

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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SPECIAL PUBLIC MEETING

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TUESDAY  
FEBRUARY 10, 2004

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The Special Public Meeting was convened in Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice at 9:30 a.m., Geoffrey H. Griffis, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

GEOFFREY H. GRIFFIS	Chairperson
RUTHANNE G. MILLER	Vice Chairperson
CURTIS ETHERLY, JR.	Board Member
DAVID ZAIDAIN	Board Member (NCPC)

ZONING COMMISSION MEMBERS PRESENT:

CAROL MITTEN	Chairperson
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OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY,	Acting Secretary
BEVERLEY BAILEY,	Zoning Specialist
JOHN K. A. NYARKU,	Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JOHN MOORE,	Office of Planning
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D.C. OFFICE OF CORPORATION COUNSEL:

SHERRY GLAZER, ESQ.  
LORI MONROE, ESQ.

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C-O-N-T-E-N-T-S

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

9:46 a.m.

CHAIRPERSON GRIFFIS: Good morning, ladies and gentlemen. Let me call to order the 10th of February 2004 special public meeting of the Board of Zoning Adjustment of the District of Columbia.

My name is Geoff Griffis, Chairperson.

Joining me today is the Vice Chair Ms. Miller and also our esteemed member Mr. Etherly. Representing the National Capital Planning Commission is Mr. Zaidain and representing the Zoning Commission with us on several of our agenda items this morning is Ms. Mitten.

Copies of the agenda are available to you.

This is a special public meeting which mean we have a decision to make. Of course, we won't be hearing any testimony on that and this should run very quickly. So, I appreciate everyone's patience with us as we get through this.

I will repeat some of this information as I go into the opening of the public hearing, but it is important to understand several things.

First of all, all proceedings before the Board of Zoning Adjustment are recorded. They are recorded in two fashions now. They are recorded by

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1 the court reporter who sits on the floor which  
2 establishes the testimony -- the transcript rather and  
3 the record of the case. But, we are also -- it is our  
4 pleasure, of course, to indicate that we are also  
5 being broadcast live on the Zoning -- Office of  
6 Zoning's website.

7 So, to that, we ask, of course, that  
8 everyone turn off cell phones and beepers so we don't  
9 have disruption of anyone giving testimony.

10 Also, we ask when coming forward that you  
11 will speak into a microphone, but I will be very more  
12 -- much more specific as I go into our openings of the  
13 public hearing.

14 Let me see if -- oh, let me also make one  
15 announcement. We had on a schedule and it was the  
16 Board's schedule which appears to have been published  
17 on the website some decision or deliberation on a  
18 previous case of Stanton. We will be entering  
19 executive session in the afternoon and take that up in  
20 the afternoon session if that is the intention of the  
21 Board and the decision of the Board at that time. So,  
22 that will not be a part of this morning's special  
23 public meeting.

24 To that, let me see if staff has any other  
25 preliminary matters for us in the meeting this

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1 morning.

2 MS. BAILEY: Mr. Chairman and to the  
3 members of the Board and to all, good morning.

4 There is a preliminary matter. It  
5 concerns the postponement of one of the cases this  
6 morning. Application Number 17071, Edward B. Rooths  
7 and Nancy Dao and I believe a representative is here  
8 from that party.

9 CHAIRPERSON GRIFFIS: Okay. Excellent,  
10 Ms. Bailey. Why don't we pick that up when I call the  
11 public hearing and take the special public meeting now  
12 and I believe we have one case for -- for action from  
13 the Board.

14 MR. MOY: Yes, sir. Good morning, Mr.  
15 Chairman, members of the Board.

16 The first case and the -- and the only  
17 case for the special public meeting is the -- on the  
18 action of the -- the Board to act on a draft order  
19 that reflects the decision of the Board of January  
20 21st, 2003 and that is Application Number 16875 of  
21 Alls Memorial Episcopal Church pursuant to 11 DCMR  
22 3104.1 for a special exception to allow the use of an  
23 existing accessory parking lot for weekday parking  
24 under Section 213 in the R-4 District at premises 2300  
25 Cathedral Avenue, N.W. in Square 2208, Lots 23 and 24.

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1           The Board completed testimony on this  
2 application on May 29, 2002 and decided the  
3 application on January 21st, 2003.

4           Very briefly, the -- the Board -- the  
5 staff understands that the Board members voting on  
6 this draft order would be the Chairman, Ms. Mitten,  
7 and Mr. Zaidain.

8           CHAIRPERSON GRIFFIS: Good. Thank you  
9 very much, Mr. Moy.

10           I'm sure we're all familiar with this and  
11 I know the Board members have reviewed the record in  
12 order to assess the correctness of the proposed and  
13 draft order at this time.

14           Is there any discussion on this?  
15 Questions? Any deliberation?

16           I think then it might be -- yes, Mr.  
17 Zaidain?

18           MEMBER ZAIDAIN: Oh, I was just going to  
19 state that I did not participate in the decision  
20 making although I did hear the case and I assume a  
21 motion is forthcoming, but the -- the proposed order  
22 does reflect my status in the decision making as not  
23 present, not voting. So.

24           CHAIRPERSON GRIFFIS: Excellent. Thank  
25 you.

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1           Then I would move adoption of the draft  
2 order that -- to reflect the decision of the Board on  
3 the 21st of January 2003 and ask for a second.

4           COMMISSIONER MITTEN:    Second.

5           CHAIRPERSON GRIFFIS:    Thank you, Ms.  
6 Mitten.

7           Any further discussion/deliberation?

8           Not seeing an indication, I'd ask for all  
9 those in favor of the motion signify by saying aye.

10          (Ayes.)

11          CHAIRPERSON GRIFFIS:    And opposed?

12          MR. MOY:   Staff will record the vote as 3-  
13 0-2 in favor of the motion of the Chairman Mr.  
14 Griffis.   Seconded by Ms. Mitten.   Also in favor, Mr.  
15 Zaidain and we have two Board members that were not --  
16 had not participated on the case.

17          CHAIRPERSON GRIFFIS:    Very well.   Thank  
18 you, Mr. Moy.

19          Anything else for us in the public meeting  
20 this morning?

21          MR. MOY:   Not to my understanding, sir.

22          CHAIRPERSON GRIFFIS:    Okay.   In which case  
23 then we can adjourn the public meeting.

24          (Whereupon, the meeting was concluded at  
25 9:52 a.m.)

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