHAIRPERSON HILL: Got it. They're fine with the, you  
14 met with them --

15          MS. STEDMAN: Right.

16          CHAIRPERSON HILL: -- and you discussed the different  
17 things that they might want to see. Okay. All right. Well,  
18 why don't we do this?

19          COMMISSIONER BLAKE: A quick question, Mr. Chair.

20          CHAIRPERSON HILL: Sure. Go ahead, Mr. Blake.

21          COMMISSIONER BLAKE: I'd just be curious to know about  
22 the comments from HPRB.

23          MS. STEDMAN: Yeah. I spoke with Mr. Brendan and he  
24 also indicated that he's going to wait until after Public Space  
25 makes a decision. But in speaking with him, he indicated that

1 he would also agree, he and I just need to come up with a design  
2 to make the place aesthetically pleasing and match the historic-  
3 ness of the neighborhood.

4 COMMISSIONER BLAKE: Okay.

5 So is that, I'm not sure that the staff levels make  
6 that decision or not but it would probably make sense to do it,  
7 we could do it before or after HPRB but it would be  
8 (indiscernible) to consider that.

9 MS. STEDMAN: Well, he indicated that he didn't want  
10 to make a decision without knowing if it was going to be approved.  
11 Naturally if it's not approved then HPRB wouldn't need to make a  
12 decision. But if it is approved then he said we can move forward  
13 with how we'll go about making whatever we put there match the  
14 neighborhood. I don't know if he's speaking out of his purview  
15 or not, but that was the conversation we had.

16 CHAIRPERSON HILL: Ms. Stedman, when are you supposed  
17 to meet, I got a little confused, sorry. You're going to go to  
18 Public Space on the 27th and then you go to HPRB after that?

19 MS. STEDMAN: Yeah. He held his comments because once  
20 I submit the plan, he was supposed to comment on the plan and he  
21 held his comment. His comment was he's going to reserve his  
22 comments until a decision has been made if I can put the shed  
23 there.

24 CHAIRPERSON HILL: Okay.

25 Let's go ahead, let's have you meet with us after you've

1 had a chance to talk to Public Space and HPRB. So I'm going to  
2 go ahead, Ms. Mehlert, the secretary, can you tell me when might  
3 be a good time in the next couple of months to do this so there's  
4 enough time to go to Public Space and then HPRB?

5 MS. MEHLERT: So, I mean I'm not sure how long the HPRB  
6 discussion would take. You know, I was going to suggest March  
7 19th as a potential re-schedule date. I don't know if that's  
8 enough time with having HPRB comments, otherwise we'd have to go  
9 to one of the first couple of weeks in April.

10 CHAIRPERSON HILL: Ms. Stedman, you don't know when you  
11 might meet with NPRB, correct?

12 MS. STEDMAN: Per our conversation it would be after,  
13 shortly after the decision from Public Space.

14 CHAIRPERSON HILL: Okay.

15 MS. STEDMAN: But it's, I would prefer something in  
16 April just to be sure because I really would like to get this  
17 over with.

18 CHAIRPERSON HILL: Yeah, yeah. I agree. I agree.  
19 Okay.

20 So go ahead, what's April looking like, Ms. Mehlert?

21 MS. MEHLERT: You have six cases on April 2nd and five  
22 cases on April 9th.

23 CHAIRPERSON HILL: Okay.

24 Let's go with April 9th unless, Commissioner Miller,  
25 are you around April 9th or you don't know?

1 ZC VICE CHAIRPERSON MILLER: I should be around. Thank  
2 you.

3 CHAIRPERSON HILL: Okay.

4 Ms. Stedman, we're going to postpone this until April  
5 9th, okay?

6 MS. STEDMAN: Thank you very much.

7 CHAIRPERSON HILL: Thank you.

8 Okay. I'm going to close this portion of the hearing.  
9 Commissioner Miller, we'll see you next time.

10 ZC VICE CHAIRPERSON MILLER: Okay. Have a great day.

11 CHAIRPERSON HILL: Thank you. You too.

12 Okay. Welcome Commissioner Stidham. You can call our  
13 next order of business, Ms. Mehlert.

14 MS. MEHLERT: I believe we're going into the Board's  
15 meeting session Next case is Application No. 20825-A of SNH  
16 Medical Office Properties Trust. This is a request pursuant to  
17 Subtitle Y, Section 705.2 for a two year extension of the validity  
18 of the order in Application No. 20825. This project is a  
19 penthouse addition to an existing nine-story building in  
20 conversion from medical office to residential use. It's located  
21 in the D-5 zone at 2141 K Street, Northwest, Square 73, Lot 79.

22 CHAIRPERSON HILL: Okay. Thank you.

23 Okay. So I went ahead and reviewed the record and  
24 understand why, I'm sorry, the argument for a time extension. I  
25 would agree with the reasoning that the Applicant has put forward

1 with the time extension. I would also note that the Office of  
2 Planning has also reviewed their reasoning and criteria and  
3 believes that they are, I mean it's justified to grant the time  
4 extension.

5 So if we were to do this, it would then go to December  
6 21st, 2026, one year? No, a little bit more than a year.  
7 (Reading.) So I didn't really have any issues with this time  
8 extension.

9 Mr. Smith, do you have any issues with the time  
10 extension?

11 COMMISSIONER SMITH: No issues. I agree with the  
12 assessment of the Office of Planning.

13 CHAIRPERSON HILL: Thank you.

14 Mr. Blake?

15 COMMISSIONER BLAKE: I agree, Mr. Chair, with your  
16 comments and Mr. Smith. The Applicant has demonstrated good  
17 cause and I'm hopeful that they'll begin to get something done  
18 within the next two years.

19 CHAIRPERSON HILL: Thank you.

20 Vice Chair John? You're on mute, Vice Chair John.

21 VICE CHAIRPERSON JOHN: I also agree with Board member  
22 Blake's suggestion.

23 CHAIRPERSON HILL: Thank you.

24 Commissioner Stidham?

25 ZC COMMISSIONER STIDHAM: I also agree with OP and what

1 has already been said by fellow Board members.

2 CHAIRPERSON HILL: Okay.

3 I'm going to go ahead and make a motion to approve  
4 Application No. 20825-A which is the time extension, which would  
5 take the application to December 21st, 2026, and ask for a second.  
6 Ms. John?

7 VICE CHAIRPERSON JOHN: Second.

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

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

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: Vice Chair John?

19 VICE CHAIRPERSON JOHN: Yes.

20 MS. MEHLERT: And Commissioner Stidham?

21 ZC VICE CHAIRPERSON MILLER: Yes.

22 MS. MEHLERT: Staff would record the vote as five to  
23 zero to zero to approve Application No. 20825-A on the motion  
24 made by Chairman Hill and seconded by Vice Chair John.

25 CHAIRPERSON HILL: Thank you.

1           Madam Secretary, you may call our next one.

2           MS. MEHLERT: Next in the Board's meeting agenda is an  
3 expedited review application No. 21248 of Michael Tran. This is  
4 an application pursuant to Subtitle X, Section 901.2 for a special  
5 exception under Subtitle D, Section 5201 from the accessory  
6 building location requirements of Subtitle D, Section 5004.1(a)  
7 to allow an accessory building in a required rear yard.

8           This is for a one-story accessory structure in the rear  
9 yard of a detached principal dwelling. It's located in the R1-  
10 B zone at 3017 16th Street, Northeast, Square 4136, Lot 18, and  
11 the Applicant also submitted a request as a preliminary matter  
12 to allow a late filing regarding ANC outreach. It is already in  
13 the record.

14           CHAIRPERSON HILL: Great. Thank you.

15           Unless the Board has any issues, I would like to go  
16 ahead and allow that into the record.

17           (Pause.)

18           CHAIRPERSON HILL: Okay. I'm just (indiscernible).  
19 Okay. I do appreciate that the Applicant put this into the record  
20 because there was a question about that for me.

21           After taking a look at this I do think that that this  
22 is something that meets the criteria for an expedited review. I  
23 think that it's a small accessory building that is being proposed.  
24 I would agree with the findings, or I'm sorry, the report that  
25 the Office of Planning has put together in terms of how this

1 | would meet the criteria for us to grant this accessory building.  
2 | I don't think, again, there's any issues with light and air,  
3 | privacy, and I don't think we need any, you know, screening or  
4 | such.

5 |           I don't particularly have any questions or issues with  
6 | this. I'm glad that the Applicant, again, has put forward its  
7 | information concerning the ANC and their outreach and we don't  
8 | have an official ANC report to give credit to, but I do appreciate  
9 | and believe what's been put forward in the record concerning the  
10 | Applicant's outreach to the ANC. So I'm going to be voting in  
11 | favor of this application.

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

13 |           COMMISSIONER SMITH: No. I agree with your assessment  
14 | of this particular case as well as the Office of Planning, and  
15 | I'll support as well.

16 |           CHAIRPERSON HILL: Thank you.

17 |           Mr. Blake?

18 |           COMMISSIONER BLAKE: Mr. Chair, I'm in support. I have  
19 | nothing to add.

20 |           CHAIRPERSON HILL: Thank you.

21 |           Vice Chair John?

22 |           VICE CHAIRPERSON JOHN: Mr. Chairman, I'm also in  
23 | support and I have no additional comments.

24 |           CHAIRPERSON HILL: Thank you.

25 |           Commissioner Stidham?



1           ZC COMMISSIONER STIDHAM: I am also in support and have  
2 nothing to add either.

3           CHAIRPERSON HILL: Okay. Thank you all.

4           I'm going to go ahead and make a motion to approve  
5 Application No. 21248 as captioned and read by the secretary, and  
6 ask for a second. Ms. John?

7           VICE CHAIRPERSON JOHN: Second.

8           CHAIRPERSON HILL: Motion's been made and seconded.  
9 Madam Secretary, could you take a roll call, please.

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

12          Chairman Hill?

13          CHAIRPERSON HILL: Yes.

14          MS. MEHLERT: Vice Chair John?

15          VICE CHAIRPERSON JOHN: Yes.

16          MS. MEHLERT: Mr. Smith?

17          COMMISSIONER SMITH: Yes.

18          MS. MEHLERT: Mr. Blake?

19          COMMISSIONER BLAKE: Yes.

20          MS. MEHLERT: Commissioner Stidham?

21          ZC COMMISSIONER STIDHAM: Yes.

22          MS. MEHLERT: Staff would record the vote as five to  
23 zero to zero to approve Application 21248 on the motion made by  
24 Chairman Hill and seconded by Vice Chair John.

25          CHAIRPERSON HILL: Give me one moment, Madam Secretary.

1 (Pause.)

2 CHAIRPERSON HILL: Okay, Madam Secretary. You may call  
3 our next one when you get a chance.

4 MS. MEHLERT: Next is back to the Board's hearing  
5 session. Application No. 21226 of Alexander-Benons, LLC. This  
6 is an application pursuant to Subtitle X, Section 901.2 for  
7 special exception under Subtitle C, Section 1501.1(c) from the  
8 penthouse height requirements of Subtitle C, Section 1501.1(b)  
9 to allow a penthouse on a principal dwelling that is not entirely  
10 within the height permitted as a matter-of-right for the  
11 building. Also under Subtitle C, Section 1506.1 from the  
12 penthouse setback requirement of Subtitle C, Section 1504.1(b),  
13 under Subtitle E, Section 204.4 from the rooftop architectural  
14 element requirements of Subtitle E, Section 204.1 to allow  
15 removal or significant alteration of a rooftop architectural  
16 element original to the principal building, under Subtitle E,  
17 Section 207.5 to allow the rear wall of a row dwelling to extend  
18 farther than ten feet beyond the farthest rear wall of any  
19 adjoining principal residential building on any adjacent  
20 property, under Subtitle E, Section 5201 from the rear yard  
21 requirements of Subtitle E, Section 207.1 and from the lot  
22 occupancy requirements of Subtitle E, Section 210.1.

23 This is for a new third story with roof deck and three-  
24 story rear addition to an existing attached principal dwelling  
25 for use as a flat. It's located in the RF-1 zone at 1206 Staples

1 Street, Northeast, Square 4667, Lot 58, and there is a request  
2 for party status in opposition from Angela Michelle Nicholas  
3 located 1208 Staples Street.

4 CHAIRPERSON HILL: Okay. Great.

5 If the Applicant can hear me, if they could introduce  
6 themselves for the record.

7 MS. ALEXANDER-BENONS: Yes, I can hear you. Good  
8 morning everyone. My name is Jan Alexander-Benons. My address  
9 is 1206 Staples Street, Northeast.

10 CHAIRPERSON HILL: Great. Thank you.

11 Is the party status person here?

12 MS. ALEXANDER-BENONS: Is that a request to me or are  
13 we just going to wait?

14 CHAIRPERSON HILL: No, no, Ms. Alexander-Benons. I was  
15 asking --

16 MS. ALEXANDER-BENONS: Okay. Yeah.

17 CHAIRPERSON HILL: -- Mr. Young whether he saw.

18 MR. YOUNG: Yeah. Staff just spoke with them and they  
19 should be logging on.

20 CHAIRPERSON HILL: Okay. Great. Thank you.

21 (Pause.)

22 CHAIRPERSON HILL: Okay.

23 Well, I'll tell you what. First, Ms. Alexander-Benons,  
24 I guess, like, you know, I don't have an Office of Planning  
25 report, correct?

1 MS. ALEXANDER-BENONS: I know we spoke to Philip in the  
2 Office of Planning yesterday and he said that he would be writing  
3 and submitting a report. I'm not sure if he's on the line as  
4 well.

5 CHAIRPERSON HILL: Oh, okay.

6 Could I hear from the Office of Planning for a minute?

7 MR. BRADFORD: Good morning, Chair Hill, and  
8 Commissioners. Philip Bradford with the Office of Planning.

9 I've been working with the Applicant quite often this  
10 past week. I've gotten much of the information that I need to  
11 write the report. It's not finished yet.

12 CHAIRPERSON HILL: Okay. No problem. Okay.

13 And is the ANC Commissioner here? Hi, Commissioner.  
14 How are you? Could you introduce yourself for the record.

15 ANC COMMISSIONER ROBLIN: Yes. I'm Anna Roblin, I'm  
16 the Commissioner of ANC 5D03.

17 CHAIRPERSON HILL: Oh, hi, Commissioner. How are you?

18 ANC COMMISSIONER ROBLIN: How are you doing?

19 CHAIRPERSON HILL: Good. Okay. Great.

20 Let's see. So, Ms. Alexander-Benons, we can go ahead  
21 and have you do your presentation. I'm a little confused between  
22 what the difference is between the relief you're requesting and  
23 what the Zoning Administrator says that you need, and then I  
24 don't have a report from the Office of Planning.

25 MS. ALEXANDER-BENONS: Okay.

1 CHAIRPERSON HILL: So even to be able to review a report  
2 from the Office of Planning I would still need some time to be  
3 able to do that, so it's unlikely that anything's necessarily  
4 going to happen today.

5 MS. ALEXANDER-BENONS: Okay.

6 CHAIRPERSON HILL: We don't have the report from the  
7 Office of Planning. So I don't really want to, I understand that  
8 you've been in contact with your neighbor. Is this your project?  
9 Is this your home?

10 MS. ALEXANDER-BENONS: Yes.

11 CHAIRPERSON HILL: Okay. So, and it seems as though  
12 your neighbor has pulled their, or you've at least come to an  
13 agreement that they would pull their party status?

14 MS. ALEXANDER-BENONS: Correct, correct.

15 CHAIRPERSON HILL: And so let me just get, one second  
16 here, please.

17 MS. ALEXANDER-BENONS: And I can give some color to  
18 that. That's mostly due to some shading that we would be causing  
19 to Angela's solar system.

20 CHAIRPERSON HILL: That's fine.

21 MS. ALEXANDER-BENONS: Yeah.

22 CHAIRPERSON HILL: That's fine.

23 So I'm just trying to get this kind of straightened up  
24 a little bit. So, Mr. Young, you haven't seen Ms. Nicholas yet,  
25 correct?

1           ANC COMMISSIONER ROBLIN: Jan, I thought you weren't  
2 living there. I thought you lived somewhere else.

3           MS. ALEXANDER-BENONS: We do. But it's our home that  
4 we'll be, it needs renovation. Do you need my, like, current  
5 address because I can provide that? I thought you  
6 (indiscernible).

7           CHAIRPERSON HILL: That's okay. That's okay.

8           I was just asking a question as to whether or not really  
9 you were the architect or, you know, that's what I'm trying to,  
10 I was asking about. But before you all answer, I'm just trying  
11 to find Ms. Nicholas, if she's there.

12           ANC COMMISSIONER ROBLIN: I know she said she was going  
13 to be on and she was waiting for someone to call her and then  
14 she was coming on. I don't know why she isn't --

15           MR. YOUNG: She's calling by phone right now. She just  
16 needs to unmute herself.

17           CHAIRPERSON HILL: Ms. Nicholas? How do you unmute  
18 yourself, Mr. Young?

19           MR. YOUNG: Star six.

20           CHAIRPERSON HILL: Star six I think, Ms. Nicholas, is  
21 to unmute yourself.

22           MS. NICHOLAS: Okay. I'm unmuted.

23           CHAIRPERSON HILL: Okay. Great.

24           Can you hear us, and could you introduce yourself for  
25 the record please, Ms. Nicholas?

1 MS. NICHOLAS: My name is Angela Nicholas. I'm the  
2 neighbor at 1208 Staples Street, Northeast.

3 CHAIRPERSON HILL: Okay.

4 So I just wanted to, I see in the record here that you  
5 have come to an agreement with Ms. Alexander-Benons and I just  
6 wanted to get on the record you're withdrawing your party status;  
7 is that correct?

8 MS. NICHOLAS: Yes. If that's what that entails that  
9 we came to an agreement yesterday, yes.

10 CHAIRPERSON HILL: Okay. All right. Great. Okay.

11 Then, Ms. Nicholas, I'm going to let you go and you're  
12 welcome to watch. I don't know what's going to happen today.  
13 We're probably going to come back here again but thank you for  
14 your time and we'll let you know, I guess actually if staff could  
15 just let Ms. Nicholas know when this gets re-scheduled so if she  
16 wanted to watch she could.

17 Okay, Ms. Mehlert?

18 MS. MEHLERT: Yes. Would you like her to submit  
19 anything to the record withdrawing her party status?

20 CHAIRPERSON HILL: Sure.

21 Ms. Nicholas, yeah. If you could put something in the  
22 record that you're withdrawing your party status, that would be  
23 helpful.

24 MS. NICHOLAS: All right. And I send it to you guys?  
25 Okay.

1 CHAIRPERSON HILL: Do you know where to send it to, Ms.  
2 Nicholas?

3 MS. NICHOLAS: I'm assuming the same email I sent you  
4 guys prior --

5 CHAIRPERSON HILL: Yes.

6 MS. NICHOLAS: -- or if someone could send me a link.

7 CHAIRPERSON HILL: Yes. No, that's right. Whatever  
8 you sent prior to put this into the record you did it correctly.

9 MS. NICHOLAS: Okay. Thank you.

10 CHAIRPERSON HILL: Okay? Thank you.

11 MS. NICHOLAS: Welcome. Bye bye.

12 CHAIRPERSON HILL: All right. Okay. Bye bye.

13 All right. Commissioner, I don't think we're going to  
14 have a full hearing here today because I still want to hear from  
15 the Office of Planning and I want to have an opportunity to read  
16 through what the Office of Planning's analysis is.

17 Would you like to come back, Commissioner, or do you  
18 just want to go ahead and give us your testimony now?

19 (Pause.)

20 CHAIRPERSON HILL: You're on mute, Commissioner Roblin.  
21 Sorry.

22 ANC COMMISSIONER ROBLIN: Sorry. I think it would be  
23 better when we come back.

24 CHAIRPERSON HILL: Okay. All right. Sure, whatever  
25 you'd like to do. All right. So, let's see. All right.



1           Well, I will, so, Ms. Mehlert, can I hear from the  
2 Office of Planning again, Mr. Bradford? Can you hear me? I'm  
3 not, I'm just trying to figure out, Mr. Bradford, when you think  
4 you might be able to give a report so the Board can take a look  
5 at it, and I appreciate, Mr. Bradford, the work you've done with  
6 the Applicant and so, you know, and I know that, again, Ms.  
7 Alexander-Benons, again the confusion has been a little bit  
8 between what the Zoning Administrator has asked for and what  
9 you're asking for, right, and I'm hoping that the Office of  
10 Planning will be able to help clarify that for the Board as well  
11 and then we'll have everything in the record that we can take a  
12 look at.

13           Mr. Bradford, when do you think -- and I'm not trying  
14 to push you because I don't know when I'm going to be able to  
15 come back here again -- when do you think you might be able to  
16 give us a report to look at?

17           MR. BRADFORD: I would be able to finalize the report  
18 by the end of next week. We've got some scheduled vacation within  
19 the department so I'm not quite sure when it would be able to be  
20 reviewed to be submitted for the record, but I wouldn't say more  
21 than two weeks it would take to get a report.

22           CHAIRPERSON HILL: Okay.

23           Ms. Mehlert, where are we in terms of, like, figuring  
24 out how to get back here if, like, the end of next week is the  
25 21st, then it's like the 28th, the 7th of March?

1 MS. MEHLERT: Could come back on March 19th. I mean,  
2 I don't know, the 5th is too, March 5th, is too close. March  
3 12th is a busy day with an appeal.

4 CHAIRPERSON HILL: Commissioner Roblin, if you could  
5 just mute yourself for a second. I'm sorry. Go ahead, Ms.  
6 Mehlert, I'm sorry. What did you say?

7 MS. MEHLERT: I mean, March 19th is just looking like  
8 the best day unless you think, unless the Office of Planning  
9 thinks they can get everything in before a March 5th hearing with  
10 enough time for the Board to review.

11 CHAIRPERSON HILL: Yeah. I mean, he's saying the 21st,  
12 the 28th. I mean, I'm fine with the 19th. The 5th is going to  
13 be a weird day actually anyway, and so I would rather put anything  
14 kind of complicated later on.

15 So, Ms. Alexander-Benons, we're going to come back here  
16 on the 19th, okay, and that'll give the Board enough time to get  
17 a report from the Office of Planning and then if the ANC wants  
18 to add anything else, I mean, I see the letter from the ANC but  
19 I don't know if there's an actual report.

20 Ms. Roblin, Commissioner, do you know if you guys are  
21 going to --

22 ANC COMMISSIONER ROBLIN: The report should be in. We  
23 mailed it, Commissioner Arbuckle mailed it, submitted it. I'm  
24 surprised it's not there. But maybe he didn't (indiscernible).

25 MS. MEHLERT: It's Exhibit 27.

1 CHAIRPERSON HILL: Oh, I'm sorry. I missed it. Oh,  
2 great. I see it. Okay. All right.

3 Commissioner Roblin, so then if you'd like to you're  
4 welcome to come back on March 19th.

5 ANC COMMISSIONER ROBLIN: Okay. That sounds great.

6 CHAIRPERSON HILL: All right.

7 And you know what we'll try to do, Commissioner? We'll  
8 do this first, okay? We'll do it first in the day so you know  
9 when you're on, okay? If you want to come back, Commissioner.

10 ANC COMMISSIONER ROBLIN: That's nice of you. You  
11 don't have to for me, but thank you. That's nice.

12 CHAIRPERSON HILL: We'll do it for now and if it goes  
13 sideways I'll let you know. Okay?

14 ANC COMMISSIONER ROBLIN: Okay. Thanks.

15 CHAIRPERSON HILL: Okay. All right.

16 Ms. Alexander-Benons, do you have any questions?

17 MS. ALEXANDER-BENONS: No questions. I mean, I've  
18 petitioned for an earlier date but I think the justifications  
19 that you provided make sense.

20 CHAIRPERSON HILL: Okay. Great. All right.

21 Then we'll see you here on March 19th.

22 MS. ALEXANDER-BENONS: Okay. Cool. See you guys then.  
23 Thank you.

24 CHAIRPERSON HILL: Thank you. Bye bye.

25 MS. ALEXANDER-BENONS: Bye.

1 CHAIRPERSON HILL: Okay. All right.

2 You may call our next one.

3 MS. MEHLERT: Next is Application No. 21176 of Natalia  
4 Banulescu-Bogdan. This is a self-certified application pursuant  
5 to Subtitle X, Section 901.2 for special exceptions under  
6 Subtitle D, Section 5201, from the rear yard requirements of  
7 Subtitle D, Section 207.1 and the lot occupancy requirements of  
8 Subtitle D, Section 210.1.

9 This is for a new two-story rear addition and rear deck  
10 addition to an existing two-story detached principal dwelling.  
11 It is located in the R1-B zone at 6629 Piney Branch Road,  
12 Northwest, Square 2972, Lot 17. This was removed from the  
13 September 11th expedited review calendar and scheduled for a  
14 hearing on December 18th which was then postponed at the  
15 Applicant's request. As a preliminary matter there is a request  
16 to postpone from the Applicant and this would be the third  
17 postponement.

18 CHAIRPERSON HILL: Okay. Thank you.

19 Can the Applicant hear me and if so, if they could  
20 introduce themselves for the record.

21 MS. SCHINDER: Yes. This is Ileana Schinder. I'm the  
22 architect for the Applicant.

23 CHAIRPERSON HILL: Okay. Great.

24 Ms. Schinder, you guys need a postponement. Can you  
25 explain to us why you need a postponement.

1 MS. SCHINDER: Yes. We're working with DDOT. The  
2 Public Space Committee made an error in their agenda so we were  
3 bumped from the December hearing to the hearing on February 27th.  
4 So that's why, we were expected to have it by early January but  
5 we do not, so that's why we keep requesting a postponement from  
6 the Board of Zoning.

7 CHAIRPERSON HILL: When do you think you might be ready?

8 MS. SCHINDER: Well, based on their preliminary review,  
9 we were going to get a result from them and a response in, on  
10 February 27th of the hearing by Public Space Committee. We are  
11 an item on their agenda right now.

12 CHAIRPERSON HILL: Okay.

13 All right. Ms. Mehlert, back to you I guess, when we  
14 might be able to come back. Are we now back on the 19th again?

15 COMMISSIONER BLAKE: Mr. Chair, the Office of Planning  
16 has not filed a report. Would they, how much time would they  
17 need to do that?

18 CHAIRPERSON HILL: All right. Give me one second here.

19 Can the Office of Planning hear me and if so, if they  
20 could introduce themselves for the record.

21 (Pause.)

22 CHAIRPERSON HILL: Okay. That's all right.

23 Ms. Mehlert, give me, I mean we're going to have to  
24 get -- if we figure out time for the Office of Planning, like, I  
25 mean you're going to Public Space, Ms. Schinder, on the 27th of

1 February, correct?

2 MS. SCHINDER: Correct.

3 CHAIRPERSON HILL: I'm sorry, you're going to Public  
4 Space. Then you have to go to DDOT after that?

5 MS. SCHINDER: It's the same one. DDOT, the only issue  
6 with DDOT is with the Public Space Committee. We're not expecting  
7 any other committee to review our project within DDOT.

8 CHAIRPERSON HILL: Okay.

9 And then I'm waiting for Office of Planning to chime  
10 in, but I think they probably can get us back something so we  
11 can get back here on the 19th; is that not correct, Ms. Mehlert?

12 MS. MEHLERT: I'm not sure what OP's time line would  
13 be. I mean, I don't, I mean --

14 CHAIRPERSON HILL: Okay.

15 MS. MEHLERT: -- yeah (indiscernible).

16 CHAIRPERSON HILL: I'll wait for OP. I'll wait for OP  
17 to chime in here. Let's just keep OP out of it for one second.  
18 When would be, I forget what, we just put something on the 19th,  
19 right, so I don't know how.

20 MS. MEHLERT: Yeah. The case right before, we just put  
21 on the 19th so you now have six cases and an expedited review on  
22 the 19th. So you could add another case or you could push it to  
23 the following week which also has six cases.

24 CHAIRPERSON HILL: No, let's put it on the 19th. And  
25 then if the Office of Planning needs more time, Mr. Jurkovic, I

1 don't know if you can hear me or not?

2 MR. JURKOVIC: Yeah. Sorry, I just got back to my  
3 desk. Which case is this for?

4 CHAIRPERSON HILL: Sure. No problem.

5 It's 21176 and they're waiting for Public Space hearing  
6 on the 27th of February and we're trying to come back here on, I  
7 don't know how far along you guys with this report or not or at  
8 least whether you've had a chance to look at this case really.  
9 but if we could, that would mean we'd need to get a report from  
10 you, like, you know, by March 14th in order to come back here on  
11 the 19th.

12 MR. JURKOVIC: I'm not the one assigned to this case  
13 so maybe you can bring in Joel and he would be a better one to  
14 speak on this.

15 CHAIRPERSON HILL: Okay. Great.

16 Is Mr. Lawson available? I've never called in Mr.  
17 Lawson before. Mr. Young, is Mr. Lawson available?

18 (Pause.)

19 CHAIRPERSON HILL: Oh, my gosh, Mr. Lawson. This is a  
20 terrible precedent for you. I didn't know that we could just  
21 call you up. This is fantastic.

22 MR. LAWSON: That's part of the job description so  
23 that's perfectly fine.

24 CHAIRPERSON HILL: I didn't know that you could do it.  
25 This is great. So, Mr. Lawson --

1 MR. LAWSON: Oh, now I'm worried. Now I'm worried.

2 CHAIRPERSON HILL: Yeah. Well, you shouldn't really  
3 be but now we kind of do know in the back of our brain that we  
4 can find you. I had no idea, that makes complete sense. It only  
5 took four or five years of Covid to realize that you're probably  
6 around.

7 MR. LAWSON: (Indiscernible) when you have a question  
8 for OP.

9 Ron Barron is the project manager for this and he's in  
10 another meeting so I'm covering for him. Whatever date you set  
11 we should be able to meet. We're certainly more than comfortable  
12 with filing a report for May the 19th, or sorry, March the 19th.

13 CHAIRPERSON HILL: Okay. Right.

14 So March the 19th, so then you think we can get  
15 something by March the 14th which is that Friday? Oh, no, wait  
16 a minute, any chance we can get it by March the 12th which is  
17 the one week before the hearing?

18 MR. LAWSON: Feel free to set the date and we'll make  
19 sure we meet that date.

20 CHAIRPERSON HILL: Okay. All right.

21 Just because then legal (phonetic) will be able to put  
22 that in their report before we get it on Friday. So let's go  
23 ahead and put that on, Office of Planning's report on March the  
24 12th.

25 Ms. Schinder, make sure you work with the Office of



1 Planning to get whatever it is with Public Space to them and then  
2 we'll come back here on March 19th for the hearing, okay?

3 MS. SCHINDER: We'll be here. Thank you so much.

4 CHAIRPERSON HILL: Okay. Thank you.

5 MS. SCHINDER: Thank you.

6 CHAIRPERSON HILL: Okay.

7 I'm closing this portion of the hearing and the record  
8 and we're postponing until 3/19. That makes complete sense.  
9 Like, Mr. Lawson is actually listening. He's been listening for  
10 years, like, he's been listening for years and so, like, we  
11 literally could have just called Mr. Lawson at any time. Whenever  
12 there's like an emergency closed meeting, we can have an emergency  
13 Mr. Lawson meeting. It's great. Anyway okay, whatever. All  
14 right. I'm sorry. I'm having a little bit of fun because we're  
15 almost done.

16 All right. Do you all need a break? I'm happy. Break?

17 (Pause.)

18 CHAIRPERSON HILL: No break? We can take a break.  
19 Okay. Let's take a quick break. Okay? Fifteen minutes, we'll  
20 come back. Thank you.

21 (Whereupon, there was a brief recess.)

22 CHAIRPERSON HILL: All right, Ms. Mehlert. You are  
23 welcome to call us back and our next case.

24 MS. MEHLERT: The Board is back from a quick recess and  
25 is returning to its hearing session.

1           The next case is Application No. 21217 of David Ortiz  
2 and Nicole Johnston. This is an application pursuant to Subtitle  
3 X, Section 901.2 for a special exception under Subtitle E, Section  
4 5201 from the rear yard requirements of Subtitle E, Section 207.1.  
5 This is for a first floor rear deck addition to an attached two-  
6 story principal dwelling. Located in the RF-1 zone at 149 Thomas  
7 Street, Northwest, Square 3114, Lot 65.

8           CHAIRPERSON HILL: Great.

9           If the Applicant can hear me, if they could please  
10 introduce themselves for the record.

11           MR. ORTIZ: Yeah. Good morning, Chairman,  
12 Commissioners and Secretary. My name is David Ortiz. I live  
13 at 149 Thomas Street, Northwest, in Washington, D.C.

14           CHAIRPERSON HILL: Thank you, Mr. Ortiz.

15           Mr. Ortiz, if you want to go ahead and explain your  
16 project to the Board and, as best you can, how you believe it's  
17 meeting the criteria for us to grant the relief requested. I  
18 would imagine you're not a zoning lawyer but also we're working  
19 through this process with the Office of Planning and also any  
20 questions the Board has. So please go ahead and begin whenever  
21 you like.

22           MR. ORTIZ: Okay. I'll provide a summary and then look  
23 forward to your questions.

24           We seek exemption from the rear yard requirements. I  
25 think that's Subtitle E, Section 207.1. This is for an existing

1 structure that was constructed prior to our occupancy. The relief  
2 sought is retroactive and seeks to bring the structure into  
3 compliance.

4 As stated in the burden of proof, the structure meets  
5 the standard of review including air and light, privacy and the  
6 general aesthetic of the alley and use of the area but does not  
7 have any frontage on the front of the street and so wouldn't have  
8 any implication for that aspect of any of the Board's purview.  
9 All of this is summarized both in the burden of proof as well as  
10 in Mr. Lawson's report from the Department of Planning.

11 CHAIRPERSON HILL: Great. Thank you.

12 Before I turn to my Board, may I hear from the Office  
13 of Planning.

14 MR. MITCHUM: Yes. This is Joshua Mitchum with the  
15 Office of Planning.

16 OP is in agreement with the Applicant's statement and  
17 we believe that it does meet the burden of proof required for  
18 rear yard requirements, and we stand by the report submitted to  
19 the record.

20 Thank you.

21 CHAIRPERSON HILL: Thank you, Mr. Mitchum.

22 Let's see. Does the Board have any questions for the  
23 Applicant or the Office of Planning?

24 (No response.)

25 CHAIRPERSON HILL: Okay.

1           Mr. Ortiz, just for me, you talked to your neighbors  
2 and the ANC. Can you just speak a little bit to the public  
3 outreach.

4           MR. ORTIZ: Yeah. We talked to our neighbors. As  
5 required, there's obviously hosting (phonetic) requirements but  
6 we also know our neighbors on both sides adjacent, discussed with  
7 them and they indicated that they had no problem, as well as our  
8 ANC Commissioner, Hume Imtiaz, who also is in support of the  
9 structure. And then in the record there are two letters of  
10 support from neighbors who were notified through the notification  
11 process.

12           CHAIRPERSON HILL: Okay. Great. Thank you.

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

14           MR. YOUNG: We do not.

15           CHAIRPERSON HILL: Okay.

16           Once again, does the Board have any questions of  
17 anyone?

18           (No response.)

19           CHAIRPERSON HILL: Okay.

20           Mr. Ortiz, I'm going to let you go and I appreciate all  
21 of the time that you went through and how tidy you made this  
22 case.

23           MR. ORTIZ: Okay. Very good. You're quite welcome.

24           CHAIRPERSON HILL: Thank you.

25           Going to close the hearing and the record.

1 (Pause.)

2 CHAIRPERSON HILL: Okay.

3 I believe that I don't think I have any problems. I  
4 think that the burden of proof that the Applicant has put forward  
5 I would agree with their argument. I would also agree with the  
6 analysis that the Office of Planning has given us, also that of  
7 the ANC and as I mentioned during the hearing, it's nice that  
8 the Applicant has actually taken the time to reach out to their  
9 adjacent neighbors and also garner support for this, and I think  
10 it's relatively straightforward and I will be voting in favor of  
11 this application.

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

13 COMMISSIONER SMITH: No, Chairman Hill.

14 I agree that this is a relatively straightforward case.  
15 So kudos to the Applicant for putting together a very, you know,  
16 straightforward case and I recognize that the ANC is in support  
17 of the application and the adjacent neighbors are also in support  
18 of the application, and I will be as well.

19 CHAIRPERSON HILL: Thank you.

20 Mr. Blake?

21 COMMISSIONER BLAKE: Mr. Chair, I'm in support of the  
22 application.

23 I agree with the statements that you and Board member  
24 Smith made. I don't have any additional comments to add.

25 Thank you.

1 CHAIRPERSON HILL: Thank you.

2 Vice Chair John?

3 VICE CHAIRPERSON JOHN: I am in support of the  
4 application and I have no additional comments.

5 CHAIRPERSON HILL: Thank you.

6 Commissioner Stidham?

7 ZC COMMISSIONER STIDHAM: I am in support of the  
8 application and have nothing to add.

9 CHAIRPERSON HILL: Thank you.

10 All right. I'm going to make a motion to approve  
11 Application No. 21217 as captioned and read by the secretary, and  
12 ask for a second. Ms. John?

13 VICE CHAIRPERSON JOHN: Second.

14 CHAIRPERSON HILL: Motion has been made and seconded.  
15 Madam Secretary, if you would you take a roll call, please.

16 MS. MEHLERT: Please respond to the Chair's motion to  
17 approve the application.

18 Chairman Hill?

19 CHAIRPERSON HILL: Yes.

20 MS. MEHLERT: Vice Chair John?

21 VICE CHAIRPERSON JOHN: Yes.

22 MS. MEHLERT: Mr. Smith?

23 COMMISSIONER SMITH: Yes.

24 MS. MEHLERT: Mr. Blake?

25 COMMISSIONER BLAKE: Yes.

1 MS. MEHLERT: Commissioner Stidham

2 ZC COMMISSIONER STIDHAM: Yes.

3 MS. MEHLERT: Staff would record the vote as five to  
4 zero to zero to approve Application 21217 on the motion made by  
5 Chairman Hill and seconded by Vice Chair John.

6 CHAIRPERSON HILL: Okay. Great. Thank you.

7 You may call our next one when you get an opportunity,  
8 Madam Secretary.

9 MS. MEHLERT: Next is Application No. 21238 of HGIT  
10 1015 Half Street, LLC. This is a self-certified application  
11 pursuant to Subtitle X, Section 901.2 for special exceptions  
12 under Subtitle C, Section 1304.2 and 1312 from the rear roof-  
13 mounted antenna setback requirements of Subtitle C, Section  
14 1304.1(a) and from the roof-mounted antenna height limitations  
15 of Subtitle C, Section 1304.1(b). This is for 31 roof-mounted  
16 antennas on the penthouse roof of a ten-story building located  
17 in the D-5 zone at 1015 Half Street, Southeast, Square 697, Lot  
18 45, and as a preliminary matter the Applicant has proffered an  
19 expert witness, Kerron Miller, in architecture who is not in the  
20 witness book.

21 CHAIRPERSON HILL: Great. Thank you.

22 If the Applicant can hear me, if they could please  
23 introduce themselves for the record.

24 MR. MILLER: Yes. Good morning, Mr. Chairman,  
25 Commissioners and Secretary. My name is Kerron Miller. I'm a

1 senior associate with Hickok Cole. I'm a registered architect  
2 in the District of Columbia and have been practicing for over 23  
3 years.

4 CHAIRPERSON HILL: Okay.

5 Mr. Miller, are you going to be presenting to us or is  
6 Mr. Utz? I'm sorry, Mr. Utz, you're on mute.

7 (Pause.)

8 CHAIRPERSON HILL: No, you're still on mute. Oh, now  
9 we can. Yeah. Do you want to go ahead and introduce yourself,  
10 Mr. Utz?

11 MR. UTZ: Sure. Sorry about that.

12 I'm Jeff Utz with Goulston & Storrs. I am land use  
13 counsel on behalf of the Applicant and I will be presenting along  
14 with Mr. Miller and Mr. Goodman who are both on the line right  
15 now.

16 CHAIRPERSON HILL: Okay. Great.

17 Mr. Goodman, would you like to introduce yourself for  
18 the record?

19 MR. GOODMAN: This is Tony Goodman with DC's Homeland  
20 Security and Emergency Management Agency.

21 CHAIRPERSON HILL: Great.

22 Mr. Utz, do you know where Mr. Miller's resume is in  
23 the record?

24 MR. UTZ: I do. It's Exhibit 19 in the case record.  
25 So it's page 3 of the PDF.



1 CHAIRPERSON HILL: I got it.

2 MR. UTZ: Yes.

3 CHAIRPERSON HILL: Thanks.

4 MR. UTZ: Sure.

5 CHAIRPERSON HILL: I don't have any issues of Mr. Miller  
6 being admitted as an expert in architecture, being that he is an  
7 architect. Do my fellow Board members have any issues with it?

8 (No response.)

9 CHAIRPERSON HILL: Okay. All right. Thank you, Vice  
10 Chair John.

11 All right, Mr. Utz. You can go ahead and walk us  
12 through your client's application and however you would like to  
13 do it. You know, there's a lot of antennas and so just tell us  
14 about how you're meeting the criteria for us to grant this  
15 particular relief. I'll put 15 minutes on the clock so I know  
16 where we are, and you can begin whenever you like.

17 MR. UTZ: Great. Thank you so much.

18 Could we please pull up the presentation that's in the  
19 record?

20 CHAIRPERSON HILL: Which one do you have? There's,  
21 like, nine parts.

22 MR. UTZ: Yes. So I think it got chopped up in the,  
23 due to its size.

24 CHAIRPERSON HILL: All of it. So just go ahead and  
25 start with the first part.

1 MR. UTZ: Sure. Yeah.

2 CHAIRPERSON HILL: Okay. Go ahead, Mr. Young.

3 MR. UTZ: Thank you. Great. Thank you.

4 So, hello again. For the record I'm Jeff Utz of  
5 Goulston & Storrs. I'm land use counsel for today's case which  
6 is, the Applicant is HGIT 1015 Half Street, LLC and that is the  
7 owner of the building working with its tenant, DC Homeland  
8 Security and Emergency Management Agency, DC HSEMA, which is Mr.  
9 Goodman's agency.

10 I just wanted to start by thanking the Board for this  
11 opportunity to present the case and, as discussed in our filings,  
12 walk through the antennas that are necessary and talk about the  
13 need. Basically this application allows for these 31 antenna  
14 that are a necessary enhancement to the safety in the region. We  
15 are also happy to share that we received unanimous support from  
16 ANC 8F as well as supported reports from OP and DDOT.

17 So as mentioned, with us today is Tony Goodman of HSEMA  
18 and the proffered expert witness is with us as well, Kerron  
19 Miller, of Hickok Cole, and I appreciate him being admitted as  
20 an expert. Can we go to the next page, please? Thank you.

21 So the application does seek relief for the setback and  
22 height requirements for roof-mounted antennas. The property is  
23 currently improved with an office building which is surrounded  
24 by similarly sized office and residential buildings. As  
25 mentioned it's in the D-5 zone. The Applicant is working with

1 its tenant, DC HSEMA to install the proposed antenna array to  
2 augment, modernize and supplement the existing communications  
3 equipment and capabilities of the District to address homeland  
4 security and emergency preparedness issues.

5           This slide sets out the relevant zoning regulation  
6 section for the building mounted antennas which is Subtitle C,  
7 Section 1305.1 and the slide shows the project's compliance with  
8 all the building mounted antenna requirements except for the two  
9 for which we are seeking relief which are Subsections (a) and  
10 (b), shown here with the red notation as special exceptions.  
11 (Indiscernible) height and special exception relief items  
12 Subtitle C, Section 312 permits the Board to grant special  
13 exception relief so long as the Applicant complies with several  
14 criteria.

15           The proposed antenna array complies with all these  
16 criteria. Notably, the Applicant has minimized the requested  
17 relief to the extent practicable to ensure effective and reliable  
18 emergency communications and logistics coordination services for  
19 the District and the region. The detailed justification is in  
20 the record at Exhibits 8 and 15A1 and I will close today's  
21 presentation with an overview of how this application addresses  
22 the standards of relief if the Board would like that overview.

23           Now I would like to turn it over to Mr. Goodman for an  
24 overview of the site and the need for the project along with some  
25 mention of the community outreach and then we'll hear from the

1 project architect. Next slide, please, and I'll turn it over to  
2 Mr. Goodman.

3 MR. GOODMAN: Thank you.

4 As I had mentioned, HSEMA, DC's Homeland Security  
5 Emergency Management Agency, we plan and coordinate everything  
6 related to preparing, preventing, responding, mitigating,  
7 recovering to all threats and hazards. In order to do that we  
8 work with dozens of District Federal and regional partners.

9 We're a small agency ourselves, you know, but we will  
10 typically have during a large emergency activation, we will have  
11 sometimes up to 60, 70, 80 agencies and will all be in our space  
12 with us as liaisons back to their own agencies. That's a lot of  
13 Federal agencies, lot of regional partners, each of which have  
14 their own frequencies, their own ways of communicating and so our  
15 space is designed to accommodate all those partners so that during  
16 events like large storms, the inauguration, the NATO Summit,  
17 things like that that we have all the right people in the room  
18 to make sure that we're prepared for any complications or any  
19 incidents that may occur.

20 So as part of that we will disseminate public safety  
21 information. Some of that is alerts that, you know, go to over  
22 social media and stuff, but we also will send out and coordinate  
23 alerts such as the variable message boards working with DDOT or  
24 getting push notifications on people's phones for emergencies.

25 As mentioned we operate the District's emergency

1 operations center. That includes a 24/7 fusion center for the  
2 things that are a step below that 80 agency response, but the  
3 typical responses that we often have that have a handful of  
4 agencies that still need to coordinate in the field and coordinate  
5 with each other.

6 We collect and disseminate all sorts of hazards, not  
7 only for the District but also for the region, specifically  
8 chartered by that with, by the Department of Homeland Security.  
9 We work a lot on post-emergency canvassing. That means assisting  
10 out other partners to make sure that people displaced by a fire  
11 or a storm or some sort of utility outage have what they need.  
12 A major thing we do is coordinating the recovery operations in  
13 terms of the resources, so making sure that the right resource  
14 in the right place and we get reimbursed appropriately and, again,  
15 just making sure that we coordinate with all of our neighbors a  
16 lot.

17 As part of this project, we have spent a lot of time  
18 talking to our partners on what their communication needs are.  
19 So that's been a very important part of our outreach making sure  
20 that we have the right antennas but also that we're not, you  
21 know, building anything that our partners won't use and we also  
22 of course have talked to the ANC. We have toured many other  
23 people and other agencies through our space often to make sure  
24 that we are serving our mission of being that coordinating agency  
25 in a space that can properly accommodate all of our partners.

1 MR. MILLER: Next slide, please.

2 So in the overall context 1015 Half Street is located  
3 south of the Capitol building between 395 and M and South Capitol  
4 and New Jersey, basically invisible from the major thoroughfares.  
5 Next slide, please.

6 Built in 2011 the building houses broadcast facilities  
7 for D.C., Federal (phonetic) utilities and disaster support  
8 organizations for several years. This image is before the  
9 surrounding context was filled in. Currently in and around the  
10 area of the building is almost completely transformed. Next  
11 slide, please.

12 In this existing site plan, just note marked just to  
13 the right, the building is bounded by K Street to the north and  
14 L Street to the south, Half Street to the west and a public alley  
15 to the east. There are several existing antennas already on the  
16 roof serving the tenant's mission critical purposes. Next slide,  
17 please.

18 The new site plan shows the new antennas being proposed  
19 by DC HSEMA and their setbacks from the penthouse roof to (audio  
20 interference). Next slide, please.

21 The setback relief, this diagram shows the eight  
22 antennas that will not meet the setback requirements along the  
23 public alley and will require setback relief. However, you can  
24 see that they are seen from the setback from K and L Streets.  
25 It's only at the public alley side that need a setback

1 requirement. Next slide, please.

2           There are 25 antennas that exceed the height limit of  
3 12 feet above the roof. Again, all are significantly setback  
4 from the major streets and meet the setback limits from those  
5 streets and as we'll see in the formal elevations with antennas  
6 (indiscernible). Next slide, please.

7           This is the east elevation along facing Half Street.  
8 Setbacks are indicated by diagonal lines and the height limit  
9 datums (phonetic) are indicated by the horizontal lines. The  
10 lower datum line, horizontal datum line, is the penthouse roof  
11 line. The second is a total for max height per zoning and the  
12 third upper line is the height to the highest antenna. Next  
13 slide, please.

14           On the south elevation which faces L Street you see  
15 that there's no issues with the setbacks, just the height limits.  
16 Next slide, please.

17           On the north elevation, K Street facing, the antennas  
18 facing the alley is the only area that we need to have a setback.  
19 (Indiscernible) this is still (phonetic) setback significantly  
20 from the major street, however once again we don't need the height  
21 limit. We don't have height limit issues here. Next slide,  
22 please.

23           On the west elevation we only have a height limits  
24 issues. Setbacks are the same as Half Street. Next slide,  
25 please.

1           On this enlarged context line, there are many antennas  
2 located around the surrounding buildings. Some appear to exceed  
3 the height requirements of the total max setback zoning. Here  
4 we're showing eight surrounding buildings with antennas and we'll  
5 dive in a little bit closer at these locations. Next slide,  
6 please.

7           These photos were taken from the 1015 Half Street  
8 penthouse. There are similar types of antennas that are located  
9 on surrounding buildings. They are hard to see in the photos  
10 and in reality. Next slide, please.

11           So what we did on the left side is that we went ahead  
12 and revised (phonetic) where these antennas are located. Next  
13 slide, please.

14           We took a step further out and photos E through A shows  
15 the antennas' location a little bit further out. Again, this is  
16 not uncommon on the skyline. You see a lot on the D.C. skyline.  
17 Next slide, please.

18           Again, here we highlighted the antennas for ease of  
19 sight. Next slide, please.

20           We walked around the entire neighborhood and we also  
21 took views of the building and there you have an idea of the  
22 bulk, and so we really in one view that we begin to see the  
23 penthouse from the street level. Next slide, please.

24           It's not until that we're further down on South Capitol  
25 that you begin to see the penthouse outline. The existing view



1 to the left and approach with the new antennas to the right. It  
2 is very difficult to see the new antennas. Of note, there's an  
3 existing vacant lot adjacent to the church that we understand  
4 future development will fill out, thereby further obstructing the  
5 views to the building from the location on South Capitol. Next  
6 slide, please.

7 Hand it over back to Jeff.

8 MR. UTZ: Great. Thank you, Kerron.

9 I would just like to give an overview of the criteria  
10 for special exception relief and how this application satisfies  
11 those elements and I know there's a lot on this slide. It is a  
12 detailed set of standards for special exception relief for  
13 special exceptions, but the intent with this slide is to provide  
14 a snapshot showing that all those detailed elements are actually  
15 satisfied by elements of the application.

16 So I can just run through. This particular slide shows  
17 the elements that are particular to antenna special exceptions.  
18 These are the elements set forth under Subtitle C, Section 312  
19 and then we have a second slide that speaks through the elements  
20 of the general special exception relief under Subtitle X, 901.

21 So taking it from the top on this slide, application  
22 requirements are set forth in C-1312.1 including No. 1, a map of  
23 area to be served by the new antennas, that is provided in the  
24 record as page A4 of Exhibit 10 and we've shown that as part of  
25 this presentation as well.

1           The second item is a map and explanation of area being  
2 inadequately served that necessitates the antenna, and this is  
3 as we've mentioned, as Mr. Goodman mentioned, that array here  
4 supports emergency response services for the whole District.  
5 This is the key, a key node and kind of command center for those  
6 efforts.

7           The third item is a map indicating the location of any  
8 other antenna and other monopoles and those sorts of elements  
9 within the vicinity. Pages A4, A5 and A6 of Exhibit 10 show a  
10 map and pictures of the ten identifiable sites that are in the  
11 vicinity of the site.

12           Item No. 4 is a site and roof plan showing all  
13 structures and antennas on the site and that was shown as part  
14 of this presentation but that can be found as pages A7, A9 and  
15 A10 of Exhibit 10 as well.

16           Item 5 is an elevation drawing or drawings of this  
17 structure and the proposed antennas from all four directions, and  
18 Mr. Miller did show those as part of this presentation but those  
19 are also in the record as pages A11 through A14 at Exhibit 10.

20           The sixth item is a picture of the proposed antennas  
21 and specifications and pictures are shown on pages A21 through  
22 A28 of Exhibit 10. The implementation of these antennas is shown  
23 on the site plans, elevations and renderings included as pages  
24 A9 through A14 and A18 of Exhibit 10.

25           No. 7 is the total mounted height of the antennas

1 relative to the top of surrounding trees as they exist within a  
2 quarter of a mile and this site is located in a highly urban  
3 context so the building's taller than the surrounding trees and  
4 there's no interference or adverse relationship there. Pages A8,  
5 A15 and A16 of Exhibit 10 show the buildings that are in the  
6 vicinity of the site.

7 Item 8 is other information that may be necessary for  
8 the impact assessment of the antenna and the response here is  
9 two-fold. You know, the OP report indicated that there are no  
10 additional elements necessary for the impact assessment but we  
11 are happy to provide additional information if the Board may deem  
12 necessary to review the impact here. Next slide, please.

13 Thank you. So this slide, as I was mentioning, gives  
14 an overview of the more general special exception review  
15 standards that are set forth under Subtitle X, Section 901. We  
16 would say broadly that this application meets those standards.  
17 The first element of the relief standard is that the requested  
18 special exception will be in harmony with the general purpose and  
19 intent of the zoning regulations. Here, the antenna create  
20 conditions favorable for health, safety, transportation,  
21 prosperity, protection of civil property, civic activity,  
22 recreation, education and cultural opportunities among other  
23 purposes, and those are the elements that are set forth in the  
24 D.C. Code itself regarding the zoning regulations and then  
25 reflected in the zoning regulations as well, and then also these

1 antenna will provide the District's emergency response and  
2 security systems with a safer and more robust municipal  
3 infrastructure system that will enhance protection for the  
4 public.

5           The second element of the relief standards is that the  
6 requested relief will not tend to affect adversely the use of  
7 neighboring property. Here the antennas will indeed not  
8 adversely affect neighboring properties and will not create any  
9 appreciable change to the favorable conditions of the area. Also  
10 importantly the visual impact is minimal here. There are, we  
11 have 31 antenna overall but their location atop a 110 foot  
12 building which is surrounded by other buildings and very limited  
13 viewpoints exist around the street will mitigate visibility of  
14 these antenna. So, and they are also barely visible from  
15 neighboring properties. They are designed for minimal visual  
16 intrusion and they are made of materials that blend with the  
17 surroundings and as a testament to the minimal adverse impacts  
18 produced by these antenna, there are antenna on this property now  
19 and other properties in the vicinity that are not having adverse  
20 impacts. So all in all, we do not feel that there is a visual  
21 impact that would be adverse in any way.

22           With that, that brings our presentation to a close. I  
23 think we might have run over 15 minutes and for that I apologize,  
24 but we're happy to answer any questions you might have, and thank  
25 you so much for the opportunity to present.

1 CHAIRPERSON HILL: Thank you, Mr. Utz.

2 Before I turn to my Board can I hear from the Office  
3 of Planning.

4 MS. THOMAS: Good morning, Mr. Chairman, members of the  
5 Board. Karen Thomas with the Office of Planning.

6 And the Office of Planning is in support of this  
7 application, particularly as it supports the District's emergency  
8 management operations and having satisfied the criteria under  
9 Subtitle C, Section 1312.1, it has met those criteria as explained  
10 by Mr. Utz just now, and also it has satisfied the special  
11 exception criteria to meet the intent of the regulations which,  
12 in part, is to minimize visibility from public space and with the  
13 surrounding height of the buildings and the location of this  
14 building and the location on the penthouse roof, the antennas  
15 would be barely visible from public space.

16 And with that, I'll rest on the record of our report.  
17 Thank you.

18 CHAIRPERSON HILL: Thank you, Ms. Thomas.

19 Does the Board have any questions of the Applicant or  
20 the Office of Planning?

21 Go ahead, Mr. Smith.

22 COMMISSIONER SMITH: My question is regarding, so I'll  
23 just state from a Federal interest point, this is along South  
24 Capitol Street that overlooks The Capitol. So there is a Federal  
25 interest in the viewsheds along South Capitol Street.

1           My question is the pictures that were provided, the  
2 proposed pictures that were provided that look out to this  
3 building along from the tunnel on South Capitol Street, that is  
4 fairly far away. Was there any additional views that were  
5 provided either to the Office of Planning or that you have that  
6 show it from the northbound side of South Capitol Street, because  
7 these are 20 foot tall antennas.

8           MR. UTZ: Thank you for that question.

9           There was quite an effort that we put in to find those  
10 points of view that would even show the roof here. That view  
11 that's included in the record from South Cap., is actually the  
12 only one that our team could find that would even show the antenna  
13 at all. So if we came from that northern approach it would  
14 actually be shielded from the surrounding buildings that already  
15 exist and actually that southern view will hopefully soon be  
16 blocked by a building that will rise on the left. It's actually  
17 right between where that point of view exists and where the  
18 building is shown in the image. There's a site there that is  
19 ready for development that will hopefully happen soon.

20           So it will be, that was something that we were very  
21 mindful of, how the viewsheds from South Capitol would be impacted  
22 and if there would be any impact on the monumental view down  
23 South Capitol or up South Capitol, and we don't think that there  
24 is. There actually is a limited impact on Half Street itself,  
25 even the immediate streets themselves. It's just, it is really

1 hard to get a shot of this roof array when it comes down to it.

2 COMMISSIONER SMITH: Honestly, I think it would have  
3 been helpful to show that, to show that if you had some type of  
4 contextual picture, that showed that along the auxiliary lanes  
5 for the exits to turn right as South Capitol is (audio  
6 interference) to show that you can't see those antennas from  
7 northbound South Capitol or those auxiliary lanes.

8 So I think that would have been helpful for me but, you  
9 know, c'est la vie, you know, we're here now. But that was my  
10 only question, Chairman Hill.

11 CHAIRPERSON HILL: Okay. Thank you, Mr. Smith.

12 Anyone else from the Board?

13 (No response.)

14 CHAIRPERSON HILL: Mr. Young, is there anyone here  
15 wishing to speak?

16 MR. YOUNG: We do not.

17 CHAIRPERSON HILL: Okay.

18 Mr. Utz, you guys went to the ANC. Can you tell us  
19 how that went?

20 MR. UTZ: We did. They voted in support of this  
21 application but have not been able to put that letter in the  
22 record. We've been in touch with them quite a bit since then  
23 but they did vote on a full ANC agenda, the duly noticed meeting,  
24 to support the application.

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

1 Anything else from the Board?

2 (No response.)

3 CHAIRPERSON HILL: Okay.

4 Mr. Utz, I'm going to let you guys go. You guys have  
5 a nice day.

6 MR. UTZ: Thank you so much. You too.

7 CHAIRPERSON HILL: Bye bye. Okay.

8 For me it really came down to, like, you know, just  
9 about the special exception and the standards and X-901(b) about  
10 adversely affecting the use of properties and the antennas I  
11 guess, you know, they're on a 110 foot story building and they're  
12 smaller antennas than I thought to be quite honest. They're  
13 pretty slim, tiny, you know, they're narrow and so I don't think  
14 that any of the views are being affected by this and I think that  
15 they've done a good job of showing how it's not really affected  
16 in terms of the relief. I mean, I think obviously it's DC  
17 emergency services and so they need as many communications  
18 systems that they can to help the community.

19 But, and I also appreciate that they did reach out to  
20 the ANC and although we don't have an official, I think I heard  
21 that correctly, we don't have an official statement from the ANC,  
22 meaning the vote on the record, the Applicant did state that they  
23 did present before the ANC and they voted in favor. Then on top  
24 of that I'll credit the analysis of the Office of Planning has  
25 provided and I would also agree with that, and I will be voting



1 in favor of this application.

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

3 COMMISSIONER SMITH: I think I by and large agree with  
4 your assessment of this particular case and how it meets the  
5 special exception criteria per D.C. zoning regulations. But, you  
6 know, from a Federal interest standpoint, I'm uncomfortable with  
7 supporting the application without additional site line to show  
8 its visual impact along South Capitol Street. So for now I'm a  
9 no from a Federal interest standpoint.

10 CHAIRPERSON HILL: Okay. Let's see where we land.

11 Mr. Blake?

12 COMMISSIONER BLAKE: Sure. Thank you, Mr. Chair.

13 I do believe that the Applicant has met the burden of  
14 proof to be granted the requested relief and I do agree with the  
15 Office of Planning's analysis of how the Applicant has met the  
16 criteria. As I see it, these antennas favorably affect the  
17 welfare and safety of the population and don't detract from the  
18 landscape, streetscape, the skyline, the scenic beauty or  
19 aesthetic interests of the District and I would give great weight  
20 to the Office of Planning's analysis and recommendation for  
21 approval, and I do acknowledge that you said there's nothing from  
22 the ANC but note the testimony from the ANC.

23 I do understand Mr. Smith's concern about the view,  
24 however, at that height and given those sizes and the way that  
25 it, it's hard to see those at that height. You know, our head

1 doesn't look up in such a way that does that from the street so  
2 you do have to get fairly far away to even see them and they're  
3 such small antennas that they're barely noticeable. That's what  
4 I saw on that, in the pictures that I think really did reflect  
5 how difficult it was to even notice they were up there.

6 And so I am, as I said, long story short I'm in support  
7 of the application and I do think it met the criteria for  
8 approval.

9 CHAIRPERSON HILL: Thank you.

10 Vice Chair John?

11 VICE CHAIRPERSON JOHN: Thank you, Mr. Chairman.

12 I am also in support of the application and I'm going  
13 to give great weight to the Office of Planning's analysis, and I  
14 also appreciate Mr. Utz's explanation of why there is minimal  
15 visual impact in the surrounding area in terms of the South  
16 Capitol view and why it was difficult to even see the antenna  
17 from closer in.

18 So based on that consideration, I'm in support of the  
19 application even though I understand Mr. Smith's hesitancy. But  
20 from a zoning standpoint I believe the application meets the  
21 criteria for relief.

22 CHAIRPERSON HILL: Thank you.

23 Commissioner Stidham?

24 ZC COMMISSIONER STIDHAM: I really don't have anything  
25 to add to what Board member John and Board member Blake. I think

1 | they both covered it well, and I agree to support it.

2 |           CHAIRPERSON HILL: Okay. Thank you. All right.

3 |           I'm going to make a motion then to approve Application  
4 | No. 21238 as captioned and read by the secretary, and ask for a  
5 | second. Ms. John?

6 |           VICE CHAIRPERSON JOHN: Second.

7 |           CHAIRPERSON HILL: Motion made and seconded. Madam  
8 | Secretary, if you could take a roll call, please.

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

11 |           Chairman Hill?

12 |           CHAIRPERSON HILL: Yes.

13 |           MS. MEHLERT: Vice Chair John?

14 |           VICE CHAIRPERSON JOHN: Yes.

15 |           MS. MEHLERT: Mr. Smith? Can you say that again?

16 |           COMMISSIONER SMITH: No.

17 |           MS. MEHLERT: No. Mr. Blake?

18 |           COMMISSIONER BLAKE: Yes.

19 |           MS. MEHLERT: Commissioner Stidham?

20 |           ZC COMMISSIONER STIDHAM: Yes.

21 |           MS. MEHLERT: Staff would record the vote as four to  
22 | one to zero to Application 21238 on the motion made by Chairman  
23 | Hill and seconded by Vice Chair John, with Board member Smith  
24 | opposed to the motion.

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

1 I believe there's one more order of business for us,  
2 if I'm not mistaken and so if you all would bear with me for one  
3 second. I think, so Vice Chair John's term with us is officially  
4 ending on March 26th and she has been just a wonderful Vice Chair  
5 and has, you know, been very helpful to me, the Board and  
6 particularly when I have to, you know, not be here and she's been  
7 great and she's just a smart person to have help with the  
8 regulations and bringing her expertise in her past career to this  
9 job.

10 And so I first, Ms. John, want to thank you so much for  
11 having the opportunity to do that. I'm sure whoever's here on  
12 the 26th, and I hope I'm here for a little bit, will have a little  
13 thing to say as well. But what we're supposed to do now is have  
14 elections and since Ms. John will no longer be with us on the  
15 26th, I wanted to take the opportunity to, I don't know if there  
16 is seconding or not, but I would ask Ms. John to second I guess,  
17 have an opportunity to nominate Mr. Carl Blake as our Vice Chair  
18 and would look for someone to second this nomination and I guess  
19 I could ask Ms. John if you would be so kind.

20 VICE CHAIRPERSON JOHN: I will be happy to second that  
21 nomination, Mr. Chairman.

22 I believe Board member Blake will be an excellent Vice  
23 Chair and he has done a great job since he joined the Board and  
24 I'm excited to see what he does and how he brings his special  
25 experience to the Board, and I think the Board is lucky to have

1 him.

2 So I wholeheartedly support Board member Blake's  
3 nomination.

4 CHAIRPERSON HILL: Thank you.

5 Madam Secretary, are we supposed to take a vote?

6 VICE CHAIRPERSON JOHN: Yes.

7 CHAIRPERSON HILL: Oh, okay. Great.

8 VICE CHAIRPERSON JOHN: That's my recollection of what  
9 happened in my case.

10 CHAIRPERSON HILL: Do we have to ask Mr. Blake if he's  
11 accepting?

12 VICE CHAIRPERSON JOHN: Yes, I think so.

13 CHAIRPERSON HILL: Mr. Blake, do you accept?

14 COMMISSIONER BLAKE: Yes, I do. No further comment.

15 CHAIRPERSON HILL: I guess you have to take a vote,  
16 Madam Secretary.

17 MS. MEHLERT: All right Please respond to the Chair's  
18 motion to nominate Board member Blake as Vice Chair.

19 Chairman Hill?

20 CHAIRPERSON HILL: Yes.

21 MS. MEHLERT: Vice Chair John?

22 VICE CHAIRPERSON JOHN: Yes.

23 MS. MEHLERT: Mr. Smith?

24 COMMISSIONER SMITH: Yes.

25 MS. MEHLERT: Mr. Blake?

1 COMMISSIONER BLAKE: Yes.

2 MS. MEHLERT: Commissioner Stidham?

3 ZC COMMISSIONER STIDHAM: Yes, very much so.

4 MS. MEHLERT: Staff would record the vote as five to  
5 zero to zero to nominate Mr. Blake as the new Vice Chair on the  
6 motion made by Chairman Hill and seconded by Vice Chair John.

7 CHAIRPERSON HILL: Great.

8 Well, since we're going to go with this, oh, yeah.  
9 Yeh, all right. Okay.

10 Well, since we're going to go with this back and forth  
11 thing here a little bit, not to assume anybody's going to nominate  
12 anybody, but Ms. John, we need a nomination for a Chair.

13 VICE CHAIRPERSON JOHN: Oh. I vote, I nominate Chairman  
14 Hill to continue in his position as Chair of the Board, and I'm  
15 looking for a second. Vice Chair Blake?

16 COMMISSIONER BLAKE: Second.

17 CHAIRPERSON HILL: I accept.

18 MS. MEHLERT: Please respond to Ms. John's motion to  
19 nominate Mr. Hill to continue as the Chair.

20 Chairman Hill?

21 CHAIRPERSON HILL: Yes.

22 MS. MEHLERT: Ms. John?

23 VICE CHAIRPERSON JOHN: Yes.

24 MS. MEHLERT: Mr. Smith?

25 (Pause.)

1 COMMISSIONER SMITH: I had to think about it. Yes.

2 VICE CHAIRPERSON JOHN: I love the suspense.

3 MS. MEHLERT: Vice Chair Blake?

4 COMMISSIONER BLAKE: Yes.

5 MS. MEHLERT: And Commissioner Stidham?

6 ZC COMMISSIONER STIDHAM: Yes.

7 MS. MEHLERT: Staff would record the vote as five to  
8 zero to zero to nominate Mr. Hill as the Chair again on the motion  
9 made by Ms. John and seconded by Vice Chair Blake.

10 CHAIRPERSON HILL: Yeh. Okay.

11 There's only two people. Like, there's not like, a  
12 whole lot of suspense there, right? Although maybe one day there  
13 will be suspense, just not while I'm around.

14 VICE CHAIRPERSON JOHN: Maybe, maybe not.

15 CHAIRPERSON HILL: Maybe, maybe not. I don't know.

16 So, anyway, okay. Well, congratulations Mr. Blake.  
17 Thank you for your service, Ms. John. Thank you for nominating  
18 and continuing to think that I'm doing an okay job to keep going.

19 All right. I guess that's it, right? Madam Secretary?

20 MS. MEHLERT: Yes.

21 CHAIRPERSON HILL: Okay. All right.

22 We stand adjourned. You all have a good day.

23 VICE CHAIRPERSON JOHN: Thank you. Bye.

24 (Whereupon, the above-entitled matter went off the  
25 record at 11:51 a.m.)

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: 02-12-25

Place: Webex videoconferencing.

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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Michelle Morales-Bonilla