

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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REGULAR PUBLIC MEETING

+ + + + +

WEDNESDAY

JANUARY 21, 2026

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The Regular Public Meeting of the District of Columbia Board of Zoning Adjustment convened via Videoconference, pursuant to notice at 9:30 a.m. EST, Carl Blake, Vice-Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

CARL BLAKE, Vice-Chairperson
BRITTNEY DRAKEFORD, NCPC Designee

ZONING COMMISSION MEMBERS PRESENT:

ROBERT MILLER, Vice-Chairperson

OFFICE OF ZONING STAFF PRESENT:

KEARA MEHLERT, Secretary
MIKE SAKINEJAD, GIS Program Manager

OFFICE OF ZONING ATTORNEY ADVISORS PRESENT:

SARAH BAJAJ, ESQ.
CARISSA DEMARE, ESQ.
JORDANE WONG, ESQ.

The transcript constitutes the minutes from the Regular Public Meeting held on January 21, 2026.

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

2 (9:33 a.m.)

3 VICE CHAIR BLAKE: Good morning, ladies and
4 gentlemen. The Board of Zoning Adjustment's January
5 21, 2026 public hearing will please come to order. My
6 name is Carl Blake, Chair of the District of Columbia
7 Board of Zoning Adjustment. Joining me today are Board
8 Members Brittney Drakeford, representing the National
9 Capital Planning Commission, and Zoning Commissioners
10 Rob Miller and Gwen Wright. Today's meeting and hearing
11 agendas are available on the Office of Zoning's website.

12 Please be advised that the proceeding is being
13 recorded by a court reporter and is also webcast live
14 via Webex and YouTube Live. The video of the webcast
15 will be available on the Office of Zoning's website after
16 today's hearing. Accordingly, everybody who is
17 attending by on Webex or by telephone will be muted
18 during the hearing.

19 If you're experiencing difficulty accepting
20 Webex or with your telephone call-in, then please call
21 our OZ hotline number at 202-727-5471 to receive Webex
22 login or call-in instructions.

23 Today, we will begin with our decision meeting
24 session and then proceed with our public hearing
25 session. Please be advised that we do not take any

1 public testimony at our decision meeting session.
2 Public testimony will be received during the public
3 hearing session, however, only parties are allowed to
4 testify on appeal.

5 At the conclusion of the decision meeting,
6 I will, in consultation with the Office of Zoning,
7 determine whether a full or summary order will be issued.

8 A full order is required when the decision it contains
9 is adverse to a party, including an affected ANC. A
10 full order may also be needed if the Board's decision
11 differs from the Office of Planning's recommendation.

12 Although the Board favors these over summary orders
13 whenever possible, an applicant may not request the
14 Board to issue such an order.

15 In today's hearing session, everyone who is
16 listening on Webex or by telephone will be muted during
17 the hearing, and only persons who have signed up to
18 participate or testify will be unmuted at the
19 appropriate time. Please state your name and home
20 address before providing oral testimony or your
21 presentation.

22 Oral presentations should be limited to a
23 summary of your most important points. When you're
24 finished speaking, please mute your audio so that your
25 microphone is no longer picking up sound or background

1 noise.

2 Once again, if you experience difficult
3 accepting Webex or with your telephone call-in, or if
4 you have forgotten to sign up 24 hours prior to this
5 hearing, then please call the OZ hotline number at
6 202-727-5471 to sign up to testify and to receive Webex
7 log-in or call-in instructions.

8 All persons planning to testify either in
9 favor or in opposition should have signed up in advance.

10 They will be called by name to testify. By signing
11 up to testify, all participants completed the oath or
12 affirmation as required by Subtitle Y, Section 408.7.

13 Requests to enter evidence at the time of an
14 online virtual hearing, such as written testimony or
15 additional supporting documents, other than live video,
16 which may not be presented as part of the testimony,
17 may be allowed pursuant to Subtitle Y, Section 103.13.

18 The order for procedure for special exception
19 of a variance is pursuant to Subtitle Y, Section 409.

20 The order of procedure for appeals are pursuant to
21 Subtitle Y, Section 507. Time constraints shall be
22 maintained pursuant to Subtitle Y, Sections 408.2 and
23 408.3.

24 At the conclusion of each case, an individual
25 who was unable to testify because of technical issues

1 may file a request to leave the record open to file a
2 written version of the planned testimony for the record
3 within 24 hours following the conclusion of the public
4 testimony in the hearing.

5 If additional written testimony is accepted,
6 then the parties will be allowed a reasonable time to
7 respond as determined by the Board. The Board will then
8 make its decision at its next meeting session, but no
9 earlier than 48 hours after the hearing. At the
10 conclusion of a hearing, the Board may request
11 additional specific information to complete the record.

12 The Board and the staff will specify at the
13 end of the hearing exactly what is expected and the date
14 when persons must submit the evidence to the Office of
15 Zoning. No other information shall be accepted by the
16 Board.

17 Once again, after the Board adjourns the
18 hearing, the Office of Zoning, in consultation with the
19 chair, will determine whether a full or summary order
20 may be issued. A full order is required when the
21 decision it contains is adverse to a party, including
22 an affected ANC. A full order may also be needed if
23 the Board's decision differs from the Office of
24 Planning's recommendation. And again, although the
25 Board favors these summary orders whenever possible,

1 an applicant may not request the Board to issue such
2 an order.

3 Finally, the District of Columbia
4 Administrative Procedures Act requires that a public
5 hearing on each case be held open before the public.

6 However, pursuant to 405(b) and 406 of that Act, the
7 Board may, consistent with rules of procedures and the
8 Act, enter a closed meeting for purposes of seeking legal
9 counsel on a case pursuant to D.C. Official Code Section
10 2-575(b)(4) and/or deliberate on a case pursuant to D.C.
11 Official Code Section 2-575(b)(13), but only after
12 providing the necessary public notice, and in the case
13 of an emergency closed meeting, after taking a roll call
14 vote.

15 Madam Secretary, do you have any preliminary
16 matters?

17 MS. MEHLERT: Good morning, everyone and
18 welcome back and welcome to our new Board Member
19 Drakeford. Regarding the agenda today, Application No.
20 20643B, The Maret School, has been postponed to February
21 25, 2026.

22 Also, the chairman has reviewed and granted
23 waivers to allow late filings into the applicable case
24 record pursuant to Subtitle Y, Section 206.7 and Section
25 103.13. Any other late filings during the course of

1 today's live hearing should be presented before the
2 Board by the applicant, parties, or the witnesses after
3 the case is called. Any other preliminary matters will
4 be noted when that case is called.

5 VICE CHAIR BLAKE: Thank you, Madame
6 Secretary. Before we move on, I want to take a moment
7 to thank Fred Hill for a decade of service as Chairman
8 of the Board of Zoning Adjustment. Fred brought the
9 experience, sound judgment, and a genuine commitment
10 to public service and the work of the Board. His
11 cheerful demeanor and thoughtful, fair, and measured
12 judgment helped guide the Board through many complex
13 and challenging situations.

14 Fred, if you're listening, I want to thank
15 you for your guidance, your mentorship, and most
16 importantly, your friendship. Best of luck in your
17 endeavors.

18 And with that, I'm pleased to welcome Brittney
19 Drakeford, our newest Board Member. Ms. Drakeford will
20 be taking for Crishaun Smith, representing the National
21 Capital Planning Commission. Welcome, Ms. Drakeford.

22 Okay, with that, Madam Secretary, will you
23 call our meeting session item?

24 MS. MEHLERT: Yes. This is in the Board's
25 meeting session. The first is an expedited review

1 application. It's No. 21398, 3432 Newark, LLC. This
2 is a self-certified application pursuant to Subtitle
3 X, Section 901.2 for a special exception under Subtitle
4 D, Section 5201 from the building carrier requirements
5 for an accessory building of Subtitle D, Section 5003.1.

6 This is for a one story side and rear addition
7 to an existing one story accessory building for use as
8 a garage in the rear of an existing detached principal
9 dwelling. It is located in the R-1B zone at 3432 Newark
10 Street, NW, Square 2078, Lot 48.

11 VICE CHAIR BLAKE: Thank you very much.

12 COMMISSIONER MILLER: Mr. Chairman?

13 VICE CHAIR BLAKE: Yes.

14 COMMISSIONER MILLER: Thank you. I need to
15 disclose that 3432 Newark is an abutting property. We
16 abut seven properties in our internal property. One
17 of them is 3432. I can actually see it from here. I
18 won't show it because I think that's against our rules.

19 I don't think and I'm actually two and a half blocks
20 from the next expedited review case. Zoning
21 Commissioners are located -- are randomly assigned to
22 these cases and it's coincidental that two decision
23 cases today, expedited review, are ones abutting one
24 of our seven abutting property owners and the other is
25 two and a half blocks away which I walk our grandson

1 to school by every day. It's right across the street
2 from John Eaton.

3 So I wanted to disclose that. I don't think
4 either of these are controversial. They're supported
5 by both our ANC, unanimously, but if anyone has a problem
6 with my participation in these cases, I would recuse
7 myself, but I don't think it's necessary in this
8 particular case. It's unusual for an abutting property
9 for a case that's before me. I think I have impartial
10 judgment about it. I cannot see the accessory building
11 even though I can see very visibly the house there, but
12 I just thought I would disclose that and if anyone has
13 a concern about that, please let me know.

14 VICE CHAIR BLAKE: Thank you, Commissioner.

15 I certainly don't have any concerns and I do believe
16 you've always been very impartial and I think we need
17 you on this, so we appreciate your participation.

18 COMMISSIONER MILLER: Thank you.

19 VICE CHAIR BLAKE: Thank you, with that said,
20 we'll move on to the merits of this. The application
21 proposed to expand a small, existing, one-story garage
22 with a footprint of about 108 square into a 580 square
23 foot -- 588 square foot two-car garage located in the
24 rear of a single-family home on a sizable, somewhat
25 irregularly-shaped lot in the Cleveland Park Historic

1 District. It's an R-1B zone.

2 The project only requires one area of relief,
3 that is a special exception from the minimum accessory
4 building area, limited to 450 square feet. Otherwise,
5 the project meets all the other matter of right
6 development standards.

7 The Board is authorized to grant the requested
8 relief pursuant to Subtitle D, Section 5201 and Subtitle
9 X, Section 901. The standard examines potential
10 adverse impacts on neighboring properties and whether
11 to grant the relief aligns with the purpose and intent
12 of the zoning regulations.

13 This record contains substantial evidence.
14 I believe the impact of the requested relief can be
15 understood without witness testimony, so the
16 application is appropriate for the expedited review
17 calendar. Having reviewed the case record, I believe
18 that the applicant has met the burden of proof to be
19 granted the request of relief.

20 The project should not have an adverse impact
21 on neighboring properties, but the proposed garage is
22 only one story and under 11 feet in height. It's well
23 below surrounding two-story homes. It's located in the
24 rear of the lot, adjacent in part to a public recreation
25 center and is screened by mature vegetation. As it's

1 designed, it should not unduly affect the light, air,
2 privacy, or visual character and remains clearly
3 subordinate to the principal dwelling.

4 So the proposal is consistent with the R-1.B
5 intent to allow compatible accessory buildings. I
6 agree with the Office of Planning that this is a
7 technical anomaly rather than an intent to the issue.

8 I give great weight to the Office of Planning's
9 recommendation for approval. I also give great weight
10 to the written report of ANC 3C which is in support and
11 states no issues or concerns. I would also note the
12 support of the abutting neighbors. I'll be voting to
13 approve this application.

14 Vice Chair Miller, would you like to add
15 anything?

16 COMMISSIONER MILLER: No, thank you, Mr.
17 Chairman. I agree with everything that you stated.
18 I would just note that the Zoning Commission has taken
19 proposed action on an omnibus zoning text amendment,
20 many, many amendments mostly designed to change
21 regulations so that BZA cases that have come before you
22 where there have been unanimous approval of the ANC's
23 support, the OP's support, so they don't have to come
24 as often before you and this is one of those.

25 The 588 square feet actually would fit into

1 the proposed new 650 square feet for a size of an
2 accessory building. It's currently, under the current
3 regulations, 450, so that's why they need a special
4 exception. But we've taken proposed -- if that proposed
5 action had been final action in an effective order, this
6 would be a matter of right. I just wanted to point that
7 out for the record. So I support everything that you've
8 said in terms of your analysis.

9 VICE CHAIR BLAKE: Thank you. Board Member
10 Drakeford, do you have anything you'd like to add?

11 MEMBER DRAKEFORD: No, I have nothing to add
12 for this particular matter. I have no objections to
13 the particular application.

14 VICE CHAIR BLAKE: Thank you. All right,
15 having deliberated, I'm going to make a motion to approve
16 Application No. 21398 as captioned and read by the
17 Secretary and ask for a second.

18 Ms. Drakeford?

19 MEMBER DRAKEFORD: I second.

20 VICE CHAIR BLAKE: The motion has been made
21 and seconded.

22 Madam Secretary, will you please conduct a
23 roll call vote?

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

1 Chairman Blake?

2 VICE CHAIR BLAKE: Yes.

3 MS. MEHLERT: Board Member Drakeford?

4 MEMBER DRAKEFORD: Yes.

5 MS. MEHLERT: Commissioner Miller?

6 COMMISSIONER MILLER: Yes.

7 MS. MEHLERT: Staff would record the vote as
8 3 to 0 to 2 to approve Application 21398 on the motion
9 made by Chairman Blake and seconded by Board Member
10 Drakeford.

11 VICE CHAIR BLAKE: Thank you, Madam
12 Secretary. Will you call the next meeting session case?

13 MS. MEHLERT: The next case is another
14 expedited review application, No. 21387 of Harold and
15 Danielle Bulger. This is a self-certified application
16 pursuant to Subtitle X, Section 901.2 for special
17 exceptions under Subtitle D, Section 5201 from the side
18 yard requirements of Subtitle D, Section 5201 from the
19 side yard requirements of Subtitle D, Section 208.7 and
20 the pervious surface requirements of Subtitle D, Section
21 211.1. This project is a two story rear addition to
22 an existing two story detached principal dwelling. It's
23 located in the R-1B zone at 3401 Lowell Street, NW,
24 Square 2089, Lot 828.

25 VICE CHAIR BLAKE: Thank you, Madam

1 Secretary. Vice Chair Miller, you've already disclosed
2 your -- this is the one, too, as well, correct?

3 COMMISSIONER MILLER: This is the one that's
4 two and a half blocks away across the street from John
5 Eaton School, yes.

6 VICE CHAIR BLAKE: And again, you have
7 disclosed this separately, so --

8 COMMISSIONER MILLER: Yes, I feel that I can
9 be fair and impartial in this matter. It's supported,
10 again, unanimously by the ANC and I think the immediate
11 neighbors.

12 VICE CHAIR BLAKE: Okay, great. Thank you
13 very much, Vice Chair.

14 In this instance, the applicant seeks a
15 special exception relief under Subtitle D, Section 5201
16 from the side yard and pervious surface requirements
17 to allow a two story rear addition to an existing
18 detached single family home, again in the R-1B zone.

19 The project proposes renovations and a multi-story rear
20 addition to an existing attached family home on an
21 irregular lot. The addition would expand interior
22 living space and requires a special exception for the
23 nonconforming side yard and pervious surface.

24 So I've reviewed the record including the
25 applicant's statement, plans, government agency

1 reports, and I believe the applicant has met the burden
2 of proof to be granted the requested relief. This is
3 an irregular lot with an existing nonconforming side
4 yard. Both additions do not extend those conditions,
5 but it actually also improves them. The west side,
6 increases from 2.9 -- the west side yard increases from
7 2.9 feet to 4 feet and the pervious surface increases
8 from just over 40 percent to a little over 44 percent
9 which in both cases actually is moving the property
10 closer to compliance.

11 The projected shouldn't have any adverse
12 impacts on neighboring properties. The western
13 neighbor is set back with the wider side yard and mature
14 vegetation providing some screening. The eastern side
15 abuts a public right of way and the addition remains
16 subordinate in scale to the scale and massing.

17 So I do agree with the Office of Planning's
18 analysis on how the applicant has met the criteria for
19 approval and I give great weight to the Office of
20 Planning's recommendation for approval.

21 I also give great weight to the written report
22 of ANC 3C which is in support of the space with no issues
23 or concerns. I'd also like to note that DDOT has no
24 objection and it appears that the applicant has had a
25 fair amount of interaction with the neighbors and it

1 looks like the applicant gained their support after
2 revising the plans. It has multiple neighbors,
3 including two abutting neighbors who submitted letters
4 to the record stating there is no opposition to the
5 revised plans.

6 So I'll be voting in support of the application
7 based on the plans presented in Exhibit 20A.

8 Vice Chair Miller, do you have anything you'd
9 like to add?

10 COMMISSIONER MILLER: No. You've covered it
11 all and I agree entirely with your analysis, Mr.
12 Chairman. Thank you.

13 VICE CHAIR BLAKE: Okay. Thank you. Board
14 Member Drakeford?

15 MEMBER DRAKEFORD: No, I have no objections
16 to the application and agree with your analysis as
17 presented.

18 VICE CHAIR BLAKE: Okay, having deliberated,
19 I'd like to make a motion to approve Application No.
20 21387 as captured and read by the Secretary and ask for
21 a second.

22 Ms. Drakeford?

23 MEMBER DRAKEFORD: I second.

24 VICE CHAIR BLAKE: The motion has been made
25 and seconded.

1 Madam Secretary, would you please conduct a
2 roll call vote?

3 MS. MEHLERT: Please respond to the Chair's
4 motion to approve the application.

5 Chairman Blake?

6 VICE CHAIR BLAKE: Yes.

7 MS. MEHLERT: Board Member Drakeford?

8 MEMBER DRAKEFORD: Yes.

9 MS. MEHLERT: Commissioner Miller?

10 COMMISSIONER MILLER: Yes.

11 MS. MEHLERT: Staff would record the vote as
12 3 to 0 to 2 to approve Application 21387 on the motion
13 made by Chairman Blake and seconded by Board Member
14 Drakeford.

15 VICE CHAIR BLAKE: Thank you, Madam
16 Secretary. Will you call our next matter?

17 MS. MEHLERT: Next is Application No. 20952-A
18 of Peter K. Akinsanya and Julianah A. Akinsanya. This
19 is a request pursuant to Subtitle Y, Section 705.2 for
20 an extension of the validity of the order in Application
21 No. 20952. This project originally approved a new third
22 story and three story rear addition to an existing two
23 story attachment to a dwelling for use as a two-unit
24 flat. It is located in RF-1 zone at 727 Irving Street,
25 NW, Square 2891, Lot 78.

1 VICE CHAIR BLAKE: Thank you. This
2 application, as the Secretary said, the Board granted
3 a special exception under Subtitle E, Section 207.5,
4 to allow a new third story and a three story rear addition
5 to an existing two story attached principal dwelling
6 for the use of the two unit flat in the RF-1 zone. The
7 applicant is now seeking time extension on this order
8 which was originally issued on October 31st, 2023, and
9 expired October 31st, 2025.

10 Pursuant to Subtitle Y, Section 705.2, the
11 Board is authorized to extend the validity of an order
12 for up to two years if the applicant asks for it in
13 writing before the approval expires and demonstrates
14 good cause, that is, so long as nothing has changed,
15 nothing important has changed since the original
16 approval that called the decision in question.

17 So in this case, the applicant timely filed
18 and served the extension request before the order
19 expired. The only other party to the original
20 application is ANC 1E was properly noticed and based
21 on the report from the Office of Planning, there have
22 been no substantial changes to the zoning regulations
23 surrounding the development or the approved party that
24 would undermine the basis for the original approval.

25 As for good cause, the applicant has

1 demonstrated good cause including difficulty securing
2 financing due to market conditions and delays in
3 obtaining required government approvals beyond its
4 control.

5 So there's a little bit of confusion in here
6 about the time period. In Exhibit 1, the applicant
7 indicates a one year length as the length of the
8 extension requested, while in Exhibit 4, they requested
9 a two-year extension. Now the Office of Planning
10 recommends a two-year time extension and I think a
11 two-year time extension would extend the period of
12 validity to October 31st, 2027. Now there's a lot going
13 on here and a lot of uncertainties seem to remain, so
14 I'm comfortable supporting granting a two-year time
15 extension which I think is basically consistent what
16 we have in front of us.

17 So I will ask Vice Chair Miller, do you have
18 anything that you'd like to add?

19 COMMISSIONER MILLER: Thank you, Mr.
20 Chairman. No, I agree that good cause has been
21 demonstrated for a two year time extension in this case.

22 One of the reasons cited was the difficulty in securing
23 financing due to economic and market conditions and we
24 are hearing a lot of that at the Zoning Commission on
25 cases asking for time extensions, unfortunately, during

1 this time period.

2 VICE CHAIR BLAKE: Thank you Board Member
3 Drakeford?

4 MEMBER DRAKEFORD: No, I have no objections
5 and would also agree that the applicant has demonstrated
6 good cause as well.

7 VICE CHAIR BLAKE: Thank you very much.
8 Having deliberated, I would like to make a motion to
9 approve the request for a two-year time extension
10 extending the validity of Order No. 20952 until October
11 31st, 2027, and ask for a second.

12 Ms. Drakeford?

13 MEMBER DRAKEFORD: Yes, I would second.

14 VICE CHAIR BLAKE: Okay, the motion has been
15 made and seconded.

16 Madam Secretary, would you please conduct the
17 roll call vote.

18 MS. MEHLERT: Please respond to the Chair's
19 motion to approve the time extension.

20 Chairman Blake?

21 VICE CHAIR BLAKE: Yes.

22 MS. MEHLERT: Board Member Drakeford?

23 MEMBER DRAKEFORD: Yes.

24 MS. MEHLERT: Commissioner Miller?

25 COMMISSIONER MILLER: Yes.

1 MS. MEHLERT: Staff would record the vote as
2 3 to 0 to 2 to approve Application No. 20952-A on the
3 motion made by Chairman Blake and seconded by Board
4 Member Drakeford.

5 VICE CHAIR BLAKE: Thank you, Madam
6 Secretary.

7 Our next item is -- I have before me is the
8 FMBZA. I think we can actually -- that's actually
9 scheduled I think for exactly at 11:30. We can go into
10 our meeting session -- our hearing session, then, on
11 the BZA side and then we'll convene at that time for
12 the FMBZA meeting.

13 (Whereupon, the above-entitled matter went
14 off the record at 9:57 a.m.)

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1 C E R T I F I C A T E

2 This is to certify that the foregoing transcript was
3 duly recorded and accurately transcribed under my
4 direction; further, that said transcript is a true and
5 accurate record of the proceedings; and that I am neither
6 counsel for, related to, nor employed by any of the
7 parties to this action in which this matter was taken;
8 and further that I am not a relative nor an employee
9 of any of the parties nor counsel employed by the
10 parties, and I am not financially or otherwise
11 interested in the outcome of the action.

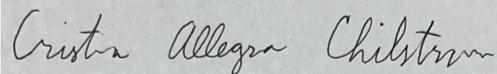
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