

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC MEETING

+ + + + +

TUESDAY
APRIL 9, 2013

+ + + + +

The Regular Public Meeting
convened in the Jerrily R. Kress Memorial
Hearing Room, Room 220 South, 441 4th Street,
N.W., Washington, D.C., 20001, pursuant to
notice at 9:47 a.m., Nicole Sorg, Vice
Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

NICOLE SORG, Vice-Chairperson
S. KATHRYN ALLEN, Board Member
JEFF HINKLE, Board Member (NCPC)

ZONING COMMISSION MEMBER PRESENT:

ANTHONY HOOD, Zoning Commission Chair
OFFICE OF ZONING STAFF PRESENT:
CLIFFORD MOY, Secretary
JOHN NYARKU, Zoning Specialist

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

SHERRY GLAZER, ESQ.

MARY NAGELHOUT, ESQ.

**The transcript constitutes the minutes
from the Public Hearing held on April 9, 2013.**

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

WELCOME:

Nicole Sorg4

EXPEDITED REVIEW CALENDAR

APPLICATION OF DEBORAH A. DRUMMOND:

APPLICATION NO. 18530:.5, 39

VOTE TO APPROVE 18530 (5-0-0):.47

APPLICATION OF PAMELA MAXWELL:

APPLICATION NO. 18536:.6

VOTE TO APPROVE 18536 - (5-0-0):.8

APPLICATION OF VALERIE BALDWIN:

APPLICATION NO. 18517:.9

VOTE TO APPROVE 18517 - (4-0-1):.11

PUBLIC DECISION MEETING

APPLICATION OF EDCO, LLC, (FORMERLY GARY COHEN):

APPLICATION NO. 18174:.13

VOTE TO APPROVE 18174 - (4-0-1):.15

APPLICATION OF GREGORY IGBOZURUIKE:

APPLICATION NO. 18519:.17

VOTE TO APPROVE 18519 - (4-0-1):.22

MOTIONS AND WAIVERS OF REQUIREMENTS FOR RECONSIDERATION AND REHEARING AND FOR STAY OF

ORDER TO NO. 18477 OF ABDO 14TH STREET, LLC:. 23

VOTE TO DENY MOTION - (4-0-1):.30

MOTION FOR RECONSIDERATION AND FOR STAY OF

ORDER NO. 18376 OF CORNELLE SMITH:.31

VOTE TO DENY MOTION - (4-0-1):.38

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

9:47 a.m.

VICE CHAIRPERSON SORG: Good

morning. This hearing will please come to order. Good morning, ladies and gentlemen. We are located in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W. This is the April 9th public meeting of the Board of Zoning Adjustment of the District of Columbia.

My name is Nicole Sorg, Vice Chairperson. Joining me today is Mr. Jeffery Hinkle, Board Member; S. Kathryn Allen, -Board Member; and Mr. Anthony Hood representing the Zoning Commission.

Copies of today's meeting agenda are available to you and located in the wall bin near the door.

We do not take public testimony at our meetings unless the Board asks someone to come forward.

Please be advised that this

1 proceeding is being recorded by a court
2 reporter and is also Web cast live.
3 Accordingly, we must ask you to refrain from
4 any disruptive noises or actions in the
5 hearing room. Please turn off all cell phones
6 and beepers, if you still have a beeper, or
7 you're a doctor. I guess you do.

8 Mr. Secretary, do you have any
9 preliminary matters?

10 MR. MOY: Good morning, Madam
11 Chair. Not this morning, but if we do we'll
12 take it up case by case.

13 VICE CHAIRPERSON SORG: Okay.
14 Then let's go ahead and call the first case on
15 the expedited calendar.

16 MR. MOY: Okay. There are three
17 cases on the calendar this morning. The first
18 reading is application No. 18530. This is of
19 Deborah A. Drummond, pursuant to 11 DCMR ^U
20 3104.1. This is for a special exception under
21 section 223, not meeting the rear yard
22 requirements under section 404, to allow an

1 addition to an existing one-family row
2 dwelling in the R-3 District at premises 1609
3 44th Street, N.W. Property located in Square
4 1327, Lot 23.

5 VICE CHAIRPERSON SORG: Thank you.
6 This case the Board has elected to postpone in
7 order that the applicant can amend their
8 application to the additional relief
9 suggested, as well as to obtain letters from
10 adjacent neighbors if possible and from the
11 ANC if possible as well. This case will still
12 be on the expedited calendar and will be held
13 on April 23rd?

14 MR. MOY: Yes, ma'am.

15 VICE CHAIRPERSON SORG: If that
16 works.

17 MR. MOY: That's correct.

18 VICE CHAIRPERSON SORG: Okay.
19 Let's move along.

20 MR. MOY: The next application on
21 the expedited calendar is application No.
22 18536. This is of Pamela Maxwell pursuant to

1 11 DCMR ^U 3104.1, for a special exception
2 under section 223, not meeting the lot
3 occupancy requirements under section 403 and
4 the rear yard requirements under section 404
5 for an addition to an existing one-family
6 semi-detached dwelling in the R-4 District at
7 premises 1610 E Street, S.E. Property located
8 in Square 1090, Lot 805.

9 VICE CHAIRPERSON SORG: Thank you.
10 Can we find out if the applicant in this case
11 is in the audience?

12 (No audible response.)

13 VICE CHAIRPERSON SORG: They are
14 not. Of course applicants don't need to be
15 here for expedited review calendars. I
16 think what we can do in this case -- there
17 is a little bit of clarification on the
18 relief that's necessary in this case, but as
19 sometimes happens with individuals the case
20 was styled in the language of a variance and
21 then became a special exception. So I think
22 that the applicant has included arguments

1 that we can go ahead and include the 223
2 relief from the rear yard under 404 under
3 this application as it's part of the
4 discussion in the application. And I think
5 that we can take that as a request or an
6 intention to amend the application.

7 If other Board Members are
8 agreeable with that approach; there's some
9 nodding, then we'll go ahead and I'll
10 indicate that this is a case for relief from
11 lot occupancy and rear yard. OP is in
12 support. In their report DDOT has filed the
13 report of no objections. The ANC is in
14 support and letters have been obtained from
15 both adjacent neighbors. Therefore, I would
16 move that we approve the application with
17 relief as requested.

18 ZC CHAIR HOOD: Second.

19 VICE CHAIRPERSON SORG: Thank you
20 very much. The motion's been made and
21 seconded. All those in favor, say aye?

22 (Chorus of ayes.)

1 VICE CHAIRPERSON SORG: All those
2 opposed?

3 (No audible response.)

4 VICE CHAIRPERSON SORG: Mr. Moy?

5 MR. MOY: Yes, staff would record
6 the vote as 4-0. This is on the motion of
7 Chair Sorg. Seconding the motion, Mr. Hood
8 from the Zoning Commission. Also in support
9 Ms. Allen and Mr. Hinkle. And we have a
10 Board Member not present with us today. So
11 again the vote is 4-0-1. The motion
12 carries.

13 VICE CHAIRPERSON SORG: Thank you
14 very much. Can we have a summary order --

15 MR. MOY: Thank you.

16 VICE CHAIRPERSON SORG: -- and
17 move onto our last case on the expedited
18 calendar?

19 MR. MOY: That would be
20 application No. 18517 of Valerie Baldwin,
21 pursuant to 11 DCMR ^U 3104.1, again for a
22 special exception under section 223, not

1 meeting the lot occupancy requirements under
2 section 403, nonconforming structure
3 provisions under subsection 2001.3, to allow
4 an addition to an existing one-family
5 dwelling in the R-4 District at premises 608
6 Constitution Avenue, N.E., property located
7 in Square 866, Lot 22.

8 VICE CHAIRPERSON SORG: Thank you
9 very much. Okay. This case was on our
10 expedited calendar for March 26th. The
11 Board deliberated and elected to table a
12 decision until today's date so that the
13 applicant would have the opportunity to
14 submit letters from the adjacent neighbors.
15 The applicant has done so and those have
16 been received and reviewed by the Board.

17 So in this case, if there's no
18 other deliberation, then I would move that
19 we approve the application under the relief
20 requested.

21 MEMBER HINKLE: Second.

22 VICE CHAIRPERSON SORG: Thank

1 you. Motion made and seconded. All those
2 in favor, say aye?

3 (Chorus of ayes.)

4 VICE CHAIRPERSON SORG: All those
5 opposed?

6 (No audible response.)

7 VICE CHAIRPERSON SORG: Mr. Moy?

8 MR. MOY: Staff would record the
9 vote as 4-0. Yes, I need to backtrack as
10 well, but before I do that --

11 VICE CHAIRPERSON SORG: Take your
12 time.

13 MR. MOY: -- I also have an
14 absentee ballot from Mr. Jordan, so the vote
15 actually would be 5-0 to approve. His
16 absentee ballot is in favor of the
17 application. So this is on the motion of
18 Vice Chair Sorg. Seconding the motion, Mr.
19 Hinkle. In support then, Mr. Hood, Ms. --
20 okay. No Ms. Allen? That's right. Okay.
21 The vote count then is 4-0-1. Thank you.
22 With the absentee ballot of Mr. Jordan to

1 approve the application. This is on the
2 motion of Vice Chair Sorg. Seconded, Mr.
3 Hinkle. And also in support Mr. Hood and --
4 who am I missing here? VICE CHAIRPERSON
5 SORG: That's it. You got it.

6 MR. MOY: That's it. Okay.
7 Sorry. Thank you.

8 I'd like to also backtrack if I
9 may, Madam Chair, because on the preceding
10 case the Board voted on, on the Pamela
11 Maxwell case, I do have an absentee ballot I
12 overlooked from Mr. Jordan. So I can either
13 add that to the vote count --

14 VICE CHAIRPERSON SORG: I will
15 talk slower.

16 MR. MOY: Talk slower?

17 VICE CHAIRPERSON SORG: No, I
18 will.

19 MR. MOY: Okay. All right. Do
20 you need to go back, or just noting that for
21 the record?

22 MR. MOY: Note for the record

1 that Mr. Jordan's absentee ballot is to
2 approve the application. So the vote count
3 then would be 5-0. Okay?

4 VICE CHAIRPERSON SORG: Great.
5 And then in the current case of Valerie
6 Baldwin we can also request a summary order,
7 please?

8 MR. MOY: Yes.

9 VICE CHAIRPERSON SORG: And
10 whenever you're ready.

11 MR. MOY: The next decision
12 before the Board, this is the applicant's
13 request for a two-year time extension of
14 application No. 18174 of EDCO, E-D-C-O, LLC,
15 which is formerly the Gary Cohen
16 application, pursuant to Section 3130 of the
17 Zoning Regulations.

18 If the Board will recall, the
19 Board actually convened this case on March
20 26th and tabled its decision to today, April
21 9th. The applicant did file the requested
22 additional information that the Board

1 requested, and that is in your case folders
2 identified as Exhibit 38.

3 VICE CHAIRPERSON SORG: Thank you
4 very much, Mr. Secretary.

5 As you noted, this case was heard
6 on March 26th. The applicant had submitted
7 some supporting documentation, including an
8 affidavit, a description of the project and
9 that there would be no changes. But the
10 Board requested additional supporting
11 documentation which was submitted in advance
12 of this hearing and is our Exhibit 38, which
13 includes a letter from the Bank of
14 Georgetown indicating their reasoning. The
15 applicant, as well as the additional
16 filings, express that market conditions were
17 considered as part of the rationale when
18 reviewing the request for financing. Also
19 indicates that those may have changed. But
20 the information I believe is sufficient to
21 grant the request for the time extension in
22 hopes that the applicant will be able to

1 move forward on their project soon.

2 Is there any other deliberation
3 on this case?

4 MEMBER HINKLE: Thank you, Madam
5 Vice Chair. I too appreciated the
6 supplemental information. I thought that
7 was helpful. I'm ready to support this
8 application.

9 VICE CHAIRPERSON SORG: Great.
10 Then I will submit a motion to approve the
11 request for a two-year time extension in
12 this case. Is there a second?

13 MEMBER HINKLE: Second.

14 VICE CHAIRPERSON SORG: A motion
15 has been made and seconded. All those in
16 favor, say aye?

17 (Chorus of ayes.)

18 VICE CHAIRPERSON SORG: All those
19 opposed?

20 (No audible response.)

21 VICE CHAIRPERSON SORG: And, Mr.
22 Moy, I suspect you have some absentee

1 ballots?

2 MR. MOY: Yes, thanks for
3 reminding me. I have two absentee ballots
4 from two participating members. The first
5 is from Chairman Jordan. His absentee
6 ballot is to approve the application. The
7 second is from Michael Turnbull and he also
8 votes to approve the application with such
9 conditions as the Board may impose.

10 So did you take the vote? The
11 motion? Okay.

12 VICE CHAIRPERSON SORG: We did.

13 MR. MOY: Okay. So --

14 VICE CHAIRPERSON SORG: Mr.
15 Hinkle and I are participating --

16 MR. MOY: Okay.

17 VICE CHAIRPERSON SORG: -- of
18 those of us who are here today. I think --

19 MR. MOY: Yes, that's right.

20 VICE CHAIRPERSON SORG: -- Ms.
21 Allen is not.

22 MR. MOY: Okay. So that would

1 give a total --

2 VICE CHAIRPERSON SORG: And also
3 Mr. Hood is not.

4 MR. MOY: Not. Correct. So that
5 would give a final vote of 4-0-1 on the
6 motion of Vice Chair Sorg. Seconding the
7 motion, Mr. Hinkle. And with the two
8 absentee ballots in support also and one
9 member not participating. So again the
10 final vote, 4-0-1.

11 VICE CHAIRPERSON SORG: Thank
12 you, Mr. Secretary. A little bit of late-
13 breaking news at the BZA. We've been
14 informed that the applicant and the first
15 expedited case, Drummond, is here with the
16 documentation that the Board was looking
17 for. So I think what we will do sort of in
18 honor of their, you know, efforts to come
19 down here and see their case come before the
20 Board, is we will go ahead and put them back
21 on the calendar for today at the end of the
22 public meeting and we'll allow them to

1 submit those documents. I believe they're
2 in your office and they'll be doing that.

3 MR. MOY: Yes, very good. Thank
4 you. With that then, the next application
5 before the Board for a decision is
6 application No. 18519. This is of Gregory
7 Igbozuruike, pursuant to 11 DCMR ^U 3103.2.
8 This is for a variance from the lot width
9 requirements under subsection 401.3, to
10 allow the construction of three new flats in
11 the R-4 District at premises 429 Newton
12 Street, N.W. Property located in Square
13 3035, Lots 82 and 83.

14 Let's see. Okay. On March 26th,
15 2013 the Board completed public testimony,
16 closed the record and scheduled its decision
17 on April the 9th. The Board requested
18 additional information to supplement the
19 record. That filing from the applicant,
20 Madam Chair, is in your case folders
21 identified as Exhibit 31. So with that, the
22 Board is to act on the merits of the

1 applicant's request for variance relief.

2 VICE CHAIRPERSON SORG: Thank you
3 very much. This case, as the secretary
4 mentioned, was heard on March 26th and there
5 were some remaining questions regarding how
6 the new development would fit into the
7 character of the neighborhood, specifically
8 in regards to the height of the new
9 dwellings as compared to the ridge line and
10 height of the adjacent dwellings.

11 We have, as the secretary
12 mentioned, received post-hearing
13 documentation that is inclusive of
14 elevations, renderings in a correct scale to
15 accurately depict the height difference
16 between the proposed project and the
17 surrounding homes. The applicant in their
18 post-hearing submission also indicates
19 further efforts to speak with the neighbors
20 and also includes a new survey that was
21 completed. Finally, the applicant notes
22 that although support was not able to be

1 gained finally from the adjacent neighbors,
2 that they would proffer some items including
3 parking spaces that are outside of the
4 relief that is being requested.

5 So my take on this is I think
6 that the post-hearing submission contains,
7 you know, statements and documentation that
8 answers -- and data actually that answers
9 the questions regarding the height of the
10 ridge line and a couple of other details,
11 which were what we were particularly
12 interested in, and shows that the new
13 development will be between two feet on one
14 side and five feet on the other side,
15 roughly, taller than its adjacent neighbors,
16 and therefore not out of scale in the way
17 that we were hoping it would not be out of
18 scale.

19 With regard to the proffer of the
20 parking spaces that the applicant has made,
21 while the Board appreciates working with
22 neighbors and making moves to try to work in

1 harmony on new projects, my opinion is that
2 because parking relief is not part of the
3 relief that's requested, it's not
4 appropriate to include a condition that
5 increases the number of required parking
6 spaces from those that are required under
7 the Zoning Regulations.

8 Is there any other deliberation
9 on this case?

10 MEMBER HINKLE: No, I think that
11 was well stated, Madam Vice Chair. I tend
12 to agree with you in terms of the parking
13 issue. I do appreciate the effort that the
14 applicant made to contact the adjacent
15 neighbors. While we don't have letters of
16 support from them, that doesn't necessarily
17 mean that there is not support for this
18 project. It doesn't mean that there's
19 opposition to this project either from the
20 opposing neighbors. So with that, I'm in
21 support of the application now.

22 VICE CHAIRPERSON SORG: Thank

1 you. I appreciate that. Also I think the
2 benefit of having received more accurate
3 depictions and plans is that the Board can
4 more accurately judge the way that the
5 project can fit into the neighborhood. So
6 with that said, I will submit a motion to
7 approve application 18519 with the relief
8 requested. Is there a second?

9 MEMBER HINKLE: Second.

10 VICE CHAIRPERSON SORG: The
11 motion has been made and seconded. All
12 those in favor, say aye?

13 (Chorus of ayes.)

14 VICE CHAIRPERSON SORG: All those
15 opposed?

16 (No audible response.)

17 VICE CHAIRPERSON SORG:
18 Abstentions?

19 (No audible response.)

20 VICE CHAIRPERSON SORG: None.
21 There's just no other participants. Mr.
22 Moy?

1 MR. MOY: Yes, before I give the
2 final vote, we have two absentee ballots
3 from two participants on the application.
4 The first is from Chairman Jordan and his
5 absentee ballot vote is to approve the
6 application. The second ballot is from
7 Peter May and his absentee ballot also is to
8 approve the application. He made a point of
9 having me read a comment into the record,
10 Madam Chair. And his comment is, quote, "I
11 would hope that the applicant's agent will
12 do a better job next time in presenting
13 complete and accurate information to the
14 Board," end quote. So that's for the
15 record.

16 So again, the final vote count
17 then would be 4-0-1 on the motion of Vice
18 Chair Sorg. Seconding the motion, Mr.
19 Hinkle. No other members participating.
20 Motion carries.

21 VICE CHAIRPERSON SORG: Thank you
22 very much. And in this case there were no

1 parties in opposition so we can request a
2 summary order.

3 MR. MOY: Yes, thank you. The
4 next decision before the Board, these are
5 motions and waivers of requirements for
6 reconsideration and rehearing and for stay
7 of order to No. 18477 of Abdo 14th Street,
8 LLC, pursuant to Section 3126 of the Zoning
9 Regulations. For the record, Madam Chair,
10 the original application was pursuant to 11
11 DCMR ^U^U 3103.2 and 3104.1, for a variance
12 from the building height setback
13 requirements under subsection 1902.1(b), a
14 variance from the off-street parking
15 requirements under subsection 2101.1, and a
16 special exception from the rear yard
17 requirements under subsection 774.2, in the
18 Arts/C-3-A District at premises 1400-1404
19 14th Street, N.W. Property located in
20 Square 210, Lots 82, 102 and 800.

21 The movant made its filing on
22 March 4th, 2013 and that filing is

1 identified under Exhibit 42 in your case
2 folders. There is a response from the
3 applicant, and that is a response in
4 opposition dated March 14th, 2013. And that
5 filing is identified under Exhibit 43, Madam
6 Chair.

7 So I think I'm going to leave
8 with that, for the Board to act on the
9 merits of the motions and the waiver
10 requirements, Madam Chair.

11 VICE CHAIRPERSON SORG: Okay.
12 This is where we get very legal today. So
13 to begin the deliberations I'll just make a
14 couple of comments that I have and share my
15 thoughts, and then I will of course have
16 other Board Members weigh in.

17 So this is a motion that was made
18 by the real estate group that owns the
19 adjacent apartment building to the proposed
20 project on the corner of 14th and Rhode
21 Island Avenue proposed by Abdo Development.
22 The particular concerns of this adjacent

1 neighbor have to do with the variance for
2 the height setback and for the rear yard
3 special exceptions that were approved under
4 this application and state that there would
5 be extreme negative impacts. I think that
6 the consideration of this motion falls
7 pretty squarely under 3126.2, which
8 indicates that a party may file a motion
9 within 10 days of issuance of a final order.

10 So there are basically two issues
11 in my opinion at my hand in this request:
12 One is of party status, or the lack thereof
13 rather as well, and of timeliness. And I
14 believe both of these issues hinge on the
15 issue of notice, which was what was sort of
16 largely treated in the movant's filings. So
17 what I will briefly say is my thoughts on
18 the argument related to notice and how those
19 influence my thoughts on the issues of party
20 and the issues of timeliness.

21 So the motion states that the
22 apartment building had no actual notice of

1 the proposed project and of the BZA
2 proceedings, but I think it is fairly clear
3 in this case that standard practices for
4 public notice were taken, the practices for
5 notice being given to the public by the BZA
6 that rest on the shoulders of both
7 applicants and the Office of Zoning, and
8 there is a great deal of purposeful
9 redundancy in these notice requirements.

10 So in this case a letter was sent
11 to all neighbors within 200 feet. That
12 includes the correct address and name of the
13 owner of the adjacent apartment building.
14 The ANC was notified, subsequently had a
15 hearing and voted on the application finding
16 support. That posting was made on the
17 property, which is certified in the
18 affidavit of posting which was received by
19 the Office of Zoning. And that was done in
20 conformance with the requirements. The
21 application was posted in the District
22 Register and on the OZ Web site.

1 So those encompass these strict
2 requirements for public notice under the
3 Zoning Regulations. In addition, we are
4 aware that the project underwent other
5 public processes, including HPRB processes.
6 And in their filing the representatives of
7 Abdo indicate that the project was also in
8 the press.

9 Those two things to me are
10 somewhat to the side of the fact that in
11 checking through the processes undergone by
12 the Office of Zoning for the standard notice
13 requirements that those were fulfilled
14 accurately and timely. The notice
15 requirements do not indicate actual notice.
16 That is why there are these redundant
17 efforts. So that being said, it's my
18 finding that the movant in this request
19 should reasonably have had notice of the BZA
20 application.

21 So that being said, to go to the
22 issue of timeliness, as indicated in 3126

1 the clock as it were starts when the order
2 is issued. In this case that's January
3 30th. So the regulation references the date
4 when the order is issued by the Board, not
5 when any subsequent papers are received by
6 the public. I believe that the movant is
7 indicating that they received notice of the
8 application when conditions related to the
9 approved application were sent out by the
10 Office of Zoning.

11 And two, the issue of the non-
12 party and the request for a waiver. In that
13 regard it's my opinion, because of my view
14 on the reasonableness of the notice
15 requirements and efforts made that the
16 applicant has not satisfied the waiver for
17 the requirements, that only parties can file
18 motions for reconsideration.

19 So those are some of my thoughts
20 and I will open it up for other comment.

21 MEMBER HINKLE: Yes, thank you,
22 Madam Chairman. That was pretty thorough.

1 I don't necessarily have any more to add to
2 that. I tend to completely agree with your
3 analysis.

4 VICE CHAIRPERSON SORG: Thank
5 you. Oh, okay. Well, that's the only other
6 people on here today that are participating.

7 So that being said, I think that
8 with regard to the request for
9 reconsideration and rehearing that I don't
10 find that there is good cause shown based on
11 the issues that were brought up in the
12 movant's brief.

13 In addition, they did submit a
14 motion for a stay. It's my opinion that
15 that motion should be denied. Those
16 regulations indicate that a stay is not
17 automatic with the filing of reconsideration
18 or rehearing and that the reasoning related
19 to the comments that I made previously given
20 under the requirements for stay have also
21 not been met. Therefore, I would
22 submit a motion to dismiss the motion for

1 reconsideration and rehearing and for stay
2 in Order No. 18477.

3 MEMBER HINKLE: I'll second.

4 VICE CHAIRPERSON SORG: A motion
5 has been made and seconded. All those in
6 favor, say aye?

7 (Chorus of ayes.)

8 VICE CHAIRPERSON SORG: And I
9 suspect there are also some absentee inputs
10 on this.

11 MR. MOY: Yes, Vice Chair Sorg.
12 You're clairvoyant. I have two here, one
13 from Chairman Jordan and his absentee ballot
14 is to deny the motions and the waivers. The
15 second absentee ballot also is from another
16 participant, and that's from Marcie Cohen.
17 And as well her vote is one of denial as
18 well. So that would give a total vote of 4-
19 0-1. And so again that's the final vote
20 count. Vice Chair Sorg making the motion.
21 Mr. Hinkle seconded it. And of course
22 Chairman Jordan and Ms. Cohen voting to

1 deny.

2 VICE CHAIRPERSON SORG: Thank you
3 very much.

4 MR. MOY: The next decision
5 before the Board again is another motion for
6 a reconsideration and for stay of order, but
7 this is to application No. 18376 of Cornelle
8 Smith, pursuant to section 3126 of the
9 Zoning Regulations.

10 Now the original application for
11 the record reads as pursuant to 11 DCMR ^U
12 3103.2 for an area variance from the story
13 requirements under ^U 400.1 of the Zoning
14 Regulations and an area variance from the
15 open court requirements under ^U 406.1 of the
16 Zoning Regulations to accommodate a third
17 and fourth floor addition to an existing
18 four-unit apartment building in the R-4
19 District at premises 3453 Holmead Place,
20 N.W. Property located in Square 2834, Lot
21 73.

22 The applicant made its request

1 for reconsideration and for stay of order.

2 That filing, Madam Chair, is identified

3 under Exhibit 37 in your case folders.

4 Let's see, and I believe the applicant also

5 filed -- I don't believe they did, filed

6 another filing identified as Exhibit 38. In

7 terms of for response, there is a letter

8 from ANC 1A identified under Exhibit 40,

9 which was filed untimely. And that

10 completes the documents in your case

11 folders.

12 VICE CHAIRPERSON SORG: Thank
13 you, Mr. Chairman, Mr. Secretary.

14 I think the first matter to deal
15 with in this request is the letter that was
16 received from the ANC. Under the
17 regulations of the BZA only filings of
18 requests for reconsideration and rehearing
19 are permitted after an order is issued,
20 which is what the applicant submitted.

21 Regarding the letter from ANC 1A,
22 this letter is not styled as a request for

1 reconsideration and is not germane to the
2 motion that's being made by the applicant
3 and not styled as a support or request for
4 reconsideration or rehearing. The letter is
5 also untimely with regard to the 10-day plus
6 3-day requirements for motions to be
7 submitted or filings to be submitted after
8 the issuance of a Board order, therefore, we
9 will not be accepting the letter from ANC 1A
10 into our filings.

11 So then we can move onto the
12 second request in this case, which is the
13 motion for reconsideration and under the
14 regulations in 3126 there is a requirement
15 that motions for reconsideration shall state
16 specifically all respects in which a final
17 decision is claimed to be erroneous, the
18 grounds of the motion and the relief that is
19 sought. Additionally, it is a requirement
20 that new evidence be submitted that could
21 not have reasonably been presented at the
22 original hearing.

1 So that being said, the applicant
2 in this case has indicated seven areas in
3 their request which they are using as
4 reasoning for the request for
5 reconsideration. I can go through my
6 thoughts on each of those arguments and just
7 state what would be my response and then we
8 can go ahead and get other input.

9 The applicant indicates that a
10 topographic survey was not considered. The
11 Board did consider all submitted surveys,
12 drawings and plans, actually even giving the
13 applicant leave to submit revised drawings
14 and improve submissions in the case when it
15 was heard. I would also note that under the
16 regulations not all elements considered in
17 each case are called out in a written order,
18 and that is not required under the
19 regulations.

20 The second point is regarding
21 great weight to the ANC. Under the
22 regulations in this particular element the

1 Board properly did not give great weight to
2 the ANC's decision because it had not
3 received an ANC letter, only I believe word
4 from the applicant of the ANC's support.

5 The third point is actually a
6 request for a stay. Of course a request for
7 a stay will be also related to the potential
8 granting of a motion for reconsideration or
9 rehearing.

10 Another point references the
11 length of time between the decision and
12 order and strife, burden and stress.
13 Naturally we very much as a Board want to be
14 able to make this process as smooth and as
15 understandable and amiable to everybody who
16 comes before us. So I will say that while
17 the stress upon the property owner is
18 unfortunate, the order was filed under
19 regulations which do not specify a specific
20 time frame.

21 Another point indicates that
22 there was a short amount of time for

1 suggestion of new relief. In that case the
2 additional relief not added to the
3 application is not relevant to the grounds
4 for denial of relief in this case from the
5 story provisions and is not relevant to the
6 request for reconsideration.

7 Another point indicates that one
8 Board Member was not present. I would
9 indicate that the Board had a full quorum to
10 take action on the case on the date of the
11 decision and that the Board Member that is
12 indicated was actually no longer sitting on
13 the Board as of that time and so would not
14 have been able to participate.

15 Finally, there is an indication
16 that it's a conversion and that the relief
17 should have been considerate of this fact.
18 And I would indicate that I believe that the
19 existing and intended use of the property
20 was part of the Board's deliberation in the
21 case. So that being said, I
22 would not find good cause to grant the

1 motion for reconsideration. Is there any
2 other deliberation?

3 MEMBER HINKLE: Yes, thank you,
4 Madam Chair. I tend to agree with again all
5 your points. I just want to note for even
6 the third point, the applicant's request for
7 a stay, they never provided any grounds for
8 a stay. So even if we were to advance
9 this motion for reconsideration, I don't
10 think that I could support a request for a
11 stay. But I just want to note that. I mean
12 they didn't provide anything for a stay as
13 well.

14 VICE CHAIRPERSON SORG: Thank
15 you. I appreciate your bringing that up.
16 To prevail on a motion for a stay the party
17 that's seeking such a stay has to
18 demonstrate a few things: (1) That it's
19 likely to prevail on the merits; (2) that
20 irreparable injury will result of the stay
21 is denied; (3) the opposing party will not
22 be harmed by a stay and also that the public

1 interest favors the granting of the stay.
2 In this case, while there was a request,
3 none of these elements were addressed in
4 their request for a stay. So that being
5 said, I will submit a motion to deny the
6 request for reconsideration or rehearing in
7 this case and also to dismiss the request
8 for a stay.

9 MEMBER HINKLE: I'll second.

10 VICE CHAIRPERSON SORG: A motion
11 has been made and seconded. All those in
12 favor, say aye?

13 (Chorus of ayes.)

14 VICE CHAIRPERSON SORG: All those
15 opposed?

16 (No audible response.)

17 VICE CHAIRPERSON SORG: Mr. Moy?

18 MR. MOY: Yes, again we have two
19 absentee ballots from two participating
20 members on this. And the first is from
21 Chairman Jordan, and his absentee ballot is
22 to deny and dismiss. The second also is

1 from Marcie Cohen who participated on the
2 original application and hers as well is to
3 deny and dismiss. So that would give a
4 total vote of 4-0-1. This on the motion of
5 Vice Chairperson Sorg. Seconding the
6 motion, Mr. Hinkle. No other members
7 participating, so the final vote is 4-0-1,
8 Madam Chair.

9 VICE CHAIRPERSON SORG: Thank you
10 very much. So we will go ahead and go back
11 to the beginning and if you can call the
12 first case on the expedited calendar.

13 MR. MOY: Yes, for the record
14 again I'll reread the caption. This is the
15 application of 18530 of Deborah A. Drummond,
16 pursuant to 11 DCMR ^U 3104.1 for a special
17 exception under section 223, not meeting the
18 rear yard requirements under section 404, to
19 allow an addition to an existing one-family
20 row dwelling in the R-3 District at premises
21 1609 44th Street, N.W. Property located in
22 Square 1327, Lot 23.

1 VICE CHAIRPERSON SORG: Thank you
2 very much. So I understand that the
3 applicants in this case are here with us.
4 So if you can come forward to the table. I
5 know you didn't think you were going to be
6 doing any talking today, but it sounds like
7 you have a couple of things that we have
8 been looking for for the application, so it
9 may be a good idea to take a seat and
10 introduce yourselves for the record. Oh,
11 did you -- yes, thank you. Did you both get
12 sworn in?

13 (No audible response.)

14 VICE CHAIRPERSON SORG: Okay. So
15 actually if you could stand up again. You
16 can give those cards when you're done with
17 your testimony to the court reporter. And
18 then if you can take the oath from the
19 secretary.

20 MR. MOY: Good morning.

21 (Whereupon, the witnesses were
22 sworn.)

1 MR. MOY: Thank you.

2 VICE CHAIRPERSON SORG: Okay.

3 Thank you. Now you can sit down. And if
4 you can please identify yourselves with your
5 name and your home address for the record,
6 please.

7 MS. DRUMMOND: My name is Debbie
8 Drummond.

9 VICE CHAIRPERSON SORG: Oh, you
10 also want to turn on your microphone. Make
11 sure that the light in front of you is
12 glowing bright green. Nope. Just tap the
13 thing that says "push."

14 MS. DRUMMOND: Now, it's green.

15 VICE CHAIRPERSON SORG: You got
16 it. Okay.

17 MS. DRUMMOND: My name is Debbie
18 Drummond. I live at 1609 44th Street, N.W.,
19 Washington, D.C.

20 VICE CHAIRPERSON SORG: Okay.

21 MR. MITCHELL: My name is David
22 Mitchell, 2333 Nebraska Avenue, N.W., D.C.

1 And I'm an architect.

2 VICE CHAIRPERSON SORG: Okay.

3 Great. Well thank you both. I'm glad that
4 you're here and I'm glad that we caught you
5 before we postponed, and I'm glad you kind
6 of spoke up and indicated that you were
7 present.

8 So there's a couple of things
9 with your application that were the reasons
10 that we were going to push it off to your
11 next date, and those were, you know, all of
12 the drawings and burden of proof on those
13 things were sufficient, we believe. But we
14 did not receive -- there's three issues:
15 The first is that the OP report, which I
16 believe you would have seen, indicates that
17 relief from 2001.3 for nonconforming
18 structures would also be required. So if
19 you agree with that, all we need is for you
20 to verbally agree that you want to amend
21 your application to include that relief.

22 MR. MITCHELL: Yes, we will do

1 that.

2 VICE CHAIRPERSON SORG: Okay.

3 Great.

4 MR. MITCHELL: And Richard Neworg
5 tells me that actually 2001.3 is covered by
6 223, but if that's -- is the procedure we
7 need to follow.

8 VICE CHAIRPERSON SORG: Well, if
9 it's to self-certify an application, it's up
10 to you. But there is a suggestion by the
11 Office of Planning, so it doesn't hurt.
12 Okay.

13 MR. MITCHELL: Well, the Office
14 of Planning, as you probably know, submitted
15 a letter of approval.

16 VICE CHAIRPERSON SORG: Oh, of
17 course. Absolutely.

18 MR. MITCHELL: Okay. And then
19 the other issue I guess was the ANC. The
20 ANC got set back by the predicted snow back
21 in March.

22 VICE CHAIRPERSON SORG: Okay.

1 MR. MITCHELL: And so we were
2 originally scheduled to go before them at
3 that time. Subsequently we went to the
4 April 3rd and they voted unanimously to
5 support the application.

6 VICE CHAIRPERSON SORG: Okay.

7 MR. MITCHELL: And they --

8 VICE CHAIRPERSON SORG: That was
9 going to be my next question is to ask you
10 about your interactions. Did they say that
11 they were going to send a letter?

12 MR. MITCHELL: yes, and they said
13 they were going to do so with a request for
14 a waiver of the normal time required because
15 they got set back by the snow, or threat of
16 snow.

17 VICE CHAIRPERSON SORG: Got you.
18 Well, originally we did not receive a letter
19 from the ANC, so we can't give it great
20 weight, but what we can do is we'll take
21 your testimony that you're project was
22 approved, you know, based on your

1 statements.

2 MR. MITCHELL: Right.

3 VICE CHAIRPERSON SORG: And that
4 is fine.

5 MR. MITCHELL: And lastly then --

6 VICE CHAIRPERSON SORG: Go ahead.

7 MR. MITCHELL: -- the letters you
8 wanted from the neighbors --

9 VICE CHAIRPERSON SORG: Yes,
10 which you have.

11 MR. MITCHELL: -- the client and
12 her husband submitted these letters to all
13 people in a 200-foot radius and then the
14 immediate adjacent neighbors both signed
15 this letter.

16 VICE CHAIRPERSON SORG: Oh, okay.
17 Great. So if you can hand those to Mr. Moy.
18 In the interest of time we can go ahead and
19 just pass them down, if we don't have any
20 copies.

21 MS. DRUMMOND: Those are the
22 originals.

1 VICE CHAIRPERSON SORG: Okay.
2 Got it. And these are from the two adjacent
3 neighbors?

4 MS. DRUMMOND: Yes.

5 VICE CHAIRPERSON SORG: Okay.
6 We'll just give a moment for the Board
7 Members to review this submission.

8 Okay. Well, that -- because
9 you're on the expedited review, this is
10 actually not -- it's not a hearing that
11 we're conducting. So those were actually
12 the three points which you have addressed
13 here, that you had already known that I
14 would have asked about, but while you're
15 here I will ask if other Board Members have
16 any questions on the application that they
17 wanted to ask Ms. Drummond or Mr. Mitchell,
18 her architect.

19 (No audible response.)

20 VICE CHAIRPERSON SORG: No?
21 Okay. Well then that is all that we need
22 from you guys. And thank you for coming in

1 and for being prepared with these letters
2 which we will make copies and return to you.

3 So we will move back into, which
4 we really are in, our public meeting mode
5 and we can go ahead I believe and deliberate
6 on this application.

7 ZC CHAIR HOOD: Madam Chair?

8 VICE CHAIRPERSON SORG: Yes?

9 ZC CHAIR HOOD: I will move
10 approval of BZA case 18530, request for
11 special exception relief under 223 with the
12 forgiveness of the requirement of the rear
13 yard, as well as 2001.3, nonconforming
14 structure. I believe that this case was
15 being held up for some specific items and
16 which I think the applicant has presented
17 this morning. And that's my motion.

18 VICE CHAIRPERSON SORG: I agree.
19 I'll second that motion.

20 A motion has been made and
21 seconded. All those in favor, say aye?

22 (Chorus of ayes.)

1 VICE CHAIRPERSON SORG: All those
2 opposed?

3 (No audible response.)

4 VICE CHAIRPERSON SORG: And, Mr.
5 Secretary, can you read back the vote,
6 please?

7 MR. MOY: Yes, with pleasure. It
8 so happens I also have an absentee ballot
9 from Chairman Jordan --

10 VICE CHAIRPERSON SORG: Shocking.

11 MR. MOY: -- should the Board
12 vote on this application, which you just
13 did. So that would actually give a final
14 vote count of 5-0 on the motion of Mr. Hood.
15 Seconded, Vice Chair Sorg. Also in support
16 Ms. Allen and Mr. Hinkle, and of course Mr.
17 Jordan. So that's universal, 5-0. The
18 motion carries.

19 VICE CHAIRPERSON SORG: Thank
20 you. So we will request a summary order in
21 this case. Good luck.

22 So we will take a five-minute

1 break and then we will move into our public
2 hearing for today.

3 (Whereupon, the meeting was
4 concluded at 10:40 a.m.)

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

A Abdo 3:19 24:7 25:21 28:7 able 14:22 19:22 36:14 37:14 absentee 11:14,16 11:22 12:11 13:1 15:22 16:3,5 17:8 23:2,5,7 31:9,13 31:15 39:19,21 49:8 Absolutely 44:17 Abstentions 22:18 accepting 34:9 accommodate 32:16 accurate 22:2 23:13 accurately 19:15 22:4 28:14 act 18:22 25:8 action 37:10 actions 5:4 actual 26:22 28:15 add 12:13 30:1 added 37:2 addition 6:1 7:5 10:4 28:3 30:13 32:17 40:19 additional 6:8 13:22 14:10,15 18:18 37:2 Additionally 34:19 address 27:12 42:5 addressed 39:3 47:12 adjacent 6:10 8:15 10:14 19:10 20:1 20:15 21:14 25:19 25:22 27:13 46:14 47:2 Adjustment 1:4,16 4:9 advance 14:11 38:8 advised 4:22 affidavit 14:8 27:18	agenda 4:16 agent 23:11 agree 21:12 30:2 38:4 43:19,20 48:18 agreeable 8:8 ahead 5:14 8:1,9 17:20 35:8 40:10 46:6,18 48:5 Allen 1:18 4:13 9:9 11:20 16:21 49:16 allow 5:22 10:3 17:22 18:10 40:19 amend 6:7 8:6 43:20 amiable 36:15 amount 36:22 analysis 30:3 ANC 6:11 8:13 27:14 33:8,16,21 34:9 35:21 36:3 44:19,20 45:19 ANC's 36:2,4 answers 20:8,8 Anthony 1:21 4:14 apartment 25:19 26:22 27:13 32:18 applicant 6:7 7:10 7:22 10:13,15 13:21 14:6,15,22 17:14 18:19 19:17 19:21 20:20 21:14 25:3 29:16 32:22 33:4,20 34:2 35:1 35:9,13 36:4 48:16 applicants 7:14 27:7 41:3 applicant's 13:12 19:1 23:11 38:6 application 3:5,5,7 3:8,9,10,13,14,15 3:16 5:18 6:8,20 6:21 8:3,4,6,16 9:20 10:19 11:17 12:1 13:2,14,16 15:8 16:6,8 18:4,6	21:21 22:7 23:3,6 23:8 24:10 26:4 27:15,21 28:20 29:8,9 32:7,10 37:3 40:2,15 41:8 43:9,21 44:9 45:5 47:16 48:6 49:12 appreciate 21:13 22:1 38:15 appreciated 15:5 appreciates 20:21 approach 8:8 appropriate 21:4 approval 44:15 48:10 approve 3:6,8,10 3:14,17 8:16 10:19 11:15 12:1 13:2 15:10 16:6,8 22:7 23:5,8 approved 26:3 29:9 45:22 April 1:10 2:17 4:8 6:13 13:20 18:17 45:4 architect 43:1 47:18 area 32:12,14 areas 35:2 argument 26:18 arguments 7:22 35:6 Arts/C-3-A 24:18 asked 47:14 asks 4:20 ATTORNEY 2:10 audible 7:12 9:3 11:6 15:20 22:16 22:19 39:16 41:13 47:19 49:3 audience 7:11 automatic 30:17 available 4:17 Avenue 10:6 25:21 42:22 aware 28:4 aye 8:21 11:2 15:16	22:12 31:6 39:12 48:21 ayes 8:22 11:3 15:17 22:13 31:7 39:13 48:22 a.m 1:14 4:2 50:4 B back 12:20 17:20 40:10 44:20,20 45:15 48:3 49:5 backtrack 11:9 12:8 Baldwin 3:9 9:20 13:6 ballot 11:14,16,22 12:11 13:1 16:6 23:5,6,7 31:13,15 39:21 49:8 ballots 16:1,3 17:8 23:2 39:19 Bank 14:13 based 30:10 45:22 basically 26:10 beeper 5:6 beepers 5:6 beginning 40:11 believe 14:20 18:1 26:14 29:6 33:4,5 36:3 37:18 43:13 43:16 48:5,14 benefit 22:2 better 23:12 bin 4:18 bit 7:17 17:12 Board 1:4,16,18,18 4:9,13,13,20 6:6 8:7 9:10 10:11,16 12:10 13:12,18,19 13:22 14:10 16:9 17:16,20 18:5,15 18:17,22 20:21 22:3 23:14 24:4 25:8,16 29:4 32:5 34:8 35:11 36:1 36:13 37:8,9,11 37:13 47:6,15	49:11 Board's 37:20 break 50:1 breaking 17:13 brief 30:12 briefly 26:17 bright 42:12 bringing 38:15 brought 30:11 building 24:12 25:19 26:22 27:13 32:18 burden 36:12 43:12 BZA 17:13 27:1,5 28:19 33:17 48:10 C calendar 3:4 5:15 5:17 6:12,21 9:18 10:10 17:21 40:12 calendars 7:15 call 5:14 40:11 called 35:17 caption 40:14 cards 41:16 carries 9:12 23:20 49:18 case 5:12,12,14 6:6 6:11 7:10,16,18 7:19 8:10 9:17 10:9,17 12:10,11 13:5,19 14:1,5 15:3,12 17:15,19 18:20 19:3 21:9 23:22 25:1 27:3 27:10 29:2 33:3 33:10 34:12 35:2 35:14,17 37:1,4 37:10,21 39:2,7 40:12 41:3 48:10 48:14 49:21 cases 5:17 cast 5:2 caught 43:4 cause 30:10 37:22 cell 5:5
--	---	--	---	---

certified 27:17 Chair 1:21 5:11 8:18 9:7 11:18 12:2,9 15:5 17:6 18:20 21:11 23:10 23:18 24:9 25:6 25:10 31:11,20 33:2 38:4 40:8 48:7,7,9 49:15 Chairman 16:5 23:4 29:22 31:13 31:22 33:13 39:21 49:9 Chairperson 1:15 4:3,12 5:13 6:5,15 6:18 7:9,13 8:19 9:1,4,13,16 10:8 10:22 11:4,7,11 12:4,14,17 13:4,9 14:3 15:9,14,18 15:21 16:12,14,17 16:20 17:2,11 19:2 21:22 22:10 22:14,17,20 23:21 25:11 30:4 31:4,8 32:2 33:12 38:14 39:10,14,17 40:5 40:9 41:1,14 42:2 42:9,15,20 43:2 44:2,8,16,22 45:6 45:8,17 46:3,6,9 46:16 47:1,5,20 48:8,18 49:1,4,10 49:19 changed 14:19 changes 14:9 character 19:7 checking 28:11 Chorus 8:22 11:3 15:17 22:13 31:7 39:13 48:22 claimed 34:17 clairvoyant 31:12 clarification 7:17 clear 27:2 client 46:11 CLIFFORD 1:23	clock 29:1 closed 18:16 Cohen 3:13 13:15 31:16,22 40:1 Columbia 1:2 4:10 come 4:4,21 17:18 17:19 41:4 comes 36:16 coming 47:22 comment 23:9,10 29:20 comments 25:14 30:19 Commission 1:19 1:21 4:15 9:8 compared 19:9 complete 23:13 completed 18:15 19:21 completely 30:2 completes 33:10 concerns 25:22 concluded 50:4 condition 21:4 conditions 14:16 16:9 29:8 conducting 47:11 conformance 27:20 consider 35:11 considerate 37:17 consideration 26:6 considered 14:17 35:10,16 constitutes 2:16 Constitution 10:6 construction 18:10 contact 21:14 contains 20:6 convened 1:13 13:19 conversion 37:16 copies 4:16 46:20 48:2 Cornelle 3:21 32:7 corner 25:20 correct 6:17 17:4 19:14 27:12	count 11:21 12:13 13:2 23:16 31:20 49:14 couple 20:10 25:14 41:7 43:8 course 7:14 25:15 31:21 36:6 44:17 49:16 court 5:1 32:15 41:17 covered 44:5 current 13:5 C-O-N-T-E-N-T-S 3:1 D data 20:8 date 10:12 29:3 37:10 43:11 dated 25:4 David 42:21 days 26:9 DCMR 5:19 7:1 9:21 18:7 24:11 32:11 40:16 DDOT 8:12 deal 27:8 33:14 Debbie 42:7,17 Deborah 3:5 5:19 40:15 decision 3:12 10:12 13:11,20 18:5,16 24:4 32:4 34:17 36:2,11 37:11 deliberate 48:5 deliberated 10:11 deliberation 10:18 15:2 21:8 37:20 38:2 deliberations 25:13 demonstrate 38:18 denial 31:17 37:4 denied 30:15 38:21 deny 3:19,22 31:14 32:1 39:5,22 40:3 depict 19:15 depictions 22:3	description 14:8 details 20:10 development 19:6 20:13 25:21 difference 19:15 discussion 8:4 dismiss 30:22 39:7 39:22 40:3 disruptive 5:4 District 1:2 4:9 6:2 7:6 10:5 18:11 24:18 27:21 32:19 40:20 doctor 5:7 documentation 14:7,11 17:16 19:13 20:7 documents 18:1 33:10 doing 18:2 41:6 door 4:18 drawings 35:12,13 43:12 Drummond 3:5 5:19 17:15 40:15 42:7,8,14,17,18 46:21 47:4,17 dwelling 6:2 7:6 10:5 40:20 dwellings 19:9,10 D.C 1:14 2:10 42:19,22 E E 7:7 EDCO 3:13 13:14 effort 21:13 efforts 17:18 19:19 28:17 29:15 either 12:12 21:19 elected 6:6 10:11 element 35:22 elements 35:16 39:3 elevations 19:14 encompass 28:1 erroneous 34:17	ESQ 2:12,13 estate 25:18 everybody 36:15 evidence 34:20 exception 5:20 7:1 7:21 9:22 24:16 40:17 48:11 exceptions 26:3 Exhibit 14:2,12 18:21 25:1,5 33:3 33:6,8 existing 6:1 7:5 10:4 32:17 37:19 40:19 expedited 3:4 5:15 6:12,21 7:15 9:17 10:10 17:15 40:12 47:9 express 14:16 extension 13:13 14:21 15:11 extreme 26:5 E-D-C-O 13:14 F fact 28:10 37:17 fairly 27:2 falls 26:6 favor 8:21 11:2,16 15:16 22:12 31:6 39:12 48:21 favours 39:1 feet 20:13,14 27:11 file 13:21 26:8 29:17 filed 8:12 33:5,5,9 36:18 filing 18:19 24:21 24:22 25:5 28:6 30:17 33:2,6 filings 14:16 26:16 33:17 34:7,10 final 17:5,10 23:2 23:16 26:9 31:19 34:16 40:7 49:13 finally 19:21 20:1 37:15
---	---	---	---	--

financing 14:18 find 7:10 30:10 37:22 finding 27:15 28:18 fine 46:4 first 5:14,17 16:4 17:14 23:4 33:14 39:20 40:12 43:15 fit 19:6 22:5 five 20:14 five-minute 49:22 flats 18:10 floor 32:17 folders 14:1 18:20 25:2 33:3,11 follow 44:7 forgiveness 48:12 formerly 3:13 13:15 forward 4:21 15:1 41:4 fourth 32:17 four-unit 32:18 frame 36:20 front 42:11 fulfilled 28:13 full 37:9 further 19:19	35:8 40:10,10 45:2 46:6,18 48:5 going 25:7 41:5 43:10 45:9,11,13 good 4:3,5 5:10 18:3 30:10 37:22 41:9,20 49:21 GOVERNMENT 1:1 grant 14:21 37:22 granting 36:8 39:1 great 13:4 15:9 27:8 35:21 36:1 43:3 44:3 45:19 46:17 green 42:12,14 Gregory 3:15 18:6 grounds 34:18 37:3 38:7 group 25:18 guess 5:7 44:19 guys 47:22	Holmead 32:19 home 42:5 homes 19:17 honor 17:18 Hood 1:21 4:14 8:18 9:7 11:19 12:3 17:3 48:7,9 49:14 hope 23:11 hopes 14:22 hoping 20:17 HPRB 28:5 hurt 44:11 husband 46:12	individuals 7:19 influence 26:19 information 13:22 14:20 15:6 18:18 23:13 informed 17:14 injury 38:20 input 35:8 inputs 31:9 intended 37:19 intention 8:6 interactions 45:10 interest 39:1 46:18 interested 20:12 introduce 41:10 irreparable 38:20 Island 25:21 issuance 26:9 34:8 issue 21:13 26:15 28:22 29:11 44:19 issued 29:2,4 33:19 issues 26:10,14,19 26:20 30:11 43:14 items 20:2 48:15	L lack 26:12 ladies 4:5 language 7:20 largely 26:16 lastly 46:5 late 17:12 leave 25:7 35:13 legal 25:12 length 36:11 letter 14:13 27:10 33:7,15,21,22 34:4,9 36:3 44:15 45:11,18 46:15 letters 6:9 8:14 10:14 21:15 46:7 46:12 48:1 let's 5:14 6:19 18:14 33:4 light 42:11 line 19:9 20:10 little 7:17 17:12 live 5:2 42:18 LLC 3:13,19 13:14 24:8 located 4:6,17 6:3 7:7 10:6 18:12 24:19 32:20 40:21 longer 37:12 looking 17:16 41:8 lot 6:4 7:2,8 8:11 10:1,7 18:8 32:20 40:22 Lots 18:13 24:20 luck 49:21
G gained 20:1 Gary 3:13 13:15 GENERAL 2:10 gentlemen 4:5 Georgetown 14:14 germane 34:1 give 17:1,5 23:1 31:18 36:1 40:3 41:16 45:19 47:6 49:13 given 27:5 30:19 giving 35:12 glad 43:3,4,5 GLAZER 2:12 glowing 42:12 go 5:14 8:1,9 12:20 17:20 28:21 35:5	H hand 26:11 46:17 happens 7:19 49:8 harmed 38:22 harmony 21:1 heard 14:5 19:4 35:15 hearing 1:13 2:17 4:4,7 5:5 14:12 27:15 34:22 47:10 50:2 height 19:8,10,15 20:9 24:12 26:2 held 2:17 6:12 48:15 helpful 15:7 hinge 26:14 Hinkle 1:18 4:13 9:9 10:21 11:19 12:3 15:4,13 16:15 17:7 21:10 22:9 23:19 29:21 31:3,21 38:3 39:9 40:6 49:16	I idea 41:9 identified 14:2 18:21 25:1,5 33:2 33:6,8 identify 42:4 Igbozuruike 3:15 18:7 immediate 46:14 impacts 26:5 impose 16:9 improve 35:14 include 8:1 21:4 43:21 included 7:22 includes 14:13 19:20 27:12 including 14:7 20:2 28:5 inclusive 19:13 increases 21:5 indicate 8:10 28:7 28:15 30:16 37:9 37:18 indicated 28:22 35:2 37:12 43:6 indicates 14:19 19:18 26:8 35:9 36:21 37:7 43:16 indicating 14:14 29:7 indication 37:15	J January 29:2 JEFF 1:18 Jeffery 4:12 Jerrily 1:13 4:6 job 23:12 JOHN 1:23 Joining 4:12 Jordan 11:14,22 12:12 16:5 23:4 31:13,22 39:21 49:9,17 Jordan's 13:1 judge 22:4	M Madam 5:10 12:9 15:4 18:20 21:11 23:10 24:9 25:5 25:10 29:22 33:2 38:4 40:8 48:7 making 20:22 31:20 March 10:10 13:19 14:6 18:14 19:4 24:22 25:4 44:21

Marcie 31:16 40:1 market 14:16 MARY 2:13 matter 33:14 matters 5:9 Maxwell 3:7 6:22 12:11 ma'am 6:14 mean 21:17,18 38:11 meeting 1:6,12 3:12 4:8,16 5:21 7:2 10:1 17:22 40:17 48:4 50:3 meetings 4:20 member 1:18,18,19 4:13,14 9:10 10:21 15:4,13 17:9 21:10 22:9 29:21 31:3 37:8 37:11 38:3 39:9 members 1:16 8:7 16:4 23:19 25:16 39:20 40:6 47:7 47:15 Memorial 1:13 4:7 mentioned 19:4,12 merits 18:22 25:9 38:19 met 30:21 Michael 16:7 microphone 42:10 minutes 2:16 missing 12:4 Mitchell 42:21,22 43:22 44:4,13,18 45:1,7,12 46:2,5,7 46:11 47:17 mode 48:4 moment 47:6 morning 4:4,5 5:10 5:11,17 41:20 48:17 motion 3:19,21,22 9:6,7,11 11:1,17 11:18 12:2 15:10 15:14 16:11 17:6	17:7 22:6,11 23:17,18,20 25:17 26:6,8,21 30:14 30:15,22,22 31:4 31:20 32:5 34:2 34:13,18 36:8 38:1,9,16 39:5,10 40:4,6 48:17,19 48:20 49:14,18 motions 3:18 24:5 25:9 29:18 31:14 34:6,15 motion's 8:20 movant 24:21 28:18 29:6 movant's 26:16 30:12 move 6:19 8:16 9:17 10:18 15:1 34:11 48:3,9 50:1 moves 20:22 Moy 1:23 5:10,16 6:14,17,20 9:4,5 9:15,19 11:7,8,13 12:6,16,19,22 13:8,11 15:22 16:2,13,16,19,22 17:4 18:3 22:22 23:1 24:3 31:11 32:4 39:17,18 40:13 41:20 42:1 46:17 49:7,11	47:21 negative 26:5 neighbor 26:1 neighborhood 19:7 22:5 neighbors 6:10 8:15 10:14 19:19 20:1,15,22 21:15 21:20 27:11 46:8 46:14 47:3 never 38:7 new 18:10 19:6,8 19:20 20:12 21:1 34:20 37:1 Neworg 44:4 news 17:13 Newton 18:11 Nicole 1:14,17 3:2 4:11 nodding 8:9 noises 5:4 non 29:11 nonconforming 10:2 43:17 48:13 Nope 42:12 normal 45:14 note 12:22 35:15 38:5,11 noted 14:5 notes 19:21 notice 1:14 26:15 26:18,22 27:4,5,9 28:2,12,14,15,19 29:7,14 notified 27:14 noting 12:20 number 21:5 NYARKU 1:23 N.E 10:6 N.W 1:14 4:7 6:3 18:12 24:19 32:20 40:21 42:18,22	obtained 8:14 occupancy 7:3 8:11 10:1 office 1:22 2:10 18:2 27:7,19 28:12 29:10 44:11 44:13 off-street 24:14 Oh 30:5 41:10 42:9 44:16 46:16 okay 5:13,16 6:18 10:9 11:20,20 12:6,19 13:3 16:11,13,16,22 18:14 25:11 30:5 41:14 42:2,16,20 43:2 44:2,12,18 44:22 45:6 46:16 47:1,5,8,21 one-family 6:1 7:5 10:4 40:19 OP 8:11 43:15 open 29:20 32:15 opinion 21:1 26:11 29:13 30:14 opportunity 10:13 opposed 9:2 11:5 15:19 22:15 39:15 49:2 opposing 21:20 38:21 opposition 21:19 24:1 25:4 order 3:19,21 4:5 6:7 9:14 13:6 24:2,7 26:9 29:1,4 31:2 32:6 33:1,19 34:8 35:17 36:12 36:18 49:20 original 24:10 32:10 34:22 40:2 originally 45:2,18 originals 46:22 outside 20:3 overlooked 12:12 owner 27:13 36:17 owns 25:18	OZ 27:22 O-F 3:1
P				
Pamela 3:7 6:22 12:10 papers 29:5 parking 20:3,20 21:2,5,12 24:14 part 8:3 14:17 21:2 37:20 participant 31:16 participants 22:21 23:3 participate 37:14 participated 40:1 participating 16:4 16:15 17:9 23:19 30:6 39:19 40:7 particular 25:22 35:22 particularly 20:11 parties 24:1 29:17 party 26:8,12,19 29:12 38:16,21 pass 46:19 people 30:6 46:13 permitted 33:19 Peter 23:7 phones 5:5 Place 32:19 Planning 44:11,14 plans 22:3 35:12 please 4:4,22 5:5 13:7 42:4,6 49:6 pleasure 49:7 plus 34:5 point 23:8 35:20 36:5,10,21 37:7 38:6 points 38:5 47:12 possible 6:10,11 posted 27:21 posting 27:16,18 postpone 6:6 postponed 43:5 post-hearing 19:12				

19:18 20:6 potential 36:7 practices 27:3,4 preceding 12:9 predicted 44:20 preliminary 5:9 premises 6:2 7:7 10:5 18:11 24:18 32:19 40:20 prepared 48:1 present 1:16,19,22 2:10 9:10 37:8 43:7 presented 34:21 48:16 presenting 23:12 presiding 1:15 press 28:8 pretty 26:7 29:22 prevail 38:16,19 previously 30:19 probably 44:14 procedure 44:6 proceeding 5:1 proceedings 27:2 process 36:14 processes 28:5,5,11 proffer 20:2,19 project 14:8 15:1 19:16 21:18,19 22:5 25:20 27:1 28:4,7 45:21 projects 21:1 proof 43:12 properly 36:1 property 6:3 7:7 10:6 18:12 24:19 27:17 32:20 36:17 37:19 40:21 proposed 19:16 25:19,21 27:1 provide 38:12 provided 38:7 provisions 10:3 37:5 public 1:6,12 2:17 3:12 4:8,19 17:22	18:15 27:4,5 28:2 28:5 29:6 38:22 48:4 50:1 purposeful 27:8 pursuant 1:14 5:19 6:22 9:21 13:16 18:7 24:8,10 32:8 32:11 40:16 push 42:13 43:10 put 17:20 P-R-O-C-E-E-D-... 4:1 Q question 45:9 questions 19:5 20:9 47:16 quorum 37:9 quote 23:10,14 R R 1:13 4:6 radius 46:13 rationale 14:17 read 23:9 49:5 reading 5:18 reads 32:11 ready 13:10 15:7 real 25:18 really 48:4 rear 5:21 7:4 8:2 8:11 24:16 26:2 40:18 48:12 reasonableness 29:14 reasonably 28:19 34:21 reasoning 14:14 30:18 35:4 reasons 43:9 recall 13:18 receive 43:14 45:18 received 10:16 19:12 22:2 27:18 29:5,7 33:16 36:3 reconsideration 3:18,21 24:6 29:18 30:9,17	31:1 32:6 33:1,18 34:1,4,13,15 35:5 36:8 37:6 38:1,9 39:6 record 9:5 11:8 12:21,22 18:16,19 23:9,15 24:9 32:11 40:13 41:10 42:5 recorded 5:1 redundancy 27:9 redundant 28:16 references 29:3 36:10 refrain 5:3 regard 20:19 29:13 30:8 34:5 regarding 19:5 20:9 33:21 35:20 regards 19:8 Register 27:22 Regular 1:12 regulation 29:3 regulations 13:17 21:7 24:9 28:3 30:16 32:9,14,16 33:17 34:14 35:16 35:19,22 36:19 rehearing 3:18 24:6 30:9,18 31:1 33:18 34:4 36:9 39:6 related 26:18 29:8 30:18 36:7 relevant 37:3,5 relief 6:8 7:18 8:2 8:10,17 10:19 19:1 20:4 21:2,3 22:7 34:18 37:1,2 37:4,16 43:17,21 48:11 remaining 19:5 reminding 16:3 renderings 19:14 report 8:12,13 43:15 reporter 5:2 41:17	representatives 28:6 representing 4:14 request 8:5 13:6,13 14:18,21 15:11 19:1 24:1 26:11 28:18 29:12 30:8 32:22 33:15,22 34:3,12 35:3,4 36:6,6 37:6 38:6 38:10 39:2,4,6,7 45:13 48:10 49:20 requested 8:17 10:20 13:21 14:1 14:10 18:17 20:4 21:3 22:8 requests 33:18 required 21:5,6 35:18 43:18 45:14 requirement 34:14 34:19 48:12 requirements 3:18 5:22 7:3,4 10:1 18:9 24:5,13,15 24:17 25:10 27:9 27:20 28:2,13,15 29:15,17 30:20 32:13,15 34:6 40:18 reread 40:14 respects 34:16 response 7:12 9:3 11:6 15:20 22:16 22:19 25:2,3 33:7 35:7 39:16 41:13 47:19 49:3 rest 27:6 result 38:20 return 48:2 review 3:4 7:15 47:7,9 reviewed 10:16 reviewing 14:18 revised 35:13 Rhode 25:20 Richard 44:4 ridge 19:9 20:10	right 11:20 12:19 16:19 46:2 room 1:13,13 4:7 5:5 roughly 20:15 row 6:1 40:20 R-3 6:2 40:20 R-4 7:6 10:5 18:11 32:18 S S 1:18 4:13 satisfied 29:16 says 42:13 scale 19:14 20:16 20:18 scheduled 18:16 45:2 seat 41:9 second 8:18 10:21 15:12,13 16:7 22:8,9 23:6 31:3 31:15 34:12 35:20 39:9,22 48:19 seconded 8:21 11:1 12:2 15:15 22:11 31:5,21 39:11 48:21 49:15 Seconding 9:7 11:18 17:6 23:18 40:5 secretary 1:23 5:8 14:4 17:12 19:3 19:11 33:13 41:19 49:5 section 5:21,22 7:2 7:3,4 9:22 10:2 13:16 24:8 32:8 40:17,18 see 17:19 18:14 33:4 seeking 38:17 seen 43:16 self-certify 44:9 semi-detached 7:6 send 45:11 sent 27:10 29:9
---	---	---	---	--

set 44:20 45:15 setback 24:12 26:2 seven 35:2 share 25:14 SHERRY 2:12 Shocking 49:10 short 36:22 shoulders 27:6 shown 30:10 shows 20:12 side 20:14,14 28:10 signed 46:14 sit 42:3 site 27:22 sitting 37:12 slower 12:15,16 Smith 3:21 32:8 smooth 36:14 snow 44:20 45:15 45:16 somewhat 28:10 soon 15:1 Sorg 1:14,17 3:2 4:3,11 5:13 6:5,15 6:18 7:9,13 8:19 9:1,4,7,13,16 10:8 10:22 11:4,7,11 11:18 12:2,5,14 12:17 13:4,9 14:3 15:9,14,18,21 16:12,14,17,20 17:2,6,11 19:2 21:22 22:10,14,17 22:20 23:18,21 25:11 30:4 31:4,8 31:11,20 32:2 33:12 38:14 39:10 39:14,17 40:5,9 41:1,14 42:2,9,15 42:20 43:2 44:2,8 44:16,22 45:6,8 45:17 46:3,6,9,16 47:1,5,20 48:8,18 49:1,4,10,15,19 Sorry 12:7 sort 17:17 26:15 sought 34:19	sounds 41:6 South 1:13 spaces 20:3,20 21:6 speak 19:19 special 5:20 7:1,21 9:22 24:16 26:3 40:16 48:11 Specialist 1:23 specific 36:19 48:15 specifically 19:7 34:16 specify 36:19 spoke 43:6 Square 6:3 7:8 10:7 18:12 24:20 32:20 40:22 squarely 26:7 staff 1:22 9:5 11:8 stand 41:15 standard 27:3 28:12 starts 29:1 state 26:4 34:15 35:7 stated 21:11 statements 20:7 46:1 states 26:21 status 26:12 stay 3:18,21 24:6 30:14,16,20 31:1 32:6 33:1 36:6,7 38:7,8,11,12,16 38:17,20,22 39:1 39:4,8 story 32:12 37:5 Street 1:13 3:19 4:7 6:3 7:7 18:12 24:7,19 40:21 42:18 stress 36:12,17 strict 28:1 strife 36:12 structure 10:2 48:14 structures 43:18	styled 7:20 33:22 34:3 submission 19:18 20:6 47:7 submissions 35:14 submit 10:14 15:10 18:1 22:6 30:13 30:22 35:13 39:5 submitted 14:6,11 33:20 34:7,7,20 35:11 44:14 46:12 subsection 10:3 18:9 24:13,15,17 subsequent 29:5 subsequently 27:14 45:3 sufficient 14:20 43:13 suggested 6:9 suggestion 37:1 44:10 summary 9:14 13:6 24:2 49:20 supplement 18:18 supplemental 15:6 support 8:12,14 9:8 11:19 12:3 15:7 17:8 19:22 21:16 21:17,21 27:16 34:3 36:4 38:10 45:5 49:15 supporting 14:7,10 sure 42:11 surrounding 19:17 survey 19:20 35:10 surveys 35:11 suspect 15:22 31:9 sworn 41:12,22 S.E 7:7	taken 27:4 talk 12:15,16 talking 41:6 taller 20:15 tap 42:12 tells 44:5 tend 21:11 30:2 38:4 terms 21:12 33:7 testimony 4:19 18:15 41:17 45:21 thank 6:5 7:9 8:19 9:13,15 10:8,22 11:21 12:7 14:3 15:4 17:11 18:3 19:2 21:22 23:21 24:3 29:21 30:4 32:2 33:12 38:3 38:14 40:9 41:1 41:11 42:1,3 43:3 47:22 49:19 thanks 16:2 thereof 26:12 thing 42:13 things 28:9 38:18 41:7 43:8,13 think 7:16,21 8:4 16:18 17:17 20:5 21:10 22:1 25:7 26:5 27:2 30:7 33:14 38:10 41:5 48:16 third 32:16 36:5 38:6 thorough 29:22 thought 15:6 thoughts 25:15 26:17,19 29:19 35:6 threat 45:15 three 5:16 18:10 43:14 47:12 time 11:12 13:13 14:21 15:11 23:12 36:11,20,22 37:13 45:3,14 46:18 timeliness 26:13,20	28:22 timely 28:14 today 4:12 9:10 13:20 16:18 17:21 25:12 30:6 41:6 50:2 today's 4:16 10:12 topographic 35:10 total 17:1 31:18 40:4 transcript 2:16 treated 26:16 try 20:22 TUESDAY 1:9 turn 5:5 42:10 Turnbull 16:7 two 16:3,4 17:7 20:13 23:2,3 26:10 28:9 29:11 31:12 39:18,19 47:2 two-year 13:13 15:11 T-A-B-L-E 3:1
U				
U 5:19 7:1 9:21 18:7 32:11,13,15 40:16 unanimously 45:4 undergone 28:11 understand 41:2 understandable 36:15 underwent 28:4 unfortunate 36:18 universal 49:17 untimely 33:9 34:5 use 37:19 U^U 24:11				
V				
Valerie 3:9 9:20 13:5 variance 7:20 18:8 19:1 24:11,14 26:1 32:12,14 verbally 43:20				

Vice 1:14 4:3,11 5:13 6:5,15,18 7:9 7:13 8:19 9:1,4,13 9:16 10:8,22 11:4 11:7,11,18 12:2,4 12:14,17 13:4,9 14:3 15:5,9,14,18 15:21 16:12,14,17 16:20 17:2,6,11 19:2 21:11,22 22:10,14,17,20 23:17,21 25:11 30:4 31:4,8,11,20 32:2 33:12 38:14 39:10,14,17 40:5 40:9 41:1,14 42:2 42:9,15,20 43:2 44:2,8,16,22 45:6 45:8,17 46:3,6,9 46:16 47:1,5,20 48:8,18 49:1,4,10 49:15,19	42:19 way 20:16 22:4 Web 5:2 27:22 weigh 25:16 weight 35:21 36:1 45:20 WELCOME 3:2 went 45:3 we'll 5:11 8:9 17:22 45:20 47:6 we're 47:11 We've 17:13 width 18:8 witnesses 41:21 word 36:3 work 20:22 working 20:21 works 6:16 written 35:17	13 3:14 1327 6:4 40:22 14th 3:19 24:7,19 25:4,20 1400-1404 24:18 15 3:14 1609 6:2 40:21 42:18 1610 7:7 17 3:16 18174 3:14,14 13:14 18376 3:21 32:7 18477 3:19 24:7 31:2 18517 3:10,10 9:20 18519 3:16,17 18:6 22:7 18530 3:5,6 5:18 40:15 48:10 18536 3:8,8 6:22 1902.1(b) 24:13	3rd 45:4 3-day 34:6 30 3:19 30th 29:3 3035 18:13 31 3:21 18:21 3103.2 18:7 24:11 32:12 3104.1 5:20 7:1 9:21 24:11 40:16 3126 24:8 28:22 32:8 34:14 3126.2 26:7 3130 13:16 3453 32:19 37 33:3 38 3:22 14:2,12 33:6 39 3:5	6 6 3:8 608 10:5 7 73 32:21 774.2 24:17 8 8 3:8 800 24:20 805 7:8 82 18:13 24:20 83 18:13 866 10:7 9 9 1:10 2:17 3:10 9th 4:8 13:21 18:17 9:47 1:14 4:2
Vice-Chairperson 1:17 view 29:13 vote 3:6,8,10,14,17 3:19,22 9:6,11 11:9,14,21 12:13 13:2 16:10 17:5 17:10 23:2,5,16 31:17,18,19 40:4 40:7 49:5,12,14 voted 12:10 27:15 45:4 votes 16:8 voting 31:22	Y yard 5:21 7:4 8:2 8:11 24:16 26:2 40:18 48:13 Z ZC 8:18 48:7,9 Zoning 1:4,16,19 1:21,22,23 4:9,15 9:8 13:17 21:7 24:8 27:7,19 28:3 28:12 29:10 32:9 32:13,16 0 0-1 31:19 1 1 38:18 1A 33:8,21 34:9 10 26:9 10-day 34:5 10:40 50:4 102 24:20 1090 7:8 11 3:10 5:19 7:1 9:21 18:7 24:10 32:11 40:16	2 2 38:19 200 27:11 200-foot 46:13 20001 1:14 2001.3 10:3 43:17 44:5 48:13 2013 1:10 2:17 18:15 24:22 25:4 210 24:20 2101.1 24:15 22 3:17 10:7 220 1:13 223 5:21 7:2 8:1 9:22 40:17 44:6 48:11 23 3:19 6:4 40:22 23rd 6:13 2333 42:22 26th 10:10 13:20 14:6 18:14 19:4 2834 32:20 3 3 38:21	4 4 3:2 31:18 4th 1:13 4:7 24:22 4-0 9:6 11:9 4-0-1 3:10,14,17,19 3:22 9:11 11:21 17:5,10 23:17 40:4,7 40 33:8 400.1 32:13 401.3 18:9 403 7:3 10:2 404 5:22 7:4 8:2 40:18 406.1 32:15 42 25:1 429 18:11 43 25:5 44th 6:3 40:21 42:18 441 1:13 4:7 47 3:6 5 5 3:5 5-0 11:15 13:3 49:14,17 5-0-0 3:6,8	
W waiver 25:9 29:12 29:16 45:14 waivers 3:18 24:5 31:14 wall 4:17 want 36:13 38:5,11 42:10 43:20 wanted 46:8 47:17 Washington 1:14				

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Meeting

Before: DC BZA

Date: 04-09-13

Place: Washington, DC

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



Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com