

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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REGULAR PUBLIC HEARING

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WEDNESDAY

JUNE 24, 2026

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The Regular Public Hearing of the District of Columbia Board of Zoning Adjustment convened via Videoconference, pursuant to notice at 9:32 a.m. EDT, Michelle Pourciau, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

MICHELLE POURCIAU, Chairperson
PAUL GOLDSTEIN, Vice-Chairperson
MELISSA LINDSJO, NCPC Designee

ZONING COMMISSION MEMBER PRESENT:

ROBERT MILLER, Commissioner

OFFICE OF ZONING STAFF PRESENT:

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

OFFICE OF PLANNING DEVELOPMENT REVIEW STAFF PRESENT:

PHILIP ISAIAH
MATTHEW JESICK
JOSHUA MITCHUM
KAREN THOMAS

1 OFFICE OF ZONING ATTORNEY ADVISORS PRESENT:

2 SARAH BAJAJ, ESQ.
3 CARISSA DEMARE, ESQ.
4 JORDANE WONG, ESQ.

5 The transcript constitutes the minutes
6 from the Regular Public Hearing held on June 24,
7 2026.

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

2 10:08 a.m.

3 CHAIRPERSON POURCIAU: Thank you. We will
4 now move to our open meeting section and, Secretary
5 Mehlert, would you please call Application Number
6 21435?

7 MS. MEHLERT: Yes. As noted, the board is
8 now entering its hearing session. The next case is
9 Application Number 21435, Yosef Asmelash and Mery,
10 LLC.

11 As amended, this is an application pursuant
12 to Subtitle X, Section 1002, for area variances from
13 Subtitle C, Section 302.1, to allow a subdivision to
14 create new record lots not meeting minimum
15 requirements for lot width, and from Subtitle D,
16 Section 202.1, to allow a lot width less than 20
17 feet.

18 This is for subdivisions to create two new
19 record lots not meeting the lot width requirement in
20 the principal dwelling of each lot. It's located in
21 the R-3 zone at 1754 W Street, SE, Square 5778, Lot
22 174 or 837, and 1756 W Street, SE, Square 5778, Lot
23 173 or 836.

24 And I will just note the applicant's
25 PowerPoint submitted after the 24-hour filing

1 deadline that has been entered into the record.

2 CHAIRPERSON POURCIAU: It says that agent
3 Daweh Zina (phonetic) is unregistered.

4 MS. MEHLERT: He did end up registering.

5 CHAIRPERSON POURCIAU: Very good. Okay.
6 And has he been entered into -- I don't see him in
7 the participants list.

8 MR. YOUNG: I think that he was having
9 issues getting on and I believe staff is working
10 with him right now to get him on.

11 CHAIRPERSON POURCIAU: Okay.

12 MR. ASMELASH: I'm here, Yosef Asmelash,
13 and Daweh Zina is having a hard time to get in. But
14 the owner, I'm here. Thank you, guys. Sorry.

15 CHAIRPERSON POURCIAU: Okay. We're ready
16 for the presentation. So, I think maybe we need to
17 wait a little more for the agent or are you prepared
18 to present?

19 MR. ASMELASH: I am prepared to present the
20 PowerPoint and --

21 CHAIRPERSON POURCIAU: Okay.

22 MR. ASMELASH: -- if you give me one
23 second.

24 CHAIRPERSON POURCIAU: Very good. Thank
25 you.

1 MR. ASMELASH: Thank you.

2 (Pause.)

3 CHAIRPERSON POURCIAU: And if you would give
4 your name and address for the record prior to
5 beginning the presentation, and you have 15 minutes
6 to present.

7 MR. ASMELASH: Thank you. Thank you, Madam
8 Chairman, and my name is Yosef Asmelash and I -- my
9 house address is 43569 Bessemer Lane, Chantilly,
10 Virginia 20152.

11 I am the owner of 1756 Street, SE, DC, and
12 my LLC name is Mery, LLC. I might be able to share
13 the PowerPoint. I'm having a little bit of a hard
14 time here.

15 CHAIRPERSON POURCIAU: Yes. Mr. Young has
16 shared it and you can --

17 MR. ASMELASH: Okay. Okay.

18 CHAIRPERSON POURCIAU: -- just let him know
19 when to go to the next slide.

20 MR. ASMELASH: Yeah. Thank you so much.
21 If you can go to the next slide? So, I'm just going
22 to give a history of the property.

23 I bought it when it was under fire and it
24 was a two lot. And the main townhouse, I got -- I
25 couldn't get the permit because the zoning had an

1 issue with the variances to even renovate the place.

2 But we refiled it again, and we were able
3 to get the permit to restore the property and we
4 were able to restore it. It was in time after I got
5 the permit.

6 I had a short-term loan and it took a
7 little longer, and I was almost having finance
8 issues. But at the end, I was able to renovate it
9 and -- the main one and get to -- rented the place.

10 So, we're talking about the second lot now.

11 It was in the time we were able to get the
12 subdivision application and they gave us our own
13 lot. And, from subdivision perspective, it was
14 approved as well.

15 So, we are asking only to -- the width on
16 the lot is 17.41. But, by the law, it should be 20
17 feet wide. So, we are asking the exception to the
18 variances, basically.

19 And if you go to the next tab, I'm sorry, I
20 think -- yeah, perfect. Thank you. So, as you see
21 here, I kind of explain at a high level.

22 Bought a fire-damaged property with two tax
23 lots, and I applied for DOB building permit to rehab
24 fire-damaged unit and add two-story structure at the
25 back of each of the two lots.

1 DOB review was approved and completed,
2 except for zoning. DOB zoning stated BZA relief
3 approval is required and provided referral letter.
4 No construction work can be done in nonconforming
5 lots.

6 If you can go to the next PowerPoint, here
7 was the property, as you see, the fire damage. So,
8 as you see on your right side on the first picture,
9 that has been renovated. Even the second, you see
10 on the left side, is being renovated as well.

11 So, the lot -- those are two lots and we're
12 trying to build on the one you see on the left side
13 that has the garage and above garage.

14 And if you can go to the next slide, I
15 think this is the drawing for the project. Might
16 not be good to explain it, but I think if you can go
17 to the next PowerPoint -- yeah. As you see here,
18 this is the drawing as well.

19 If you can go to the next one? And go to
20 the next one as well, please. And, yeah, this is
21 the drawing. And if you go to the next one, here it
22 is, the neighborhood, basically.

23 As you see here, all those townhouses are
24 less than 20 foot wide. They're around 17.42. So,
25 we're asking, basically, to be similar to the

1 neighborhood and is not going to impact any issue
2 within the neighborhood.

3 If you can go to the next slide, please.
4 Yeah, so each property here you see on the addresses
5 that we have, I don't know if you can expand it a
6 little bit, please.

7 I don't know you can be able to see, but
8 each house address you see on those townhouses are
9 around, yeah, 17.42, 17.42. So, what we've been
10 asking is, is the same size for another six, seven
11 houses.

12 So, we had a meeting with ANC commissioner,
13 Commissioner Ms. Moore is the one who oversee the
14 ANC 8A-04, and we got approval from the
15 commissioner.

16 Six of them approved it unanimously. All
17 of them. And I think the planning, as well, approve
18 it. So, I think -- I'm not sure if I presented it
19 right, but that's all I have. Thank you.

20 And my engineer has a connection issue to
21 explain maybe the building, what we're thinking to
22 do, but, basically, we just want to expand it to the
23 back side.

24 And we have enough lot and we will build
25 the parking lot on the back side.

1 CHAIRPERSON POURCIAU: Thank you so much,
2 Mr. Asmelash.

3 It looks like maybe Daweh Zina has joined
4 by telephone.

5 MR. ZINA: Yes, I have.

6 CHAIRPERSON POURCIAU: Okay.

7 MR. ZINA: Mr. Robert Reed reached me and I
8 think I got the wrong number and the wrong meeting
9 link. So, I was getting kicked out.

10 I was able to listen for the last three
11 minutes or so and Mr. Yosef Asmelash has done a good
12 job explaining it.

13 Basically, this tax lot got converted into
14 record lots. Cannot be built upon anything even to
15 renovate the fire damage without an exception being
16 granted by the BZA.

17 DOB allowed us to do some renovation inside
18 the fire-damaged house just because to maintain its
19 safety and to make it occupiable and not be vacant.

20 So, without this -- the request being
21 granted, nothing can be done on the property, let
22 alone to build an addition to the back. So, this is
23 affecting Mr. Yosef Asmelash's ability to do
24 anything on any of this property.

25 We have approval from ANC, as Mr. Asmelash

1 stated. In addition, the staff has also approved our
2 request. That's all I have to add. Sorry for the
3 technical difficulties. Thank you.

4 CHAIRPERSON POURCIAU: That's quite all
5 right. Thank you both for giving a clear
6 description of the project.

7 I did not see the ANC vote in the record.
8 Did I overlook that, Madam Secretary?

9 MR. ZINA: I believe the letter just came
10 in this morning.

11 CHAIRPERSON POURCIAU: Okay.

12 MR. ZINA: Ms. Fria Moore copied me on the
13 email and through Mr. Yosef. Already she's looking
14 for the secretary to sign it, but we attended the
15 community (audio interference) council meeting and
16 we were approved, like, in the end of May. They had
17 the support. They had support -- they had provided
18 their support.

19 CHAIRPERSON POURCIAU: Thank you very much.
20 I'd now like to open the floor to the board members
21 for questions of the applicant.

22 Does anyone -- Commissioner -- Vice Chair
23 Goldstein, you have questions?

24 VICE CHAIR GOLDSTEIN: Yeah, I have a few
25 questions. Thank you very much for the

1 presentation. I thought that was helpful.

2 I first would like to begin just to clarify
3 you need relief for both slots; is that correct?

4 MR. ZINA: Yes, it is.

5 VICE CHAIR GOLDSTEIN: Okay. So, one lot
6 has had some renovation, but you want to do
7 additional work. I think it's lot 173 or 836.

8 And you've been told by DOB that that can't
9 proceed unless you get relief for that lot as well?

10 MR. ZINA: Yes. On both properties,
11 nothing can be done because of the lot width --
12 nonconforming lot width, but they did allow us to
13 work on one of the lots because it had fire damage
14 there.

15 VICE CHAIR GOLDSTEIN: Lot 173, I believe,
16 has that been recorded already, but --

17 MR. ZINA: Yes.

18 VICE CHAIR GOLDSTEIN: -- they've still
19 held you up?

20 MR. ZINA: Yes, both have been recorded.
21 Just recorded.

22 VICE CHAIR GOLDSTEIN: They both have been
23 recorded?

24 MR. ZINA: Yes, and it's part of the
25 exhibit we submitted.

1 VICE CHAIR GOLDSTEIN: Okay. Okay. The
2 sequencing is just a little more unusual here.

3 MR. ZINA: Yes. Yes. We were very
4 surprised --

5 VICE CHAIR GOLDSTEIN: Yeah.

6 MR. ZINA: -- because we didn't know that
7 there was this restriction. I think DOB zoning, it
8 could have been grandfathered because all these lots
9 in the 1950s were allowed to have less than the 20-
10 foot minimum requirement.

11 So, they let us do it, and then they
12 realized no construction could be performed on it.
13 That's why they wrote us a letter.

14 VICE CHAIR GOLDSTEIN: Do you know did you
15 all create the tax lots or did you buy it with tax
16 lots?

17 MR. ZINA: It was bought tax lot and we
18 were told they could be converted to recorded lots.

19 And we went through that process and we were
20 granted those recorded lots.

21 But, unfortunately, we were not able to do
22 any construction on them.

23 VICE CHAIR GOLDSTEIN: I'm just curious who
24 told you, when you bought it, that those could be
25 converted?

1 MR. ZINA: It was a conversation with --
2 with, I think, the desk at DOB zoning.

3 VICE CHAIR GOLDSTEIN: Oh, DOB zoning told
4 you --

5 MR. ZINA: DOB, yeah.

6 VICE CHAIR GOLDSTEIN: Any interaction with
7 them --

8 MR. ZINA: They said --

9 VICE CHAIR GOLDSTEIN: This is before --

10 MR. ZINA: Yeah, we did --

11 VICE CHAIR GOLDSTEIN: -- you bought it?

12 MR. ZINA: -- interact.

13 VICE CHAIR GOLDSTEIN: Yeah.

14 MR. ZINA: After, I think.

15 VICE CHAIR GOLDSTEIN: Oh, after you bought
16 it?

17 MR. ZINA: Yeah. Yosef can talk more about
18 it.

19 MR. ASMELASH: Yeah. So, I can add a
20 little bit on this. So, when I bought it, it was
21 two tax lots. So -- and after we had that two tax
22 lots, you know, we submit the permit and we did the
23 subdivision permit as well. And they granted us the
24 subdivision and they recorded it at the same time.

25 But, as Daweh mentioned, Engineer Daweh

1 mention it, then, you know, they realize that, you
2 know, this was, you know, grandfathered back in days
3 and we have an issue with which to build -- to
4 continue build anything -- anything to the house.

5 So all, you know, I bought it as it was,
6 two tax lots, and we apply for the subdivision to be
7 make sure we have its own lot.

8 Now, they gave us its own address, it has
9 its own tax lot and it's recorded, but we cannot
10 build anything unless we come here and you guys
11 approve it.

12 VICE CHAIR GOLDSTEIN: Okay. So, you bought
13 it with the expectation you'd be able to subdivide
14 it, but learned later that there was a problem --

15 MR. ASMELASH: Yes, sir.

16 VICE CHAIR GOLDSTEIN: -- with the
17 subdivision.

18 MR. ASMELASH: Yes, sir.

19 VICE CHAIR GOLDSTEIN: Okay.

20 MR. ASMELASH: Yes, sir.

21 VICE CHAIR GOLDSTEIN: Well, what existed
22 when you bought it -- I'm sorry, go ahead.

23 MR. ZINA: Yeah, and the -- the subdivision
24 was approved and it became recorded lot. They
25 signed off on it, basically, DOB zoning.

1 But what exists now on lot 837 is a garage
2 with an apartment on top, a one-bedroom apartment on
3 it, and it's connected to the 1756 house.

4 But now, the proposed project is to do, on
5 1754, an addition to the back and convert the
6 apartment on top of the garage into a bedroom.

7 And I think Yosef went through the
8 PowerPoint presentation, is to create another --
9 basically, another property -- another unit there
10 with its own address at 1754 W Street.

11 VICE CHAIR GOLDSTEIN: Do you know when the
12 tax lots were created? Do you have any sense?

13 MR. ZINA: I believe it's in the 1950s.
14 1956, I think. I don't have my --

15 VICE CHAIR GOLDSTEIN: I'll ask the Office
16 of Planning that, as well, if they have any record
17 of when they were created.

18 MR. ZINA: Okay.

19 VICE CHAIR GOLDSTEIN: This is another
20 question I'm going to ask the Office of Planning.
21 Do you know were these properties down-zoned to R-3?

22 There was a zoning commission case, I
23 think, from about 2010, which down-zoned a lot of R-
24 5A properties in this area to R-3.

25 My suspicion is, is that this was down-

1 zoned. It was 0812 and 0812A, and I'm curious if
2 the Office of Planning can help me with this, but
3 that would be my guess.

4 Do you have any knowledge of whether this
5 was changed in zoning to R-3?

6 MR. ASMELASH: I don't know if Daweh, the
7 engineer, has --

8 MR. ZINA: No. No, I don't have any
9 information on that.

10 VICE CHAIR GOLDSTEIN: Okay. I think
11 that's all the questions I have for now. Thank you.

12 MR. ZINA: Thank you.

13 MR. ASMELASH: Thank you.

14 CHAIRPERSON POURCIAU: Thank you, vice
15 chair.

16 Ms. Lindsjo, do you have any questions for
17 the applicant?

18 MEMBER LINDSJO: No, not at this time.
19 Thank you for your presentation.

20 CHAIRPERSON POURCIAU: Thank you.

21 Commissioner Miller, do you have any
22 questions right now?

23 COMMISSIONER MILLER: Thank you, Madam
24 Chair. No. I appreciate the questions that Vice
25 Chair Goldstein asked.

1 I think somebody is -- the applicant may be
2 online. You need to mute yourself so we don't hear
3 my voice twice echoing, which, I guess, once is bad
4 enough.

5 CHAIRPERSON POURCIAU: Mr. Zina, can you
6 figure out how to mute yourself, please?

7 COMMISSIONER MILLER: Okay. Thank you.

8 MR. ZINA: It's Mr. Reed, Robert Reed, who
9 can mute me because I'm bridged.

10 COMMISSIONER MILLER: Okay. Thank you.

11 I had the same question that you had, Madam
12 Chair, at the outset. Was Secretary Mehlert able to
13 find this ANC 8A submission?

14 Or if not, can the applicant somehow email
15 that so we all can see it and enter it into the
16 record so we can consider it and the public can see
17 it?

18 Were you able -- is Secretary Mehlert with
19 us? Were you able to find any submission of
20 something from ANC 8A?

21 And if not, can we ask the applicant -- or
22 can you inform the applicant how they can submit
23 that to you right now so we can all see it?

24 MS. MEHLERT: Yeah. There's nothing in the
25 record. We haven't received anything from the

1 applicant or the ANC.

2 But if the applicant has any correspondence
3 or a letter from them, they can just send that to
4 BZA submissions at dc.gov and we can add that to the
5 record.

6 COMMISSIONER MILLER: Okay. Thank you.

7 Did the applicant hear that, how you can
8 submit whatever correspondence you might have from
9 ANC 8A -- or 8A-04?

10 MR. ASMELASH: Thank you. I have the
11 email. I received it. I appreciate for your
12 request. And Ms. Moore, my ANC 8A-04, she wrote the
13 form and she is expecting being signed by the
14 secretary.

15 So, I can forward it now, you guys can look
16 at it, but she just send it this morning. I can
17 forward what I have.

18 And, Ms. Secretary, do you know what email
19 address I can send it to?

20 MS. MEHLERT: It's bzasubmissions, all one
21 word, at dc.gov.

22 MR. ASMELASH: Okay, dc.gov. I'm going to
23 forward the email I received this morning.

24 CHAIRPERSON POURCIAU: Thank you. Sounds
25 like it might not be signed yet, but that still will

1 be valuable to see.

2 I think, at this point, we'll hear from the
3 Office of Planning. Mr. Mitchum, are you available
4 to give your report now?

5 MR. MITCHUM: Yes. Good morning, Madam
6 Chair, members of the board. My name is Joshua
7 Mitchum with the Office of Planning.

8 We are recommending approval of the subject
9 application as we believe that it has met the burden
10 of proof for the required relief, and we're
11 available for any questions.

12 And actually, just for, Vice Chair
13 Goldstein, to answer your question about the
14 previous zoning commission case, Number 7730 did
15 change large swaths of the surrounding neighborhood,
16 including the subject property, from R-5A and C-2A
17 to R-3, as you suspected.

18 But, yes, that is my initial report and I'm
19 happy to answer any questions. Thank you.

20 CHAIRPERSON POURCIAU: Vice Chair
21 Goldstein, do you have any other questions for OP?

22 VICE CHAIR GOLDSTEIN: Thank you. I do
23 have a couple more questions.

24 One, and I don't know if you had a chance
25 to look into this in the last minute or two, but do

1 you happen to know when these tax lots were created?

2 MR. MITCHUM: So, we -- my office, we met
3 with DOB, the Deputy Zoning Administrator, and we
4 saw -- or we saw plats, I think, dated back into the
5 late 1800s showing that this neighborhood,
6 specifically this block, actually has had these size
7 lots since their creation.

8 So, it is consistent with how they were
9 created back in the day. They haven't changed.
10 They've slightly moved over a little bit, but it has
11 remained pretty consistent as anywhere from 16 to 17
12 and a half feet difference.

13 VICE CHAIR GOLDSTEIN: Okay. So, in your
14 report, the exceptional condition that you kind of
15 discuss is really the administrative sequencing of
16 this project and how it sounds like there was some
17 recordation of the new lots before zoning had
18 finalized its review. That may be a little bit more
19 unusual.

20 In your mind, that was enough of an
21 argument for exceptionalism for the variance or --

22 MR. MITCHUM: Yeah.

23 VICE CHAIR GOLDSTEIN: Okay. Just, in my
24 mind, are there other reasons that this could be
25 unique or exceptional beyond that?

1 And what I'm thinking is, you know, let's
2 say it's a 34-, 35-foot lot. If it was just one
3 lot, would it be, in your view, sort of
4 exceptionally wide for an R-3 zone, typically?

5 MR. MITCHUM: I'm sorry, could you just, I
6 guess, maybe rephrase the question?

7 VICE CHAIR GOLDSTEIN: Sure.

8 MR. MITCHUM: You're saying if it were
9 consolidated to be a bigger lot or if it was
10 existing as a larger lot?

11 VICE CHAIR GOLDSTEIN: Yeah. If it was
12 existing as a larger lot, let's say a conforming
13 solution, for instance, for the applicant could be
14 to create one lot and potentially have an accessory
15 apartment.

16 Would a 34- or 35-foot wide lot in the R-3
17 more generally be a little bit excessively large?
18 Or even relative to other properties on the block,
19 would it be uniquely large, if that was the case?

20 MR. MITCHUM: Per the regulations, it
21 wouldn't be exceptionally large. It's just taking
22 it into account, that particular block in the
23 neighborhood, it would be almost about twice as
24 large as the lots along that block face.

25 So -- and then when we were looking at this

1 property, they really wouldn't be able to make any
2 additions. Even if the property remained as-is
3 before being subdivided, they wouldn't be able to
4 make any alterations due to it just always existing
5 as a substandard plot.

6 And then we took into account the fire
7 damage of one of the properties -- or on one of the
8 properties as well, and they wouldn't be able to
9 make a significant improvement to either lot would
10 they have not been able to get the area variance
11 that they requested.

12 So, we saw that it would be in the public
13 good to allow them to make a significant improvement
14 to both lots for a minimal deviation to the width
15 size -- lot size.

16 VICE CHAIR GOLDSTEIN: Right. So, the
17 minimum, if it was combined into one lot, it's just
18 20 feet minimum for R-3. This would be quite a bit
19 larger if it was one lot.

20 So, dividing it into two lots, it's less
21 than three feet deviation for both; is that right?
22 And would you view that as kind of a minimal amount
23 in this case?

24 MR. MITCHUM: About 2.2 feet, yeah.

25 VICE CHAIR GOLDSTEIN: And more consistent

1 with what's around it --

2 MR. MITCHUM: Absolutely.

3 VICE CHAIR GOLDSTEIN: -- is that correct?

4 MR. MITCHUM: Yeah, it would be -- it would
5 be -- the report details has a table of adjacent
6 properties and they're all pretty much the exact
7 kind of skew of 17 and some change in width.

8 VICE CHAIR GOLDSTEIN: Okay. Thank you
9 very much.

10 CHAIRPERSON POURCIAU: Board Member Lindsjo,
11 do you have any questions for OP?

12 MEMBER LINDSJO: No, not at this time.
13 Thank you.

14 CHAIRPERSON POURCIAU: Thank you.
15 Commissioner Miller, you have questions for --

16 COMMISSIONER MILLER: No. Thank you, Mr.
17 Mitchum, for your presentation and your response to
18 questions of Vice Chair Goldstein.

19 CHAIRPERSON POURCIAU: Thank you, Mr.
20 Mitchum.

21 (Pause.)

22 CHAIRPERSON POURCIAU: Sorry, I was on
23 mute. Thank you, Mr. Mitchum.

24 Looking at the record, I don't think we
25 have any other -- any others signed up to testify.

1 There are no additional government agencies and no
2 DDOT.

3 We have heard that the ANC heard the case
4 and has prepared a preliminary report, but they are
5 not signed up to testify today. And we have no
6 parties in support or opposition or any individuals
7 or organizations.

8 Would the applicant like to offer some
9 closing remarks at this time?

10 MR. ASMELASH: I think we -- I don't know
11 if engineer is online, but we have, you know, the
12 approval from the planning and the ANC.

13 Hopefully, you guys consider that and thank
14 you for your time. We appreciate it. And I -- Ms.
15 Secretary, I am trying to send the email. It bounce
16 me back. Maybe I having an email issue.

17 If you can include it in the chat, the
18 email address, then I can forward it now again,
19 would be very helpful. Thank you.

20 MS. MEHLERT: We don't have the chat
21 function available, but I believe that your agent
22 sent an email to the same bzasubmissions earlier
23 this morning.

24 So, if you can find that, you should be
25 able to maybe just respond to that email. That was

1 the correct email address, the one where you sent
2 the PowerPoint.

3 MR. ASMELASH: Okay. Perfect. Thank you
4 for guiding me.

5 MS. MEHLERT: Yes.

6 MR. ASMELASH: So, I will do that in a
7 minute. That's great. Thank you.

8 CHAIRPERSON POURCIAU: Mr. Young, can you
9 unmute Mr. Zina? I'd like to hear if he has any
10 closing remarks he'd like to make.

11 Mr. Zina --

12 MR. ZINA: Yes.

13 CHAIRPERSON POURCIAU: -- do you have any
14 additional comments you wanted to make?

15 MR. ZINA: No, I don't, but I really would
16 like to thank the board for giving us the time and
17 to present our case. Thank you very much.

18 CHAIRPERSON POURCIAU: And I'd just like to
19 ask the board members if there's any additional
20 questions before we close the public hearing part of
21 this case to deliberate or any other thoughts on how
22 we might want to proceed at this time.

23 (Pause.)

24 VICE CHAIR GOLDSTEIN: I don't have -- I'm
25 happy to sort of begin deliberations on it. I don't

1 think I need any more information, personally. But
2 if anyone else has a different thought --

3 COMMISSIONER MILLER: I don't need any more
4 information either, except I would like to see that
5 ANC email.

6 VICE CHAIR GOLDSTEIN: Except for the email,
7 yeah.

8 COMMISSIONER MILLER: It's something I'm
9 sure the secretary will inform us, but we've been
10 verbally told what it is, but okay. That's the only
11 thing.

12 CHAIRPERSON POURCIAU: Okay. Thank you.
13 So, at this time, I think the board is ready to
14 deliberate. Please close the hearing and the record
15 and the witnesses can be excused at this time. And
16 then we'll begin deliberation to discuss the case
17 and, hopefully, vote.

18 (Pause.)

19 CHAIRPERSON POURCIAU: Okay. It looks like
20 everyone has been excused. It looks a little
21 straightforward to me.

22 I wish we had the ANC package, but I -- I
23 mean, there's been no opposition on record. And the
24 description of how the applicant described what
25 happened at the ANC seems in keeping with the many

1 ANC meetings that I have attended.

2 And the variation in the width seems
3 minimal in this case, and it looks like a nice block
4 that maybe suffered a little from the fire damage
5 done to this building and the -- the process needed
6 to bring it up to date. So, it looks like a pretty
7 good project, to me, right now.

8 Vice Chair Goldstein, do you have any
9 comments?

10 VICE CHAIR GOLDSTEIN: I would concur with
11 your comments so far. I think that -- I think there
12 is an exceptional condition from a few different
13 facts, including sort of the historic sizes of these
14 lots.

15 It was down-zoned. There's an intent to
16 have these be sort of row dwelling R-3 lots. It's a
17 minimal amount of relief that's being requested.

18 There was a fire that they're managing to
19 address the consequences of, and I think that
20 there's enough here to meet the burden of an
21 exceptional condition that creates a practical
22 difficulty to the applicant of getting these
23 properties back in renovation and addition and
24 productive use.

25 So, I would vote to support the application

1 for the -- the relief requested.

2 CHAIRPERSON POURCIAU: Member Lindsjo, do
3 you have anything to add?

4 MEMBER LINDSJO: Not at this time. I am
5 supportive of this.

6 CHAIRPERSON POURCIAU: Thank you. And,
7 Commissioner Miller?

8 COMMISSIONER MILLER: Thank you, Madam
9 Chair.

10 Yes, I concur with Vice Chair Goldstein's
11 analysis of meeting the standard of an exceptional
12 or extraordinary situation between the sequence of
13 the subdivision and recording and the fire.

14 And I agree that the relief -- the actual
15 relief from the lot width size is minimal and
16 conforms with the lot -- conforms with the block,
17 but I think the -- I agree with Vice Chair
18 Goldstein's comments and I'm supportive of this
19 application.

20 CHAIRPERSON POURCIAU: Excellent. Vice
21 Chair Goldstein, would you like to make a motion on
22 this?

23 VICE CHAIR GOLDSTEIN: Sure. Yeah, happy
24 to.

25 I would like to make a motion to approve

1 Application Number 21435 from Yosef Asmelash and
2 Mery, LLC, at 1756 W street, SE.

3 This is for Square 5778, lots 173, 174, for
4 the zoning relief as captioned and read by the
5 secretary.

6 COMMISSIONER MILLER: Second.

7 CHAIRPERSON POURCIAU: Secretary Mehlert,
8 would you please call the vote?

9 MS. MEHLERT: Yes. And I just want to note
10 we did just receive the email from the applicant
11 with the ANC information or staff's just uploading
12 it to the record right now.

13 I don't know if you want to wait to look at
14 that or --

15 COMMISSIONER MILLER: I'd like to -- as
16 long as it's in process and it might be here, like,
17 within the next couple of minutes, I'd like to see
18 that before I vote, even though I seconded the
19 motion.

20 You'll let us know if you get it within a
21 couple of minutes?

22 MS. MEHLERT: Yeah, I think we're just --
23 staff's just uploading it right now to the record.
24 We did receive that via email.

25 CHAIRPERSON POURCIAU: You want to take a

1 little -- a three-minute break and come back at
2 10:50 and it should be there. Is it --

3 COMMISSIONER MILLER: That sounds good.

4 CHAIRPERSON POURCIAU: Yeah. Okay.

5 COMMISSIONER MILLER: Thank you.

6 (Whereupon, the above-entitled matter went
7 off the record at 10:48 a.m. and resumed at 10:52
8 a.m.)

9 CHAIRPERSON POURCIAU: It looks like we've
10 all returned. I looked in the case file, and I
11 don't see that it's in there.

12 MS. MEHLERT: We're uploading it now.
13 There was, like, a weird file issue, so --

14 CHAIRPERSON POURCIAU: Okay.

15 MS. MEHLERT: -- it should be in there
16 shortly.

17 CHAIRPERSON POURCIAU: I was wondering if
18 you could maybe email it to us, the late entry.

19 MS. LINDSJÖ: It's in there now.

20 CHAIRPERSON POURCIAU: I think so. I need
21 to refresh. Mm-hmm. Okay. Because I can't tell if
22 everything is here. Is there, Ms. Mehlert, the way
23 it was submitted, is -- is that typical?

24 MS. MEHLERT: I mean, it's not -- it's not
25 a complete report.

1 CHAIRPERSON POURCIAU: Mm-hmm.

2 MS. MEHLERT: You know, it's not signed,
3 and it looks like they don't really clarify the vote
4 on -- on the report. This is what was forwarded to
5 us from the applicant, which, I mean, we can upload
6 the whole email thread as well from between the
7 applicant and the ANC, if you'd like.

8 CHAIRPERSON POURCIAU: Mm-hmm. No, I
9 don't. Is there anything in there that would
10 clarify the vote?

11 COMMISSIONER MILLER: I don't see anything
12 there that clarifies the vote. But it does raise --
13 it is, it states one recommendation about installing
14 some privacy walls of, or partition -- partition be
15 -- with the next-door neighbors. I don't, and I ask
16 you to -- to reopen the record to have the applicant
17 respond to the -- that recommendation. But it would
18 leave it up to you, Madam Chair, whether we need the
19 applicant to respond to. The only recommendation
20 that I see in that form is the installation of these
21 privacy partitions with the next-door neighbors, so
22 I don't also don't see the approval or -- or nor
23 disapproval. The only recommendation was about
24 those privacy walls. I don't know if we want to ask
25 -- reopen the record to ask the applicant for -- to

1 respond to the -- that -- since it isn't even a -- a
2 signed report, that we're not -- we're not -- so
3 we're not required to give great weight to what we
4 have in the record now.

5 VICE CHAIR GOLDSTEIN: The other thing I'd
6 say about it is that I think it's unrelated to the
7 relief being requested, which is kind of something
8 else. I'm certainly willing to follow the thread,
9 and we can ask the applicant, and there's can be
10 benefit in just having that discussion for the
11 future in their development. But it -- it -- it's
12 not directly related to the relief sought.

13 CHAIRPERSON POURCIAU: Also, I had noticed
14 on the application, on the form near the bottom it
15 says, Authorization ANC 8A recorded vote on a motion
16 to adopt the report. It says six people, so it
17 appears that it was a favorable vote with that
18 suggestion in there. Okay. And so we have a motion
19 on the floor and a second. Secretary Belar, could
20 you repeat the motion for us, please? You're on
21 mute.

22 MS. MEHLERT: I believe it was Vice Chair
23 Goldstein's motion to approve the application. So
24 please respond via roll call vote. Chair Kushel?

25 CHAIRPERSON POURCIAU: Yes.

1 MS. MEHLERT: Vice Chair Goldstein?

2 VICE CHAIR GOLDSTEIN: Yes.

3 MS. MEHLERT: Board Member Lindsjo?

4 MS. LINDSJO: Yes.

5 MS. MEHLERT: Commissioner Miller?

6 COMMISSIONER MILLER: Yes.

7 MS. MEHLERT: Staff would record the vote
8 as four to zero to one to approve Application No.
9 21435 on the motion made by Vice Chair Goldstein and
10 seconded by Commissioner Miller.

11 CHAIRPERSON POURCIAU: Excellent. Thank
12 you so much. We are ready to move to the next
13 application on our agenda, No. 21436. Madam
14 Secretary, would you please introduce the
15 application?

16 MS. MEHLERT: Next is Application No. 21436
17 of St. Joseph's on Capitol Hill Catholic Church Inc.

18 This is a self-certified application pursuant to
19 Subtitle X, Section 901.2 for a special exception
20 under Subtitle C, Section 305.1 for a waiver of
21 Subtitle C, Section 302.1 to allow multiple primary
22 buildings on a single record lot. And pursuant to
23 Subtitle X, Section 1002 for area variances from the
24 rear yard requirements of Subtitle F, Section 207.1,
25 and from Subtitle C, Section 305.3 B to allow a

1 means of vehicular ingress/egress to any principal
2 building less than 24 feet in width.

3 This is for a new two-story detached primary
4 building on the same lot as three existing primary
5 buildings. It's located in the RA-2 slash cap zone
6 at 313 Second Street Northeast, Square 756, Lots 47,
7 52, 8027, and 8028. As a preliminary matter, the
8 applicant has proffered an expert witness, Jorel
9 Sanchez Soto, as an expert in architecture, who has
10 not been previously recognized by the board. Their
11 resume is in Exhibit 21 A. And there is also a
12 request from the applicant to waive the filing
13 deadline to submit additional site photos in Exhibit
14 22 A.

15 CHAIRPERSON POURCIAU: Are there any
16 questions or comments from the board with regard to
17 the late submission or the request for a previously
18 unrecognized expert?

19 VICE CHAIR GOLDSTEIN: Looking at the
20 resume, I have no objection to admitting him as an
21 expert, and I also have no objection to any the late
22 filing.

23 COMMISSIONER MILLER: I concur with that.

24 MS. LINDSJ0: I also concur with that.

25 CHAIRPERSON POURCIAU: Excellent. So with

1 -- and I concur as well. So with that could I see
2 the agent, Mr. Ferris, is with us. Would you like
3 to proceed with presenting the application?

4 MR. FERRIS: Yes, thank you. Good morning,
5 members of the board and Chair Poucheaux. Again,
6 Lawrence Ferris with the law firm of Goldstein
7 Storrs. I also have with me Mr. Sanchez Soto, who
8 you all just designated. Thank you. And thank you
9 also for accepting our late submission with the
10 additional photos. Also with us today is Kris Adley
11 from SH Group, which is managing this project for
12 the applicant St. Joseph Catholic Church.

13 With that, Mr. Young, if you are able to
14 pull up our slide presentation whenever you have a
15 chance. Perfect. We are here today for the
16 church's proposed new expanded parish hall that's
17 located on the church's campus in Capitol Hill at
18 the corner of C Street and Second Street Northeast.

19 The property is located just south of the
20 commercial corridor along Massachusetts Avenue, if
21 you're familiar with the area just east of the
22 Congressional campus, and then Stanton Park is a
23 block and a half to the east of the church. The
24 site is located in the RA-2 slash Capital Interest
25 Overlay District and is also located in the Capitol

1 Hill Historic District and is also within the area
2 subject to the U.S. Commission of Fine Arts
3 jurisdiction under the Shipstead-Luce Act.

4 The proposed project, as you saw in our
5 submissions, is to demolish an existing garage
6 structure that's on the property and construct an
7 addition to an existing carriage house that's at the
8 rear of the site to provide a new expanded parish
9 hall that will better serve the church's operations.

10 The existing garage structure is what is
11 currently the parish hall, and it just simply
12 doesn't meet the church's needs today. The project
13 will upgrade and modernize the existing carriage
14 house to meet life safety and accessibility
15 standards as well and will provide just a more
16 functional space for parish dinners, congregational
17 gatherings, and also the church's charitable
18 services such as food donation services. To
19 facilitate this new parish hall, we are requesting
20 special exception approval for theoretical lots
21 pursuant to Section C0 3 C-305 of the zoning
22 regulations. The property currently consists of 10
23 separate record and tax lots, which -- which don't
24 all necessarily correspond to the existing
25 structures, as we'll get into more detail shortly.

1 And the applicant is proposing to consolidate these
2 existing lots into a single record lot which will
3 allow that modest expansion of the footprint of the
4 existing carriage house, pull it slightly to the
5 south, which is not feasible under the current lot
6 configuration.

7 Our application also includes, as you saw, a
8 request for area variance relief, which is needed
9 for two rear yard requirements of the two -- two of
10 the theoretical lots, the two of four lots that
11 we're proposing. The rear yard relief is required
12 essentially just to recreate the existing rear lot
13 conditions on the site, which I'll discuss in more
14 detail shortly. And we are also requesting relief
15 from the driveway width requirements. The minimum
16 width requirement is 20 feet for a driveway under
17 the theoretical lot regulations, and the existing
18 driveway serving the property is only 12 feet and
19 really can't be widened without a great deal of
20 expense and difficulty and removing a great deal of
21 existing landscaping on the site that includes
22 several mature trees. So we're -- we are requesting
23 relief for that as well. Before I flip through our
24 slide presentation, I'll just note that we have a
25 report and support from the Office of Planning.

1 That's at Exhibit 20.

2 Indeed, I'd also filed a report stating no
3 objection to the requested relief. That's at
4 Exhibit 25. And then we also have a report from the
5 architect of the capital because of the refer to the
6 AOC under the capital interest overlay requirements.

7 Their report stating no objection is at Exhibit 23.

8 We also presented the application to ANC 6C to
9 their Planning, Zoning, and Economic Development
10 Committee. That meeting was on June 3rd, and then
11 the full ANC reviewed the application at their
12 regular monthly public meeting on June 10th. Both
13 the ANC's Planning and Zoning Committee and the full
14 ANC voted unanimously to support the application,
15 although the ANC was not able to get their report
16 into the record prior to today's hearing. And then
17 I'll also note that we -- we did also meet with the
18 Capitol Hill Restoration Society's zoning committee.

19 That was back in March, and they did not have any
20 issues or objections to the project or application.

21 Next slide, please. So here you see the
22 church's campus: just to orient you, this is --
23 this view is from the north looking south, so a
24 little bit turned around. The main church building,
25 you see the larger structure that was constructed.

1 It was dedicated in 1891 is when the building was
2 completed. The rectory structure just to the south,
3 it's labeled 2 and 3. The 3 is the small addition
4 that was completed on the rectory is obviously the
5 rectory. Then to the left of the church structure
6 is the Madonna House, which was completed in 1921.
7 The carriage house that we're dealing with today is
8 labeled 6 in red on the far left on the east of the
9 site. And then the garage structure. That's the
10 current parish center that we propose to demolish.
11 It was completed in the 1920s. It's labeled No. 5.
12 So the main church building, rectory, Madonna house,
13 and the carriage house are all, I'll just note,
14 contributing structures in the Capitol Hill Historic
15 District.

16 And we did receive approval from HPRB for
17 everything that we're presenting to you all today.
18 Next slide, please. Here you see just the site plan
19 of the property and the existing tax lot
20 configuration. Reorienting, this is a true north
21 plan, so north is at the top again. Just to note
22 that lot 828 at the kind of the right-hand side, a
23 smaller lot tucked away, was previously part of the
24 public alley system, and the church processed an
25 alley closing application with the DC Council last

1 year to close that portion of the alley and
2 incorporate it into the property. And also as part
3 of that application, there was a corner piece at the
4 very top right of the property that the church
5 dedicated to the public alley, essentially a swap
6 just to improve maneuverability at that point in the
7 alley. Next slide, please.

8 Here you see the current record lot
9 configuration with, as I noted, existing multiple
10 record lots that some of which bear no relation to
11 the existing structures. At the far right, midway
12 up the plan, you can see again the existing carriage
13 house that is being expanded to create the new
14 parish hall. And then just to the left of that
15 carriage house, the current parish hall, the garage
16 structure that we're proposing to demolish as part
17 of the project. Next slide, please. Here just
18 briefly is the proposed single record lot that we
19 are requesting approval to enable with the footprint
20 of the new parish hall as it would be once the
21 project is completed. Next slide, please.

22 And here is our proposed theoretical lot
23 configuration with four separate theoretical lots,
24 one for each building. You see the two yard, ear --
25 rear yards for which we are requesting relief. The

1 main building church on lot A is maintaining that
2 existing seven foot three inch rear yard that abuts
3 up against the Madonna house. That's really just
4 that rear yard condition is just a function of the
5 location of the lot line and as relates to the
6 Madonna house building, which obviously we can't do
7 anything about. And then for the new parish hall
8 structure on lot D, we will be maintaining that
9 existing six-foot rear yard along the public alley
10 to the east.

11 So those lot lines really just reflect the
12 existing configuration and can't be shifted based on
13 the location of the Madonna house and the abutting
14 alley for the carriage house. You can also see here
15 just the constraints that, as discussed in our
16 written submissions, make it practically difficult
17 to achieve just a modest expansion of the parish
18 hall other than pulling the building slightly south,
19 which is what triggers the need for the relief here
20 due to the existing lot configuration.

21 We can't expand to the east, as you can
22 see, because of the need to maintain a rear yard for
23 the rectory structure and because we need to be able
24 to accommodate the existing vehicular drive that
25 connects to that parking lot on the north end of the

1 site. And then we also can't pull the building
2 north or east because of the existing public alley.

3 So there's really nowhere else to go but south in
4 order to achieve a workable for-floor plate to
5 provide an adequate facility to serve the church's
6 needs.

7 Next slide, please. The last requirement we
8 are requesting relief for is the, again, the
9 existing 12-foot driveway you see in red outlined
10 and hashed as the footprint of the driveway if we
11 were required to meet the full 20-foot width that's
12 prescribed under the regulations. The only way to
13 widen the driveway beyond the existing 12-foot feet
14 would require removing a significant amount of
15 landscaping and multiple mature trees that are
16 currently on the site and would also impact the
17 existing garden for the rectory. And as we'll see
18 on a more detailed slide next, it's driveway's also
19 constrained on the south. Perfect. Thank you. By
20 existing mechanical equipment that serves the church
21 building and couldn't be relocated except for
22 extreme expense and difficulty.

23 So here you see a more detailed zoomed-in
24 view of the various constraints on the existing
25 driveway configuration that keep us from being --

1 having the ability to widen that existing 12 feet
2 beyond the current condition: several mature trees,
3 lots of landscape planting, one special tree. And
4 then we would also have to essentially wipe out a
5 large area of the existing rectory garden that I
6 mentioned. So that really summarizes the project
7 and the requested relief. We have additional slides
8 that we're happy to flip through, showing floor
9 plans and additional details and renderings for the
10 new parish hall structure. I know we've provided a
11 pretty detailed analysis and of the specific
12 requirements for the various components of the
13 regulations for the relief we're requesting, so I
14 won't belabor that here just out of respect for the
15 Board's time and resources.

16 But I am just happy to answer any questions.

17 I'm also happy to speak in more detail to the
18 variance, how we meet the three prongs of the
19 variance test, if that would be helpful. I'm not
20 seeing a clock, so I've lost -- lost track of
21 whether I'm up against the 15 minutes or not. But
22 with that, I'll pause and see if you all have any
23 questions.

24 CHAIRPERSON POURCIAU: Thank you so much.
25 We appreciate your presentation. You had three more

1 minutes, but thank you for keeping it brief,
2 although I think some of the other commissioners may
3 want to see more. Why don't I start with
4 Commissioner Goldstein? Do you have any questions
5 for the applicant?

6 VICE CHAIR GOLDSTEIN: Yes, I do have a few
7 questions. First, I just want to say the renderings
8 are -- are gorgeous for this project. Really
9 outstanding. I just compliment your team on it. I
10 did have a question or two about the new parish
11 expanded building. First, can you just remind me
12 how much bigger, how much gross floor area are you
13 adding?

14 MR. FERRIS: Yeah. It'll essentially
15 increase the overall gross floor area for the site
16 by about 2,000 feet. I want to say it's 2,011
17 square feet, which it basically comes to about 0.05
18 FAR across the entire church campus lot, which is
19 about 46,000 square feet of land area.

20 VICE CHAIR GOLDSTEIN: So pretty small
21 relative to the size of the property. So the
22 parish, on its southeastern corner, abuts the
23 neighboring property on two sides. It looks like a
24 -- an existing garage on a property to the east.
25 And I'm just wondering if you could talk a little

1 bit about that condition and any discussion you've
2 had with the neighbor regarding that?

3 MR. FERRIS: So I know that we have
4 discussed the project with the neighbors. This
5 project has been in work for a couple of years now.

6 Kris, do you have the latest on any discussions
7 with the neighbors? I know there haven't been any
8 objections. There haven't been any issues from any
9 of the neighbors, either immediately abutting or in
10 the rest of the square. I don't know if there's any
11 more detail, Kris, that you'd be able to provide on
12 that front.

13 MS. ADLEY: Yes, absolutely. Can you all
14 hear me?

15 MR. FERRIS: We can.

16 MS. ADLEY: Yes. So the church has
17 completed a number of outreach initiatives over the
18 last several years and spoken with that neighbor.
19 They have actually completed a project at the
20 Madonna House recently and were speaking with the
21 neighbor because that town home directly abuts the
22 neighbor to the east. And in addition to that, we
23 are going to be needing to do some underpinning of
24 that garage, which we are currently in conversation
25 with them about a neighbor agreement for. The

1 garage itself actually uses access through the
2 church's property in order to access the garage, and
3 so they've had a positive relationship for a number
4 of years. Additionally, the smaller sort of
5 carriage house in the alley to the rear is owned by
6 a parishioner and an architect who has been
7 supporting the project through the number of years.

8 But other than that, we've had no negative feedback
9 from the community, and we've had positive feedback
10 each time we've gone to ANC, with unanimous votes.

11 VICE CHAIR GOLDSTEIN: Thank you. That's
12 really helpful. With the parish, I saw sort of the
13 selection of the rear and the sides. Is the front
14 the north? You're -- for zoning purposes, the front
15 is the north side abutting the alleyway?

16 MR. FERRIS: The north is all --

17 VICE CHAIR GOLDSTEIN: Yeah.

18 MR. FERRIS: Right. So the rear would be
19 on the east, and then if it has a front, it would be
20 on the west, opposite the rear. Yeah.

21 VICE CHAIR GOLDSTEIN: Okay.

22 MR. FERRIS: If it would be helpful, we're
23 happy. We can pull the slide back up and -- and
24 look at it here.

25 VICE CHAIR GOLDSTEIN: Yeah. Yeah. That -

1 - that'd be helpful. I just saw the think it was a
2 side yard measurement to the west of the new parish.
3 Is that --

4 MR. FERRIS: We might have had a -- had a
5 mislabeling, but let's pull it. Mr. Young, if
6 you're able. And I believe it is a few slides back.
7 It would -- exactly. Perfect.

8 VICE CHAIR GOLDSTEIN: Or it's possible I
9 could have misread it. I was just curious.

10 MR. FERRIS: Oh, you're right. It is
11 mislabeled. Apologies for that. Yeah, that would
12 be essentially the front.

13 VICE CHAIR GOLDSTEIN: Okay.

14 MR. FERRIS: With only a side yard on the
15 south. Yeah.

16 VICE CHAIR GOLDSTEIN: And then the rear to
17 the east, and then the north is. Is that a -- a
18 zero lot line side yard, or is that --

19 MR. FERRIS: Exactly.

20 VICE CHAIR GOLDSTEIN: Okay.

21 MR. FERRIS: No -- no side yard. No
22 required side yard, none provided would be that
23 condition.

24 VICE CHAIR GOLDSTEIN: Okay. More
25 generally, I saw how the project meets a lot of

1 occupancy collectively in a number of these
2 standards. Do any individual theoretical lots have
3 any additional lot occupancy concern or the like?
4 Is there any other metric that requires any waiver
5 under the theoretical lot subdivision? I'm assuming
6 the answer is no, but I just wanted to confirm it
7 for the record.

8 MR. FERRIS: No, no, absolutely, and that's
9 a good question. So yes, we did. We met with the
10 zoning administrator last fall to kind of walk
11 through the project, walk through what we thought
12 the relief was that we needed just to make, you
13 know, put it in ink for ourselves as far as what
14 would be needed, what wouldn't be. And there's no
15 other aspects of the project that we identified that
16 were needed relief besides these two rear yard
17 conditions and the driveway itself. The lot
18 occupancy, the way we kind of reached with the
19 zoning administrator -- and I know I've seen a prior
20 ruling from the Office of the zoning administrator
21 similar to this -- is that the items that are
22 specifically listed under C 305, you meet for the
23 individual rec theoretical lots, the side yard and
24 rear yard. And then things like lot occupancy, FAR,
25 GAR, those are analyzed across the entire record lot

1 still.

2 VICE CHAIR GOLDSTEIN: Okay. Oh, that's --
3 that's helpful to hear. Okay. Because they are not
4 specifically identified in the rules, so it's viewed
5 as being sort of the collective site. Okay.

6 MR. FERRIS: Exactly.

7 VICE CHAIR GOLDSTEIN: One more question
8 and then I'm complete. For the driveway, are there
9 any changes to the driveway occurring, or is it just
10 remaining as it currently is and is configured?

11 MR. FERRIS: I know that we're not
12 reconfiguring it. I'm not sure, and -- and Jorel,
13 you might be able to speak to this, if we're
14 repaving or adjusting any of the kind of an abutting
15 --

16 MR. SANCHEZ: Yeah. At the moment, we're
17 configuration stays the same and dimensional. We
18 are hoping to improve the pavement.

19 VICE CHAIR GOLDSTEIN: Okay -- okay, just
20 improve the existing condition.

21 MR. SANCHEZ: Yep.

22 VICE CHAIR GOLDSTEIN: But not making any
23 changes to it. Okay. Thank you. That's all the
24 questions I have.

25 CHAIRPERSON POURCIAU: Board Member

1 Lindsjo, I heard some federal overlay items. Are
2 there any particular questions or comments you'd
3 like to entertain with the applicant?

4 MS. LINDSJO: No, not at this time. Thank
5 you.

6 CHAIRPERSON POURCIAU: Thank you.
7 Commissioner Miller?

8 COMMISSIONER MILLER: Thank you, Madam
9 Chair. And thank you to the applicant, St. Joseph's
10 on Capitol Hill Catholic Church, and the applicant's
11 team here including Lawrence Ferris and Christine --
12 was it Addy or Ady?

13 MR. FERRIS: Kris Ady

14 COMMISSIONER MILLER: Ady. Okay.
15 Appreciate all of the very complete application.
16 And I agree with Vice Chair Goldstein that the
17 renderings are -- are very attractive. And the
18 design is -- has been already approved by -- you
19 know, probably only in the District of Columbia did
20 you have to deal with so many regulatory bodies to
21 get this project done. You got the Historic
22 Preservation Review Board, Commission on Fine Arts,
23 Architect of the Capitol, all of whom either
24 supported or had no objections.

25 Well, HPRB and CFA supported it. And then

1 y -- your community engagement with ANC 6C, who --
2 who you said supported, and they weren't able to get
3 the report in on -- on time, and which has happened
4 in other situations but with their zoning committee
5 before you did the full ANC and then the Capitol
6 Hill Restoration Society, which -- which you said
7 had no issues. And you had all the engagement with
8 Department -- District Department of Transportation
9 and counsel and the surveyor on doing the alley
10 closing and then the rededication and re-widening
11 and dealing with the in -- ingress and egress
12 issues. And of course, Department of Buildings and
13 the zoning administrator within that office. I may
14 have missed it, but you've really dealt with a lot
15 of regulatory agencies to get this done, and I
16 applaud your effort -- everybody's effort on that.
17 And the church has been well-served by your team.

18 So I agree that the applicant meets the,
19 that the application meets the standards for relief
20 for the Special exception for the waiver to allow
21 multiple primary buildings on a single record lot,
22 to the relief that meets the standards for the area
23 variances for the minimum yard minimum rear yard
24 requirement relief, and for the vehicular ingress
25 and egress to any principal building less than 24

1 feet in width, it's 12 feet existing and proposed.

2 So and I would just note on the variances
3 this is a nonprofit religious institution. And the
4 standard for reviewing that, the burden of proof, is
5 more flexible for an institutional to meet the
6 institution's needs, and the parish hall certainly
7 does seem to meet the institution's needs.

8 So I think it -- meet, it -- out, it meets -
9 - certainly meets the variance standard. So I just
10 thank the applicant for all the work that you've
11 done on this project, and I'm ready to support it.

12 CHAIRPERSON POURCIAU: Thank you, board
13 members. Why don't we hear from the Office of
14 Planning, and then we'll engage more with the
15 applicant. Mr. Isaiah, are you ready to give your
16 report?

17 MR. ISAIAH: Thank you, Madam Chair. For
18 the record, this is Philip Isaiah on behalf of the
19 Office of Planning. The Office of Planning
20 recommends approval of the subject application and
21 stands on the record of the report contained as
22 Exhibit 20 of the record dated April 29, 2026.
23 Thank you.

24 CHAIRPERSON POURCIAU: Thank you so much.
25 Does the applicant have any questions for OP, or do

1 any board members have any questions for OP?

2 COMMISSIONER MILLER: No questions, but I
3 want to thank Mr. Isaiah for y -- your report and
4 presentation. And I've neglected to me -- mention
5 the Office of Planning as among the regulatory
6 agencies that have reviewed this and approved this
7 recommended approval of this project, so thank you.

8 CHAIRPERSON POURCIAU: Any other questions
9 or comments of OP from the board? Does Mr. Vice
10 Chair -- Mr. Vice Chair?

11 VICE CHAIR GOLDSTEIN: No, just one more
12 thing for the applicant. But thank you. I want to
13 echo Commissioner Miller's thanks to the Office of
14 Planning for their diligence and report.

15 CHAIRPERSON POURCIAU: Okay. Why don't we
16 then, before we go back to the applicant, I'd like
17 to just say for the record at this point I want to
18 thank Office of Planning, and I do not believe we
19 have any -- oh, we do have a undeclared witness.
20 And so at this point, I want to say there are no
21 other district agencies that are here to present.
22 No DDOT. The ANC is not present, and we don't have
23 any parties either in support or opposition, no
24 organizations. But as I just stated, we have an
25 individual who's a undeclared witness. Mr. Young,

1 can we bring them in to testify now?

2 MR. YOUNG: So they are not on, and staff
3 has tried to reach out to them multiple times and
4 have not gotten a response, so.

5 CHAIRPERSON POURCIAU: Okay. Thank you for
6 that. So I'll just say for the record, that witness
7 was Mr. Kevin Kagan, perhaps who is not here and
8 ready to present, and we'll wait to hear from staff
9 later if anything is presented or offered. Having
10 completed that, I think I'm -- Mr. Ferris, would you
11 like to provide any concluding remarks?

12 MR. FERRIS: No. Thank you for your time.
13 We appreciate it.

14 CHAIRPERSON POURCIAU: Very good. So I
15 think we have some additional questions for you,
16 Vice Chair Goldstein.

17 VICE CHAIR GOLDSTEIN: Actually, I think
18 I'm okay. Thank you, though.

19 CHAIRPERSON POURCIAU: Anyone else? No?
20 Okay. I think the board is ready to deliberate, so
21 I ask that the hearing be closed and the record be
22 closed and witnesses can be excused. I want to
23 thank you all for coming and being so clear and
24 concise and comprehensive in your presentation and
25 your documentation. All right. I think the

1 witnesses have all been dismissed. Is there any
2 further deliberation on this matter, or how would
3 the board members like to proceed?

4 COMMISSIONER MILLER: I think I'm ready to
5 vote and support as -- for the reasons that we've
6 all articulated.

7 CHAIRPERSON POURCIAU: Okay. Would you
8 like to make the motion, or is someone else?

9 COMMISSIONER MILLER: I would defer to
10 someone else if they want to, but --

11 CHAIRPERSON POURCIAU: Okay.

12 COMMISSIONER MILLER: All right. So I have
13 the mic, so I'll just say it. I would move that the
14 zone -- that the zoning commission, the Board of
15 Zoning Adjustment approve application No. 21436 of
16 St. Joseph's on Capitol Hill Catholic Church and ask
17 for a second.

18 CHAIRPERSON POURCIAU: A second. Madam
19 Secretary, could you please call the vote?

20 MS. MEHLERT: Please respond to
21 Commissioner Miller's motion to approve the
22 application. Chair Pourciau?

23 CHAIRPERSON POURCIAU: Yes.

24 MS. MEHLERT: Vice Chair Goldstein?

25 VICE CHAIR GOLDSTEIN: Yes.

1 MS. MEHLERT: Board Member Lindsjo?

2 MS. LINDSJO: Yes.

3 MS. MEHLERT: Commissioner Miller?

4 COMMISSIONER MILLER: Yes.

5 MS. MEHLERT: Staff will record the vote as
6 four to zero to one to approve application No. 21436
7 on the motion made by Commissioner Miller and
8 seconded by Vice Chair Goldstein.

9 CHAIRPERSON POURCIAU: Excellent. And
10 Madam Secretary, would you please call the next
11 case? I believe it's application No. 21439.

12 MS. MEHLERT: Yes. Next is application No.
13 21439 of 1908 Irving Street, LLC. As amended,
14 there's a -- this is a self-certified application
15 pursuant to subtitle X, section 9 and 1.2 for
16 special exceptions under subtitle U, section 421 to
17 allow a new residential development and under
18 subtitle F, section 2.1 to allow 1.08 floor area
19 ratio for a voluntary inclusionary development
20 incorporating IZ bonus density.

21 This is for an eight-unit apartment house
22 with one IZ unit and a new three-story detached
23 building. It's located in the RA-1 zone at 1908
24 Irving Street Northeast, square 4207, lot 5. And as
25 a preliminary matter, there are a few requests from

1 the applicant to waive the filing deadline. The
2 most recent one was for revised plans that are in
3 Exhibits 42 A 1 and 42 A 2.

4 CHAIRPERSON POURCIAU: Thank you so much.
5 I see the agent is on Ms. Meekins.

6 MS. MEEKINS: Yes, good morning.

7 CHAIRPERSON POURCIAU: Okay. If you're
8 ready, we'd love to hear your presentation.

9 MS. MEEKINS: Great.

10 CHAIRPERSON POURCIAU: And if you would
11 introduce the others with you prior to.

12 MS. MEEKINS: Yes, of course. Good
13 morning. My name is Elizabeth Meekins. I'm from
14 Armacost Design Group. I am joined here this
15 morning by Alfred Manaling, who is the project
16 designer, and the owner, Zunnobia Hakim, is also on
17 this morning. And Mr. Young, if you could please
18 pull up our presentation. Thank you. Okay, great.

19 As mentioned, we are the architects presenting on
20 behalf of the applicant for BZA case 21 43 9, which
21 is located at 1908 Irving Street Northeast in the
22 RA-1 zone. We are seeking special exception relief
23 under Section U 421.1 for any new residential
24 apartment building in the RA-1 zone, as well as
25 relief under Section F 201.4 to add voluntary

1 inclusionary zoning to this project. Next slide,
2 please. The project is located on the north side of
3 the block between the intersection of Twentieth
4 Street Northeast and Rhode Island Avenue Northeast.
5 Next slide, please.

6 This block is a mixture of single-family
7 and multi-family structures as well as non-
8 residential uses nearby. The project also faces a
9 commercial property and is directly viewed from
10 Rhode Island Avenue. Next slide, please. We are
11 proposing on-site stormwater management strategies,
12 including a mixture of pervious paving and
13 bioretention planters to manage runoff on the site.

14 We also will be maintaining the heritage tree in
15 the rear and adding solar panels to our roof. Next
16 slide, please. We are proposing eight affordable
17 family-sized units. Six units will be five
18 bedrooms, and two units will be six bedrooms. One
19 unit would be dedicated to inclusionary zoning and
20 conform with all the requirements set in chapter or
21 Section C, Chapter 10. The structure is fully
22 detached to allow maximum light and air for all
23 units. These units are being designed specifically
24 to address a shortage of larger family units in the
25 DC affordable housing inventory for large families

1 and multi-generational homes, and it is intended to
2 be used for Section 8 voucher program housing.

3 There will be four parking spaces, three
4 compact and one accessible in the rear. And
5 additionally, we are providing four indoor long-term
6 bicycle storage spaces and two outdoor short-term
7 bicycle spaces. Our team and the owner has met with
8 various forums of the community and the ANC over the
9 past few months. Initial outreach began in December
10 of 2025. Since then, we have met with the ANC's
11 DZLU group three times, attended an SMD meeting, and
12 presented at the ANC three times. From the concerns
13 with the DZLU, we have made the following
14 concessions: We updated the facade based on
15 commissioner feedback. We updated our trash and
16 recycling by relocating the trash away from the
17 structural root zone of the heritage tree,
18 accommodating dumpsters for both trash and
19 recycling, and enclosed it. We reduced our parking
20 by one space. We added a fence between the property
21 lines of 1906 and 19 1910 Irving Street, and we
22 added additional bike storage above what's required
23 by zoning. Again, that's four indoor and two
24 outdoor short-term. After these concessions, we
25 were recommended to the ANC. During all three ANC

1 meetings, there was a lot of community engagement
2 and discussion about the project. Concerns included
3 trash and alley access, number of potential
4 residents, the possibility of transient residents,
5 size of the proposed bedroom and living spaces, lack
6 of parking, infrastructure and environmental
7 concerns, and the incompatibility with the
8 neighborhood. From the ANC concerns, we made the
9 following concessions. We reduced six units from
10 six bedrooms down to five, and we revised the façade
11 to be fully brick.

12 The owner was present at all ANC meetings
13 and has continued to show her commitment to the
14 project and the neighborhood. Further, the owner is
15 a neighbor. She lives just across Rhode Island
16 Avenue from the project. And at the final ANC
17 meeting on June 17th, the commissioners passed a
18 motion of support. In conclusion, the relief being
19 sought on this project is special exception under
20 Section U 421.1 for any new residential apartment
21 building in the RA-1 zone and to voluntarily opt
22 into the inclusionary zoning under Section F 201.4.

23 The project is located on a block with several
24 apartment houses of similar size and is directly
25 accessible from Rhode Island Avenue. The structure

1 is within the allowable volume per zoning
2 regulations and is set back from all property lines
3 to minimize the a -- impact on the neighbors. The
4 property is well-connected to public transit and
5 would not be a burden on the public school system.

6 The Office of Planning has recommended
7 approval at -- after their in-depth review for this
8 specific site. The owner has shown consistently
9 that she is willing to work with the community and
10 has already made several concessions and changes
11 throughout the project. And the ANC has provided a
12 letter of support of the project, and the owner is
13 willing to continue to work with the SMD to produce
14 a good neighbor agreement. Thank you for your time
15 this morning, and I'll be happy to answer any
16 questions you may have.

17 CHAIRPERSON POURCIAU: Thank you so much.
18 Are there questions from the board? Vice Chair
19 Goldstein, do you have any questions?

20 VICE CHAIR GOLDSTEIN: Yes. Yes, I do.
21 I'm sorry. Just one moment.

22 MS. MEEKINS: Mm-hmm.

23 VICE CHAIR GOLDSTEIN: A little bit
24 curious. These are being described as family units,
25 and I really would love to ask you about that

1 because they really don't look like family units.
2 They look more like co-living type units, which are
3 permitted. I'm just curious about who -- who you
4 see as the future occupants.

5 MS. MEEKINS: Yes. Our goal here was to
6 design for larger bedroom counts to fit under the
7 Section Eight Voucher Program housing. We were told
8 that there's a shortage of units of five and six
9 bedrooms, and so that's the area that we are trying
10 to fill.

11 VICE CHAIR GOLDSTEIN: Okay. And I'm
12 sorry, is that for family-sized units for that
13 number of bedrooms?

14 MS. MEEKINS: Yes. So Section 8 Voucher
15 Program housing only allows for one family to
16 occupy, so we're trying to fill the need for these
17 larger families or multi-generational families that
18 need a larger bedroom count.

19 VICE CHAIR GOLDSTEIN: Hmm. Okay. Thank
20 you for the response. My understanding of from
21 working in IZ in the past is that five- and six-
22 bedroom units become difficult to find tenants for.
23 Do you have any thoughts on that?

24 MS. MEEKINS: I can't speak to that side of
25 it. I've not been involved in actually filling the

1 IZ units.

2 VICE CHAIR GOLDSTEIN: Okay. Well, I guess
3 just -- just be aware that I've seen in the past
4 that those can be -- can be challenging. I want to
5 just say, I think it -- it's great that you all have
6 been meeting actively with neighbors and neighboring
7 organizations and making changes to the project. I
8 know there was a lot in the record that people kind
9 of wanted done differently here. Would you mind
10 kind of describing why some of these changes were
11 made and what the key changes were from earlier
12 versions of the project?

13 MS. MEEKINS: Yeah. Yes, of course. So as
14 you noted, we did meet with the community quite a
15 few times. The process of this ANC asked us to meet
16 with their DZLU, which is like their zoning and land
17 use committee, first. And we met with them three
18 times. And a lot of their feedback was regarding
19 façade how we had designed trash. They thought
20 there was too much parking being added. They wanted
21 it to be more friendly to biking, and so the owner
22 was willing to make some of those changes. You
23 know, of course, we want the building to look in
24 kind with the neighborhood, so we -- we're willing
25 to change that facade.

1 We heard their concerns about trash and
2 made those changes, enclosing it, adding dumpsters,
3 so on and so forth. We ended up reducing the
4 parking by one. We provided fencing to try to
5 reduce the impact on the neighbors and add a little
6 more privacy and added those. Like, the short-term
7 bike parking is not required for this number of
8 units. We're only at eight units, so we added some
9 of those additional amenities per their requests.
10 When we went to the ANC meeting, of course, it was
11 opened up to a larger number of the community, and
12 there was a lot of discussion back and forth.

13 Again, continued concern about the trash
14 and the alley access because this is a 15-foot
15 alley, so not a 20-foot as you would normally
16 expect. There was also a lot of concerns about
17 transient residents and the number of residents.
18 And they also were concerned about the size of the
19 units themselves and the living spaces within the
20 units. They were concerned with lack of parking,
21 which was kind of, you know, we're going back and
22 forth with DZLU's concerns and neighbor concerns.
23 And they were concerned about infrastructure, you
24 know, how this would impact like the sewage and
25 things like that. A lot of these concerns, we

1 believe we are already meeting the standard.

2 For example, infrastructure, we have to
3 follow what's required of DC Water, and we'll be
4 requesting all the necessary line upgrades and
5 whatnot. You know, those things will all be taken
6 care of. The trash and everything we explained, not
7 only are we going to have it enclosed, but it'll be
8 taken care of by a private company that will come
9 and pick up the trash as required by the demands of
10 the building.

11 And we made further concessions by reducing
12 six of our units from six bedrooms down to five
13 bedrooms to try to provide a little bit more to
14 those living spaces that they were concerned about
15 the size of. And we also made the revision to
16 change the facade to be brick, which, again, was in
17 hopes to be more in kind with the neighborhood and
18 per their requests.

19 VICE CHAIR GOLDSTEIN: Did you end up going
20 back to the ANC after these changes were made? How
21 have they been communicated back to ANC 5B?

22 MS. MEEKINS: Yes. So there's been a lot
23 of communication back and forth between the ANC,
24 emails with the commissioner, emails with the SMD.
25 At the most recent ANC meeting, we had discussed

1 that we were willing to concede the reduction in
2 bedrooms, and we had discussed that we were willing
3 to make the change on the facade to brick. We had
4 not formally submitted that to the record because we
5 wanted to continue the conversation with the ANC to
6 make sure that we were meeting some of their
7 concerns.

8 And we did provide copies of the updated
9 the changes that we made after they were made after
10 the ANC meeting, which they had voted to support the
11 project at. And as mentioned, we plan on continuing
12 to work with them, particularly with the Good
13 Neighbor Agreement, to make sure that everybody is
14 on the same page as construction continues. But
15 there was a lot of discussion back and forth. As
16 mentioned, we went to three different ANC meetings.

17 We have tried to be upfront with our changes and
18 what we're willing to do. But we -- yeah, we've --
19 we've done what we can to concede what we can and
20 what the owner is willing to concede.

21 VICE CHAIR GOLDSTEIN: Are -- are you on
22 their agenda for a future meeting date?

23 MS. MEEKINS: I don't believe so. Now that
24 we have their support, our next step was to come
25 here to the BZA and to continue to work with the SMD

1 on that Good Neighbor Agreement.

2 VICE CHAIR GOLDSTEIN: Yeah. The support
3 was kind of a -- a support except for multiple
4 changes support.

5 MS. MEEKINS: Yes. It's our understanding
6 that they had some conditions put in their support
7 letter. At the ANC meeting, we were not a part of
8 the discussion for the conditions that they added.

9 VICE CHAIR GOLDSTEIN: Okay. And there's a
10 number of letters. There's some letters of support.
11 There's also a number of letters of opposition, I
12 think, including an immediately adjacent neighbor.
13 Could you talk a little bit about your conversations
14 with these neighbors and particularly the most
15 impacted neighbor?

16 MS. MEEKINS: Yes. Our client, the owner,
17 had started to reach out to the adjacent neighbors
18 quite some time ago trying to reach them. The one
19 neighbor I believe that you are speaking of, she has
20 been vocal about her opposition towards the project.

21 From early conversations, she wished for the facade
22 to be brick, which we're conceding.

23 We're trying to do some things to appease
24 the neighbor. But so there has been conversations.

25 The owner has spoken to her directly. She has been

1 present at the ANC meetings, and we are -- we're
2 trying to do what we can to make sure that we
3 appease the neighborhood but also keep the project
4 in vein with what the owner's trying to achieve.
5 The neighbor on the opposite side we've reached out
6 to, but I don't believe, to my knowledge, we've had
7 any response from.

8 VICE CHAIR GOLDSTEIN: Yeah. It -- it
9 seems to me that some of these issues, it's an RA-1
10 that has a mix of single-family and housing toward
11 multifamily, and it's the tension between that
12 transition that's going on. As far as the shadow
13 study could -- could you talk a little bit about
14 your approach to the shadow study and what it
15 revealed to you?

16 MS. MEEKINS: Yeah. So we did -- we did
17 have a shadow study conducted. As previously
18 mentioned, the volume of this structure is with --
19 is within the matter of right zoning volume. We're
20 not asking for any relief to increase the size of
21 that volume per se. We are requesting inclusionary
22 zoning. So that technically does give us a little
23 bit more on the FAR, but we are below the allowable
24 lot occupancy. And as mentioned, we tried to pull
25 the building back from both property lines to reduce

1 the impact on the adjacent structures. And so while
2 the solar study, the shadow study shows how this is
3 going to affect the neighboring properties, we have
4 tried to keep this within, you know, matter of right
5 and tried to reduce it as much as possible by
6 staying back from those property lines.

7 VICE CHAIR GOLDSTEIN: Yeah. And I do like
8 the sort of articulation of the side building walls.

9 It's not just a -- a box-like building. I like
10 that -- that approach that you took. I think those
11 are all the questions I have for now. Thank you.

12 MS. MEEKINS: Thank you.

13 CHAIRPERSON POURCIAU: Thank you, Vice
14 Chair. All right. Any questions, Ms. Lindsjo?

15 MS. LINDSJO: No questions at this time.
16 Thank you for your presentation.

17 MS. MEEKINS: Thank you.

18 CHAIRPERSON POURCIAU: Thank you.
19 Commissioner Miller, would you like to ask any
20 questions of the applicant?

21 COMMISSIONER MILLER: Thank you, Madam
22 Chair. I appreciate Vice Chair Goldstein's dialogue
23 with the applicant, and I appreciate all the
24 presentation here today and all the community
25 engagement and responsiveness to community concerns

1 thus far. And certainly this is meeting a critical
2 need for a certain type of affordable housing in the
3 district. There's a need for all types of housing
4 in the district, not just the housing -- housing
5 voucher applicant, other affordable housing, m-
6 market-rate housing and workforce housing. There's
7 a real supply problem not just here, but in the
8 nation, as we all know about. So I appreciate all
9 the effort you put into the project. I guess as a
10 follow-up to Vice Chair Goldstein's questions about
11 family-sized units.

12 Yeah, I can see that if a large family
13 think the zoning regulations don't use the word
14 family. I think they use the word household, and it
15 could be a related family by blood, marriage,
16 adoption, foster care, domestic partnership
17 agreement, maybe other agreements under district
18 law. And then it could be six or more unrelated
19 individuals who agree to live together. So I guess
20 the question is, do -- do you anticipate that it
21 really is going to be six or more -- more unrelated
22 individuals who agree to live together and as one
23 household unit as opposed to a -- a related family
24 by blood, marriage, adoption, foster care, domestic
25 partnership or other agreement?

1 MS. MEEKINS: It's our intention that these
2 are family, so the family units. We're not
3 anticipating this to be a co-living scenario.

4 COMMISSIONER MILLER: The housing voucher
5 program, though, would allow both types of
6 households that I described. Is that correct? I
7 mean, I'm not -- I'm not an expert on it, but I'm
8 just wondering because that's the way the zoning
9 describes household with the housing --

10 MS. MEEKINS: Yeah. It -- it's my
11 understanding that there has to be relation of some
12 sort whether that is, as you said, like a
13 partnership or whatever. I don't believe that it
14 can just be six individuals that choose to live
15 together, but I would defer to how DHCD would define
16 that as that -- that's who we would be working with
17 for the Section 8 housing.

18 MS. HAKIR: Sorry, I might be able to give
19 you some clarity, Mr. Miller.

20 COMMISSIONER MILLER: Okay. Thank you.

21 MS. HAKIR: Hi, I'm Zenobia Hakir. I'm the
22 owner. And the reason why we are trying to develop
23 these units is because my partner and I have a lot
24 of experience in the large family space with Section
25 8 or DC housing voucher applicants. There is an

1 extreme shortage. We currently have about -- we
2 have numerous properties in the city already where
3 there are large families, and these are families
4 where there's one voucher. DC housing does not
5 allow like six people who each have a single housing
6 voucher to go into one place.

7 So these are families where there's maybe a
8 head of household or a married couple or a couple
9 and then children. And as you already indicated,
10 there's a severe shortage of like you know,
11 different types and sorts of housing in DC. And
12 many of the families that we are trying to serve,
13 they end up having to live in places where the
14 children don't have their own bedroom because of the
15 standard way that DC houses are and lots of, you
16 know, one-, two-, and three-bedroom apartments. And
17 many of these families have lots of children. So
18 this -- we're trying to provide an opportunity for
19 families to allow their kids to have their own space
20 while they still, you know, live together and -- and
21 nice living situation, essentially.

22 COMMISSIONER MILLER: Well, thank you.
23 Thank you for that response. That's -- that's very
24 helpful. I appreciate that. I have no further
25 questions, Madam Chair.

1 CHAIRPERSON POURCIAU: Thank you. Thank
2 you. I want to say I think it's been a great
3 presentation. The report submitted by the ANC is --
4 is very thoughtful, and I get the sense of the
5 collaboration that's been going on between the
6 applicant and the ANC and the community, and I
7 applaud you for that. I want to now hear from the
8 Office of Planning. Mr. Isaiah, could you please
9 give your report?

10 MR. ISAIAH: Thank you, Madam Chair. For
11 the record, this is Philip Isaiah on behalf of the
12 Office of Planning. The Office of Planning
13 recommends approval of the subject application to
14 permit the construction of an eight-unit apartment
15 building in the residential apartment one zone
16 pursuant to subtitle use of Section 421 of the
17 zoning regulations, as well as the additional
18 density from providing one income restricted
19 inclusionary zoning unit pursuant to subtitle F,
20 subsection 201.4 of the zoning regulations. The
21 subject property from a zoning perspective as well
22 as the subject block, including the neighboring
23 properties, has been zoned RA-1 and the preceding R-
24 5-A zone since 1958, meaning apartments have been
25 intended for the subject property and immediate --

1 and immediate surrounding area since that time,
2 according to the zoning regulations.

3 The subject proposal meets the matter of
4 right yard bulk and height standards for the RA-1
5 zone, including the 40 percent lot occupancy
6 requirement as well as the parking requirements.
7 Staff analysis of the standard as noted in subtitle
8 use of Section 421.2 finds that adequate surrounding
9 public facilities are present and that the proposal
10 would not cause undue adverse impacts. The
11 additional density requested by the inclusionary
12 zoning unit would increase the FAR from 0.9 to 1.08,
13 which would result in an increase of 1,493 square
14 feet of gross floor area or a 16.6 percent increase
15 while still keeping within the bulk standards for
16 the RA-1 zone. As such, staff finds that the
17 special exception standards for the subject
18 application are met and stands on the record of the
19 report contained as Exhibit 34 of the record dated
20 June 11th, 2026. Thank you.

21 CHAIRPERSON POURCIAU: Thank you, Mr.
22 Isaiah. You brought up some good points there. I
23 appreciate that. Any questions for OP, Mr.
24 Goldstein?

25 VICE CHAIR GOLDSTEIN: yeah, I do. Thank

1 you. That -- that Your report was extremely good
2 and really appreciate your -- your testimony. Do
3 want to ask about the shadow study. And you heard
4 the applicant indicate they meet all the sort of
5 bulk with the special exception for voluntary IZ,
6 the yards, lot occupancy. I believe it's -- it's
7 not maximizing the height. It's -- it's pretty much
8 the expected development sort of bulk that RA-1
9 anticipates. Would you agree then that the shadow
10 study, although it is casting shadows -- h-how do
11 you view that shadow study in light of the RA-1
12 zone's permission and what the applicant's
13 proposing?

14 MR. ISAIAH: Yes, Mr. Vice Chairman. The
15 as -- as noted in the applicant's submission in
16 comparison to the full buildable envelope as
17 permitted in the RA-1 zone, the applicant is still -
18 - is still building to a lesser extent in terms of
19 height and in terms of, of course, the articulations
20 that were previously -- that were previously
21 mentioned. It is inherent in the RA-1 zone that --
22 that a larger apartment buildings in comparison to
23 single-family detached dwellings would cast slightly
24 more shadow than the existing conditions.

25 But because of the intent of the RA-1 zone,

1 staff did not find that -- that rose to the level of
2 being necessarily undue. And for example, under the
3 current regulations, while apartment buildings must
4 be subject to additional, this does not preclude,
5 for example, a very large single-family detached
6 dwelling if -- which would not need permission from
7 this board, which could also cast much additional
8 shadow as well. And therefore, while additional
9 cast shadow is -- will be cast under the subject
10 application, staff found that it would not rise to
11 the level of be -- of considering undue as in
12 accordance with the standards as outlined in the
13 zoning regulations.

14 VICE CHAIR GOLDSTEIN: Thank you. That's
15 really helpful analysis. You've seen the latest
16 revisions to the plan. Do those revisions just
17 reinforce your recommendation as provided in the
18 report?

19 MR. ISIAH: Yes. The new exhibits that
20 were found in the staff report from June 22nd
21 reinforce the recommendation of approval, and there
22 is no -- there's no differentiation in the analysis
23 between the last submission and this one.

24 VICE CHAIR GOLDSTEIN: Okay. Thank you.
25 Those -- those are all the questions I have.

1 MR. ISAIAH: I do like the brick, though.

2 VICE CHAIR GOLDSTEIN: actually, I think
3 the brick is nice. I think that was a good change
4 by the applicant. I agree.

5 CHAIRPERSON POURCIAU: Thank you, Vice
6 Chair. Member Lindsjo, do you have any questions
7 for the applicant?

8 MS. LINDSJO: I do not. Thank you.

9 CHAIRPERSON POURCIAU: Thank you.
10 Commissioner Miller, would you like to ask any
11 questions?

12 COMMISSIONER MILLER: No, no questions for
13 -- for Office of Planning, but thank you for your --
14 your comprehensive report.

15 CHAIRPERSON POURCIAU: Very good. Thank
16 you. And does the applicant have any questions for
17 Office of Planning?

18 MS. MEEKINS: I do not. Thank you so much.

19 CHAIRPERSON POURCIAU: Okay. Thank you.
20 We will proceed down the list. I don't think
21 there's anyone else to testify there. No other
22 district agencies, no DDOT. The ANC is not present,
23 although, again, they submitted a comprehensive
24 report that I'd like to discuss more with the
25 applicant. No parties signed up either in support

1 or opposition and there --

2 MR. YOUNG: We do have one witness that --
3 that signed up late.

4 CHAIRPERSON POURCIAU: All right. Mr. --
5 is that Mr. Frank?

6 MR. YOUNG: Felicia -- Felicia Barber.
7 I'll bring her in now.

8 CHAIRPERSON POURCIAU: Okay. Thank you so
9 much.

10 MS. BARBER: Good afternoon, and thank you
11 for this opportunity. I've been listening, and I've
12 been -- first, I'd like to thank the First
13 Commissioner for the line of questionings regarding
14 the size of the apartments. No family would want to
15 live like that. This affordable living is -- is
16 about to drive me mad because everyone's talking
17 about affordable living, but you're not talking
18 about the quality of the space that these people
19 will be living in. They're smaller than a -- a jail
20 cell. That should matter. The quality of life
21 should matter. I'm going to be living directly next
22 door to this, and you will be setting a precedent,
23 not just for me, but for what's going to go on in
24 this city. I implore you, just because something is
25 permissible, is it justifiable, is it beneficial, or

1 is it sustainable for the community, for the
2 neighborhood at large? Please look into that. OPP
3 mean, it just seem like they approve anything if
4 they can say it got good air quality or something
5 like that. I understand that, but the decisions
6 that you all are making, we have to live with them.

7 We have to. Yes, there are apartments buildings
8 there, and now we're suffering with trash, rodents,
9 litter, lack of parking. I'm talking about people
10 who have to live through this. It's bigger than
11 it's being permissible. Consider the community.
12 The ANC. Those meetings. There was so much
13 opposition. Our Commissioner Maya, she wanted to
14 vote before even reaching out to me. We did not get
15 proper representation with the ANC. I see I don't
16 have much time. I just ask you to really, really
17 look into this project. Not that it's permissible,
18 but please ask yourselves, how is this sustainable,
19 beneficial, and justifiable for a community that's
20 already suffering?

21 CHAIRPERSON POURCIAU: Thank you, Ms.
22 Barber. Are there any questions from the board for
23 this presenter?

24 VICE CHAIR GOLDSTEIN: I do have a
25 question. Th -- thank you for your -- your

1 testimony today. Could you talk about y -- you went
2 to the ANC meetings, is that right? And you sort of
3 participated in that discussion?

4 MS. BARBER: I went to a April -- an April
5 and May meeting. At the May meeting, Maya was
6 calling for a vote, and two other commissioners, I
7 think one of their names was Amin, was like, Have
8 you reached out to the community? If you listen to
9 those recordings, you would hear so much opposition.

10 You would even hear the commissioners talking to
11 each other like, Wait a minute, this is not right.
12 If you would just listen to those recordings. Yes,
13 I attended these meetings. There was so much
14 opposition in these meetings from the public, and
15 it's not just the people that's on that block, but
16 surrounding that's in the Ward 5B area because this
17 could happen to them. It's me today. It could be
18 them tomorrow. So yes, I attended these meetings.

19 VICE CHAIR GOLDSTEIN: I'm sorry, I didn't
20 mean to cut you off. I just have one follow-up
21 question. This is my last question. Y -- you've
22 had direct communications with the applicant about
23 your concerns?

24 MS. BARBER: My applicant did come over to
25 me, and I must say that they did mail me some

1 drawings. And from a lay person looking at that,
2 that just looked like blocks to me. The applicant
3 did come over and introduce herself, and I did. We
4 had a conversation, and I did said, Well. I did
5 ask, So what is -- what are you proposing? Are you
6 -- what is it going to look like? Is it going to be
7 brick? What are -- what are you doing? Because a
8 building was being built on 20th Street, and it fell
9 straight to the ground, so I'm concerned with what
10 materials you're going to be using because I'm right
11 next door to you. And at the time, she said she
12 didn't know. She cited because it was going on with
13 current terrace. And then I said, Okay, well, why
14 didn't you come and shovel the snow and be a good
15 neighbor? She said, Well, the whole city was -- was
16 snowing in. I said, But if -- if you're -- you said
17 you own other properties, so you just left your
18 tenants just out there? I got out and shoveled my
19 snow. So you couldn't have someone to come? I
20 said, That's not being a good neighbor. And she
21 couldn't afford it. So yes, I did question: Okay,
22 if you're talking financial problems with just these
23 issues, how are you going to afford sustaining this
24 building that you're trying to propose with 40, 50
25 people that you're proposing in this unit in between

1 two single-family homes? That's the basis of our
2 conversation.

3 VICE CHAIR GOLDSTEIN: Okay. Thank you for
4 your time today.

5 CHAIRPERSON POURCIAU: Thank you, Vice
6 Chair. Are there other questions from the board?
7 Ms. Lindsjo? Mr. Miller?

8 COMMISSIONER MILLER: No questions, but
9 thank you for your participation here today and --
10 and throughout the process at ANC.

11 CHAIRPERSON POURCIAU: And I'd like to also
12 thank Ms. Barber for your participation and for
13 coming today and voicing your concerns on the
14 record. It's my understanding that we have another
15 individual who signed up late to testify, Mr. Ra
16 Amin. Has that person been seen. Are you ready to
17 proceed?

18 MR. AMIN: Chair. Chair, yes, yes. Good
19 afternoon, Chair Pourciau. Good afternoon,
20 Commissioners. Thank you. My name is --

21 CHAIRPERSON POURCIAU: Let me say one
22 thing. Can I say one thing before you proceed?

23 MR. AMIN: Yes, ma'am.

24 CHAIRPERSON POURCIAU: I just know you have
25 three minutes.

1 MR. AMIN: Yes, ma'am.

2 CHAIRPERSON POURCIAU: And I do understand
3 that you are a part of the --

4 MR. AMIN: Yes, ma'am.

5 CHAIRPERSON POURCIAU: But you are.

6 MR. AMIN: Yes, ma'am.

7 CHAIRPERSON POURCIAU: Presenting as an
8 individual, correct?

9 MR. AMIN: Yes, ma'am, and thank you for
10 saying that, Chair, because I wanted to make that
11 wanted to make that perfectly clear. And I want to
12 thank Vice Chair for his initial lines of questions
13 because those were the same questions that the ANC
14 had. And I can cut straight to the point and say
15 that what the ANC, as Ms. Barber said, did a very,
16 very poor job overall at the representation of the
17 community and with community engagement. It was
18 only after I stepped in -- in the April meeting and
19 brought several things, like Vice Chair said, to the
20 attention that we began to pump the brakes. It was
21 mentioned that the applicant came to several
22 meetings.

23 All as -- as someone who worked on this,
24 that particular case never passed out of zoning, so
25 it never made it out of our zoning committee. A lot

1 of our meetings really didn't feel like negotiations
2 were being done in good faith. So Commission, I
3 think that what I'm asking on behalf of the
4 community is that we pump the brakes a little bit on
5 this one. We go back to those three points that you
6 saw in -- in our submission, our conditional
7 support, and especially that first one with
8 configuration of the units because we, as the ANC,
9 could get no verification from DHCD for the need of
10 these six, initially six-bedroom units, and then
11 later five-bedroom units. And what we did ask, and
12 -- and what we did ask is that we help the applicant
13 and the project team, you know, design some, you
14 know -- you know, beautiful three and maybe four-
15 bedroom units that will be more conducive to support
16 community. What you see here, these successions
17 that you see here may -- this evening that you're
18 looking at, I agree, it's much better. But it was a
19 long, hard fight, and trust has been truly eroded
20 through this process.

21 And some of the information that we asked
22 for, we never got, and -- and we believe that it was
23 strategically timed that even when we did get
24 information to look like we were in compliance, it
25 wasn't enough time for us to do proper

1 investigation. So I will conclude with saying, give
2 the community a little bit more time. Give the ANC
3 a little bit more time. I have done this hundreds
4 of times. Chair Miller knows this, right?

5 Commissioner Miller knows this.

6 I know how to get this right. Commissioner
7 Vasiri, Maya Vasiri, was brand new. She had no idea
8 what was happening, not even community engagement.
9 I think that we have time to get this right,
10 something that will work well for the community,
11 that will meet the applicant's needs, and will not
12 erode the trust of the people that we represent.
13 Thank you for your time. Open for questions.

14 CHAIRPERSON POURCIAU: Thank you for being
15 succinct and covering, I think, the gist of the
16 concerns here. Are there any questions from board
17 members for this participant?

18 VICE CHAIR GOLDSTEIN: Thank you. I'd like
19 to ask a question. If we were to entertain your
20 request for more time, what does more time look like
21 from your perspective?

22 MR. AMIN: thank you, Vice Chair. I'm
23 thinking the fall, and the reason why -- so that
24 would be September, October. And the reason why I
25 say that, Vice Chair, is because like all the rest

1 of DC, I feel like my colleagues will have, you
2 know, a lot of them have small kids, and I feel like
3 they will be vacationing starting very soon. But if
4 I may expound, I think now that we know what we have
5 in front of us, I, myself, along with my -- one of
6 my fellow commissioners, Commissioner Rathore, along
7 with some community members, we have assembled a
8 great team of community members most impacted 200
9 footers, community members that have expertise in
10 all of these areas that we consider. And I think
11 that we can arrive at a project, and I think that we
12 need probably September or October. And if I can
13 add one more thing, is that it's a dwelling there,
14 so it's not like it's nothing there or -- or it's a
15 -- it's a vacant field. So the fall, Vice Chair,
16 short answer.

17 VICE CHAIR GOLDSTEIN: Sure. Thank you.
18 And I'm probably going to want the applicant before
19 they finish to respond to that -- that timing.
20 Thank you.

21 CHAIRPERSON POURCIAU: Ms. Sanchez, do you
22 have any questions?

23 MS. MEEKINS: I do not. Thank you.

24 CHAIRPERSON POURCIAU: Thank you.
25 Commissioner Miller, do you have any questions?

1 COMMISSIONER MILLER: No questions. I
2 appreciate Vice Chair Goldstein's dialogue with Mr.
3 Amin, and I do know of his hard work in his
4 community and appreciate his efforts.

5 CHAIRPERSON POURCIAU: Would the applicant
6 like to ask any questions of this presenter?

7 MS. HAKIR: Yes. Well, of Ra Amin
8 specifically?

9 CHAIRPERSON POURCIAU: Yes.

10 MS. HAKIR: Okay.

11 CHAIRPERSON POURCIAU: Specifically of this
12 presenter.

13 MS. HAKIR: So no -- no questions.

14 CHAIRPERSON POURCIAU: Thank you. All
15 right. And so with that, I believe we've heard from
16 all of the witnesses that have signed up, and I want
17 to ask the board if you would like to have any
18 discussion before I ask the applicant to present any
19 closing remarks. No, not hearing any. Thank you.

20 COMMISSIONER MILLER: Well, in her closing
21 remarks, we --

22 CHAIRPERSON POURCIAU: Yeah. We'll ask --

23 COMMISSIONER MILLER: I hope she'll respond
24 to the Mr. Amin's and Ms. Barber's concerns.

25 CHAIRPERSON POURCIAU: Yes. Thank you.

1 Will it be Ms. Meekins or Ms. Hakim who --

2 MS. MEEKINS: Yeah, I can start. And
3 Zunnobia, if you want to add anything at the end,
4 obviously feel free to do so. I just wanted to
5 stress here that the relief that we're requesting is
6 for a residential apartment building. We have been
7 -- we started reaching out to the ANC back in
8 December of last year. We have attended seven
9 different events to speak to members of the
10 community, including the zoning meetings, SMD
11 meeting, and three ANC meetings. We have heard the
12 concerns. We have made many concessions to try to
13 get this project to be better aligned with the goals
14 of the ANC but also the goals of my client.

15 We want to provide affordable housing for
16 larger family units. And to do so, we need to have
17 larger bedroom counts. Again, this is relief for an
18 apartment building, and we are within the matter of
19 right volume. So I would implore the board to focus
20 on the relief being requested. And I would also say
21 that the owner has been very responsive to the
22 community. We are willing to work with them on a
23 good neighbor agreement to make sure that
24 construction and everything is as seamless as
25 possible with the neighbors, and I hope that the

1 work that we have done to this point is taken in
2 great weight. Thank you.

3 MS. HAKIR: thank you. And I would like to
4 say, and Elizabeth, I'm not sure if you have it on
5 hand, but when the Office of Zoning initially sent
6 out the notice that we were intending to develop the
7 lot to everybody within 200 feet I believe don't
8 want to be wrong, but I believe we only got one
9 person who made some comments. But after I went and
10 spoke to Ms. Barber and told her of my intention --
11 that is when she and it's -- it's in the record on
12 one of the opposition letters on June 10th Ms. Diane
13 Kearns stated that Felicia Barber has been
14 soliciting help from the Ward 5 community to oppose
15 the project because she believes it will be a
16 warehouse for unrelated transient residents. And
17 that I don't. I don't have any co-living.

18 I don't own any projects like that. All of
19 the rental properties that I have are mostly
20 families and mostly large families. And so to a lot
21 of people when we presented this, it seems off-
22 putting that you would have that many bedrooms, but
23 this is the space that I work in. This is my niche.

24 Every time I go to rent a five or a six bedroom, I
25 have far too many applicants for the amount of

1 places that I have available. And we did go to DC
2 Housing Authority and get the numbers on how many
3 people have these size vouchers and how many people
4 are on the waiting list. We provided all of that
5 information to the ANC, and we have been working
6 with the ANC since at least February. So to say
7 that they have not had sufficient time is -- is just
8 not accurate. And I don't have anything else for
9 you all.

10 CHAIRPERSON POURCIAU: Thank you. All
11 right. Any follow-up questions from the board for
12 the applicant?

13 VICE CHAIR GOLDSTEIN: Ju-just to ask if we
14 -- if we did entertain the request for a fall, to --
15 to delay this to the fall to give you more time,
16 what is the consequence to you and your project of
17 that timing?

18 MS. HAKIR: Okay. Well, in the last ANC
19 meeting, one of the ANC commissioners that -- first
20 of all, they unanimously voted in support. Even Ra
21 Amin, he was on that meeting. Okay? So, one of the
22 ANC Commissioners, Rathore, he stated that delaying
23 it would be analysis paralysis. They already have
24 all the information. They've had information for
25 months. We've talked about this for months over a

1 series of many ANC meetings. And to me, it would be
2 -- it would cost.

3 So basically, the concessions that I
4 provided obviously cost money. The whole full brick
5 facade was not in the initial plan, but Ms. Barber
6 wanted that, and so we gave it to her. But as time
7 goes on, the project is delayed, and it -- we're
8 talking about tens and tens of thousands of dollars
9 in addition to the mounting costs that this would
10 cost. It would be a hardship. And I don't think
11 anything is going to change because they've had the
12 information now for six months.

13 VICE CHAIR GOLDSTEIN: Thank you.

14 CHAIRPERSON POURCIAU: I'd like to ask a
15 question, And I don't know if I missed this, but you
16 -- you said you're willing to change the layout to
17 five bedrooms instead of six, but that has not been
18 submitted for the record.

19 MS. MEEKINS: The most recent plans that
20 were submitted earlier this week, I believe on the
21 22nd, do show that we have reduced the bedroom count
22 in -- let me just double-check my notes -- six of
23 the units. So we now have six units that are five-
24 bedroom and two bedrooms that are remaining six-
25 bedroom. That is a reduction from previously: all

1 eight units were six-bedroom.

2 CHAIRPERSON POURCIAU: And the
3 configuration of the units that have been reduced to
4 five bedrooms, are -- are they a similar layout or
5 did you change the layout? I wasn't able to compare
6 one to the other.

7 MS. MEEKINS: Yes. I mean, they're
8 generally similar. It -- it essentially gave more
9 space to the living, dining, and kitchen areas.

10 CHAIRPERSON POURCIAU: And you -- we
11 haven't received any feedback because those
12 documents were just provided for the record two days
13 ago.

14 COMMISSIONER MILLER: Okay.

15 MS. HAKIR: That's right.

16 CHAIRPERSON POURCIAU: I understand. I do
17 want to say, for the record, the late submissions
18 really compromise our ability to be decisive at the
19 time of the hearing. And we see that a lot, and I'm
20 really struggling with how we change that process,
21 that performance without being punitive. But when
22 we gather, it's critical that not only we have what
23 the applicant has presented, but the broader
24 community has had the benefit of seeing that as
25 well. Are there other questions from board members

1 for the applicant?

2 COMMISSIONER MILLER: Yes Madam Chair, and
3 I agree with your last comments. Although I think
4 some of the late filings which we've accepted into
5 the record were revisions that we're trying to be
6 responsive to some of the concerns in the community.

7 So I do appreciate that responsiveness even though
8 it hasn't gone far enough for -- obviously for
9 others -- for some. I meant to ask this when --
10 before your -- at your time of your presentation.
11 What's on the existing? Is there -- there in fact
12 there's a -- there's a household or two, or how many
13 people are living? Is anybody living on the -- on
14 this property currently? It was referenced that
15 it's an existing dwelling unit -- or just also
16 planning report says it's developed with a two-story
17 vinyl sided single unit, a detached dwelling, which
18 would be razed to build the apartment building
19 proposed by this application.

20 MS. HAKIR: Mm-hmm.

21 COMMISSIONER MILLER: Can you elaborate on
22 what -- was there and what is there currently?

23 MS. HAKIR: Elizabeth, you want me property
24 is vacant. It's a dilapidated vacant house. It's
25 been vacant for quite some time well before I

1 purchased it.

2 COMMISSIONER MILLER: Okay. That's -- that
3 was my -- that was going to be my question. If it
4 was before you purchased it, then okay. That's
5 helpful. And just to confirm, even though these are
6 extremely small sized individual bedrooms, just to
7 confirm that they -- they will obviously have to
8 meet code, which I think requires a window in each
9 bedroom? And it looks like they're all on like
10 exterior of the building based on what I'm not a
11 expert architect in reviewing these drawings -- but
12 it looks like they do that. It's just, can you
13 confirm that each of these small bedrooms will have
14 their own window?

15 MS. HAKIR: Yes, I can confirm that every
16 bedroom is afforded with its own window, and all the
17 bedrooms are meeting DHCD's requirements for a
18 bedroom.

19 COMMISSIONER MILLER: Thank you.
20 Appreciate that. No further questions, Madam Chair.

21 CHAIRPERSON POURCIAU: Thank you. I think
22 the layout is critical, right? So, how the bedrooms
23 interact with the community areas, you know, how a
24 living space provides for the family experience
25 that, Ms. Amin, I hear you talk about, which is

1 commendable. I mean, I really, I think the city
2 needs more of this. I just feel like I might want
3 remarks from the ANC commissioner were pretty
4 compelling for me, and it sounds like he wants to
5 push for a little broader consensus. Commissioner
6 Miller has interacted with him in the past, it
7 seems, and knows of his being able to work with
8 communities, I guess. What are you a little more
9 time with the ANC commissioner and the layout? I
10 know you've, you've been working to try to, you
11 know, gain broader consensus from the community.
12 What would you think about that?

13 MS. MEEKINS: I just would -- I think that
14 the owner made a good point that at the most recent
15 ANC meeting when the commissioners were discussing,
16 again, all voting in support, they spoke about
17 whether they should take a vote or continue, and
18 they made the choice to take a vote. I think that
19 discussion is pretty clear from that meeting. So I
20 don't know if it would be productive to return to
21 the ANC after the commissioners expressed that they
22 thought that this project was finished with
23 discussion. The other thing that I would just try
24 to emphasize is that our relief that we're
25 requesting is a use relief. We're requesting use in

1 this zone to be an apartment house, and I don't know
2 if it would be don't know what the input of the
3 different, you know, the nuts and bolts of how big a
4 bedroom is versus a living room versus a kitchen,
5 how that is affecting the use that we are
6 requesting.

7 We are meeting all the requirements of the
8 code. We're meeting the requirements of DHCD. We
9 obviously want to provide units that are desirable.

10 That is our goal. We want these to be habitable
11 spaces, and our client came to us with this design
12 challenge to create these spaces, and we are trying
13 to meet the goals and the void in the market that
14 she's trying to fill. And while I am receptive of
15 the comments of the ANC, and I think that we have
16 made some of those concessions, particularly to
17 increase some living room sizes, I don't know if it
18 would be productive for us to return there to
19 discuss the specific square footage of living rooms
20 and kitchens and whatnot.

21 MS. HAKIR: And might I add that
22 Commissioner Amin, like I said, he voted in support
23 of the project last ANC meeting, which was last
24 week. And I do believe that it's -- it's
25 disingenuous for him to vote in support and then

1 come onto the BZA hearing and request more time. So
2 yeah, I don't -- there is a huge misunderstanding
3 from the community. Like Commissioner Amin said, he
4 wants us to do three-bedroom units and maybe four-
5 bedroom units, but he is not in this space. He's an
6 ANC commissioner. He's not a landlord. He's not in
7 affordable housing. So he does. Even though I have
8 given him all the information to outline the need,
9 this, specifically Ms. Barber and Commissioner Amin,
10 they don't really want family-sized housing or, you
11 know, housing that can house a six-person family in
12 this space. And I don't think more time is going to
13 change that.

14 CHAIRPERSON POURCIAU: Thank you. If there
15 are no more questions from the --

16 COMMISSIONER MILLER: Just one question.
17 I'm sorry. Since we're talking about time and
18 delays, of course, the BZA was out for three months.
19 And so this hearing, I presume, was one -- was one
20 of many that got delayed. When did you originally
21 file this application with the Board of Zoning
22 Adjustment? Do you recall? For the applicant.

23 MS. MEEKINS: I can find that here. One
24 moment.

25 MS. HAKIR: I know our first meeting was

1 supposed to be in February, and then it was pushed
2 to April, and now we're here, but --

3 COMMISSIONER MILLER: Right.

4 MS. MEEKINS: We filed an ICIS back in
5 December. It looks like the first exhibit was filed
6 December 12th of 2025 and posted on the 17th.

7 COMMISSIONER MILLER: Okay. Thank you.

8 CHAIRPERSON POURCIAU: I was seeing
9 something that said the original hearing date was
10 scheduled for April. I don't know if there was
11 anything prior to that.

12 MS. MEEKINS: That's correct.

13 CHAIRPERSON POURCIAU: Secretary? That was
14 the original. Yeah. So April. So we're catching
15 up a little bit, Commissioner Miller, but we still
16 got a little ways to go.

17 COMMISSIONER MILLER: Yeah.

18 CHAIRPERSON POURCIAU: Any other --

19 COMMISSIONER MILLER: I thought it would've
20 been. I thought it was much earlier, so that's --
21 well, I've got one comment. It's not as much of a
22 delay as I thought it was due to our being out.

23 CHAIRPERSON POURCIAU: Thank you for that.

24 Any other questions from the Board? Okay. So if
25 there are no more questions, you can close the

1 hearing and record, and witnesses can be excused. I
2 want to thank you all for coming and for presenting
3 your case. It's quite compelling, and these are
4 always really difficult for us. It's definitely a
5 need, and we also want to make sure the need is
6 provided for in the best possible way. And hearing
7 those who have taken out the time to come forward
8 and testify really helps us in what we do. So thank
9 you for that. So once the witnesses are excused, we
10 can continue our deliberation. Right.

11 It looks like everybody has been excused.
12 Are there more things we need to talk about? Are
13 you all thinking you might want to take a vote on
14 this? I'm torn about extending it further. I think
15 what the applicant stated about the commissioner
16 voting and approval and -- and the conditions that
17 were put forward were pretty clear, and the
18 applicant has responded to all those things. I
19 don't know. What do you all think?

20 COMMISSIONER MILLER: And the applicant has
21 committed to continue. It's just a verbal
22 commitment to be a good neighbor and work with, try
23 to be responsive as -- as the project if the project
24 moves forward. So yes, I share your hesitancy about
25 moving forward and -- and often give more time so

1 that people can work it out further. But there's
2 been a lot of engagement already and so I also am
3 concerned about how productive that could be and the
4 cost of that delay and then -- and the compelling
5 need for extremely low income housing.

6 VICE CHAIR GOLDSTEIN: Yeah, I share -- I,
7 your hesitancy I kind of see a little both sides
8 here. The applicant, I think, compellingly
9 reinforced that I don't think our task is as much
10 designing the units on the applicant's behalf - or
11 doing that sort of analysis, and it's really, you
12 know, bulk, you know, impact on services, recreation
13 landscaping public streets. I'm a little afraid
14 that we're getting too in the weeds of sort of
15 architectural interior architectural design of units
16 and how it is likely to operate and not enough on
17 sort of the, you know, the issues that are really
18 most forefront in our mind should be its impacts in
19 sort of more external ways. So I'm not sure that
20 there's -- there's much more benefit in discussions
21 and sending it back to the ANC particularly if it
22 ends up being the fall. I. That feels -- that
23 feels too long to me.

24 CHAIRPERSON POURCIAU: Thank you for that
25 advice, Chu. Ms. Lindsjo, did you want to

1 participate in this discussion?

2 MS. LINDSJØ: I also agree that feels too
3 long, and I don't know how much they're really going
4 to accomplish in that timeframe. I don't think that
5 they're going to be convinced otherwise. Like, I
6 think they have a -- so I don't know. A lot of
7 these IZ cases, I'm also torn at just the process of
8 them and how they're going to be executed later.

9 VICE CHAIR GOLDSTEIN: Just to that last
10 point, I just want to make sure, you know, I can --
11 can be responsive. Are you sort of indicating like
12 the pledge of sort of affordability and how that
13 actually materializes or plays out if it does? Is
14 that kind of --

15 MS. LINDSJØ: Yes.

16 VICE CHAIR GOLDSTEIN: Go ahead.

17 MS. LINDSJØ: Yes. Yeah. Which we can't.
18 We don't know.

19 VICE CHAIR GOLDSTEIN: Yeah. We can't
20 guarantee it in this case. It's - been stated, but
21 we do know there'd have to be some IZ component.
22 But beyond that, I'm not sure there's a requirement.

23 COMMISSIONER MILLER: That's really beyond
24 our jurisdiction, and there have been problems with
25 implementation - of IZ, although I think it's gotten

1 better. There's only -- is it only one IZ unit
2 here? And the rest has been committed to. All - of
3 it's committed to be housing voucher, but that's not
4 part of what - we require. That's not in our zoning
5 envelope - of what we consider. So I think I'm
6 ready to move forward, Madam Chair, but I'll -- I'll
7 defer to others if there's --

8 CHAIRPERSON POURCIAU: Seems like we're
9 ready to move forward. Is there someone who would
10 like to make a motion on this?

11 VICE CHAIR GOLDSTEIN: Well, I do wonder if
12 we just need to deliberate. I apologize. I don't
13 mean to prolong it, but I think I would move to
14 support the application. I think it meets the
15 criteria of U-421. I appreciate the changes that
16 the applicant made. I recognize that there will be
17 impacts to neighbors. I think they're not on an
18 undue level. It's an apartment. It's a zone that
19 permits a range of housing types, including
20 apartment houses. This one is preserving side yards
21 that are required. It's underneath the maximum
22 height. It's getting a little bit more density, but
23 not so substantial that it's really changing, I
24 think, the feel of the project.

25 I think it's -- yeah, it's unfortunate. I

1 don't think there's going to be consensus, and I
2 think even with weeks more discussion, I don't think
3 there'd be consensus about what -- what the
4 community or close neighbors or the ANC would like
5 to see there with the applicant. But I think
6 they've met their burden. I also want to say that
7 the Office of Planning supported not just the
8 earlier version, but they supported the revised
9 version, so I'd like to rely as well on their
10 recommendation and guidance. And that's how I would
11 view the project.

12 And I'd like to, you know, lastly just say
13 I really appreciate the applicant switching to
14 brick. I think it's a more think it's a nicer
15 looking design, in my view, and I would continue to
16 encourage the applicant to do all that they can to
17 be good neighbors. I think they've said that --
18 that is their intent. I'd like to help -- hope that
19 they fulfill that intent with the way the
20 construction is managed and in communications around
21 this project. Thank you.

22 COMMISSIONER MILLER: That's a motion.
23 I'll second it. I concur with everything you said.
24 It was very eloquent.

25 VICE CHAIR GOLDSTEIN: Oh, I make a motion

1 to approve unless anyone don't mean to cut anyone
2 else off. Otherwise, I'll -- I'll go ahead. I'll
3 make a motion to approve application No. 21439, 1908
4 Irving Street, LLC that for the relief as -- as
5 captured and read by the secretary.

6 COMMISSIONER MILLER: I will second that.

7 CHAIRPERSON POURCIAU: Thank you both.
8 Madam Secretary, would you please call the vote?

9 MS. MEHLERT: Please respond to the vice
10 chair's motion to approve the application. Chair
11 Pourciau?

12 CHAIRPERSON POURCIAU: Yes.

13 MS. MEHLERT: Vice Chair Goldstein?

14 VICE CHAIR GOLDSTEIN: Yes.

15 MS. MEHLERT: Board Member Lindsjo?

16 MS. LINDSJO: Yes.

17 MS. MEHLERT: Commissioner Miller?

18 COMMISSIONER MILLER: Yes.

19 MS. MEHLERT: Staff would record the vote
20 as four to zero to one to approve application No.
21 21439 on the motion made by Vice Chair Goldstein and
22 seconded by Commissioner Miller.

23 CHAIRPERSON POURCIAU: Thank you, Madam
24 Secretary. Thank you all for the deliberation on
25 that case. This one took a little longer than I

1 thought. I was going to try to push through so we
2 could finish earlier, but I think now might be a
3 good time to take a -- a brief lunch break and maybe
4 reconvene at 1:30. What do you all think?

5 COMMISSIONER MILLER: I think that's a good
6 idea.

7 CHAIRPERSON POURCIAU: Good.

8 COMMISSIONER MILLER: I'm sorry that the
9 last two cases -- we, I thought we'd get to them as
10 well. But we do what we have to do.

11 CHAIRPERSON POURCIAU: Right. Yeah. It
12 was good discussion. It was important. All right,
13 so let's take a 47-minute break. We will reconvene
14 at 1:30 after lunch. Thank you.

15 (Whereupon, the above-entitled matter went
16 off the record at 12:44 p.m. and resumed at 1:32
17 p.m.)

18 CHAIRPERSON POURCIAU: Hope you had a good
19 break. I see there's something complicated with the
20 some of the zoning servers.

21 Secretary Mehlert, have you noticed any
22 issues? You think we'll have any problems?

23 MS. MEHLERT: I don't -- I don't think so.
24 I think it is still working fine in terms of the
25 case records. It's more the zoning map if anyone

1 needs to access that.

2 CHAIRPERSON POURCIAU: Okay, thank you.

3 All right, let's reopen the hearing and we can begin
4 with our next application, Number 221444.

5 Madam Secretary, would you please introduce
6 the case?

7 MS. MEHLERT: Yes. Returning to the
8 Board's hearing session. Next is Application Number
9 21444 of Gordon Seagrave. This is a self-certified
10 application pursuant to Subtitle X, Section 901.2
11 for special exceptions under Subtitle C, Section
12 306.4, from the new alley record lot requirements of
13 Subtitle C, Section 3061A, B and C, and under
14 Subtitle D, Section 5201.3, from the rear yard
15 requirements of Subtitle E, Section 5100.1C, and the
16 side yard requirements of Subtitle E, Section
17 5100.1D.

18 This project is the subdivision of an
19 unimproved alley tax lot created before September 6,
20 2016 ,to create a new alley record lot for a new
21 one-story garage. It's located in the R-2 zone at
22 Square 2062, Lot 809.

23 CHAIRPERSON POURCIAU: Thank you. And I
24 see we have Ms. Wilson on as the agent for the
25 applicant.

1 Are you ready to make your presentation?

2 MS. WILSON: I am. Thank you so much.

3 Alex Wilson from Sullivan & Barros. And I'm
4 representing the owner, Mr. Gordon Seagrave. And we
5 do have a presentation whenever Mr. Young can --
6 thank you so much. Thank you.

7 So the property shown here is a 276 square
8 foot alley tax lot in the R-2 zone. It's in the
9 Cleveland Park Historic District. And the lot
10 contains the remnants of historic garage that
11 existed on the site for approximately 100 years,
12 including portions of the original concrete slab and
13 brick walls. And so those are currently serving as
14 the retaining walls for the adjacent embankment.

15 As you can see from the map, the property
16 is bounded by a 16-foot-wide public alley to the
17 east. Otherwise, it's surrounded by a separate
18 property, 3215. And the owners of that property are
19 not affiliated with this application, although they
20 are aware of the application. Mr. Seagrave owns
21 this lot and resides across the alley at 312 Rodman
22 Street Northwest. And he seeks to construct this
23 garage to have a secure parking space solely for
24 himself and his family for personal use.

25 Next slide, please. The garage will be one

1 story with a footprint of approximately 213 square
2 feet replacing the historic garage that long existed
3 on this site. And in order to do this we need two
4 special exceptions. One is to convert the existing
5 tax lot to a record lot and the other is for the
6 setback requirements.

7 Next slide, please. OP is recommending
8 approval. ANC 3C voted unanimously in support.
9 DDOT has no objections, and the Historic
10 Preservation Office has no objections.

11 Next slide, please. This map shows the
12 distance from the lot to the main street. Next
13 slide, please. The photo on the left shows the
14 subject property. And if you look at the top of the
15 photo, that's the house on 3215 Rowland. And you
16 can see how steep of a grade difference this is.
17 The top of the proposed garage will barely be above
18 grade and it will be well below the fence of the
19 only adjoining neighbor. And then the photo on the
20 right shows the alley entrance.

21 Next slide, please. And this is another
22 photo showing the grade change along the alley.
23 Next slide, please. We need two areas of relief to
24 be to build this very small garage. Both are
25 related to the lot configuration. First, we need to

1 create a record lot. We have what is called a tax
2 lot and the zoning regulations require us to convert
3 that tax lot to a record lot for any new
4 construction. These zoning regulations also require
5 that alley buildings have five feet of separation
6 from street facing lots. And so this lot is
7 surrounded by a street facing lot.

8 And in this case, given the size of the
9 proposed building relative to our lot, that would be
10 impossible to set the building back five feet on all
11 sides. So we are seeking a special exception for
12 that and that's reviewed under the light, air,
13 privacy and character test.

14 Next slide, please. There are other grass
15 structures along the alley and that's consistent and
16 the proposal is consistent with the existing
17 conditions.

18 Next slide, please. The tax lot has been
19 around since before 2016. So the requirements for
20 special exception are primarily that the lot have
21 some sort of street access and that was demonstrated
22 in the map in slide 4. And also that it be sent to
23 these various agencies.

24 Next slide, please. As demonstrated in the
25 photographs, the lot is well below the grade of the

1 adjacent neighbor which is the subject of the step
2 back requirements. So of course there will be no
3 impact on light, air, privacy or character as it's
4 so far below the abutting neighbor's lot and view
5 with the fence. There are no windows proposed and
6 it's a small one story garage compatible with the
7 existing structures. Along the alley.

8 Next slide, please. This is just another
9 view of the plat. Next slide, please. Next slide,
10 please. And these are the elevations. You can see
11 the grade change here and how the top of the
12 structure is not. Is barely above the grade by a
13 couple feet. It will be well below the neighbor's
14 fence as well.

15 All in all, it's a straightforward proposal
16 and we are happy to answer any questions. Thank
17 you.

18 CHAIRPERSON POURCIAU: Thank you. Thank
19 you. It looks pretty straightforward, but we need
20 to hear more about this. I know we have someone in
21 opposition.

22 So would any Board members like to ask any
23 questions of the applicant?

24 VICE CHAIR GOLDSTEIN: I'd like to ask for
25 the pervious surface requirement. What is your

1 approach to meeting it in this project?

2 MS. WILSON: I'd have to double check what
3 the pervious surface is and the requirement. It's
4 not currently listed on the plans. Okay. Let me
5 double check that.

6 Just to provide context, the garage is only
7 occupying about 8 less than 80 percent of the lot.
8 So there'll be some space that you can work with to
9 meet the pervious surface requirement. And I
10 believe this is in. In permitting already. And
11 that wasn't raised as an issue. I would just have
12 to double check. I just don't know off the top of
13 my head.

14 VICE CHAIR GOLDSTEIN: Okay. And I think
15 you mentioned you have spoken to the most close
16 neighbor to this. They just have chosen not to put
17 anything into the record at this point?

18 MS. WILSON: Our understanding is that
19 they're aware of it and we haven't heard anything
20 from them otherwise. But they know this is an
21 ongoing issue in their backyard and I believe that
22 they're anxious to have something done here.

23 VICE CHAIR GOLDSTEIN: It looks like it'll
24 be a real improvement to the current condition. I
25 think it's a very -- it's a lovely looking little

1 garage. Thank you for the presentation.

2 CHAIRPERSON POURCIAU: Board Member
3 Lindsjo, do you have any questions?

4 MEMBER LINDSJO: I do not at this time.

5 CHAIRPERSON POURCIAU: Thank you.

6 Commissioner Miller, any questions?

7 COMMISSIONER MILLER: No questions. Thank
8 you, Ms. Wilson, for this I agree very
9 straightforward proposal and for your presentation.

10 I was going to ask this same question that the vice
11 chair asked about the neighbor across the alley from
12 the owner of this garage site.

13 What interaction there had been with them?

14 You said they're aware of it. Did you have any
15 direct interaction with them? Did they come to the
16 ANC meeting where the ANC3C unanimously supported
17 it?

18 MS. WILSON: They're aware of it and agree
19 that it's certainly an improvement of what's there
20 currently. So might shore up that whole retaining
21 wall issue.

22 COMMISSIONER MILLER: But has there been
23 any interaction with the owner of 32 -- direct
24 interaction with 3215? They obviously got notice of
25 this.

1 MS. WILSON: I personally have not
2 interacted, but we've been told by the owner that
3 they're aware of this. And I wouldn't say they are
4 super supportive and are giving us a letter of
5 recommendation. They didn't show up to the ANC. I
6 think they just want something done here. And
7 there's probably some back story about this being
8 open for so long and some frustrations there, but
9 this will obviously be an improvement.

10 COMMISSIONER MILLER: Right, that makes
11 sense. So -- and it's gotten Historic Preservation
12 Office sign off, as you said, and it'll going
13 through a -- probably in the permitting process
14 it'll go through another HP review. So that's all
15 well and good. So I'm prepared to support this
16 application, Madam Chair.

17 CHAIRPERSON POURCIAU: Thank you very much.
18 I think we'll hear from the Office of planning now.

19 Mr. Jesick, do you have a report for us,
20 please?

21 MR. JESICK: Thank you, Madam Chair and
22 members of the Board. For the record, my name is
23 Matt Jesick. And the Office of Planning can largely
24 rest on the record of support in this application.

25 We reviewed the relevant special exception

1 criteria, both for the conversion to a record lot as
2 well as for the rear and side yard relief, and found
3 that the application met the relevant criteria. So
4 again, we are recommending approval, but I'm happy
5 to take any questions. Thank you.

6 CHAIRPERSON POURCIAU: Any questions for
7 OP?

8 Thank you, Mr. Jesick, as always, for your
9 report.

10 All right. Hearing no questions, I see
11 there is no other government agency. There's no
12 DDOT here to present. The ANC is not present.
13 There are no parties in support or against.
14 However, there is an individual that has signed up
15 to -- in opposition, witness Mr. Franzia. Can we
16 bring him in, please?

17 MR. YOUNG: It looks like he decided not to
18 join and testify today.

19 COMMISSIONER MILLER: Okay. I think I'll
20 just note, Madam Chair, even though DDOTs not here,
21 they often aren't here at BZA hearings unless
22 there's some major issue. They did submit their
23 report with no objections.

24 CHAIRPERSON POURCIAU: Thank you for
25 entering that for the record. All right. I think

1 I'd like to ask the applicant if they would like to
2 give their concluding remarks now and maybe talk a
3 little bit about the opposition.

4 MS. WILSON: Sure. I am not aware of that
5 individual who signed up to testify. I am trying to
6 look up any neighbors on the zoning map, but the
7 zoning map's not working to reflect that. So we
8 have not heard from this individual up until that
9 time. I think the project is very straightforward,
10 objectively meets the criteria for approval, and
11 will be a vast improvement on the current condition.

12 And I appreciate the board's time. Thank you so
13 much.

14 CHAIRPERSON POURCIAU: Thank you.

15 Are there any more questions? Follow-up
16 questions from the Board? For the applicant?
17 Anyone have any?

18 I was just looking in a case file to see if
19 there's anything new in there that may have been
20 missed. But, yeah, I don't see anything submitted
21 in opposition. Okay. All right. If there are no
22 more questions, I want to thank you all for your
23 presentation today.

24 I believe the Board is ready to deliberate
25 and so would you please close the hearing and the

1 record and witnesses can be excused. Again, thank
2 you for your testimony today. Okay. I'm going to
3 ask Mr. Goldstein if he would like to begin our
4 discussion.

5 VICE CHAIR GOLDSTEIN: Sure. I think the
6 applicant has demonstrated that they've met the
7 special exception criteria to create the new alley
8 lot and for the yard relief that they're seeking.
9 It's a small lot historically. It's had a garage on
10 the lot. It's pre-2016, which they established,
11 which allows the special exception for the
12 conversion to the record lot. I think they've met
13 the criteria. I would be supportive of a motion to
14 approve and I'm happy to make a motion. Unless
15 anyone else would like to add to that.

16 CHAIRPERSON POURCIAU: Please proceed.

17 VICE CHAIR GOLDSTEIN: I'd like to make a
18 motion to approve Case Number 21444 by Gordon -- the
19 application of Gordon Seagrave for Square 2062, Lot
20 809, to create an alley record lot and construct a
21 new detached one-story accessory garage in the R-2
22 zone for the relief as captioned and read by the
23 Secretary. Thank you.

24 MS. MEHLERT: I just want -- sorry, I just
25 want to interrupt. I think staff has heard from the

1 witness and I think they're trying to testify. It
2 says -- sounds like they would like to testify, but
3 I haven't seen them yet on the Webex yet. But I
4 don't know if you want to wait for them just in case
5 they're having technical issues.

6 CHAIRPERSON POURCIAU: I think we should
7 give it a couple minutes at least. The motion has
8 been made and seconded and we'll just hold for now
9 on the vote and see if they can get in.

10 (Pause.)

11 CHAIRPERSON POURCIAU: Any update?

12 MS. MEHLERT: No, I'm trying to -- waiting
13 to hear from staff. Give me one second. Think he's
14 trying to call in. I think he's --

15 CHAIRPERSON POURCIAU: If you want to
16 reopen the -- the hearing and the record.

17 MR. FRANZIA: Hello.

18 CHAIRPERSON POURCIAU: Hi. Could you hold
19 on one second? You're in, and we're going to hear
20 from you in a moment. So I would like to reopen the
21 hearing and the record so that we can hear from the
22 witness who had signed up in opposition but was
23 having some technical difficulties and luckily was
24 able to get on within a short amount of time. And I
25 believe it is Mr. Franzia. And I believe we are

1 ready to hear your testimony. You have three
2 minutes to present.

3 MR. FRANZIA: Sure. Thank you very much.
4 I'm glad that you're addressing this, which has been
5 a long standing issue over here. I'm interested in
6 the timetable for -- if there is a timetable for
7 construction. The reason being that this is a
8 dilapidated building, collapsed in February of 2022,
9 was illegally demolished in April of '22, has been
10 cited numerous times for unsafe conditions. Some of
11 those in 2022 and November and also in 2025. There
12 have been multiple building permits that have
13 expired in 2023. There was a notification letter to
14 us.

15 By the way, we are the adjoining property
16 owners, and my name is Manuel Roig-Franzia at 3215
17 Rowland Place Northwest. In 2023 we signed a
18 notification letter for the construction of some
19 building there. Nothing happened with that.

20 So I have a question about the timetable.
21 I have a question about whether the taxes have been
22 paid on this property. According to the website of
23 the city, it's delinquent, as well as the property
24 owned across the alley. I wanted to know whether
25 signs have been paid. There have been more than

1 \$6,000 in signs on this property. I will note that
2 the 10 percent permeable surface issue is a -- is
3 something that you need to address. It's my
4 understanding that there's concrete in that little
5 triangle that's not part of the construction area.

6 I had a question about the doors. The
7 doors seem to open into the public alleyway and I
8 wanted to see if that's correct. Based on my
9 looking at the schematic, it does seem to be that
10 way. That is an alley that's used by people who
11 live in the area and also by the garbage men. I
12 also did not see or would like to know more about
13 information that have been made for the protection
14 of our property. When the illegal demolition
15 violation was issued in April of 2022, the inspector
16 noted that there should be protection for the
17 adjoining property. So I had some questions about
18 that.

19 No, I did not attend the ANC conference
20 meeting. I was not aware of it. I've had no
21 communication from the owners of the garage
22 property. I think that's about it. Oh yeah, that's
23 basically my -- within my three-minute time, what
24 I'm interested in knowing.

25 Oh, there was also another question. Some

1 of the correspondence related to this, when it
2 initially became a problem in the spring of 2022,
3 came from a NASA.gov email address. And I wanted to
4 know if there's any government use of this property
5 intended.

6 CHAIRPERSON POURCIAU: Hello. Yep. Thank
7 you, Mr. Franzia, and thank you for staying within
8 your time. At this point, I'd like to ask the Board
9 if they have any questions for this presenter.

10 COMMISSIONER MILLER: Thank you, Madam
11 Chair. I have a question. Well, thank you for
12 participating today. You said you didn't hear
13 directly from the owner of the garage site, which
14 surrounds -- which is surrounded by your-- largely
15 by your property on Rowland, the backyard. But
16 there we saw the sign -- the posted signage there.
17 You obviously are aware of it. You were probably
18 required to get written notice as well.

19 Did you -- so you were aware you had notice
20 of this particular application pursuant to our own
21 rules, the posting requirement and notification of
22 those within 200-feet of a project site. Is that
23 correct?

24 MR. FRANZIA: Yeah, it's absolutely
25 correct. I just wanted to -- since the point had

1 been brought up about the ANC meeting, I just wanted
2 to say, since people were asking about the ANC
3 meeting, that I wasn't aware of it. But, you know,
4 it's fine. Here I am.

5 COMMISSIONER MILLER: We're glad you're
6 here. Thank you for being here. I had one other
7 question. I can't even now remember what it was.
8 If it comes back to me, Madam Chair, I'll ask the
9 witness about it.

10 VICE CHAIR GOLDSTEIN: Thank you. I do
11 have a question or two. So, basically, there was a
12 previous garage that was dilapidated. And one of
13 your key concerns is it just took -- it's taken a
14 long time to resolve this. Is that what you're --
15 there's more to it, I suspect, but is that one of
16 your key concerns?

17 MR. FRANZIA: Well, we have had an unsafe
18 and blighted property right next to us for more than
19 four years. So, yeah, that's a concern. It's also
20 a concern that permits have been applied for and
21 have expired and no work has been done. And the
22 notifications to which we gave permission, you know,
23 were issued and nothing was done.

24 And so my question, I guess, is, I mean, if
25 it were you, I think you would be wondering if this

1 is just another in a long series of unkept promises.

2 VICE CHAIR GOLDSTEIN: Okay. Well --

3 MR. FRANZIA: I think that is the reason --
4 I'm sorry, I didn't mean to interrupt you. You can
5 go ahead, but I was just going to add something
6 there.

7 VICE CHAIR GOLDSTEIN: No, please go ahead
8 and add it.

9 MR. FRANZIA: I mean, that's one of the
10 reasons why I would like to know, is there a
11 timetable? Have provisions been made for things
12 like protecting the neighboring property? And, you
13 know, one of the reasons why that question I have in
14 my mind is that the illegal demolition and some of
15 the illegal construction that took place. Excuse
16 me, let me rephrase that. Some of the illegal
17 construction that was taking place there was done by
18 the owner himself, not by, you know, a licensed
19 bonded contractor. Unless I looked up -- unless
20 Gordon has become a licensed contractor in the last
21 few days, you know.

22 But he went out there himself and put up
23 posts to hold up the falling down building and told
24 us all and me and other neighbors that, that he was
25 going to fix it himself. And then it sat there for

1 months at a time. So, you know, when an inspector
2 from the city says that protections need to be put
3 in place, you know, this is in writing on a stop
4 work order, that tells me that this person is an
5 expert. Right. I feel that protections need to be
6 put in place for the neighboring property.

7 Well, I'm the neighboring property owner
8 and so that's a question I have. You know, where
9 are the provisions for that? Are licensed, bonded,
10 and insured contractors going to be used? Those
11 sorts of things are obviously paramount our mind,
12 given the history of this and then, you know, given
13 some of the financial issues, you know, the
14 delinquency on the current taxes of, you know, a
15 history of delinquency on taxes and penalties being
16 paid and the issue of whether fines have been paid
17 to DCRA, or I guess now they call it DDOT. You
18 know, I'm just raising questions that I would like
19 to have answered.

20 CHAIRPERSON POURCIAU: Okay. Well, thank
21 you. That's helpful. And we will certainly be
22 asking the applicant to respond to the points you've
23 raised. Thank you.

24 COMMISSIONER MILLER: I'll just comment --
25 sorry to interject. There is a clean hands statute

1 in the District of Columbia, as I recall, in the DC
2 Code. This is all the top of my head. I believe
3 that DOB is not supposed to give a permit if there's
4 more than \$1,000 in delinquent taxes that haven't
5 been paid. And that would include this, the zoning
6 permit, if we were to give it here so that we don't
7 implement that. DOB, I believe, is the OAG. It's
8 not our job to implement it, but that is the law. I
9 think I'm just remembering a 30-year-old law, but
10 that's how old I am.

11 So I just would comment -- that's a comment
12 I wanted to make. There is a requirement, a clean
13 hands requirement, when you -- before you get issued
14 a permit. I'm not -- I have no idea how adequately
15 that is enforced, but that's the law.

16 MR. FRANZIA: Has that -- had that research
17 been done? Because.

18 CHAIRPERSON POURCIAU: So that's not our --
19 I'm sorry, it's just not our job.

20 MR. FRANZIA: So it doesn't matter that I'm
21 asking questions here?

22 CHAIRPERSON POURCIAU: Well, it matters,
23 but all the legs of the stool have got to work
24 together in order for the applicant to proceed to
25 that point.

1 Ms. Lindsjo, do you have any questions of
2 the witness?

3 MEMBER LINDSJO: I do not at this time.

4 CHAIRPERSON POURCIAU: Thank you for
5 participating.

6 So at this point, I'd like to ask the --
7 we'll give the applicant a chance to respond and to
8 ask you questions. Okay.

9 Ms. Wilson, would you like to respond or
10 answer any of the questions at this point?

11 MS. WILSON: The only thing I would add,
12 I'm the zoning attorney here. I would say the
13 majority, if not all, of the questions are related
14 to construction concerns and tax issues. And I
15 would agree with Vice Chair Miller that there is a
16 Clean Hands Act, and so that will be addressed prior
17 to the issuance of a permit. But the best thing
18 going forward would be to have Mr. Seagrave connect
19 with his neighbor, because these questions are not
20 related to zoning. I guess that's what I would add.

21 And Mr. Seagrave is on as an attendee if there are
22 any specific questions. But again, I think it would
23 make more sense for them to connect to talk about
24 these issues as they're not directly related to
25 zoning.

1 CHAIRPERSON POURCIAU: And what about the
2 timetable that the applicant is looking at to
3 initiate and complete this project?

4 Mr. Seagrave is on as an attendee, if Mr.
5 Young or Ms. Mehlert can bring him up to potentially
6 answer that question. Thank you.

7 Ms. Mehlert, is there anything we have to
8 do before Mr. Seagrave speaks?

9 MR. SEAGRAVE: I'm here. I'm here. Can
10 you hear me?

11 CHAIRPERSON POURCIAU: Yes. Can you wait
12 one second, please?

13 Madam Secretary, has the witness been sworn
14 in?

15 MS. MEHLERT: We don't -- we didn't see him
16 sign up to testify. So if we could give the oath
17 verbally, that would be great.

18 Mr. Seagrave, we can't see you, but if you
19 could please raise your right hand.

20 MR. SEAGRAVE: My hand is raised.

21 MS. MEHLERT: Do you swear affirm that the
22 testimony that you will give today is the truth?

23 MR. SEAGRAVE: Yes, I do.

24 MS. MEHLERT: Great. Thank you.

25 MR. SEAGRAVE: Well, so I can answer

1 questions, but, basically, I've been trying to get
2 this garage fixed since the time that my very kind
3 neighbor has requested. And I've run into numerous
4 difficulties doing it over the period. This zoning
5 issue was the last one that I was trying to get
6 through to build it.

7 My intentions are to go through -- I mean,
8 I would have it built today. And I had a death in
9 my family just a couple months ago, and it has led
10 to me not paying these taxes, which I will pay
11 today. I know that my neighbor has that as an
12 issue. And, you know, so I'm very heartily willing
13 to build this garage, which we've gone through the
14 whole process.

15 This is the second time, except for the
16 zoning issue and trying very hard to get this garage
17 built. And I think my neighbor has seen the plans
18 for the garage and, at some point, I think he
19 mentioned this in this testimony that, you know, it
20 was a long time ago, but this presentation of the
21 garage and what it was going to be like, its design
22 plan, all that was sent to him and he agreed, as he
23 said, you know. But it is taking a long time and I
24 want to build it, but this is the last impediment.
25 The zoning thing is the last thing. So that's in my

1 way to building.

2 CHAIRPERSON POURCIAU: Do you have a
3 timeframe when you plan to start construction?

4 MR. SEAGRAVE: Yes. I have the money. So
5 it's been two years or so since I had an estimate.
6 A contractor was willing to build it, and I checked
7 with him last year and he was still willing to build
8 it. But I have to go and check with, you know --
9 find somebody that will build it again or -- and
10 maybe that person will build it.

11 So that is one thing. As soon as I get
12 permission to build it and the zoning is all fine,
13 then I will be able to go ahead. And it's my
14 intention to go ahead as fast as I can. And if my
15 neighbor would like to meet with me, I would be fine
16 with meeting with him to make sure that he's
17 satisfied with all the things he said or things that
18 I, you know, intend to do. And, you know, according
19 to the plan, with the other parts of the process,
20 how to do -- it had to get to this point, which is
21 just the zoning.

22 So what we're going to build and all that
23 seems to be approved, everybody is happy with it.
24 It's just the delay with getting the zoning thing,
25 which caused me to do it all over again. You don't

1 do it within a certain amount of time after you get
2 permit, then you just lose the ability. But we had
3 to reapply anyway. It's my intention to build it
4 right away, which means, you know, in a couple
5 months, you know, as soon as I can find somebody
6 that will be willing to build it. And I don't think
7 it's that complicated of an effort.

8 CHAIRPERSON POURCIAU: Are there any other
9 questions from the Board for -- well, I guess we're
10 kind of in a -- we haven't done closing remarks yet,
11 but are there any questions from the witness or
12 follow up from the applicant or the agent?

13 COMMISSIONER MILLER: Well, I would thank
14 you, Mr. Seagrave, for being here and providing
15 those comments. So I would encourage you and your
16 neighbor, despite whatever history may have happened
17 in the past, that going forward, try to be good
18 neighbors, if you're living next to each other or
19 across the alley from each other and the garage is
20 right next to adjacent abutting your property. I'm
21 not sure how that happened, but that's not for us to
22 determine here. But I would just encourage you pay
23 your taxes, use a licensed contractor, and get it
24 built in a timely fashion.

25 If we give zoning permission, you will have

1 to go through a building permit process and meet
2 building code requirements. And our zoning
3 permission only lasts for a certain period of time.

4 I think it's three years. But I hope it doesn't
5 take three years for you to begin construction. I
6 hope we can do that soon. So that's just my
7 comments. I have no questions and I thank both
8 neighbors for participating here today.

9 VICE CHAIR GOLDSTEIN: I'd like to, if I
10 can, just ask two follow-up questions. First, I
11 want to echo Commissioner Miller. I would strongly
12 encourage you to be in communication frequently, if
13 possible, with your neighbor about your time frame
14 and about how the project's going to proceed. I
15 think that's for the best.

16 Your neighbor mentioned two specific items.
17 I just want to see if you're able to address them
18 yourself. One is they asked about the door swinging
19 open on the garage. Can you confirm for us that
20 that will not actually intrude into the alleyway?

21 MR. SEAGRAVE: This is Gordon here. Yeah,
22 well, actually I would probably not be the best
23 person since I don't have the design in front of me.

24 But I believe that -- I believe that it doesn't. I
25 don't know. It did formerly -- it did when it was

1 there before the old garage did open out into the
2 garage. You know, I had to come open it, get put in
3 my car and enclose it. When it was open, it was
4 open into the alley. But that depends on the door.

5 And I think I would want to accommodate my neighbor
6 with that. But I don't think it's a change.

7 MS. WILSON: It's not permitted to open up.
8 So it does not open up into the alley.

9 VICE CHAIR GOLDSTEIN: Okay. And I don't
10 know if, you know -- I asked your attorney, do you
11 know how the pervious surface requirement is being
12 satisfied? Is it pervious paving outside the garage
13 door on that triangular unoccupied piece? Do you
14 have any sense, Mr. Seagrave? If not --

15 MR. SEAGRAVE: No, I -- actually, I don't
16 know what would need to be done for that. But I
17 mean, I know that it's gone through all the process
18 that we were discussing before the permitting and
19 all that other. Not the zoning, but the other parts
20 that I've been through, they've addressed those
21 issues and I think it's passed through all that.

22 VICE CHAIR GOLDSTEIN: Okay. Well, I mean,
23 at permitting they'll have to ensure that it does.
24 So I just think I wanted to know if you had the
25 knowledge to share with us today. I don't have

1 electrical.

2 MR. SEAGRAVE: Not an electrical -- I don't
3 know that. I wish it had a wiring issue.

4 VICE CHAIR GOLDSTEIN: I appreciate that.
5 Okay. Thank you.

6 CHAIRPERSON POURCIAU: I think those are
7 all the questions and rebuttals to the witness.
8 Does the witness -- Mr. Franzia, did you have any
9 last comments you want to make?

10 MR. FRANZIA: Well, I mean, how do the
11 doors open? I'm looking at the picture. It's got
12 two doors here and they open from the center. You
13 know, unless you have a door that's like 8 inches
14 long wide, it's going to open up into the alley. I
15 mean, look at the way that it's there. I mean, I'm
16 just, I'm just asking a question here, but based on
17 what I'm looking at, maybe somebody can explain to
18 me how that, how that's going to work because -- or
19 is it going to be a roll up door? Because it's not
20 a roll up door in the picture. And, you know,
21 there's also a light at the top of it. Well,
22 there's no electrical there, so.

23 CHAIRPERSON POURCIAU: Ms. Wilson?

24 MS. WILSON: Yes. I have an email from Mr.
25 Steve Gravitz (phonetic) from David who's explaining

1 how the door is working. And David's another agent
2 I worked with and I believe he was helping Mr.
3 Seagrave with permitting. And so he says as far as
4 the garage door is concerned, we are not using a
5 carriage style door that opens outward, but a
6 sectional door which opens vertically like a regular
7 garage door. And so this was discussed with the,
8 with the previous contractor and that was part of
9 the discussion.

10 MR. FRANZIA: Thank you for that.

11 MS. WILSON: Yeah.

12 MR. FRANZIA: So, yeah, thank you for that
13 explanation. I appreciate it.

14 VICE CHAIR GOLDSTEIN: Just the design in
15 the submission just doesn't reflect it or it does
16 reflect it. It just opens differently than one
17 might anticipate.

18 MS. WILSON: It must be opening differently
19 than what's anticipated because I would agree with
20 all the comments. It's not possible to. They won't
21 get approval. If it's a swing open door, it has to
22 be a roll of door. So I don't know if the design is
23 intended to look like those doors and have it be
24 roll up door. Neither is noted on the plans.

25 COMMISSIONER MILLER: I don't even think a

1 car could get out of there if there was -- of it was
2 out opening.

3 MS. WILSON: Yeah, tight alley. Exactly.
4 Yeah, I think it would be impossible. And I guess
5 we're stating on the record that it's a roll up.
6 I've read the email from the permit expediter and
7 that's -- that is not going to be a door that opens
8 up.

9 MR. FRANZIA: Thank you.

10 VICE CHAIR GOLDSTEIN: Thank you for the
11 explanation.

12 CHAIRPERSON POURCIAU: Okay, so thank you
13 very much, Mr. Franzia. At this point, I'd like to,
14 I think, once again ask the applicant if they have
15 any final remarks.

16 MS. WILSON: For the record, just to add,
17 you know, there's obviously a history here. We've
18 once again to open up this dialogue between
19 neighbors and taken a step in the right direction.
20 And I think this approval would be another step in
21 the right direction to resolve the issues of this
22 long standing vacant space. Thank you.

23 CHAIRPERSON POURCIAU: I know in the past
24 we've had some concerns about if there is something
25 that isn't directly reflected on the drawings. But

1 we've heard from the applicant that they will be
2 conforming to the code and that swing open door
3 isn't allowed. I don't know. Mr. Miller, do you
4 have any experience with that?

5 COMMISSIONER MILLER: I mean, sometimes on
6 critical issues we've asked the applicant, even
7 right here at the hearing to submit a revised
8 submission indicating that that's what they're going
9 to do. I think, in this case, doors opening into
10 that alley would be impractical for the -- if not in
11 violation of the building code for that to exist.
12 So I'm not concerned that we need revised plans.

13 I actually -- Mr. Goldstein, did the plans
14 -- actually, it didn't show one way or the other how
15 that door was opening, but practically speaking, it
16 has to go up. The car couldn't get out of there.

17 VICE CHAIR GOLDSTEIN: Yeah.
18 Unfortunately, it doesn't go into that kind of
19 detail, but I agree with you. I think at the time
20 of permitting it's going to need to be a compliance
21 solution. The applicant's on notice. I don't know
22 that there's a need in this case to revise the
23 plans. The applicant's on the record that it's
24 going to be a roll up. And that's really the only
25 practical -- it sounds like the only practical

1 solution here. So I think I feel satisfied with
2 that.

3 CHAIRPERSON POURCIAU: Ms. Lindsjo, do you
4 have any final questions for the applicant or
5 questions in this discussion?

6 MEMBER LINDSJO: No, not at this time.

7 CHAIRPERSON POURCIAU: Thank you. Hearing
8 nothing further, I think the Board is ready to enter
9 into final deliberations. We can close the hearing
10 record and the witness can be excused. Thank you
11 both for being here and being very responsive. And
12 we will deliberate as soon as they've been excused.

13 (Pause.)

14 CHAIRPERSON POURCIAU: Okay, thank you. I
15 think the opponent brought up some very good
16 questions, and for the most part, I feel like all of
17 that will be addressed during the permit process.
18 And I believe we got some good answers on the record
19 from the applicant and their agent. Is there any --
20 are there other concerns or other items we need to
21 discuss?

22 (No response.)

23 CHAIRPERSON POURCIAU: I think I'd like to
24 ask Mr. Goldstein if he would like to enter a motion
25 on this one. Mr. Vice Chair?

1 VICE CHAIR GOLDSTEIN: Sure. I think that
2 I would like to say I appreciate the neighbor's
3 involvement. I know it came -- it came at the 11th
4 hour in our discussion, but it was still helpful. I
5 think a lot of things can be improved with better
6 communication, not always, but I think a lot can be
7 helped along that way. I really encourage it in
8 this case. I think that, in a sense, we're kind of
9 helping with some of the concerns. We -- you know,
10 if the project gets approved, it's getting it, you
11 know, continuing the path to get this constructed,
12 which I think everyone is probably supportive of
13 just seeing it, a new development of that garage in
14 this location and an improvement of the site
15 condition. So I would continue to be supportive of
16 this project, and I'm happy to make another motion
17 to that effect.

18 CHAIRPERSON POURCIAU: Please proceed.

19 VICE CHAIR GOLDSTEIN: Okay.

20 CHAIRPERSON POURCIAU: Thank you. Yeah,
21 please.

22 VICE CHAIR GOLDSTEIN: All right, I move to
23 approve project 21444 from Gordon Seagrave to create
24 an alley record lot and construct a new detached
25 one-story garage in the R-2 zone and for the relief

1 as captioned and read by the Secretary.

2 CHAIRPERSON POURCIAU: I second. If
3 there's no more discussion, which I see none, Madam
4 Secretary, would you please call the vote?

5 MS. MEHLERT: Please respond to the vice
6 chair's motion to approve the application. Chair
7 Pourciau?

8 CHAIRPERSON POURCIAU: Yes.

9 MS. MEHLERT: Vice Chair Goldstein?

10 VICE CHAIR GOLDSTEIN: Yes. And, I'm
11 sorry, I wanted to make it clear, I don't believe
12 it's an accessory garage, and so I was clear to read
13 -- I'm sorry, I should have said this before I
14 started my path. I believe it's -- it's just a
15 garage, not an accessory garage. So the caption as
16 modified in that way, with that caveat as I sort of
17 read it in my motion, I vote to approve. So yes.

18 MS. MEHLERT: Board Member Lindsjo?

19 MEMBER LINDSJO: Yes.

20 MS. MEHLERT: And Commissioner Miller?

21 COMMISSIONER MILLER: Yes.

22 MS. MEHLERT: Staff would record the vote
23 as four to zero to one to approve Application No.
24 21444 on the motion made by Vice Chair Goldstein and
25 seconded by Chair Pourciau.

1 CHAIRPERSON POURCIAU: Thank you. I
2 believe we're ready to move to our final case,
3 Application No. 21445. Madam Secretary, would you
4 please introduce the case?

5 MS. MEHLERT: Yes. The last case is
6 Application No. 21445 of Mehmet Onur Ozlu and Romain
7 Bordes. This is a self-certified application
8 pursuant to Subtitle X, Section 901.2 for special
9 exceptions under Subtitle E, Section 207.5 to allow
10 the rear wall of a semi-detached building to extend
11 farther than 10 feet beyond the farthest rear wall
12 of any adjacent principal residential building on
13 the adjacent property and under Subtitle E, Section
14 201 from the rear yard requirements of Subtitle E,
15 Section 207.1 and from the lot occupancy
16 requirements of Subtitle E, Section 210.1. This is
17 for a one-story rear addition to an existing three-
18 story semi-detached house on two lots and a new one-
19 story accessory structure in the rear yard. It's
20 located in the RF-1 zone at 1729 Lamont Street,
21 Northwest, Square 2607, Lot 12.

22 CHAIRPERSON POURCIAU: Thank you. Do we
23 have -- Mr. Hoffland, are you here? Yes, you're
24 here.

25 MR. HOFFLAND: Yes. Hi there, Board. My

1 name is Erik Hoffland at 1810 Kilbourne Place,
2 Northwest. I'm the architect for the project, and I
3 believe one of my clients is also -- also here
4 today.

5 CHAIRPERSON POURCIAU: I don't see them. I
6 know the applicant, Mr. Uslu.

7 MR. HOFFLAND: Well, Romain, I think, is
8 here. The other applicant, owner Uslu, he took off
9 work this morning, but he had to go into a meeting
10 at 2:00, so we just missed him.

11 CHAIRPERSON POURCIAU: Oh, okay.

12 MR. BORDES: Good afternoon. This is
13 Romain Bordes.

14 CHAIRPERSON POURCIAU: Okay. Romain. I
15 don't see Romain on the list of folks who had signed
16 up. Madam Secretary, is Mr. Bordes been sworn in?

17 MS. MEHLERT: Yes, he's -- he's on the
18 list.

19 CHAIRPERSON POURCIAU: Very good. Thank
20 you so much. Sorry for the confusion. And so at
21 this time, if you're ready to present, please
22 proceed. The clock shows 14 minutes. I know you
23 have an extra minute there -- oh, they reset the
24 clock. Thank you. So you have 15 minutes.

25 MR. HOFFLAND: I promise I won't take that

1 long for you guys.

2 CHAIRPERSON POURCIAU: Okay, thank you.

3 MR. HOFFLAND: Okay. Mr. -- well, I'll
4 just introduce him. Mr. Young, maybe you can put
5 Exhibit 3 up, which is the -- yes, the photographs
6 here. Just very briefly, this -- whoops. All
7 right. Okay. The project in the Mount Pleasant
8 Historic District is a semi-detached row house that
9 has a rear carport with roof deck, which you can see
10 here. And the rear of the house has a small wood-
11 framed addition with the kind of shingle siding
12 there that is failing. And then you can see the
13 kind of carport with the roof deck above it facing
14 the alley there. There are, as you can see on other
15 photos at the bottom, there's -- the whole row has a
16 lot of garages and -- and carriage house, two-story
17 carriage houses and roof decks above garages, kind
18 of all up and down the alley.

19 We are proposing -- and Mr. Young, if you
20 could go to the other exhibit, which is the
21 drawings. Next slide. Okay. What we're proposing
22 here is to remove the existing rear wood-framed
23 addition and build a slightly larger, wider one, and
24 also to remove the carport and build a one-car
25 garage with a roof deck above it. Both of them are

1 very similar in massing to what is already there but
2 slightly larger. We would be going from 59 percent
3 lot occupancy up to 67 percent lot occupancy and are
4 therefore requesting special exception relief from
5 the lot occupancy requirement and also requiring
6 relief from the 10-foot rule since one of the
7 adjacent neighbor's houses is already -- the
8 attached house next to us is 25-foot rear forward of
9 the rear wall of this house. So we would need
10 relief to add on our eight-foot addition beyond the
11 existing brick wall.

12 And if we go, I'll -- we can just very,
13 very briefly go through the slides here next. This
14 is the existing condition. The top floor. Or the
15 bottom plan here shows the small wood, wood-framed
16 addition at the rear of the house and the roof deck
17 above the carport. Next. These are just upper-
18 level plans.

19 Next. And here's the proposed addition
20 with an expanded kitchen and then just walking out
21 to a small deck which, kind of a landing, which
22 would go down -- down to the yard or up to the roof
23 deck. And then you can see the footprint of the new
24 garage there. Next. This is just the -- showing
25 the pergola over the roof deck.

1 Next. And here, kind of maybe the most
2 informative one, the upper photo, the upper drawing,
3 shows the existing footprint of the addition and the
4 carport, and the lower one shows the proposed
5 garage. And next. And then this shows the rear
6 elevations of both the house existing above and --
7 and the proposed below. And at the alley facade,
8 the existing garage above or carport, kind of garage
9 door above, and at the bottom, the garage door. The
10 project has received support from the ANC, from the
11 Office of Planning. It has had no objection from
12 Historic Preservation Office or DDOT. We have
13 several letters of support from neighbors and
14 especially including the neighbor to the north Mr.
15 Carroll at 1727 Lamont Street, who would be really
16 one of only two people that are directly impacted by
17 this project. The massing of all the garage- and
18 the addition are very similar with others in the
19 row. And in fact, many houses along this row have -
20 -

21 (Audio interference.)

22 CHAIRPERSON POURCIAU: Looks like he got
23 disconnected. Mr. Bordes, did you have anything you
24 wanted to add while we're waiting for him to
25 reconnect?

1 MR. BORDES: In term of the technical
2 aspect of the work, not really. But first of all,
3 I'd like to thank you for giving us the opportunity
4 to present the project and answer any questions you
5 may have. I know it's been a long day. You started
6 early. So thank you for your time. No, as Eric
7 mentioned, we did get support from Historic
8 Preservation. We live very close to one particular
9 person who's been very active in the historic Mount
10 Pleasant, and we have very good relationship.

11 We have also received support from a lot of
12 our neighbors. We've been, I think, pretty
13 respectful of our neighbors, and we have talked to
14 many of them to explain what we were trying to do,
15 hear their concerns, if any. So, you know, the
16 increase in the footprint of the kitchen is not
17 huge. It's needed to accommodate, you know, our
18 family needs. We have two kids. The kitchen is in
19 -- you know, has probably been renovated last in the
20 eighties. It has different floor levels, so it's
21 not the safest for our kids. So you know, that's --
22 that's all I had to add. You know, if there are
23 more technical questions, Eric would -- Eric Hoffman
24 would be the better suited to -- to respond to that.

25 MR. HOFFLAND: Sorry, I'm here again.

1 CHAIRPERSON POURCIAU: Yes.

2 MR. HOFFLAND: I'm really sorry, everybody.

3 CHAIRPERSON POURCIAU: Very good. We heard
4 a little bit from Mr. Bordes while you were out
5 taking a break. I'm just playing.

6 MR. HOFFLAND: Sorry, one -- one computer
7 glitch.

8 CHAIRPERSON POURCIAU: I feel like you were
9 concluding the presentation, but you still have
10 plenty of time on the clock, so --

11 MR. HOFFLAND: Right.

12 CHAIRPERSON POURCIAU: -- if you want to
13 pick up where you left off.

14 MR. HOFFLAND: Yeah, no, I -- I think
15 that's right. I think I said most of the pertinent
16 facts of the case. There is just one thing that --
17 that some of you on the board may pick up on. We
18 did ask for relief from the third part of relief
19 from the rear yard requirement. It has been brought
20 to my attention recently from somebody in the zoning
21 administrator's office and the Office of Planning
22 that the accessory building does not need relief
23 from the rear yard requirement. And so, just
24 because it was so late in the day, I wasn't able to
25 change that request in the burden of proof. But so

1 we can either continue to keep that on the request
2 or strike it if the board agrees that we don't need
3 that relief. And that's all I have. I think I --
4 I'm open to questions from there.

5 CHAIRPERSON POURCIAU: Thank you both. Do
6 we have questions from the board? Mr. Goldstein,
7 would you like to start us off?

8 VICE CHAIR GOLDSTEIN: Pardon me. I was
9 just trying to react to that latest piece of
10 information. So you do need the relief from 207.2
11 207.5, which is the relief from 207.4 for an
12 extension more than 10 feet beyond the most
13 restrictive neighbor's rear wall, but you're saying
14 207.1 is actually not an area you need relief for
15 because you're satisfying the rear yard requirement.

16 You've got plenty of rear yard. It's just an
17 accessory building is sitting in a little bit of it.

18 MR. HOFFLAND: That's right.

19 VICE CHAIR GOLDSTEIN: And therefore you
20 don't need it. Okay.

21 MR. HOFFLAND: That -- well, yes, if you
22 agree, my, I think, incorrect understanding earlier
23 was that the accessory building would restrict the
24 rear yard. But in fact, my understanding now is
25 that it -- that does not count towards the rear yard

1 requirement.

2 VICE CHAIR GOLDSTEIN: Yeah. That's been
3 my understanding. You're not the first person to
4 not necessarily pick up on that nuance. It's
5 subtle. There's rules for the rear yard and then
6 how much of the rear yard can be occupied by an
7 accessory building.

8 MR. HOFFLAND: Right.

9 VICE CHAIR GOLDSTEIN: But they're -- it's
10 not measured to the accessory building per se. It's
11 --

12 (Simultaneous speaking.)

13 MR. HOFFLAND: Right. And I think we're,
14 like, maybe 15 percent of that when really we can go
15 up to 30 percent, so.

16 VICE CHAIR GOLDSTEIN: Yeah.

17 MR. BORDES: Right.

18 VICE CHAIR GOLDSTEIN: Okay. So I -- I
19 think that all makes sense from my perspective that
20 you don't need it. Obviously, I've -- it sounds
21 like you've heard that from DOB and the Office of
22 Planning. That would be consistent with my
23 understanding. I do want to say, I think it's a
24 lovely plan that you have. I think it just looks
25 terrific. It seems pretty modest from the house

1 back; that one story bump out seems very
2 contextually, like, sensitive to your neighbors. I
3 think it's really a look. Looks lovely. The
4 accessory building -- accessory building looks like
5 it'll be a nice sort of garage and space above it.
6 I did have one question about the garage. It's just
7 the unusual nature of the parking direction into the
8 garage. And I'm just a little curious if you can
9 talk about how that's going to work for you all.

10 MR. BORDES: Yeah. So if we had done a
11 conventional garage that was perpendicular to where
12 the car parks, perpendicular to the alley, it would
13 be so close to the house that there'd be almost zero
14 yard space for, you know, entertaining and seating
15 and so forth. And that, in fact, is unfortunately
16 the case for a lot of the houses along this row
17 already. What we're proposing here is obviously to
18 -- to park parallel with a very wide, long garage
19 door. And yeah, it is unconventional, but most cars
20 should be able to fit into this and be able to kind
21 of, you know, parallel park into it from the alley
22 just like you would a street parking spot. And so
23 that's how we did it in order to preserve the yard
24 and then actually in fact, to give more open space
25 to the yard and to the adjacent neighbors in that

1 same regard.

2 VICE CHAIR GOLDSTEIN: Oh, I think that --
3 that sounds creative. I hope you do not have a
4 large SUV for that maneuver, but I understand the
5 rationale behind it. I think those are all the
6 questions I have. Thank you.

7 CHAIRPERSON POURCIAU: Great question, Vice
8 Chair. I didn't catch that parking maneuver.

9 Ms. Lindsjo, do you have any questions for
10 the applicant?

11 MEMBER LINDSJO: None at this time. Thank
12 you for your presentation.

13 CHAIRPERSON POURCIAU: Thank you.
14 Commissioner Miller, would you like to ask any
15 questions of the applicant?

16 COMMISSIONER MILLER: Perhaps. Thank you
17 to the applicant, Mr. Hoffman and Mr. Bordes, for
18 your presentation. And I agree with Vice Chair
19 Goldstein's comments, including that it's a very
20 attractive design, and with your comments that it's
21 really not too much different from the massing that
22 is there currently. It does exceed some of the
23 zoning requirements, which is why you have -- you're
24 here for special exception relief.

25 So and you have the support of ANC 1D, the

1 unanimous support. Is it 1D? I think it was 1D.
2 And no objection from DDOT and all the neighbors
3 support. And you or Mr. Bordes pointed out that you
4 have Mr. Carroll's, the abutting property, one of
5 the abutting property owners, 1727, you're 1729,
6 support, fully supported the approval of this
7 application. Do we -- was there communication? Is
8 there another adjacent neighbor on -- on the other
9 side? It's -- is there a 1731 on that block? Or --

10 MR. BORDES: Yes. They -- the owner of
11 1731 are actually very close friends. They're
12 French, like me -- you might have picked up my
13 accent, which I haven't been able to, you know, get
14 rid of in 20 years. But yeah, we're very close
15 friends with them. We've had ample communications
16 with them in regards to what the project was. And
17 so, you know, they had some concern about the
18 privacy because of the deck on the garage which
19 currently exists. We currently have a deck on our
20 garage. So we did discuss that and agreed that we
21 would take measures to, you know, preserve their
22 privacy, but they are -- they are generally onboard.

23 COMMISSIONER MILLER: Well, thank you for
24 that response. I'm happy to learn about the French
25 Quarter of Mount Pleasant. Is the 1731 property

1 owner the one that you're now going to be 32 feet
2 beyond the -- or is it -- or is it Mr. Carroll's
3 property that you're going to be --

4 MR. BORDES: It's Mr. Carroll's -- it's Mr.
5 Carroll's property.

6 COMMISSIONER MILLER: So that's -- yeah, so
7 that letter of support is critical to our
8 evaluation. So, thank you.

9 MR. HOFFLAND: Yeah, I would just point out
10 that, yeah, 1731, the one that Romain was just
11 speaking to -- it's another detached house, so it's,
12 you know, not abutting the property line either,
13 just like this one isn't on our shared property
14 line.

15 COMMISSIONER MILLER: I see. Thank you for
16 that additional comment. That's all I have, Madam
17 Chair.

18 CHAIRPERSON POURCIAU: Okay, thank you. I
19 think we'd now like to hear from Karen Thomas of the
20 Office of Planning. Could we hear your report,
21 please?

22 MS. THOMAS: Yes, good afternoon, Madam
23 Chair, members of the board. Karen Thomas with the
24 Office of Planning, and we are happy to rest on the
25 record of our report in support of the application.

1 We did note that the -- not in our report, but we
2 thereafter told the applicant that the relief from
3 the rear yard would not be necessary. And if the
4 board thinks that way as well, we are in support of
5 that. We do not find that the proposal will affect
6 light and air to adjacent properties.

7 And with respect to privacy, whatever
8 concerns the neighbors may have, the applicant has
9 stated he is willing to work to address that. And
10 so from that, we do not think that there would be
11 further visual intrusion than beyond what currently
12 exists at this time. And we rest on the record of
13 our report. Thank you, and I'll be happy to take
14 any questions.

15 CHAIRPERSON POURCIAU: Thank you. Are
16 there any questions from the Board?

17 COMMISSIONER MILLER: No questions, but
18 thank you, Karen Thomas, for your always
19 comprehensive report and presentation today.

20 CHAIRPERSON POURCIAU: Thank you. Ms.
21 Lindsjo, did I see your hand?

22 MEMBER LINDSJO: No, thank you.

23 CHAIRPERSON POURCIAU: Okay. Thank you.

24 COMMISSIONER MILLER: And thank you, Ms.
25 Thomas.

1 MS. THOMAS: Thank you.

2 CHAIRPERSON POURCIAU: Thank you. Does the
3 applicant have any questions for Ms. Thomas?

4 MR. BORDES: No.

5 CHAIRPERSON POURCIAU: Okay. Thank you.
6 Thank you, Ms. Thomas. So at this point I don't
7 think we have anyone else signed up to testify.
8 There's no other district agency, no DDOT. The ANC
9 has not signed up, but they -- they provide their
10 support in writing. There's no parties that have
11 signed up in support or against and no individuals.

12 And so with that, I'd like to ask the applicant if
13 they have any concluding remarks they would like to
14 leave with the board.

15 MR. HOFFLAND: I don't think I have
16 anything other than it's nice to meet you guys all
17 now that there's a new board in place. And I hope
18 to -- I'll see you several more times this summer
19 because I have more cases coming up.

20 CHAIRPERSON POURCIAU: Nice meeting you
21 too.

22 VICE CHAIR GOLDSTEIN: Nice meeting you. I
23 want to add one more point, if I may, Madam Chair,
24 for the applicant and I. This is just a little bit
25 of a technical nature.

1 My understanding is the Board can't tell
2 you what necessarily relief does or doesn't apply.
3 Although I understand the analysis you made, it's up
4 to you to decide what you're requesting. So if you
5 want to withdraw the 207.1, that is your
6 prerogative. It just -- it has to be, you know,
7 driven by your decision making. So thank you and
8 hope I didn't add confusion to that, but I
9 appreciate that.

10 CHAIRPERSON POURCIAU: I mean, I think so.
11 I didn't try to make a last minute change to the
12 request just because I didn't want to confuse the
13 board. So I guess if there's no objection, I'd
14 rather just keep it on the request because it
15 doesn't harm us and then it doesn't change any of
16 the language of anything that we're talking about
17 today. Does that make sense so that you could then
18 approve exactly what we've requested rather than
19 having to make an amendment or something like that.

20 I don't know what's ever easiest for the board.

21 COMMISSIONER MILLER: We've done that in
22 the past out of abundance of caution, approving
23 relief that was later determined is not needed to
24 avoid having an amendment made to the application as
25 long as it doesn't do any harm, and that's the

1 applicant's choice. I just wanted to let you know,
2 Madam Chair, that, out of abundance and cost, we
3 have just approved relief even when we're given
4 verbal testimony that it might no longer be needed.

5 Since we don't have anything in writing to that
6 effect, I think it would be a good idea just to
7 prove it as is.

8 CHAIRPERSON POURCIAU: Thank you both for
9 that clarification.

10 Okay. If there's nothing further, I want
11 to thank everyone for coming in and presenting on
12 this case and testifying and showing us your lovely
13 plants. They look very lovely.

14 And so at this point, we will close the
15 hearing record, ask that the witnesses be excused,
16 and the board will deliberate on this case. Very
17 good. Thank you. It looks like everything is in
18 order for this one. Is there more discussion or
19 would someone like to offer a motion?

20 VICE CHAIR GOLDSTEIN: The only discussion
21 I'd put in is that I think it looks like a well
22 presented project. I think the record is full and
23 the areas of relief that are needed are fully
24 briefed. And in my view, convincing the applicants
25 going to continue to ask for the relief. As

1 captioned, it may be an overly cautious approach for
2 one area of the relief, but this is something that
3 has historically. We're certainly willing to be
4 cautious if needed, and I would be supportive of the
5 project. I'm happy to make the motion unless anyone
6 else would like to participate on that. I would
7 like to make a motion to Approve case number 21445
8 at 1729 Lamont Street, Northwest Square, 2607 Lot 12
9 for the relief as captioned and read by the
10 secretary.

11 CHAIRPERSON POURCIAU: Is there a second?

12 MEMBER LINDSJO: Second.

13 CHAIRPERSON POURCIAU: Thank you so much,
14 Ms. Lindsjo.

15 Madam Secretary, would you call the vote,
16 please?

17 MS. MEHLERT: Please respond to the vice
18 chair's motion to approve the application. Chair
19 Pourciau?

20 CHAIRPERSON POURCIAU: Yes.

21 MS. MEHLERT: Vice Chair Goldstein?

22 VICE CHAIR GOLDSTEIN: Yes.

23 MS. MEHLERT: Board Member Lindsjo?

24 MEMBER LINDSJO: Yes.

25 MS. MEHLERT: Commissioner Miller?

1 COMMISSIONER MILLER: Yes.

2 MS. MEHLERT: The vote is 4 to 0 to 1 to
3 approve application number 21445 on the motion made
4 by Vice Chair Goldstein and seconded by Board Member
5 Lindsjo.

6 CHAIRPERSON POURCIAU: I'd like to thank
7 you all for your participation today. And I think,
8 Commissioner Miller, you've been our good luck
9 charm. We approved every single item on the agenda
10 today, so maybe you brought the good cases before
11 us.

12 COMMISSIONER MILLER: Thank you for
13 scheduling the good cases.

14 CHAIRPERSON POURCIAU: You're welcome. All
15 right. Wishing you all a good evening. Go out and
16 enjoy this nice weather. We will close this hearing
17 and I'll see you next week.

18 (Whereupon, the above-entitled matter went
19 off the record at 2:53 p.m.)
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C E R T I F I C A T E

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

A handwritten signature in dark ink, appearing to read "Neal R. Gross", is written over a horizontal line.

Lauryn Barnes

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