

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENTS

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PUBLIC HEARING

In the Matter of:

Application of Deutsche Immobilien Fonds Aktiengesellschaft
Case No. 16229

Appeal of the Spring Valley-Wesley Heights Citizens' Association
Case No. 16220

Appeal of Spring Valley-Wesley Heights Citizens' Association
Case No. 16222

Application of Ilia and Darina Pavlov
Case No. 16238

Hearing Room 220 South
441 Fourth Street, N.W.
Washington, D.C.

Wednesday,
April 9, 1997

The above-entitled matter came on for hearing,
pursuant to notice, at 1:00 p.m.

BEFORE:

SUSAN M. HINTON, Chairperson
ANGEL F. CLARENS, Board Member
SHEILA CROSS REID, Board Member
LAURA M. RICHARDS, Board Member

STAFF PRESENT:

GLADYS HICKS
REGINALD LYONS
JOHN NYARKU
TRACEY ROSE

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

1:22 p.m.

CHAIRPERSON HINTON: Good afternoon. We're going to call this hearing of April 9th of the Board of Zoning Adjustments to order.

Mr. Secretary?

MR. LYONS: Madam Chair, the Board has listed on the agenda this afternoon four applications. The first application, 16229, had been withdrawn. That case will not be dealt with by the Board at all today.

The three remaining cases, appeal numbered 16220 and appeal numbered 16222, and the application numbered 16238, in those cases, the Board has received a joint motion for continuance of those cases. And I believe the -- both sides are represented by counsel here this afternoon to address the request.

CHAIRPERSON HINTON: Very good. Why don't we -- WE've just received their written correspondence and it looks like all three parties are going to work together and they're asking for some additional time in order to do that. And hopefully that will probably change the nature of what has to happen in front of this Board, if there is any agreement reached among the parties, which is good.

There's a request for 30 days or the shortest period of time after that. Now, I have a little concern about that timing because there are a lot of issues to be worked out. And there are plans in the file that aren't accurate. And so, the plans really need to be updated. The site plan needs to show the lot of record. It has to have dimensions on it. The drawings that are renderings need to show the

1 information that's on the site plan. This case really needs to be
2 cleaned up before the Board can do anything with it other than defer it
3 again. So, I think 30 days is really ambitious.

4 The other thing that I really want to have happen is I
5 want the new proposal available, in writing, at least 30 days before the
6 Board considers it. Because I want the ANC to have an opportunity to
7 see what's on the table. I think one of the problems with some of
8 these cases is that as they change, as the hearing date gets closer, a
9 lot of people are reviewing old material and things have changed, and
10 no one knows what's really out. I want to be sure that we have in the
11 record at least 30 days what the Board is going to be hearing.

12 So, my suggestion would be that we, perhaps, put --
13 we continue all three cases to the June meeting date which would be?

14 MR. LYONS: June 4th, Madam Chair.

15 CHAIRPERSON HINTON: June 4th. It would be the
16 afternoon again. It will be the entire agenda. But, 30 days before that,
17 whatever -- whatever agreements, whatever revised plans, whatever
18 the exact nature of the case is, needs to be in our file and should also
19 be served on the ANC and all the parties, or all the people who have
20 requested to be parties.

21 And that seems to be agreeable to the applicants.

22 Great.

23 So, do we need to vote on a --

24 MR. LYONS: No, Madam Chair.

25 CHAIRPERSON HINTON: We don't need to vote.

26 So, that's good. Good. That's done.

27 Our staff can help the applicants to understand what

1 really needs to be on those drawings so that everything's clear in our
2 record. And you might want to read our record. There's a lot of --
3 well, you probably know. There's a lot of contested issues so make
4 sure you cover all those issues about what's on the lot, what's in the
5 public space, and that sort of thing.

6 Do we have any other business this afternoon?

7 MR. LYONS: No, Madam Chair, that's it.

8 CHAIRPERSON HINTON: Very good.

9 Hearing adjourned.

10 (Whereupon, the foregoing matter went off the record
11 at 1:27 p.m.)

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