

+++

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

+ + + + +

BOARD OF ZONING ADJUSTMENT

+ + + + +

REGULAR PUBLIC HEARING

+ + + + +

WEDNESDAY

JULY 30, 2025

+ + + + +

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
CARL H. BLAKE, Vice Chairperson
CHRISHAUN SMITH, Commissioner
ANTHONY HOOD, Chairperson, Zoning Commission
TAMMY STIDHAM, Commissioner, Zoning Commission

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

KEARA MEHLERT, Secretary
PAUL YOUNG, A/V Operations

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

OFFICE OF PLANNING STAFF PRESENT:

MICHAEL JURGOVIC, Development Review Specialist
MATT JESICK, Development Review Specialist
SHEPARD BEAMON, Development Review Specialist
KAREN THOMAS, Development Review Specialist

The transcript constitutes the minutes from the
Regular Public Hearing held on July 30, 2025.

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

T A B L E O F C O N T E N T S

Case No. 21325	
Application No. CJB Investments, LLC.....	6
Case No. 21330	
Application of Paul Pike.....	20
Case No. 21298	
Application of Justion Riordan and Zach Bache.....	23
Case No. 21335	
Application of Pamela Wilson.....	36
Case No. 21336	
United Unions, Incorporated.....	57
Case No. 21341	
D.C. Department of General Services.....	64

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's meeting, 7/30/2025's meeting will please come to order. My name is Fred Hill, Chairman of the District of Columbia Board of Zoning Adjustment. Joining me today are Vice Chair Carl Blake, Chrishaun Smith, Board Member, Chairman Anthony Hood and Commissioner Tammy Stidham.

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

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

1 recommendation. Although the Board favors the use of summary
2 orders whenever possible, an applicant may not request the Board
3 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. Once again, if you're
13 experiencing difficulty please call the hotline number that is
14 listed on your screen.

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

1 good cause that justifies allowing the exhibit into the record
2 including an explanation of why the requester did not file the
3 exhibit prior to the hearing pursuant to Y-206 and how the
4 proposed exhibit would not unreasonably prejudice any parties.
5 The order of procedures for special exceptions and variances are
6 in Y-409.

7 At the conclusion of each case an individual who is
8 unable to testify because of technical issues may file a request
9 for leave to file a written version of the planned testimony to
10 the record within 24 hours following the conclusion of public
11 testimony in the hearing. If additional written testimony is
12 accepted, then parties will be allowed a reasonable time to
13 respond as determined by the Board. The Board will then make
14 its decision at its next meeting session but no earlier than 48
15 hours after the hearing.

16 Moreover, the Board may request additional specific
17 information to complete the record. The Board and the staff will
18 specify at the end of the hearing exactly what is expected and
19 the date when persons must submit evidence to the Office of
20 Zoning. No other information shall be accepted by the Board.

21 Finally, the District of Columbia Administrative
22 Procedures Act requires that a public hearing on each case be
23 held in the open before the public. However, pursuant to Sections
24 405(b) and 406 of the Act the Board may, consistent with its
25 rules and procedures and the Act, enter into a closed meeting on

1 a case for purposes of seeking legal counsel on a case pursuant
2 to D.C. Official Code Section 2-575(b)(4) and/or deliberate on a
3 case pursuant to D.C. Official Code Section 2-575(b)(13) but only
4 after providing the necessary public notice in the case of an
5 emergency closed meeting after taking a roll call vote.

6 Madam Secretary, do we have any preliminary matters?

7 MS. MEHLERT: Good morning, Nr. Chairman, members of
8 the Board. There are two changes to the schedule today.

9 Application No. 21326 of Ehsan Jazini has been
10 postponed to October 1st, 2025 and Application No. 21239 of
11 Stephen Jackson has been postponed to October 8th, 2025.
12 Regarding late filings the Chairman has reviewed and granted
13 waivers to all late filings into the applicable case records
14 pursuant to Subtitle Y, Section 206.7 and Section 103.13. Any
15 other late filings during the course of today's live hearing
16 should be presented before the Board by the Applicant, parties
17 or witnesses after the case is called and any other preliminary
18 matters will be noted when that case is called.

19 CHAIRPERSON HILL: Okay. Great. Thank you.

20 Commissioner Stidham, I think you're not with us for
21 the very first item of the day and we will see you after we talk
22 with Chairman Hood, and we can do our first decision case if you
23 wouldn't mind calling it, Madam Secretary.

24 MS. MEHLERT: The first case is in the Board's meeting
25 session. It's Application No. 21325 of CJB Investments, LLC. As

1 amended, this is a self-certified application pursuant to
2 Subtitle X, Section 901.2 for special exceptions under Subtitle
3 U, Section 253.4 to allow an accessory apartment in an accessory
4 structure, and under Subtitle D, Section 5201 from the building
5 area requirements for an accessory building of Subtitle D,
6 Section 1105.4.

7 This is for a second-story addition to an existing one-
8 story accessory structure in the rear yard of an existing two-
9 story row building for use as an accessory apartment. It's
10 located in the R-3/GT zone at 3253 P Street, Northwest, Square
11 1255, Lot 206. And the Board heard this case last week and
12 scheduled it for a decision, and participating are Chairman Hill,
13 Vice Chair Blake, Board member Smith and Chairman Hood.

14 CHAIRPERSON HILL: Okay. Great. Thank you.

15 It's early in the morning for me for some reason and I
16 had asked if somebody else would start this, and I asked Mr.
17 Smith if he would start this, and so Mr. Smith, I don't know if
18 you have a moment to start this or you need a little more time.

19 COMMISSIONER SMITH: Sure, I can start it. What's
20 before us for this case are two special exceptions regarding
21 Subtitle U, 253.4 to allow an accessory apartment in an accessory
22 structure and from Subtitle D, 5201 from the building area
23 requirements for an accessory building in the rear yard in
24 accordance with Subtitle D, 1105.4. So I will, you know, go out
25 front and say I'm in support for the same reasons that the

1 Applicant and the Office of Planning has stated that regarding
2 them meeting the criteria for approval.

3 Regarding review of Section 5201 regarding the maximum
4 building area, I believe that the proposed structure would not
5 unduly affect the light and air for the surrounding properties
6 given that the proposed addition is of a reasonable size and
7 would not max out at the maximum height allowed for such a
8 building. Again, we're here because they're trying to put in an
9 accessory apartment. If they weren't putting in the accessory
10 apartment, it would meet some of these development standards
11 already.

12 The building area is also to the rear of most of the
13 surrounding properties that all have sizeable yards for this zone
14 to allow light and air to penetrate their properties. I do not
15 believe that the proposed addition will unduly compromise the use
16 and enjoyment of surrounding properties. The proposed structure
17 will not have windows that face the adjacent properties,
18 therefore reducing impacts related to privacy. The windows would
19 face the alley.

20 I would also like to note that most of the conversation
21 during the hearing last week had been about views and privacy.
22 Again, per the zoning regulations no one is entitled to their own
23 view, shade or, yeah, their own view, shade, the zoning
24 regulations. Privacy to me is being treated as "another
25 objectionable condition" and U.253.8(f) per the party in

1 opposition. I think that privacy is very subjective and would
2 not be considered, and this would not be considered an
3 objectionable condition given that the Applicant has taken into
4 consideration to place the windows in a manner that they're not
5 peering into the neighbor's yard. They're peering into the alley.

6 The Applicant has also provided additional plans and
7 shadow studies that demonstrate how the proposal would not have
8 undue impact on the surrounding properties. Also I believe the
9 proposed building will also meet the general special exception
10 standards of Section 901.

11 With that, I will give the Office of Planning's staff
12 report great weight and will note that the ANC is not necessarily
13 opposed. We didn't get a letter saying they would support it
14 but they are not in opposition to this proposed request, and I
15 will vote in support.

16 CHAIRPERSON HILL: Okay. Thanks.

17 Mr. Blake, you want to go next or do you want me to go
18 next?

19 VICE CHAIRPERSON BLAKE: I can go next, Mr. Chairman.
20 I've been looking at this thing for a minute here. I agree with
21 Mr. Smith's conclusion and will be in support of the application.

22 A couple of things I want to point out. When I looked
23 at this application I looked at it in two parts because it's two
24 questions. One is a structural issue and the second is a use
25 issue. When we look at the structural element of it we obviously,

1 as Mr. Smith pointed out, we're looking at D-5201, and in that
2 instance we are focused on the incremental 20.8 feet on the second
3 floor which exceeds the maximum of 450 square feet for area. As
4 we look at the use element we are looking at U-253.4 to allow an
5 accessory structure and we are also including a waiver from U-
6 253.9 to allow the use of both floors for an accessory apartment
7 use.

8 In both cases, they take into account the potential
9 adverse effect of the proposed relief on neighboring properties.
10 Obviously the criteria, as Board member Smith went through in B-
11 5201, focuses on light and air, privacy and visual intrusion. In
12 this instance we find that, and I agree with his analysis that,
13 from a light and air perspective the shadow studies provided by
14 the Applicant did demonstrate that there would be a minimal impact
15 on neighboring properties from that perspective and I also
16 observed the fact that it is placed at the rear of the properties
17 and their sizeable yards, as he pointed out, for the neighboring
18 properties so there should be no adverse impact on air flow.

19 When we look at the privacy issue, again, the windows,
20 this building has no windows to its rear, its east or west side.
21 The project, the windows only face forward actually on to the
22 Applicant's, the subject property. You can have some peripheral
23 views into the easement area and the adjacent property to the
24 left, but a fairly significant distance away from those
25 properties when you view it from the second floor. The properties

1 to the west, I believe, the properties to the right I would say
2 from my observation, as you look at it there they have a
3 relatively limited -- there's no windows so there's nothing
4 there. There could be some, you know, potential shading but it's
5 not clear there is.

6 I think the party in opposition made a pretty strong
7 argument or made an argument that it was substantially impacting
8 what it was calling proper residents (phonetic). But they
9 provided really no concrete evidence of that and the opposition
10 party, also the zoning expert said that we should look at the
11 total impact of the project as opposed to the incremental portion
12 which the common practice is to look at the incremental portion,
13 the 20.8 feet versus matter-of-right, not to look at it from
14 where it was to where it is and the question then becomes the
15 adverse impact and then we have to, you know, what is the element
16 of what is adverse.

17 So it's comparing versus matter-of-right, not from what
18 it is. I agree that from what it is today to what it would be
19 is very different. But first is matter-of-right, it is only like
20 (indiscernible) one foot and that foot actually was something
21 that the Old Georgetown Board was in support of to improve the
22 aesthetics of it. The last thing, visual intrusion. I go back
23 to, again, the Old Georgetown Board did look at this and felt
24 that it was (indiscernible) in support of the conceptual look.
25 So I think that from that perspective it seems to meet the path

1 for B-5201.

2 When I think about the use element, that to allow an
3 accessory apartment, the main issue here is the fact that there
4 will be potentially -- and one of the concerns that was raised
5 by the Applicants -- when we look at the whole impact will it
6 have adverse objectionable conditions to neighboring properties
7 is the standard we use there. And when we look at that the
8 questions came up about the increase in density which we recall
9 that the regulations require that you only have six people on the
10 entirety of the lot including the principal dwelling unit. In
11 this case it wasn't, it's not necessarily a significant increase
12 in that.

13 In terms of the use of the access via the easement,
14 well they have access to it now one way or the other and they
15 would continue to have that either for the car or for the people
16 that go back there. Again, it would be no more than six total
17 for the principal dwelling unit and the accessory building,
18 apartment.

19 As far as parking is concerned, one of the concerns
20 that was raised by the opposition was that there was concerns
21 about they would take several parking spaces away that would be
22 a loss of potentially three, two or three parking spaces. Well,
23 the Applicant does still have the parking requirement for one and
24 they were going to maintain one and you could possibly still
25 squeeze two cars into that space behind the retaining wall of the

1 principal dwelling unit. So it wouldn't necessarily remove
2 parking and they still meet the parking requirement for the zone,
3 so I can't necessarily see that being an adverse impact on
4 parking.

5 There are some concerns about noise. Noise came from,
6 they'll be using the ground level in front of it for parties of
7 some sort of something like that. Well, we can't control that
8 use and they can do that now. Because, if you think about it,
9 this was defined clearly as a row house with an attached building
10 side-to-side lot lines. So it's not clear that, they are within
11 their property and we have to maintain that. We could put up a
12 wall that said, okay, this is it but then you would in fact lose
13 parking because you need to be able to access that space. So
14 how they use it is their business. It really is their property
15 and we are speculating as to whether it will be noisy or they're
16 going to have parties out there, it's their right to do it and,
17 you know, there are other audiences that can address that issue
18 if it becomes an issue for the residents.

19 I think there were some issues that were raised about,
20 let's see, what other issues are concerning. Yeah, no. I think
21 that those are the main issues. I did not see that there was
22 going to be a significant issue there.

23 The opposition party also raised the question as to
24 whether there was the appropriate number of waivers. This was
25 raised by the expert, the opposition's expert on zoning. I

1 believe that the interpretation of the zoning regulations, both
2 for the building structure itself and for the property, is
3 consistent with our practices and I do think that that was not
4 preceded by his argument that there would be an additional waiver
5 being granted. The waiver that's being granted is to primarily
6 to use the first and second floors. The special exception itself
7 is not a waiver and the attached building, again, the
8 interpretation of what has been the attached building, it has to
9 be detached from the principal dwelling on the subject property,
10 not to an adjoining, you know, an accessory building. So I think
11 that our interpretation is consistent with that and not with what
12 the opposition presented.

13 So, all that said and done, I do think the application
14 meets the burden of proof to be granted the requested relief and
15 I will be voting in support.

16 CHAIRPERSON HILL: Okay. Thanks. Mr. Blake.

17 So before I turn to Chairman Hood. I mean, we approve
18 these often, right, when they meet the criteria and a lot of
19 times there isn't any opposition to it because it's in somebody's
20 back yard and they access it through that applicant's property
21 of what have you, right? And so, you know, when people are in
22 opposition to that I often am looking at, again, the additional,
23 you know, the additional 20 feet is what we're looking at in the
24 back there, the 20.8 feet, right? I mean, how much more is that
25 causing a problem in terms of what we're supposed to be looking

1 at in terms of the standards, right? And I don't think that you
2 can see it, you know, in terms of, like, seeing it down that
3 alley from the back, from the street I don't think it has any
4 effect, right? I don't think, again, as far as privacy from that
5 accessory unit it wouldn't look into anybody's home or anything
6 like that so I don't think there's any issues with the enjoyment
7 of exactly the 20.8 feet.

8 What ended up happening here is, like, this is before
9 us because it had to be a special exception because it was in
10 Georgetown, right? Otherwise, I guess we really would just be
11 here for the 20.8 feet, right, and not looking at other X-901.2
12 for example, right? And I kept thinking about B which was, you
13 know, will not tend to adversely affect the use of neighboring
14 property in accordance with the zoning regulations and zoning
15 maps. So then I went back and I was, like, okay, well, you know,
16 is it adversely affecting the use of the neighboring property
17 with regard to the zoning regulations and I don't think it is.

18 The whole thing that I was kind of getting caught up
19 on, again, was people accessing that accessory dwelling unit from
20 the shared alley and, again, you know, somebody's walking by a
21 window, then is that something that is adversely affecting that
22 property at the point where, again, it's something -- I mean,
23 they can get drapes, right, was something that was put forward.
24 Just, like, you know, people if they're looking in to the window
25 you call the police I guess, right? So it's a weird -- that's

1 the only thing that I was kind of getting hung up on I suppose,
2 right, was how that access was going through there and I don't
3 think that that, when I was going through the regulations I
4 couldn't see where, again, that's something that we were supposed
5 to take a look at and regardless I don't think it's an undue
6 situation.

7 Now in terms of what they do with their property, I
8 don't want to get in the way of people doing what they're allowed
9 to do with their property. I mean, if you want to have a party
10 on your property you can have party. I mean, you have to be, as
11 Chairman Hood has mentioned, you know, you want to be neighborly
12 and be a good neighbor and if they're causing noise or something
13 like that try to, you know, address it in that way. Like, where
14 the parking spaces are right now, that's their property. I mean,
15 they can do whatever they want with it, right? And so I don't
16 want to get in between in that type of a discussion.

17 So I went back and I looked through the Office of
18 Planning's report and, you know, saw all of the different things
19 that they're looking at, meaning the Office of Planning, and
20 there was nothing in there that I could disagree with I got to
21 say. And, again, the extra 20 feet that they are putting in
22 there was because the Old Georgetown Board, who is way more
23 interested in what things look like there, they approved this and
24 they wanted it to be built this way so that it fitted in I guess
25 with what they consider when they're looking whether they're

1 going to approve something or not, right?

2 And so because of the way that this thing is before us,
3 I mean, again, if no one was in opposition this would have been
4 a very easy thing to have a discussion about. But I don't think
5 that this is unduly compromising anyone's enjoyment of their
6 property and I'm going to be voting in favor of this application.

7 And also then, as I mentioned and as some of my
8 colleagues did mention, you know, even the ANC, while they were
9 not in support I believe they weren't in opposition and the
10 chairperson, not chairperson, one of the ANC Commissioners came
11 to speak who lives a couple of doors down and was, again, I guess
12 kind of speaking that, you know, people should be able to do --
13 well, he has a burden of representing his community and also
14 stating his views, but I appreciated him coming in and speaking
15 with us as well. So with all that, I'm going to vote in favor.

16 Chairman Hood?

17 ZC CHAIRPERSON HOOD: Thank you, Mr. Chairman, and I
18 appreciate all the comments of my colleagues. While I disagree
19 wholeheartedly I think the courts (phonetic) have already told
20 the BZA and the Zoning Commission about impairment and I
21 appreciate Board member Smith talking about light.

22 The only issue I have with the opposition was visual
23 intrusion. But I think the opposition has made a case and this
24 is difficult. I know we are talking about the ANC, but the ANC
25 didn't vote in support or opposition because this is difficult.

1 I don't necessarily do a lot of these like you all do, but I will
2 tell you that I don't think that the Applicant has made its case.
3 I think that the party in opposition has made a case, especially
4 with the intensity of use and especially with the easement. That
5 concerns me because I think the courts have already ruled in
6 prior cases and actually remanded things back to the Commission
7 and actually vacated one of the BZA's orders for being inadequate.

8 And I think for me I think we have not addressed, from
9 my standpoint, have not addressed the opposition's concerns and
10 I don't think this is mitigated. I think the intensity of use
11 is an issue, while I understand the shadow studies and everything,
12 but I just do not think this is flavor right for me to vote in
13 support. I will be voting in opposition and I can count, so I
14 won't belabor the point.

15 Thank you, Mr. Chairman.

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

17 I'm going to make a motion to approve Application No.
18 21325 as captioned and read by the secretary and ask for a second.
19 Mr. Blake?

20 VICE CHAIRPERSON BLAKE: Second.

21 CHAIRPERSON HILL: Motion made and seconded. Madam
22 Secretary, take a roll call.

23 MS. MEHLERT: Please respond to the Chair's motion to
24 approve the application.

25 Chairman Hill?

1 CHAIRPERSON HILL: Yes.

2 MS. MEHLERT: Vice Chair Blake?

3 VICE CHAIRPERSON BLAKE: Yes.

4 MS. MEHLERT: Board member Smith?

5 COMMISSIONER SMITH: Yes.

6 MS. MEHLERT: Chairman Hood?

7 ZC CHAIRPERSON HOOD: Opposed. No.

8 MS. MEHLERT: Staff would record the vote as three to
9 one to one to approve Application No. 21325 on the motion made
10 by Chairman Hill and seconded by Vice Chair Blake, with Board
11 member Smith also in support and Chairman Hood opposed.

12 CHAIRPERSON HILL: Okay. Great. Thank you.

13 All right, Chairman Hood. You have a nice August.
14 I'll see you in September.

15 ZC CHAIRPERSON HOOD: All right. You all enjoy the
16 rest of your day and have a good time off. Thanks.

17 CHAIRPERSON HILL: Thank you. Thank you.

18 All right, Commissioner Stidham. Welcome.

19 ZC COMMISSIONER STIDHAM: Good morning.

20 CHAIRPERSON HILL: Good morning. Madam Secretary, you
21 have another item for us or, I'm sorry, whatever our next item
22 is go ahead and throw that out.

23 MS. MEHLERT: So next is in the Board's hearing session.
24 It's Application No. 21330 of Paul Pike. This is a self-certified
25 application pursuant to Subtitle X, Section 1002 for an area

1 variance from the lot occupancy requirements of Subtitle E,
2 Section 210.1. This is for a new accessory structure in the rear
3 yard of an existing attached principal dwelling. It's located
4 in the RF-1/DC zone at 1818 15th Street, Northwest, Square 191,
5 Lot 63.

6 On June 18th the Board granted an advanced request for
7 party status in opposition to Jacqueline, Gail and John Jacobson.
8 Also as a preliminary matter, on Monday the Applicant submitted
9 a motion to postpone the hearing.

10 CHAIRPERSON HILL: Okay.

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

13 MR. SULLIVAN: Thank you, Mr. Chairman. Marty Sullivan
14 with Sullivan & Barros on behalf of the Applicant.

15 CHAIRPERSON HILL: Great. Thank you.

16 Ms. Ferster, if you can hear me if you could please
17 introduce yourself for the record.

18 MS. FERSTER: Morning. Andrea Ferster, I'm counsel for
19 the parties in opposition.

20 CHAIRPERSON HILL: Okay. Great. Thanks. Ms. Ferster.
21 Mr. Sullivan, why is it that you want a postponement?

22 MR. SULLIVAN: So in light of the Office of Planning
23 report and further discussions with the party opponent neighbor,
24 we've decided that we're going to scale it back to a special
25 exception. So we're going to be making significant changes and

1 we are in the middle of further negotiation with the neighbor
2 opponent. We're hopeful that we can maybe come to an
3 accommodation with them.

4 CHAIRPERSON HILL: Okay. All right, Ms. Ferster, do
5 you have any comments?

6 MS. FERSTER: We support the postponement and look
7 forward to working constructively with the Applicant to address
8 our concerns.

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

10 Mr. Sullivan. Yeah. I mean, we've, the Board now has
11 actually taken a look at this whole thing, right, so I can
12 understand why you are going got try to scale it back to a special
13 exception and work with the neighbor. And so, Madam Secretary,
14 you said that -- if everyone can mute themselves unless they're
15 talking that would be great. Thank you.

16 Madam Secretary, you thought, I forget. I thought you
17 said there was date in October.

18 MS. MEHLERT: Yes, October 22nd would be the next
19 available date.

20 CHAIRPERSON HILL: Okay. All right.

21 Let's go ahead and postpone this to October 22nd and
22 then, Mr. Sullivan, are you with us again today?

23 MR. SULLIVAN: No, I'm not.

24 CHAIRPERSON HILL: Okay. Well then you have a lovely
25 August, Mr. Sullivan.

1 MR. SULLIVAN: Thank you. You as well and the Board
2 members.

3 CHAIRPERSON HILL: Thank you. Ms. Ferster, you also
4 enjoy your August off and we'll see everybody next September or
5 September.

6 MS. FERSTER: Thank you.

7 CHAIRPERSON HILL: Thank you. Okay. Okay. All right.
8 Madam Secretary, you may call our next one.

9 MS. MEHLERT: Next is Application No. 21298 of Justin
10 Riordan and Zach Bache. As amended, this is a self-certified
11 application pursuant to Subtitle X, Section 1002 for area
12 variances from Subtitle C, Section 302.1 to allow a subdivision
13 to create new record lots not meeting minimum lot requirements
14 for lot width or side yard, from Subtitle D, Section 208.2 to
15 allow side yards of less than eight feet, Subtitle D, Section
16 202.1 to allow lot width less than 50 feet and from Subtitle D,
17 Section 5003.1 to allow an accessory structure with building area
18 greater than 450 square feet or 30 percent of the rear yard.

19 This is for the subdivision of two existing record lots
20 to create two new record lots with an existing detached dwelling
21 on one new lot and a new two-story detached principal dwelling
22 on the other new lot. The project is located in the R1-B zone
23 at 1306 Girard Street, Northeast, Square 3958, Lots 8 and 9. The
24 hearing was originally scheduled for June 18th and postponed at
25 the Applicant's request and as a preliminary matter the Applicant

1 has filed a motion to allow an untimely filing for their response
2 to OP's report, and that's in the record at Exhibit 36A.

3 CHAIRPERSON HILL: Okay. Great. Thank you.

4 I'd like to go ahead and have a full record so if you
5 would please allow that in there. Let's see. Okay.

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

8 MR. BACHE: Good morning. This is Zach Bache.

9 CHAIRPERSON HILL: Okay. Mr. Bache, does your camera
10 work?

11 MR. BACHE: Yes. Sorry.

12 CHAIRPERSON HILL: Perfect. Okay, Mr. Bache, you're
13 the, let me just look here. Okay. Great.

14 So if you want to go ahead, Mr. Bache, and explain to
15 us why you believe you're meeting the criteria to grant this
16 relief, and I am going to let you begin whenever you like. I
17 know you know what is in the record concerning the discussions
18 from the Office of Planning and I'll let you begin whenever you
19 like.

20 MR. BACHE: Okay. Thank you and good morning.

21 For us this lot is, the existing condition is two lots
22 where the house was built partially over the lot line between the
23 two.

24 CHAIRPERSON HILL: Mr. Bache, I'm sorry. Do you want
25 your PowerPoint up?

1 MR. BACHE: That would be very helpful if you don't
2 mind.

3 CHAIRPERSON HILL: Right. Yeah, Mr. Young, could you
4 put up his PowerPoint? Thank you.

5 MR. BACHE: Perfect. Thank you.

6 So, again, the existing home is over the lot line
7 between the two lots. It creates an under-utilized section of
8 the block. If you want to just scroll down, unless I have
9 control. Okay.

10 So for the existing site the homes on our block for the
11 most part do not meet the 50 foot requirement for lot width.
12 Most of them are about in the 38 percent here, the same as
13 proposed. Next slide, please.

14 So here you can just see where the existing property
15 line splits our home and then the lot area there and then the
16 accessory dwelling unit that is in the rear yard. Our lots are
17 150 feet deep so we do have quite a significant rear yard. Next
18 slide, please.

19 So the overall goal here is to utilize the lot next
20 door to us and make it available to build a single family home
21 on it. Next slide, please.

22 Just a plan here showing the proposed structure and
23 then the proposed lot line. Again, there is the accessory
24 dwelling unit in the rear of lot A and that would be, to remain.
25 And here to us really the side yard for the existing home is

1 small on one side but it is significant on the other side due to
2 the driveway so there is still plenty of open air and space within
3 the block. Next slide, please.

4 Again, here just showing the setbacks from the existing
5 home and then the existing neighbor home as well. This fits
6 within the context of our neighborhood and further is having
7 detached single family homes on our zoning. Next slide.

8 Here just kind of showing proposed elevations. The
9 goal here is not to take it up all the way. We want it to fit
10 within the context of being a two-story home and so that's part
11 of the reason for asking for the side yard relief is in order to
12 just get a two-story home in here. Next slide.

13 Some proposed floor plans. Again, it would be a very
14 typical home for the neighborhood. Next slide.

15 And then this exhibit here is just showing the square
16 and the number of lots that are actually smaller than the
17 proposed. We have quite a few that are 37.5 by 150 foot deep
18 and we're proposing 38, so it would be very much within the
19 context of the neighborhood. Next slide.

20 And just some example photos of smaller side yards
21 within our neighborhood. Again, it is typical to have the home
22 offset within the lot to have one larger and one smaller side
23 yard. And I think there's one more slide.

24 On providing community outreach, we met with the ANC.
25 They did approve our, support our application. Full disclosure,

1 I do sit on the Zoning Committee for our ANC but I recused myself
2 for our case obviously, so just so that's out there. I know
3 there's a lot of our opposition mentioning that, but we met with
4 the ANC on site. They walked it with us and then we presented
5 to the full ANC. Concerns were really just about the construction
6 but that is not related to the zoning. Next slide.

7 And then I know we met with the Office of Planning and
8 we had support for almost all of the application. There was just
9 a question about the side yard relief on the proposed lot. Next
10 slide.

11 Relief sought here is really the area variances. I
12 don't know if you guys want me to continue this stuff or if you
13 already know it all because you've read it?

14 COMMISSIONER SMITH: You can skip that.

15 MR. BACHE: Sounds good. Is there any questions that
16 you guys have for me?

17 CHAIRPERSON HILL: Sorry. I didn't realize I was muted.
18 Yeah, you don't have to read through all that.

19 MR. BACHE: Perfect. Nobody (indiscernible).

20 CHAIRPERSON HILL: And before I turn to questions, I'm
21 sure there's going to be a few, could I hear from the Office of
22 Planning.

23 MR. JURGOVIC: Good morning, Chairman Hill, members of
24 the Board. This is Michael Jurgovic, Development Review
25 Specialist with the Office of Planning.

1 As stated in our report, OP is in support of the large
2 portion of the relief requested by the Applicant, exception of
3 the side yard for the proposed Lot 9. OP has not found that
4 there exists an extraordinary or exceptional condition resulting
5 in a practical difficulty for building a single family home on
6 that proposed lot. Otherwise, we rest on the record of our report
7 and can answer any questions.

8 Thank you.

9 CHAIRPERSON HILL: Okay. Mr. Young, is there anyone
10 here wishing to speak?

11 MR. YOUNG: We are checking with staff. We might have
12 one person but they haven't signed up so I believe they're
13 reaching out to her now.

14 CHAIRPERSON HILL: Okay.

15 MR. YOUNG: I could bring her in if you want me to and
16 she can answer --

17 CHAIRPERSON HILL: No, no, no. Just wait. Just wait --

18 MR. YOUNG: Okay.

19 CHAIRPERSON HILL: -- until they check with staff or
20 staff checks with the person that is. Okay.

21 Does anybody have any questions for the Applicant or
22 the Office of Planning?

23 COMMISSIONER SMITH: Just, and this is to the
24 Applicant. Could you, because you spoke about the reason why you
25 need the side yard variance. You're saying it was to fit a two-

1 | story building. Can you expand on how you couldn't fit a two-
2 | story building without this variance? There's plenty of narrow
3 | two-story buildings.

4 | MR. BACHE: It could be a narrow two-story building,
5 | yes. I was trying to fit within the context of the block not
6 | wanting to be a) the most narrow home on the block, so that it
7 | wasn't shoehorned in. But also with modern energy code having
8 | to have thicker walls, et cetera, it just is a little bit more
9 | difficult to build a home with a double, with corridors and
10 | bedrooms that would fit the other homes in our neighborhood.

11 | COMMISSIONER SMITH: What was the -- did you go to some
12 | design studies?

13 | MR. BACHE: Yes. I tried a couple of different ways
14 | there and really the hard piece was doing bedrooms on either side
15 | of a hallway upstairs.

16 | COMMISSIONER SMITH: Okay. What was the width of the
17 | house that you could conceptually build?

18 | MR. BACHE: We were hoping to put in a exterior 24 wide
19 | bringing the inside down to about 22 with code for thicker walls
20 | for insulation, et cetera.

21 | COMMISSIONER SMITH: Okay. Okay. Thank you.

22 | MR. BACHE: Thank you.

23 | COMMISSIONER SMITH: That was all the questions I had.
24 | I turn it back over to you Chair.

25 | CHAIRPERSON HILL: Thanks, Mr. Smith. Mr. [Ba-rk]?

1 MR. BACHE: [Ba-che].

2 CHAIRPERSON HILL: Bache, Mr. Bache. I'm sorry. I
3 didn't get the answer really. So if you don't need the side yard
4 relief, if you don't get the side yard relief, right, then how
5 big a house -- how wide could the house be. I didn't hear, I
6 didn't get the answer?

7 MR. BACHE: It would be 22 wide. It was, and so we
8 reconfigure the inside, would have to do that. It was just also
9 trying not to be the most narrow house on the block.

10 CHAIRPERSON HILL: Okay. Okay. Go ahead, Mr. Blake.

11 VICE CHAIRPERSON BLAKE: Yes. Would the re-design
12 necessitate the loss of a bedroom or a bathroom, anything like
13 that or would it just be, I mean because you could extend the
14 length of it and reconfigure it a little bit, so I'm just curious?

15 MR. BACHE: It would either be losing a bedroom or
16 extending the length and the goal was not to extend the length
17 because I felt that that would have more impact on either of the
18 adjoining homes or the home behind it, trying to keep the overall
19 site plan to match the depth of the homes it's adjacent to.

20 VICE CHAIRPERSON BLAKE: Yeah. How large is your rear
21 yard?

22 MR. BACHE: Our rear yard is -- our full lot is 150
23 feet.

24 VICE CHAIRPERSON BLAKE: So moving this back a few feet
25 would not actually have a material impact on your rear yard? It

1 would still be substantial?

2 MR. BACHE: Yes. The rear yard would still be
3 substantial. I was just trying to match the neighboring home on
4 the other side as to not push back behind her home.

5 VICE CHAIRPERSON BLAKE: Okay. Thank you.

6 CHAIRPERSON HILL: Okay.

7 VICE CHAIRPERSON BLAKE: Give me a sec. So how many
8 feet behind her home would you need to expand to recoup the loss
9 of square footage?

10 MR. BACHE: I would need to double check but I would
11 say probably seven to ten feet to rearrange for that. Probably
12 around seven feet.

13 VICE CHAIRPERSON BLAKE: That's quite a bit. Okay.
14 Thank you.

15 CHAIRPERSON HILL: Okay. I'm trying to think how this
16 works now. So (indiscernible), I'm looking at my Board members
17 now. So if they don't get the side yard relief, right, then
18 we're approving -- we may or may not approve the other relief but
19 then we don't have anything, then right. Then there just would
20 be a different plan necessary for that lot, and I'm looking to
21 my Board members. Okay. Great. Okay.

22 All right, Mr., oh, I'm sorry. Mr. Young, were you
23 able to figure out whether we have testimony?

24 MR. YOUNG: Yeah, they are not going to testify.

25 CHAIRPERSON HILL: Okay. All right. Great. Thanks.

1 Okay. Mr. [Ba-rk]? I'm sorry.

2 MR. BACHE: I'm fine by Zach.

3 CHAIRPERSON HILL: Okay. All right, Zach. Sorry.
4 Thanks, Zach. All right. Do you have anything you want to add
5 at the end here?

6 MR. BACHE: Just that, you know, we've ran through this
7 with our ANC. We've ran through it with both of our neighbors
8 and the configuration shown, and they were both in support of
9 it.

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

11 I'm going to close the hearing and the record. Excuse
12 everybody.

13 (Pause.)

14 CHAIRPERSON HILL: Okay. I'm so tired. It's the last
15 hearing. For some reason it is just, this month has worn on me.

16 I'm not going to be in support of the side yard. I
17 don't think, I mean I agree with the Office of Planning's
18 recommendation. I mean, it's an area variance. It's like what's
19 so extraordinary and unique, like, they can make it a little bit
20 more narrow house unless one of you guys, you know, says otherwise
21 and they can make it work. And so I wouldn't be voting in favor
22 I guess for the side yard on that other lot.

23 And so, yeah, other than that I'm in favor of it and
24 I'm going to turn to some of the smarter people to talk better
25 on whatever I just said. Mr. Smith?

1 COMMISSIONER SMITH: Doing fine, you know, layman's
2 terms. You know, I completely agree with you and the Office of
3 Planning. I'm in support of (indiscernible) variance request
4 where 75 percent of this. I'm not in support of the request for
5 the side yard for the exact same reasons that you stated here.
6 For a variance you have to show that there's something unique
7 regarding the property itself. The Applicant is creating record
8 lots here so, you know, in theory he could subdivide these however
9 he wishes to subdivide them to make it work as far as the setback
10 requirements. That's one.

11 The other part is the Applicant hasn't shown that the
12 lot that he's creating, the record lot he's creating, is of any
13 exceptional narrowness, shallowness or shape that would create a
14 exceptional condition or situation here where he can't construct
15 a single family house. This entirely to me or the reasons why,
16 and this is stated by the Applicant, is more about the design,
17 the aesthetics, the size of the bedrooms. You know, I think
18 maybe this is a design that he already has and he's just trying
19 to make it fit in this, you know, square peg. But for the exact
20 same reasons that you stated, he can re-design this proposed
21 building and he can meet the side yard setback. So these are
22 fairly deep lots. You have room to play with.

23 So I will support the application for the Subtitle C,
24 302.1, Subtitle D, 202.1 and Subtitle D, 5003.1, those area
25 variances but not for the side yard which is the second area

1 variance.

2 CHAIRPERSON HILL: Right. I'm a little confused. Do
3 you all know which one's lot A and lot 9? Is lot A, I got lot A
4 and I got lot B, and then I got lot 8 and lot 9. I'm trying to
5 match up A and B.

6 ZC COMMISSIONER STIDHAM: A is the existing, where the
7 existing --

8 CHAIRPERSON HILL: Thank you. Thank you.

9 ZC COMMISSIONER STIDHAM: -- where the existing home is.

10 CHAIRPERSON HILL: Thank you. Commissioner Stidham,
11 you're invited back. Okay. All right.

12 Mr. Blake?

13 VICE CHAIRPERSON BLAKE: I largely agree with the
14 comments that you both have made with regard to this property.
15 I very much agree with the subdivision. I do think that, you
16 know, the side yard if it were a special exception could certainly
17 be accomplished but I think that as a variance given the standard
18 it is not attainable given the fact that there is, it just doesn't
19 meet the standard for it because it is certainly achievable and
20 it is a design element, a design element which I don't think is
21 necessarily bad. But I do think that, and I do think that if we
22 were able to look at it in its totality perhaps it would make
23 sense and, again, as a special exception it would, but as a
24 variance given the standard I do not think it would meet the
25 standard for the side yard relief.

1 CHAIRPERSON HILL: Okay. Thank you.

2 Commissioner Stidham?

3 ZC COMMISSIONER STIDHAM: I'm in agreement with all
4 that's already been said. It just doesn't meet the standard for
5 the side lot and I'm okay with the rest of it.

6 CHAIRPERSON HILL: Okay. All right. I'm going to try
7 to make a motion.

8 I'm going to make a motion to approve Application No.
9 21298 for area variances from C-301.1 for both new lots and an
10 area variance for side yard in lot A from D-208.2, an accessory
11 building area for D-5003.1 and then approval of an area variance
12 for lot B for lot width of D-202.1, and then denial of the area
13 variance for lot B for the side yard relief of D-208.2 and ask
14 for a second. Mr. Blake?

15 VICE CHAIRPERSON BLAKE: Second.

16 CHAIRPERSON HILL: Motion made and seconded. If you
17 could take a roll call, please, Madam Secretary.

18 MS. MEHLERT: Please respond to the Chair's motion to
19 approve the area variances with the exception of the side yard
20 variance from Subtitle D, 208.2 for lot B.

21 Chairman Hill?

22 CHAIRPERSON HILL: Yes.

23 MS. MEHLERT: Vice Chair Blake?

24 VICE CHAIRPERSON BLAKE: Yes.

25 MS. MEHLERT: Board member Smith?

1 COMMISSIONER SMITH: Yes.

2 MS. MEHLERT: Commissioner Stidham?

3 ZC COMMISSIONER STIDHAM: Yes.

4 MS. MEHLERT: Staff would record the vote as four to
5 zero to one to approve the area variances as listed and denial
6 of the side yard variance for lot B in Application No. 21298 on
7 the motion made by Chairman Hill and seconded by Vice Chair Blake.

8 CHAIRPERSON HILL: Okay. Great. Thanks. Do you all
9 want to take a break now or do you want to do one more case and
10 take a break?

11 COMMISSIONER SMITH: Do it now.

12 CHAIRPERSON HILL: Now take a break? Okay. Let's take
13 a break now. I will see you guys in, like, ten minutes, fifteen
14 minutes. Bye bye.

15 (Whereupon, the was a brief recess.)

16 CHAIRPERSON HILL: Okay. If you can call us back in
17 and also call our next case.

18 MS. MEHLERT: The Board is back from its quick break
19 and returning to its hearing session.

20 The next case is Application No. 21335 of Pamela
21 Wilson. As amended, this is an application pursuant to Subtitle
22 X, Section 901.2 for a special exception under Subtitle U, Section
23 320.2 to allow conversion of an existing residential building to
24 a three unit apartment house, pursuant to Subtitle X, Section
25 1002 for an area variance from Subtitle U, Section 320.2(c) to

1 allow an apartment house with less than 900 square feet of lot
2 area per unit, and pursuant to Subtitle X, Section 901.2 for a
3 special exception under Subtitle C, Section 703.2 from the
4 minimum vehicle parking requirements of Subtitle C, Section 701.5
5 to eliminate the vehicle parking requirement.

6 This is to allow a three unit apartment house in an
7 existing three-story attached building located in the RF-1 zone
8 at 2016 1st Street, Northwest, Square 3116, Lot 11, and as a
9 preliminary the Applicant has submitted two motions to submit an
10 untimely filing for supplemental materials which are found in
11 Exhibits 22A through E, and an updated letter of authorization
12 in Exhibit 31A.

13 CHAIRPERSON HILL: Okay. Great. Thank you.

14 Unless my colleagues have any issues I'd like to let
15 everything into the record so we can take a look at everything.
16 All right. Let's see.

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

19 MS. CARTER: Ms. Wilson, are you able to introduce
20 yourself? I think she might be having some technical
21 difficulties.

22 CHAIRPERSON HILL: No, we got it. We got it right
23 there. Ms. Wilson --

24 MS. CARTER: Oh, okay.

25 CHAIRPERSON HILL: -- maybe you could, yeah, there you

1 go.

2 MS. WILSON: Okay. Good morning. Yes, I'm Pamela
3 Wilson. I own the property at 2016 1st Street, Northwest. I'd
4 like to just talk for a few minutes about how I came to own the
5 property and the hardships that are being caused by the current
6 situation.

7 So my older brother, Michael Wilson, purchased the
8 property in 1985. He was diagnosed with MS in the early '80s
9 and over time the disease became more progressive and began
10 interfering with his cognitive abilities. So around 2016 I
11 started helping him manage his affairs and I visited this property
12 for the first time then.

13 So when I visited I observed a three-unit building and
14 I thought that's how it had always been. At the time Mike had a
15 management company managing the property. He died in February,
16 2019 and left the building to me and my younger brother. My
17 husband, Richard Simms, and I bought my younger brother out of
18 the property and then just had the same company manage it.

19 Unfortunately then in 2020 there was a fire in the
20 building and it had to be reconstructed. That process took almost
21 three years. During that time we were able to upgrade the
22 materials and amenities in the building but we changed nothing
23 about the structure of the building. After all the work was
24 completed and passed inspection, I tried to get a C of O and
25 after that long arduous online procedure, I found out that the

1 property was only zoned for two units and I was shocked out of
2 my mind. So then I found myself owning a building which had been
3 functioning for more than 20 years as a three-unit property but
4 was only zoned for two units. So I have no idea what my brother's
5 thinking was, what his vision was, but now I'm in this untenable
6 position which has profound financial hardships.

7 So it's been vacant for almost two years since the
8 reconstruction as I've tried to get a C of O and now this zoning
9 variance. Last year my expenses were \$45,000, mortgage 44,000,
10 so that's \$95,000 out of my retirement savings gone with zero
11 income. Finally last year out of frustration I said, okay, I'm
12 just going to sell it. Put it on the market and got, like, zero
13 reasonable offers due to the zoning issue. So there's no way to
14 reconstruct the building to turn it into a two-unit. So I would
15 have to leave the first floor unit vacant which would be terrible
16 for the community, or sell at a serious loss.

17 So let me just end my part by saying I'm a native
18 Washingtonian. I went to elementary, junior high, senior high and
19 even grad school in D.C. I have an other rental property in
20 Trinidad and I think of myself as a responsive landlord. When
21 my tenants have problems they call me directly and I respond so
22 they know their interests are going to be taken care of. So my
23 hope is that D.C. wants to hold on to landlords like me who care
24 about the city, care about the property they own and feel some
25 kind of connection to the city and the community.

1 I'm going to turn it over to my lawyer, Melissa Carter,
2 who will talk more about the relief I'm seeking and our arguments.
3 Melissa?

4 CHAIRPERSON HILL: Thanks, Ms. Wilson.

5 MS. CARTER: Good morning, ladies and gentlemen. We
6 also have a presentation. Is that able to be put up or --

7 CHAIRPERSON HILL: Ms. Carter, did you introduce
8 yourself for the record?

9 MS. CARTER: Yes. My name is Melissa Carter. I'm a
10 land use attorney with Rees Broome.

11 CHAIRPERSON HILL: Okay. Yeah, and Mr. Young has your
12 PowerPoint. He can pull that up.

13 MS. CARTER: Perfect. Thank you, Mr. Young.

14 Well, again, good morning ladies and gentlemen. My
15 name is Melissa Carter. I'm here with Pam Wilson regarding her
16 application for two special exceptions and a variance for her
17 property at 2016 1st Street, Northwest. We are seeking this
18 relief to validate the existing conditions on the property. If
19 you wouldn't mind going to the next slide.

20 This is just a map of the surrounding area so that you
21 can see where the property is located. The property is on square
22 3116, lot 11 and is highlighted in blue. To the east you can
23 see Crispus Attucks Park and to the west you can see the edge of
24 Le Droit Park which is right on the border of Howard University.
25 If you wouldn't mind going to the next slide.

1 This area is zoned RF-1 which limits residences to two
2 units maximum by-right but three units can be approved by a
3 conversion to an apartment house under Subtitle U, Section 320.2.
4 We are requesting this conversion in order to validate the
5 existing property and the Applicant is not proposing any new
6 construction. As part of this conversion we have included a
7 request for a variance to waive what is called the 900 foot rule.
8 This is a requirement that a parcel should have 900 square feet
9 of land area for each dwelling unit. The property itself has
10 1,800 square feet while the 900 foot rule would require 2,700
11 square feet.

12 Finally, as part of this request we have included a
13 request for a special exception to reduce the parking requirement
14 from two total spaces to one space. We're not proposing any
15 changes to the existing rear driveway but with the change it's
16 set up as a tandem situation so only one of those spaces will be
17 legally viable with the conversion to three units. If you
18 wouldn't mind going to the next slide.

19 To demonstrate that we are meeting the standards for a
20 special exception for a conversion to a three-unit building, I'm
21 just going to briefly go over that this will be in harmony with
22 the general purpose and intent of the zoning regulations because
23 the RF-1 zone is designed to regulate areas that primarily consist
24 of row houses on small lots including a limited number of
25 dwellings that have more than two units. The Applicant is

1 proposing here to maintain the residential use which preserves
2 the existing housing stock and avoids making any significant
3 changes to the overall density of the neighborhood.

4 This is not going to adversely affect the use of
5 neighboring properties because it has already functioned as a
6 three-unit building for at least two decades. If past is
7 prologue, then this property has already demonstrated that use
8 as a three-unit building is not adverse to the neighboring
9 properties. Further, neighbors to the left and right have
10 submitted letters of support for this project and we do also have
11 support of the Bloomingdale Civic Association and the ANC. As
12 I'll describe shortly there's also precedent for three-unit
13 buildings being approved in the surrounding area.

14 This project is going to meet two of the three special
15 conditions for conversion and we have included a variance request
16 for the third. The project is in existence at this time which
17 satisfies 320.2(a) and we are not requesting a fourth unit which
18 satisfies 320.2(b). Our variance request addresses the third
19 special exception standard 320.2(c) which is also known as the
20 900 foot rule.

21 The BZA can grant an area variance where the property
22 has an extraordinary condition that if the zoning regulations
23 were to be strictly applied would result in practical
24 difficulties and where granting that variance can be done without
25 substantially impairing the intent and purpose of the zoning

1 ordinance. So I'm going to go through those three criteria for
2 a variance briefly.

3 The property that we're looking at here is unique due
4 to a confluence of factors. As was established in Dupont Circle
5 Citizens Association v. D.C. Board of Zoning Adjustment which was
6 decided in 2018 and was later affirmed in Melinda Roth v. D.C.
7 Board of Zoning Adjustment in 2022, a property can be unique due
8 to a combination of factors and need not rely on any individual
9 factor to establish uniqueness.

10 One of the things that makes this property unique is
11 its history. It was constructed in three distinct units prior
12 to the zoning ordinance. It was constructed all the way back in
13 1907/1908 and early in its history the ground floor unit was used
14 for commercial purposes while it appears that the upper two floors
15 were used residentially. The character of the neighborhood has
16 changed since 1908 and the area is now residential. It is not
17 residential upper floors with walkable ground floor commercial.
18 It's simply residential.

19 Thus the property is unique in that it was designed to
20 be three units on three individual floors before the neighborhood
21 became completely residential and is now three units on three
22 floors but maintains only having two by-right approvals.
23 Additionally, the property is unique because of its architecture.
24 When it was constructed, because it was constructed as three
25 distinct units on three individual floors, the units cannot be

1 combined. In fact, the doors that you're looking at to the
2 property do not even lead into the same area. One leads into
3 the ground floor unit and the other leads into a hallway that
4 diverges into the second and third floor units. It's not feasible
5 to combine these into two units.

6 There's also a bit of history as to how the Applicant
7 came to this property. When she acquired the property after her
8 brother had passed away she relied in good faith on the
9 longstanding use as a three-unit residential property as being a
10 valid operation. She maintained and restored the property
11 following the fire to its original construction which I put up
12 here and you can see the pre-fire and the post-fire restoration.
13 You can see that the architecture of the building did not change.
14 It is as it has always been architecturally. She maintained and
15 restored the property and obtained a valid building permit to do
16 so.

17 The BZA actually faced a very similar situation back
18 in 2018 in case No. 19662 where Mr. Demetrios Bizbikis inherited
19 a property that, before he owned it, had been erroneously
20 converted into a four-unit apartment building that did not meet
21 the 900 foot rule. It had been issued an incomplete Certificate
22 of Occupancy. I'd like to quote the order that granted the
23 variance waiving the 900 foot rule in that case.

24 "The Board concludes that the Applicant's good faith
25 detrimental reliance creates an exceptional zoning history which

1 meets the first prong of the variance test."

2 The Bizbikis case actually affirmed an earlier similar
3 finding by the Board in 2012 in case 18452 where the Applicant,
4 Lynn Myers, acquired a three-story two-unit property as part of
5 a four person partnership. The partnership converted the
6 property to a three-unit building, one unit per floor, no direct
7 access between the floors, similar to this case here. Ms. Myers
8 then bought out her partners after the work had already been
9 completed and then discovered that it was not compliant with the
10 900 foot rule.

11 She sought conversion to a three-unit building and a
12 variance. There is only a summary order of that case available
13 but the burden of proof statement submits that the uniqueness of
14 the property is justified on the basis that no work, that the
15 work on the property was completed prior to Ms. Myers' control
16 and she had no intent to make further changes to the property.
17 That is also true in our case here. The work has already been
18 completed. There is no intent to make additional changes and
19 actually the Applicant in this case did not do the conversion.
20 If you wouldn't mind going to the next slide.

21 We also identified three past cases in the vicinity
22 that were approved to go from two units to three units
23 establishing that in this area there are a limited number of
24 three unit buildings. We are not introducing any kind of a new
25 use. At 2034 North Capitol Street, Northwest, which is on square

1 3117 directly to the east of square 3116, that building was
2 converted to a three-unit apartment house in 2009 and like in the
3 instant case that required a waiver of the 900 foot rule.

4 Additionally, there 63 B Street, Northwest. In some
5 of these application documents it's referred to as 67 B Street,
6 Northwest. That's located on square 3118 which is to the
7 Northeast of square 3116. It is an apartment building and it
8 was converted to three units in 2015 pursuant to a what is now
9 an outdated rule. Now, that conversion actually required
10 construction of a third floor to accommodate the third unit while
11 we are not proposing any construction. The units have always
12 existed on three floors as three units in this case.

13 In the same year, 64 W Street, Northwest, which is on
14 the same square 3118, received a variance to convert an existing
15 single family home into a three-unit apartment building as well.
16 That approval also required construction which, again, we are not
17 proposing.

18 Additionally, outside of the immediate vicinity and
19 beyond the Bizbikis and Myers cases that I already described, our
20 team identified several more projects to convert two-unit
21 buildings to three-unit buildings that were approved in
22 conjunction with an area variance of the 900 foot rule. I'll
23 stick with just reading the case numbers for now in the interest
24 of time but I will mention as a generality that where a property
25 had existed as three units for many years and where those three

1 units did not have internal direct access, that was sufficient
2 to show that variance from the 900 foot rule was warranted. So
3 I'm just going to read off the case numbers which include 15359,
4 15863, 18122, 19517, 19574, 20002 and 20116. These cases go all
5 the way up through 2019.

6 Additionally, there will be practical difficulties if
7 the zoning regulations are strictly enforced. Because we are
8 seeking an area variance we are posed with the practical
9 difficulty standard which is lower than the higher undue hardship
10 standard applied to use variances, and there are practical
11 difficulties with enforcing the two-unit limit here.

12 As you can see from the prior slides, the restoration
13 after the fire didn't change any of the architecture. It was
14 always designed to be three distinct units. This leaves Ms.
15 Wilson in the untenable situation of having to leave a unit empty
16 or sell at a serious loss. It's not reasonably practical to
17 convert these units into a two-unit building because it was set
18 up as unit, unit, unit, no access between.

19 Trying to convert it into a two-unit building would be
20 expensive which the prior cases, without going into them ad
21 nauseum had already established that that's a significant amount
22 of difficulty. It's expensive. It would require changing a lot
23 of the architecture and in this case it would require changing
24 the architecture from what it has always been, what it originally
25 was.

1 Having the building remain empty is not particularly
2 good either. It's causing it to lose significant value despite
3 being a residential use in a residential area with updated
4 interiors and as was established in Neighbors for Responsive
5 Government, LLC et al. v. D.C. Board of Zoning Adjustment decided
6 in 2018, the economic use of the property and increased expense
7 and inconvenience to the applicant is a proper and does meet the
8 practical difficulty standard for granting a variance.

9 Finally, the requested relief can be granted without
10 substantial detriment to the public good or impairing the intent,
11 purpose or integrity of the zoning regulations. The goals of the
12 RF-1 zone are to recognize and reinforce the importance of
13 neighborhood character, walkable neighborhoods, preservation of
14 housing stock, low and moderate density housing to the overall
15 housing mix of the city, and ensuring that there is good
16 residential quality within the District.

17 We are proposing here to preserve the existing housing
18 stock and this has been vacant since we can't get a C of O despite
19 being, as mentioned before, that this is ready to be lived in.
20 Allowing it to remain vacant would be detrimental to the community
21 and to the property itself. The ANC actually called out
22 specifically that they support this project because it preserves
23 housing stock. If you wouldn't mind going to the next slide.

24 The last item of relief that we are seeking here is a
25 special exception to reduce the parking requirement due to the

1 configuration of the rear of the property. We're not reducing
2 or otherwise limiting the access to the property, we're just
3 validating the existing layout and access to continue to function
4 as it has for two decades. I won't go into extensive detail as
5 to the general special exception criteria. I believe I've already
6 addressed them in this presentation, but I would like to note
7 that a parking reduction can be granted where the Board finds
8 that any one of several qualifying circumstances applies to the
9 project and in this case we believe the four of the qualifying
10 criteria apply.

11 There are physical constraints of the property that
12 limit the on-site parking and that parking cannot be relocated
13 within 600 linear feet of the property. Additionally, the
14 property is well served by mass transit including a Green Line
15 metro station, a Capital Bikeshare station, and three priority
16 bus corridors. The nature and use of the structure limit how
17 many people would reasonably be expected to generate parking
18 demand which is evidenced by the property's history and use as a
19 three-unit building. There haven't been issues thus far. There's
20 no reason to expect that there would suddenly be issues in the
21 future.

22 Finally, the rear parking area includes a concrete
23 driveway sized for two tandem spaces and that driveway will
24 continue to serve the property's tenants. We are not proposing
25 to limit the driveway in any way. If you wouldn't mind going to

1 the next slide.

2 I just want to highlight that this project has received
3 a lot of support as it demonstrates that the project is in the
4 interest of the public good. The Office of Planning is in
5 support, the local ANC, the Bloomingdale Civic Association and
6 the adjacent neighbors. There has been no objection from DDOT
7 or members of the public. There is no opposition to this project.

8 In summary, the Applicant is not seeking to alter the
9 residential character of the neighborhood. She is instead
10 seeking to maintain it and this was key to why the ANC supports
11 this project. If you have any questions which I believe is all
12 that's listed on my next slide, I'm happy to answer them.

13 CHAIRPERSON HILL: Okay. Thank you, Ms. Carter. All
14 right. Let me hear from the Office of Planning, if I could.

15 MR. JESICK: Good morning, Chairman Hill, and members
16 of the Board. My name is Matt Jesick presenting OP's testimony
17 in this case.

18 And OP can largely rest on the written record of our
19 staff report. We reviewed the relevant criteria for the three
20 areas of relief and found that this application met the standards
21 for the special exception for the residential conversion , the
22 area variance from the 900 square foot rule as well as the special
23 exception from the parking requirement.

24 So, again, we recommend approval of the application and
25 I'm happy to take any question.

1 CHAIRPERSON HILL: Okay. Thanks.

2 Before I do questions, Mr. Young, do we have anyone
3 here wishing to speak?

4 MR. YOUNG: We do not.

5 CHAIRPERSON HILL: Okay. All right. If it's okay you
6 guys I want to talk to counsel real quick and so I know that
7 somebody was interested in doing so. I'm going to make a little
8 motion here.

9 As Chairperson for the Board of Zoning Adjustment for
10 the District of Columbia and in accordance with 407 of the
11 District of Columbia Administrative Procedures Act, I move that
12 the Board of Zoning Adjustment hold a closed emergency meeting
13 on 7/30/2025 for purposes of seeking legal counsel advice on Case
14 No. 21335, deliberate but not vote on Case No. 21335 as cited in
15 D.C. Official Code 2-575(b)(13).

16 Is there a second? Mr. Blake?

17 VICE CHAIRPERSON BLAKE: Second.

18 CHAIRPERSON HILL: Motion made and seconded. Madam
19 Secretary, take a roll call, please.

20 MS. MEHLERT: Please respond to the Chair's motion to
21 hold an emergency closed meeting.

22 Chairman Hill?

23 CHAIRPERSON HILL: Yes.

24 MS. MEHLERT: Vice Chair Blake?

25 VICE CHAIRPERSON BLAKE: Yes.

1 MS. MEHLERT: Board member Smith?

2 COMMISSIONER SMITH: Yes.

3 MS. MEHLERT: Commissioner Stidham?

4 ZC COMMISSIONER STIDHAM: Yes.

5 MS. MEHLERT: Motion passes.

6 CHAIRPERSON HILL: Okay. Just so you guys know, we're
7 just going to go to another room so we can talk to our attorneys
8 real quick and we'll be back. So we will see you all in a little
9 bit.

10 (Whereupon, there was a recess for an emergency closed
11 meeting with legal counsel.)

12 CHAIRPERSON HILL: Okay. Madam Secretary, you can call
13 us back, please.

14 MS. MEHLERT: The Board is back from its emergency
15 closed meeting and returning to the hearing in Application No.
16 21335 of Pamela Wilson.

17 CHAIRPERSON HILL: Thank you. All right.

18 Does the Board have any questions of anybody?

19 COMMISSIONER SMITH: I have a question for Mr. Jesick.

20 CHAIRPERSON HILL: Oh, go ahead, Mr. Smith.

21 COMMISSIONER SMITH: So, Mr. Jesick, what's in the
22 record here is that there was some form of a, I don't know if
23 it's a building permit application or the issued building permit.
24 Do you know if this was the issued building permit for the three
25 units? Permit No. 2206546?

1 MR. JESICK: Which exhibit are you referring to?

2 COMMISSIONER SMITH: Let me see, 14.

3 MR. JESICK: And your question is was that an approved
4 permit?

5 COMMISSIONER SMITH: Yes. Was that an approved permit
6 or was it, like, just a permit application?

7 MR. JESICK: It appears to be an approved permit but
8 the Applicant may be able to shed more light on that.

9 COMMISSIONER SMITH: Okay. You're on mule, Ms. Wilson.

10 MS. WILSON: Yes. I'm sorry. Yes, when we were, the
11 company that did the reconstruction did obtain a building permit
12 for three units. That's another reason why I thought it was,
13 you know, a three-unit building.

14 COMMISSIONER SMITH: Okay. That's the only question
15 that I had.

16 MS. WILSON: Okay.

17 COMMISSIONER SMITH: Like, Mr. Blake has a question.

18 VICE CHAIRPERSON BLAKE: Ms. Wilson, what's in the
19 lower level? Is there a basement of any sort in this building?

20 MS. WILSON: No. No, it's just, you know, a one bedroom
21 apartment.

22 VICE CHAIRPERSON BLAKE: And there's no basement
23 below --

24 MS. WILSON: No.

25 VICE CHAIRPERSON BLAKE: -- at all?

1 MS. WILSON: No.

2 VICE CHAIRPERSON BLAKE: Okay. Thank you.

3 CHAIRPERSON HILL: Okay. All right.

4 Well, Ms. Carter, Ms. Wilson, thank you all for your
5 testimony and your time here today, and you will see what happens.

6 MS. WILSON: Thank you.

7 CHAIRPERSON HILL: Thank you. Bye. Have a nice
8 weekend.

9 MS. WILSON: Bye.

10 CHAIRPERSON HILL: Weekend? Gosh, what day is it? Oh,
11 no. Right. Oh, I'm checked out. I'm like gone. As soon as I
12 hit the buzzer on this thing August has begun. All right.

13 So I'm closing the hearing and the record, and then if
14 I might ask Mr. Smith to begin this discussion that would be
15 lovely. Thank you.

16 COMMISSIONER SMITH: Would it truly be lovely? Okay.

17 So I'll start off with the special exception, request
18 for the special exceptions. I agree with the Office of Planning
19 and the Applicant's positions of how they meet the metrics of
20 granting both of these special exceptions. As they stated there's
21 one, you know, mixture of different criteria's that you can meet
22 to meet the special exception criteria to reduce, you know,
23 parking requirements and I believe they met before that the
24 Applicant has stated at minimum there are a multitude of bus
25 lines that run along the 1st Street corridor that would take you

1 to the shuttle (phonetic) metro station and other adjacent metro
2 stations that would not necessitate the need to have a parking
3 space, and this is a fairly walkable neighborhood as it is now.
4 So I believe they meet that particular standard, as well as the
5 special exception criteria to convert the existing residential
6 building to a three-unit apartment house.

7 I think the crux or the main concern before us is do
8 they meet the standards for the area variance criteria and I
9 believe that they meet that standard due to a confluence of
10 factors as relates to this particular property. This building
11 was purpose built as a mixed use building with commercial on the
12 first floor and residential on the upper floors. So it would
13 make it difficult to convert this space, the first floor, into
14 just two units because of how this building is, from a building
15 code standpoint, is constructed.

16 I also believe that the Applicant has received a
17 building permit, applied and received a building permit through
18 the Department of Buildings that did confirm that this or did
19 approve them to convert this into a three-unit building. So I
20 believe based on, and she has done the renovations in accordance
21 to that building permit only to the Certificate of Occupancy
22 realize that the District of Columbia itself did not catch that,
23 the application for the building permit, that she only had a C
24 of O for two residential units.

25 So I believe that in order to convert this building

1 into its purpose built use with some type of ground floor use
2 that is permitted within this particular zone, it would create a
3 hardship on the Applicant to convert the residential space, a
4 financial hardship at that, a substantial one, to convert this
5 first floor space into a use that would be allowed per the zone.

6 So I do agree with the Office of Planning's position
7 as stated within their staff report and will support the area
8 variance as well as the two special exceptions.

9 CHAIRPERSON HILL: Okay. Thank you, Mr. Smith, and
10 thank you for your analysis.

11 I'm going to agree with what you have said and also I
12 will point to the fact that the Office of Planning, I will agree
13 with their analysis in their report of approval as well as the
14 ANC and DDOT. I have nothing further to add.

15 Mr. Blake?

16 VICE CHAIRPERSON BLAKE: Nothing to add. I think the
17 confluence of factors including the purpose built and the
18 reliance are sufficient. I'll be voting in favor.

19 CHAIRPERSON HILL: Thank you.

20 Commissioner Stidham?

21 ZC COMMISSIONER STIDHAM: Nothing really to add but
22 agree the purpose built and the building permit puts this in a
23 situation where I'm prepared to support.

24 CHAIRPERSON HILL: Thank you. All right.

25 I'm going to make a motion to approve Application No.

1 21335 as captioned and read by the secretary, and ask for a
2 second. Mr. Blake?

3 VICE CHAIRPERSON BLAKE: Second.

4 CHAIRPERSON HILL: Motion made and seconded. Madam
5 Secretary, take a roll call, please.

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

8 Chairman Hill?

9 CHAIRPERSON HILL: Yes.

10 MS. MEHLERT: Vice Chair Blake?

11 VICE CHAIRPERSON BLAKE: Yes.

12 MS. MEHLERT: Board member Smith?

13 COMMISSIONER SMITH: Yes.

14 MS. MEHLERT: Commissioner Stidham?

15 ZC COMMISSIONER STIDHAM: Yes.

16 MS. MEHLERT: Staff would record the vote as four to
17 zero to one to approve Application No. 21335 on the motion made
18 by Chairman Hill and seconded by Vice Chair Blake.

19 CHAIRPERSON HILL: Thank you. Madam Secretary, if you
20 can call our next one, please.

21 MS. MEHLERT: Next is Application No. 21336 of United
22 Unions, Incorporated. This is a self-certified application
23 pursuant to Subtitle X, Section 901.2 for special exceptions
24 under Subtitle C, Section 1501.1(e) to allow a penthouse
25 habitable space on a building within the area bounded by I Street,

1 Constitution Avenue, 19th Street and 13th Street, Northwest, and
2 under Subtitle C, Section 1506.1 from the uniform height
3 requirements for walls enclosing penthouse habitable space of
4 Subtitle C, Section 1503.4(a).

5 This is for the enlargement of an existing penthouse
6 on the roof of an eight-story office building located in the D-
7 2 zone at 1750 New York Avenue, Northwest, Square 171, Lot 33.

8 CHAIRPERSON HILL: Okay. Great. Thank you.

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

11 MR. FERRIS: Good morning. Lawrence Ferris with the
12 law firm of Goulston & Storrs here on behalf of the Applicant.

13 CHAIRPERSON HILL: Morning, Mr. Ferris. Is there
14 someone else? Mr. Hammond, do you want to introduce yourself?
15 You're on mute. You're on mute.

16 MR. HAMMOND: Sorry. Jonathan Hammond with the United
17 Unions Building.

18 CHAIRPERSON HILL: Okay. Great. Thank you.

19 All right, Mr. Ferris. If you want to walk us through
20 your client's application and explain to us how they're meeting
21 the criteria for us to grant this particular relief, and you can
22 begin whenever you like. I guess, Mr. Young, if you want to put
23 up the PowerPoint.

24 MR. FERRIS: Ready? Well, thank you again, Chair Hill,
25 and members of the Board. In addition to Mr. Hammond we also

1 have Anik Jhaveri, the project architect, on if there are any
2 questions about the design. So, and Mr. Young, you can go ahead
3 and pan to the next slide, if you will.

4 So, again, we're here today for the property at 1750
5 New York Avenue. This is an existing office building that's at
6 the corner of New York, 18th and E Street. This building is the
7 United Unions headquarters building and the project we're
8 presenting today is the renovation of the existing penthouse and
9 roof deck on the building to provide meeting and amenity space.

10 So we are requesting two areas of relief. First is a
11 special exception under Section C, 1501.1(e) to permit habitable
12 penthouse space within the vicinity of the White House. On that
13 piece we met with the Secret Service officials prior filing the
14 application, and a site walk through and site inspection with
15 them and they had no issues with the proposed penthouse and roof
16 deck and we submitted their confirmation email to that effect.
17 That's at Exhibit 14 in the record.

18 And then the second area of relief we're requesting is
19 a special exception under Section C, 1506.1 from the penthouse
20 uniform height requirements of Section C, 1503.4(a). This is
21 just for the two modest additions we're proposing on the east and
22 west sides of the existing penthouse structure. The project went
23 through review by the Commission of Fine Arts and the CFA approved
24 the design but it requested that the additions be slightly shorter
25 than the existing penthouse to reduce the overall visibility of

1 that. So the west addition is going to be thirteen feet nine
2 inches in height. The east addition has a height of thirteen
3 feet two inches and that's compared to the existing penthouse
4 structure which has, the enclosed structure has a height of a
5 little over sixteen feet two inches.

6 So in addition to going through the CFA review and
7 meeting with Secret Service staff, we also presented to ANC 2A
8 at their regular monthly meeting on July 16th and the ANC voted
9 unanimously to support the application. They didn't see any
10 issues with the project or the requested relief and the ANC's
11 letter is at Exhibit 26 in the record. We're also pleased to
12 have a report in support from the Office of Planning. That's at
13 Exhibit 25 and OP's report also includes a note that DDOT reviewed
14 the application and had no objection.

15 So with that overview I'll go ahead and walk through,
16 we have a brief presentation and then we're happy to answer any
17 questions. So here you see the general site location a block
18 and a half west of the White House. Mr. Young, next slide,
19 please.

20 Here's a closer up view of the surrounding context. To
21 the north is the AIA headquarters building and Octagon House and
22 to the west is Rawlins Park. Next slide, please.

23 So here are just some views of the existing building
24 from the street. The top left is the building as viewed from
25 the north across New York Avenue from the AIA headquarters

1 building. Top right is taken from the south and then the bottom
2 two images are from the east along E Street. Next slide, please.

3 So here's the proposed floor plan for the penthouse
4 space. The areas you see in light blue on the left and right
5 are the small additions I was mentioning to the existing penthouse
6 structure. You see the meeting space along the west and south
7 of the floor plan as well as the existing roof deck that wraps
8 the penthouse and is also being updated as part of this and then
9 additional mechanical space to serve the building enclosed. Next
10 side, please.

11 So here is just an axon view of the existing penthouse
12 that's on the left and then the penthouse after the renovation
13 is complete, that's shown on the right. Again the darker red
14 areas are the additions that we're proposing. Next slide, please.

15 Here are just some elevation renderings from both the
16 east, that's on the left, and then the west is on the right. So
17 you can see the penthouse after the renovation's complete. Next
18 slide.

19 Here's a perspective rendering from the southwest.
20 Again, you can see the penthouse post-renovation. Next slide.

21 And then just lastly another elevation. This is from
22 the south along E Street that shows the penthouse. So that
23 concludes our presentation. We're happy to answer any questions
24 and we appreciate your time this morning.

25 CHAIRPERSON HILL: Thank you. Before I turn to the

1 Board can I hear from the Office of Planning?

2 MR. BEAMON: Good afternoon, Board members. For the
3 record Shepard Beamon with the Office of Planning.

4 OP has reviewed the application for the requested
5 special exception relief for the proposed penthouse expansion and
6 we find that the request should be in harmony with the zoning
7 regulations and should not adversely impact adjacent properties.
8 The Applicant has received an email from the U.S. Secret Service
9 indicating no issues with the proposed work, therefore OP
10 recommends approval and I'm open for any questions.

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

12 Does anybody have any, oh, I'm sorry. Mr. Young, is
13 there anyone here wishing to speak?

14 MR. YOUNG: We do not.

15 CHAIRPERSON HILL: Does the Board have any questions?
16 (Pause.)

17 CHAIRPERSON HILL: Okay. Mr. Ferris, you have anything
18 you'd like to say at the end?

19 MR. FERRIS: No. Thank you for your time.

20 CHAIRPERSON HILL: Okay, Mr. Ferris. You have a nice
21 August.

22 MR. FERRIS: You as well. Thank you.

23 CHAIRPERSON HILL: Thank you. Thank you. I'm going
24 to close the hearing and the record.

25 (Pause.)

1 CHAIRPERSON HILL: Okay. I don't have anything really
2 to expound upon with this. I'm going to vote in favor of this
3 application. I'm going to agree with the analysis that the Office
4 of Planning has provided as well as that of the ANC. I understand
5 why they're doing this I guess a little bit more that I've now
6 heard about the whole CFA discussion and, you know, concerning
7 the uniform height requirements also that the Secret Service has
8 signed off, I'm going to be voting in favor of this application.

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

10 COMMISSIONER SMITH: No. I'm in support.

11 CHAIRPERSON HILL: Mr. Blake?

12 VICE CHAIRPERSON BLAKE: I have nothing to add. I'm
13 in support as well, Mr. Chair.

14 CHAIRPERSON HILL: Commissioner Stidham?

15 ZC COMMISSIONER STIDHAM: I'm in support.

16 CHAIRPERSON HILL: Okay. Thank you.

17 I'm going to make a motion to approve Application No.
18 21336 as captioned and read by the secretary, and ask for a
19 second. Mr. Blake?

20 VICE CHAIRPERSON BLAKE: Second.

21 CHAIRPERSON HILL: Motion made and seconded. Madam
22 Secretary, take a roll call.

23 MS. MEHLERT: Please respond to the Chair's motion to
24 approve the application.

25 Chairman Hill?

1 CHAIRPERSON HILL: Yes.

2 MS. MEHLERT: Vice Chair Blake?

3 VICE CHAIRPERSON BLAKE: Yes.

4 MS. MEHLERT: Board member Smith?

5 COMMISSIONER SMITH: Yes.

6 MS. MEHLERT: Commissioner Stidham?

7 ZC COMMISSIONER STIDHAM: Yes.

8 MS. MEHLERT: Staff would record the vote as four to
9 zero to one to approve Application No. 21336 on the motion made
10 by Chairman Hill and seconded by Vice Chair Blake.

11 CHAIRPERSON HILL: Thank you, Madam Secretary. You may
12 call our next case, please.

13 MS. MEHLERT: The last case is Application No. 21341
14 of D.C. Department of General Services. As amended, this is a
15 self-certified application pursuant to Subtitle X, Section 1002
16 for a use variance from Subtitle C, Section 1313.4 to allow an
17 antenna in the RA-1 zone, an area variance from Subtitle C,
18 Section 1313.8 to allow an antenna not set back by a distance
19 equal to its height from any residentially developed or zoned
20 property, and an area variance from Subtitle C, Section 1313.9
21 to allow an antenna tower not set back from each lot line at
22 least 20 feet or a distance of one third of the total constructed
23 height.

24 This is for a new 500 foot antenna tower on an existing
25 government building replacing two existing antenna towers to

1 support public safety and government communications
2 infrastructure. It's located in the MU-4 and RA-1 zones at 6001
3 Georgia Avenue, Northwest, Square 2983, parcel 101 and lot 55.
4 As a preliminary matter the Applicant has filed a motion to allow
5 an untimely filing and allow the modification of the application
6 within 30 days of the hearing, and the updated statement and
7 self-certification form are in Exhibit 15.

8 CHAIRPERSON HILL: Okay. Great. Thank you.

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

11 MS. MOLDENHAUER: Good morning. My name is Meredith
12 Moldenhauer with the law firm of Cozen O'Connor here on behalf
13 of the Applicant. I also have four members of the Applicant team
14 as well. If you guys could turn on your cameras and introduce
15 yourselves as well.

16 MR. RIETH: Morning. Dan Rieth with the Department of
17 General Services.

18 (Pause.)

19 CHAIRPERSON HILL: Okay. While everybody's, I see the
20 list of people. I guess you got Mr. Spiro, Mr. Satish and Ms.
21 Soloman, or Mr. Soloman, sorry. If you all want to turn your
22 cameras, fine and maybe we'll introduce them, Ms. Moldenhauer,
23 if we get to them or as you kind of need them. But what is it
24 that you're trying to get into the record again? You're changing
25 the application, can you tell me again what was the 30 day thing

1 about?

2 MS. MOLDENHAUER: So, yes. We had been working
3 extensively with the Zoning Administrator throughout the course
4 of the project but after the pre-hearing statement deadline was
5 due we did get confirmation from the Zoning Administrator that
6 she interpreted the regulations that we needed a use variance
7 because the property is located in the RA zone and even though
8 it's split zone in the MU-4 zone, we did not apply the special
9 exception relief from the MU zone permissions and so we then
10 changed the relief from being a special exception and asking for
11 a variance --

12 CHAIRPERSON HILL: That's fine.

13 MS. MOLDENHAUER: -- (indiscernible) use variance.

14 CHAIRPERSON HILL: What was the other item?

15 MS. MOLDENHAUER: That was it.

16 CHAIRPERSON HILL: Oh.

17 MS. MOLDENHAUER: So it was changing it from a special
18 exception to a use variance.

19 CHAIRPERSON HILL: Madam Secretary, was there only one?

20 MS. MEHLERT: Yes. Yes.

21 CHAIRPERSON HILL: Okay. All right. I got confused
22 then. Okay. So unless the Board has any issues I'm going to go
23 ahead and grant that into the record so we're at least thinking
24 about talking about the same thing. And then, Ms. Moldenhauer,
25 why don't you go ahead and walk us through your client's

1 presentation and how they're meeting the criteria to grant the
2 relief requested, and then let's just hear where we get. Okay?

3 MS. MOLDENHAUER: Wonderful. Mr. Young, if you could
4 bring up our PowerPoint presentation. Next slide.

5 So you'll hear from four members of our team. We have
6 individuals from the architectural team present, from DGS Project
7 Management, from the Wireless Infrastructure Management team and
8 from OUC, the Office of Unified Communication and each individual
9 can introduce themselves on that as they present. Next slide.

10 You can see here the property is an entire square block.
11 It fronts on Georgia, Peabody and 9th Street. To the north of
12 the site, as is potentially referenced in the ANC letter that was
13 received today, you can see a portion that's not part of this
14 project but it's to the north and fronts on Quackenbos Road and
15 that is on National Park Service land. Next slide.

16 You'll see that the property is split between MU-4 and
17 RA property. So the area that fronts on Georgia Avenue, as you
18 can see in the existing condition, is the existing MPD facility
19 and building. That building takes up the majority of the MU-4
20 portion of the site. As you can see then to the right, there is
21 an existing parking lot where you have the two existing towers
22 that are currently located on the RA portion of the site that is
23 subject to this project and to be removed and replaced with a
24 new tower. Next slide.

25 On this slide I'm going to turn it over to Dan Rieth

1 from DGS.

2 MR. RIETH: Thank you. So what we saw on that previous
3 slide were two towers in the parking lot of the Fourth District
4 police station. The larger of the two was completed in the '80s
5 and produced for Metro PD. The smaller one is even older,
6 formerly used for TV broadcast Channel 50 BET and CSPAN. That
7 tower is now vacant. Both towers are over four years old and no
8 longer meet modern building codes.

9 Over the years as wireless communication has grown more
10 prevalent, these towers became a major hub of public safety
11 infrastructure. These towers house not only D.C. office of
12 Unified Communications but also tenants such as Capitol Police,
13 FBI, Secret Service and WMATA as well as the major commercial
14 carriers such as Verizon and T-Mobile.

15 The towers have reached the end of their usefulness to
16 the District. This is due to modern building codes which require
17 the ability to withstand wind speeds much higher than those when
18 these towers were originally designed. The proposed new tower
19 is a piece of public infrastructure, just like the new
20 (indiscernible) bridge. It is a much needed and long overdue for
21 the District. The new tower will provide at least 25 years of
22 safe and secure public safety communications and will be built
23 with room to grow so the District does not have to come back to
24 the Board and ask for a new or second tower in the future. Next
25 slide, please.

1 This is a street view of the existing conditions on
2 property. Once the project is complete there will only be one
3 tower and it will be much more in line with the smaller tower
4 shown here. This should result in dramatic improvement of view
5 shown from the street. Next slide, please.

6 This is a photo simulation of the proposed new tower
7 showing the difference in view shown from the street. Next slide,
8 please.

9 This is a map of existing Office of Unified
10 Communication sites in the District. You'll see they're
11 geographically dispersed to cover every section of the District
12 while you see it has five towers throughout the District and
13 utilizes roof tops when they are available. Next slide, please.

14 This slide shows radio frequency coverage gained from
15 the existing subject tower in green and the gold shows existing
16 coverage from other OUC sites. This is only OUC coverage. This
17 is not reflected in the other tenant or carrier on the tower.
18 You'll see that the existing tower covers the majority of District
19 4 providing signal to our public safety and FEMS first responders.
20 Next slide, please.

21 This is another propagation map showing the proposed
22 new coverage from the tower, roughly similar to what we're giving
23 from the existing. As we're going through this we're not
24 proposing a new tower, we're just simply proposing a replacement
25 of the existing so signal propagation would be very similar.

1 Next we'll be handing off to Spiro from Alphatec I
2 believe. Next slide.

3 MS. MOLDENHAUER: Yes, that's right. But can I just
4 ask an administrative question. Soloman Tadesse from OUC is
5 trying to also log in and be part of the hearing. I don't believe
6 he's been added as a panelist or has the ability if there are
7 questions regarding. If he can be added as a panelist, that
8 would be great.

9 CHAIRPERSON HILL: How do you say his name again?

10 MS. MOLDENHAUER: Soloman Tadesse T-A-D-E-S-S-E.

11 CHAIRPERSON HILL: Okay, Mr. Young. If you see that
12 person if you could help with that. Go ahead, Ms. Moldenhauer.

13 MS. MOLDENHAUER: I believe Spiro from Alphatec is also
14 having challenges. He's also, he's a panelist but he's unable
15 to unmute his line. He's our next speaker. He's Alphatec, P.C.,
16 Spiro. If Mr. Young can assist with that.

17 CHAIRPERSON HILL: Okay. You know, Ms. Moldenhauer,
18 I'm just kind of going through here.

19 MR. GIANNIOTIS: Can everyone hear me and see me?

20 CHAIRPERSON HILL: We can hear you. Could you introduce
21 yourself for the record, please?

22 MR. GIANNIOTIS: Spiro Gianniotis, project manager,
23 Alphatec, P.C. DORVAE (phonetic).

24 CHAIRPERSON HILL: Okay. Go ahead, sir, or whatever
25 the next portion is with Ms. Moldenhauer.

1 MR. GIANNIOTIS: Sure. Thank you for everyone's time
2 today. Nice to see you again, Mr. Chairman, and everyone on the
3 Board. I will explain what our project is doing and what the
4 scope of work of our services are.

5 What you're looking at is the existing site plan. The
6 big triangle in the middle is the existing 700 foot tower that's
7 going to be de-installed. To the right of it is the existing
8 400 foot tower that's going to be de-installed and the support
9 building under that 400 foot tower is going to be raised. Next
10 slide, please.

11 The new work is going to include a temporary parking
12 lot to the north of the site. That's (audio interference)
13 authorization from NPS and we have been coordinating with NPS to
14 access their site for the temporary parking. After construction
15 is complete and the new 500 foot tower is erected on the (audio
16 interference) where the 400 foot tower was, the grassy area of
17 NPS will be restored. Next slide, please. Thank you.

18 MS. MOLDENHAUER: Thank you so much. And so we have
19 engaged in extensive community outreach. The Applicant presented
20 the project to the community on May 28th, 2024 and also to ANC
21 4B at a public meeting on June 23rd, 2025. During the outreach
22 the Applicant did learn that the grassy area to the north of the
23 site which is owned by the National Park Service is currently
24 being used for a play area for the Bridges Academy and will
25 obviously be temporarily unable to be used when that is turned

1 into parking during construction.

2 The Applicant then did reach reach out via a letter to
3 the Bridges Academy informing them of the construction plan, also
4 outlining the fact that there are that is part of the Fort Circle
5 Park system and that there are two other parcels between 9th and
6 Peabody for, they're also available for them, U.S. government
7 owned parcels as well as the D.C. government owned parcels to the
8 west of Georgia Avenue, that is north of the Nativity Catholic
9 Church and we did then go back and meet with the ANC on July 6th
10 and obtained support from the ANC at that special meeting
11 including clarifying that change from the special exception to
12 the use variance.

13 We would note that today on July 30th we actually did
14 see the ANC's resolution of record which is now part of the record
15 at Exhibit 36. In reviewing that resolution they do appear to
16 identify three conditions that they are supporting the
17 application based on. One is that we provide a plan that
18 demonstrates the ability to have the parking located and kind of
19 an understanding of the parking as well as coordinating with the
20 Bridges Academy. We believe that obviously that is not part of
21 our specific application. We are obviously, as (indiscernible)
22 client agency working extensively and look forward to working
23 with them, and we have already reached out to Bridges Academy and
24 will work to identify other locations.

25 In addition to that, they asked for an environmental

1 impact assessment. We would just simply note that this
2 application will go forward through the standard Department of
3 Buildings applications and DOE will review this application, and
4 we don't believe that any further environmental impact is
5 necessary. We also note that they would want to see the property
6 restored or the National Park Service portion of the property
7 restored to its existing condition after the temporary parking
8 is no longer utilized and is already part of National Park's
9 requirements and part of our intended goals.

10 They then, third, asked for a formal traffic impact
11 study. The Board would note that we are not seeking parking
12 relief in this application. There is no change in the intensity
13 of use here and that at the end of the day given that they are
14 removing two towers and having one final tower located, that
15 there would be an increase in overall parking at the site
16 following construction. So, next slide.

17 And now I move to the actual relief being sought. We
18 are seeking use variance relief pursuant to Subtitle X, 1002.1
19 to allow for the siting of a tower in a RA-1 zone. As indicated
20 the property is split zoned MU-4 and RA-1. The new 500 foot
21 tower located on the RA-1 portion and thus not able to apply for
22 the special exception permitted to the MU-4 zone and not permitted
23 by-right. We obviously are not able to locate the portion of
24 the parcel on the MU-4 zone given that the existing MPD structure
25 takes up that portion of the lot. Next slide.

1 In addition to the use variance, we are seeking two
2 area variances from the setback requirement. Under Subtitle C,
3 1313.8 an antenna tower must be set back from any residentially
4 zoned or developed property of a distance equal to its height.
5 Here that would mean a 500 foot setback, that is not feasible.
6 In addition, Subtitle C, 1313.9 requires that all parts of a
7 tower be set back from each lot line by greater of 20 feet or
8 one third of the total height. So here, for a 500 foot tower,
9 that be 167 foot setback from the property lines which also would
10 not be viable or feasible, so we're asking for an area variance.
11 Next slide, please.

12 So under the variance test both for the use variance
13 and the area variance we are identifying that this project would
14 be subject to a more flexible variance standard given the fact
15 that this is a public service project that would provide services
16 for MPD, OUC, FBI, WMATA and many other local agencies that are
17 critical to D.C.'s communication network. The Board may apply a
18 more flexible standard applying the area variance as more
19 recently affirmed by the Neighbors for Responsive Government v.
20 D.C. Board of Zoning Adjustment, is just a case which is a Court
21 of Appeals case that came out of the D.C. short term housing
22 cases that affirmed the 1979 Monaco case which allowed for a
23 flexible standard when you have a public service being utilized
24 that the use and flexibility is requested based on programmatic
25 needs, as are the case here. Next slide, please.

1 Even with the flexible standard we do believe that we
2 satisfy the first prong of the variance test which requires that
3 the property exhibits an exceptional condition that gives rise
4 to the exceptional or undue harm. Here the exceptional conditions
5 associated with the property are the property is a split zoned
6 site and we have an existing structure, the MPD headquarters that
7 occupies the majority of the MU-4 site and the existing towers
8 are structurally compromised and must be replaced.

9 In addition to that the programmatic requirements here
10 are that the site houses critical communication infrastructure
11 including MPD, OUC, FBI, WMATA, Capitol Police and others and due
12 to the complexity of the network we cannot have interruption of
13 that coverage and thus the need to relocate this on-site where
14 they exist today. Next slide.

15 Looking at the use variance and the area variance
16 requests, we believe that we satisfy the undue hardship and
17 practical difficulty in that complying with either the use
18 variance requirements or the setback requirements would be unduly
19 harmed or have practical difficulty for the city and for
20 relocating these to another location are potentially requiring
21 the demolition of the MPD building to locate or site this in the
22 MU-4 zone.

23 In addition to that, we are replacing the two existing
24 structures and cannot comply which also clearly cannot comply
25 with the setback requirements, but that a new tower must be

1 located nearby in order to ensure that there's no interruption
2 or delay in the emergency services that are provided here, that
3 there's a seamless transfer. Next slide.

4 We believe that if you grant these three areas of relief
5 that there would be no harm to the public good or the zone plan
6 as the property hosts the existing infrastructure now and has for
7 many decades, that the project reduces the intensity by reducing
8 the overall height of the existing two towers to one individual
9 smaller tower that has a smaller footprint and also includes the
10 safety. The new towers will not increase any impact on the noise,
11 light, traffic or safety of others and we believe that that
12 concludes our presentation. Next slide.

13 And we are available to the Board to answer any
14 questions that you may have.

15 CHAIRPERSON HILL: Okay. Thank you.

16 Before I turn to my fellow Board members, could I hear
17 from the Office of Planning?

18 MS. THOMAS: Good afternoon, Mr. Chair, members of the
19 Board, Karen Thomas with the Office of Planning for DGS's
20 application for a use variance and area variance to replace its
21 telecom infrastructure on their property at 6001 Georgia Avenue.

22 And this proposed new tower would replace two older
23 lattice towers currently installed on the lot which is split
24 zoned and unfortunately the longstanding towers are located in
25 the RA-1 portion of the lot. It is split zoned MU-4/RA-1.

1 The extraordinary situation in this case is that the
2 property serves the Federal and District intelligence and
3 emergency communications as well as commercial communication
4 functions for the District and its residents. The property also
5 has a natural elevation which is critical to ensure efficient
6 communication due to unobstructed signals to and from the
7 existing and future tower, and this is not typical of RA-1 lots
8 and therefore the factors of this desirable elevation
9 longstanding use and ownership by the District for both District
10 and Federal communication purposes we believe create an
11 exceptional situation unique to this lot.

12 And so denying the telecom use of this location for the
13 District's functions would create undue hardship for the District
14 in obtaining another comparable location while providing
15 continued mandated services and for additional antennas to
16 support future expanded services. We believe that this new tower
17 would represent a significant structural upgrade while preventing
18 significant loss of coverage to critical intelligence communities
19 and it would ensure continuous signalization to existing and new
20 antennas and services to residents as any operational loss could
21 significantly interrupt critical emergency 911 services for the
22 public.

23 However, while the tower would be 200 feet lower than
24 the tallest existing use tower, which is 700 feet, consolidation
25 of the two longstanding towers into one structure would minimize

1 impacts and ensure that the important sight lines for to and from
2 the area would not be substantially impaired, and this was
3 important to the Federal interest and NCPC provided its support
4 for the tower, this elevation, and the OP report is attached --
5 and it is attached to the OP report, I'm sorry.

6 The tower's height and property size create a practical
7 difficulty for the Applicant in satisfying the setback
8 requirements from the residential zone properties and from the
9 property lines. The tower could not be constructed at a lower
10 height to meet the communication efficiencies which would be
11 critical to the District's and Federal agencies' functions.
12 Therefore in this case we believe there's a practical difficulty
13 for the Applicant in utilizing the improved communication tower
14 as intended.

15 So impairment of the integrity of the regulations is
16 not anticipated as the Applicant has received a waiver allowing
17 under the Height Act, the Height of Buildings Act of 1910 and
18 that is issued by the Department of Buildings, and we have
19 attached that to our report as well.

20 So apart from the requested relief, the tower would
21 satisfy the other conditions of Subtitle C, Sections 13.6, 13.7
22 and 13.11 as reviewed in our report and I would like to note that
23 this application and the Applicant has worked with the Zoning
24 Administrator close to two years to get to this point, and we
25 are in support of this application.

1 Thank you, and that concludes my report.

2 CHAIRPERSON HILL: Thank you, Ms. Thomas.

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

4 MR. YOUNG: We do not.

5 CHAIRPERSON HILL: Okay. Does the Board have any
6 questions of the Applicant or the Office of Planning? Okay.

7 All right, Ms. Moldenhauer, would you like to add
8 anything at the end?

9 MS. MOLDENHAUER: No. We thank you for your time today
10 and I look forward to your deliberation.

11 CHAIRPERSON HILL: Okay. Great. Thanks. Okay.

12 You have a nice August, Ms. Moldenhauer, and also for
13 all --

14 MS. MOLDENHAUER: You as well, plus the Board members.

15 CHAIRPERSON HILL: Thank you, thank you. And also for
16 all of the Office of Planning people. I mean, I know you guys
17 all have jobs in August but I will not have this job in August.
18 So you all do what you want to do in August.

19 Thank you. I'm going to close the record and the
20 hearing.

21 (Pause.)

22 CHAIRPERSON HILL: Okay. Thank you.

23 I don't really have a whole lot to say. I got to say
24 I thought the Office of Planning's report was not only thorough
25 but even the report in this hearing was very thorough and I do

1 | thank Ms. Thomas. I think that the presentation that the
2 | Applicant did was, again, thorough and I understand how they're
3 | meeting the criteria for this particular relief.

4 | I also appreciate all the outreach that they've done.
5 | In terms of the ANC I didn't really think any of those conditions
6 | were necessarily germane to what we're doing here. I think that
7 | they have -- I think that the Applicant will be working with the
8 | ANC to do what they can, if anything, if they have any complaints
9 | about this particular project. I think they're going to be in
10 | there. They're going to do the work and then they're going to
11 | be out of there, and so I don't have any issues.

12 | I don't think an environmental impact study or a
13 | traffic study in this particular case is necessary and I'm sure
14 | that the Applicant will, again, notify the school and the
15 | neighbors as they move forward on the work. So I'm going to be
16 | voting in favor of this application, and will turn to Mr. Smith
17 | with any comments.

18 | COMMISSIONER SMITH: I agree with your assessment of
19 | this case. I'll just note that the National Capitol Planning
20 | Commission wrote a letter in support of this application
21 | following the evaluation of this particular project at our
22 | November in '24 hearing.

23 | CHAIRPERSON HILL: Great. Thank you.

24 | Mr. Blake?

25 | VICE CHAIRPERSON BLAKE: Mr. Chair, I have nothing to

1 add. I'm in support of the application.

2 CHAIRPERSON HILL: Thank you.

3 Commissioner Stidham?

4 ZC COMMISSIONER STIDHAM: I am also in support.

5 CHAIRPERSON HILL: Okay. I'll make a motion to approve
6 Application No. 21341 as captioned and read by the secretary, and
7 ask for a second. Vice Chair Blake?

8 VICE CHAIRPERSON BLAKE: Second.

9 CHAIRPERSON HILL: Motion made and seconded. Madam
10 Secretary, take a roll call.

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: Vice Chair Blake?

16 VICE CHAIRPERSON BLAKE: Yes.

17 MS. MEHLERT: Board member Smith?

18 COMMISSIONER SMITH: Yes.

19 MS. MEHLERT: Commissioner Stidham?

20 ZC COMMISSIONER STIDHAM: Yes.

21 MS. MEHLERT: Staff would record the vote as four to
22 zero to one to approve Application No. 21341 on the motion made
23 by Chairman Hill and seconded by Vice Chair Blake.

24 CHAIRPERSON HILL: Okay. Great. Perfect.

25 Madam Secretary, is there anything before the Board?

1 MS. MEHLERT: Nothing from staff. Just enjoy the August
2 recess.

3 CHAIRPERSON HILL: Thank you. You all have a good
4 recess. We're adjourned. See you in September when the
5 temperature's hopefully cooler. Okay.

6 Bye bye.

7 (Whereupon, the above-entitled matter went off the
8 record at 12:30 p.m.)
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

This is to certify that the foregoing transcript

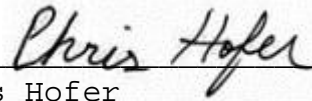
In the matter of: Public Hearing

Before: DC BZA

Date: 07-30-25

Place: Via Webex

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


Chris Hofer