

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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PUBLIC MEETING

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WEDNESDAY

NOVEMBER 10, 1999

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The Meeting convened in Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice at 10:00 a.m., Sheila Cross Reid, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

SHEILA CROSS REID	Chairperson
JERRY GILREATH	Board Member
ROBERT SOCKWELL	Board Member

ZONING COMMISSION MEMBER PRESENT:

KWASI HOLMAN	Commissioner
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OFFICE OF ZONING STAFF PRESENT

Sheri Pruitt, Secretary, BZA	
Beverly Bailey,	Office of Zoning
John Nyarku,	Office of Zoning

OTHER AGENCY STAFF PRESENT:

Michael Johnson,	Rental Accommodations
Armando M. Lourenco,	Rental Accommodations

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

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

10:20 a.m.

SECRETARY PRUITT: Madame Chair, application 16506, Application of AFRICARE, Inc., pursuant to 11 DCMR 3107.2 for a variance to add an annex to an existing structure under Subsection 404.4, .1, excuse me, for an area variance for the Headquarters office of a charitable organization in an R-4 District at 44, 440 R Street, N.W., Square 509, Lot 805.

This case was before you at a Hearing on October 20th, 1999. Board Members present was Ms. Reid, Mr. Sockwell and Mr. Gilreath. The Applicant, the record was closed and the only thing the Applicant was to do was to post the property with the corrected zoning leaf requested. The Applicant did so and has submitted an Affidavit of Posting on October 21st. We have not received, and the record was left open for any comments as a result of that posting. However, no comments came in. So this is before you for a decision.

MEMBER GILREATH: Madame Chair, the main question there was a variance to put an addition to the main building, is that --

CHAIRPERSON REID: Umm hmm.

MEMBER GILREATH: Yes, okay, I am familiar with it.

CHAIRPERSON REID: Right, and the issue was that there was a question about the posting to give the community an opportunity to be able to respond to the application and that time

1 has now run and there have not been any comments or any
2 submissions to the Board in that regard.

3 MEMBER GILREATH: That addresses my concerns. We
4 may want more discussion, but as I recall, I had no problem with
5 the addition and certainly that's my recommendation.

6 CHAIRPERSON REID: Do you want to put it to a
7 motion.

8 MEMBER GILREATH: Madame Chair, I'd like to make
9 the motion that we approve the variance. I feel that the
10 Applicant provided sufficient burden to proof to justify this.
11 The addition actually augments and is compatible with the existing
12 structure. It serves a useful community purpose and is certainly
13 compatible with the uses in the neighborhood and so forth. So I
14 make a motion we approve the application.

15 CHAIRPERSON REID: Okay, I'll second that
16 application, I mean I'll second the motion and also note that we
17 did not have any adverse impact from the community. The ANC, if
18 I'm not mistaken, was in support of the application.

19 SECRETARY PRUITT: Madame Chair, the ANC, I
20 believe, didn't take an official position because there was some
21 controversy between a single-member district and the actual chair.

22 CHAIRPERSON REID: The ANC, if I'm not mistaken, we
23 had a single-member district representative, but the ANC did not.

24 SECRETARY PRUITT: Correct.

25 CHAIRPERSON REID: And that's what I'm saying that,

1 and typically, I think I said it was in support, but let me
2 clarify that. Typically when we don't hear from the ANC we assume
3 that they don't have a problem with it. Are you here for, are you
4 there for --

5 MR. BOZER: I'm Tersh Bozer, the Counsel for
6 AFRICARE who presented the case before and that was correct.
7 There was no quorum at the ANC.

8 CHAIRPERSON REID: Okay, but during this segment,
9 you know, there is no input from you. But, and given the fact
10 that to the contrary or to the inverse, the AFRICARE building and
11 the program provides a very much needed type of embellishment to
12 that community. And they also provide services that are much
13 needed and they are basically also contributing to alleviating
14 some of the blight around in that particular area and so the
15 illicit behavior.

16 I do not see that it impairs the intent or
17 integrity of the zoning regulation on that. So I would be very
18 much in support of that. So, all in favor?

19 (A chorus of ayes.)

20 CHAIRPERSON REID: All the discussion? All right.

21

22 MEMBER SOCKWELL: Madame Chair, with regard to
23 AFRICARE and, I always like to get my one cents worth in.

24 CHAIRPERSON REID: Excuse me, Mr. Sockwell. I'll
25 be sure that we don't make that oversight again.

1 MEMBER SOCKWELL: The, I felt that the building
2 addition was consistent with use of land, did not cause impacts of
3 an environmental nature that would be negative or sufficiently
4 negative to oppose the construction. I felt that Mr. C. Payne
5 Lucas realized that his position with AFRICARE does require him to
6 make the project and AFRICARE very responsive to the neighborhood
7 that it is in. Perhaps even more so than it has been in the past.

8 Mr. Elton King, who is very much involved with the
9 project as well, seemed to understand the importance of
10 maintaining communication with the neighborhood. And as Director
11 of Management Services for AFRICARE, I'm sure that he understands
12 how valuable that will be in the future, especially during
13 construction and after construction when the neighborhood has the
14 ability to admire and perhaps utilize the facility.

15 And on the basis of those things and the fact that
16 there were no negative responses from the community after a
17 reposting, I certainly have no objection whatever to the approval
18 of the Application No. 16506.

19 CHAIRPERSON REID: Thank you. All in favor?

20 (Chorus of ayes.)

21 CHAIRPERSON REID: Opposed?

22 (No response.)

23 SECRETARY PRUITT: Staff will record the vote as
24 three to zero to one to approve the application. Is this a
25 Summary Order, Madame Chair?

1 CHAIRPERSON REID: This would be a Summary Order.

2 SECRETARY PRUITT: Okay. Mr. Gilreath, maker of
3 the motion, seconded by Mrs. Reid and Mr. Holman, not voting, not
4 having been present at the Hearing.

5 CHAIRPERSON REID: Okay.

6 MR. BOZER: We would like to thank the Board for
7 altering it's procedure and taking us up. We appreciate it very
8 much.

9 (Whereupon, the foregoing matter
10 was concluded.)

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