

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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PUBLIC MEETING

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TUESDAY

JUNE 10, 2014

+ + + + +

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 9:42 a.m., Lloyd J. Jordan,
Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

LLOYD JORDAN, Chairperson
S. KATHRYN ALLEN, Vice-Chairperson
JEFF HINKLE, Board Member (NCPC)

ZONING COMMISSION MEMBER[S] PRESENT:

ANTHONY HOOD, Zoning Commission
Chairman

OFFICE OF ZONING STAFF PRESENT:

TRACEY W. ROSE, Sr. Zoning Specialist
STEPHEN VARGA, Zoning Specialist

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

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MARY NAGELHOUT, ESQ.

OFFICE OF PLANNING STAFF PRESENT:

STEPHEN GYOR
KAREN THOMAS
STEVEN COCHRAN
ARTHUR JACKSON

The transcript constitutes the minutes from the Public Meeting held on June 10, 2014.

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

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Application No. 18768
Shad A. Gohn 6

Application No. 18771
Neil Hare 9

Application No. 18775
Travis Brown 10

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

2 (9:42 a.m.)

3 CHAIRMAN JORDAN: Let's come to
4 order. Good morning. We're located at the
5 Jerrily R. Kress Memorial Hearing Room at 441
6 4th Street. We're here for the Public Meeting
7 and the Public Meeting of the Board of Zoning
8 Adjustment of the District of Columbia.

9 My name is Lloyd Jordan,
10 Chairperson of the board. To my right is
11 Jeffrey Hinkle, member of the board. To my
12 left is Anthony Hood, Chairman of the Zoning
13 Commission sitting in as a member of the Board
14 of Zoning Adjustment for today.

15 These proceedings are being
16 recorded by a court reporter, who is seated to
17 my right and is also being webcast live. So
18 therefore, I'm going to ask you to refrain from
19 any disruptive noises here in the hearing room.

20 Good time to silence any telephones
21 and computers, anything that's going to make
22 noise for us. Just take a second, be sure that

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1 you're turned off.

2 There's automatic rejection of your
3 application if your telephone goes off. Not my
4 rule. No, I'm just playing. So just please be
5 sure to silence your things.

6 If you're going to present any
7 testimony to the board, either by a statement
8 or oral testimony to the board, there's two
9 things I'm going to need you to do prior to you
10 giving a statement or a testimony.

11 So if you're going to present any
12 testimony or a statement to the board, there's
13 two things I'm going to need to you to do. The
14 first is I'm going to need you to complete two
15 witness cards per person.

16 That's two witness cards per
17 person, and give them to the court reporter
18 prior to your testifying or giving your
19 statement.

20 So each person who's going to
21 provide a statement or a testimony to the board,
22 please complete two witness cards and give them

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1 to the court reporter who is seated to my right,
2 your left.

3 The second thing I'm going to need
4 you to do is to stand now and to take an oath
5 or affirmation being given by the board's
6 secretary. So I need you to stand and take the
7 oath if you're going to provide any statement
8 or testimony to the board. Okay.

9 (Witnesses sworn)

10 CHAIRMAN JORDAN: Okay. Let's
11 call the first case on our public meeting.

12 MS. ROSE: Mr. Chairman, would you
13 like to do them as a group?

14 CHAIRMAN JORDAN: No.

15 MS. ROSE: Okay.

16 CHAIRMAN JORDAN: Let's call the
17 case number and the name of the case.

18 MS. ROSE: Just the name, all
19 right. The first case would be Application
20 Number 18768 of Shad A. Gohn.

21 CHAIRMAN JORDAN: Is the board
22 ready to deliberate on this case? I take it

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1 that we are. The only issue here, I thought,
2 to me, there's a typo that there's actually
3 relief requested from lot occupancy in rear
4 yard and not side yard. Is that correct?
5 Would that be correct?

6 MS. ROSE: Yes, sir.

7 CHAIRMAN JORDAN: I think at some
8 point it was, someone converted rear yard to
9 side yard in the discussion. And so instead of
10 Section 405 relief, they need 404 relief.
11 Would that be correct? Is that my
12 understanding?

13 MS. ROSE: With the rear yard, yes.

14 CHAIRMAN JORDAN: All right, so
15 then the relief requested in the 223 would be
16 that for 403 and 404 instead of 405. I want to
17 make sure we're clear.

18 Okay. Then with that, I think the
19 application certainly meets the requirements
20 for relief granted. Any other discussion?

21 MEMBER HOOD: No, Mr. Chairman. I
22 think you're correct. The record is complete,

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1 and I will be moving to vote in favor of this.

2 CHAIRMAN JORDAN: I just want to
3 make sure I'm clear on that because I went back
4 and looked at part of my note. It is rear yard,
5 right?

6 It is rear yard. It's 404 because
7 I saw another part of my note that said stack
8 to side yard. Good. Thank you. All right,
9 did you move it?

10 MEMBER HOOD: I can. I'm move
11 approval of Application Number 18768 of the
12 Shad A. Gohn pursuant to 11 DCMR 3104.1 with the
13 correction and the necessary reliefs being
14 requested.

15 MEMBER HINKLE: I'll second.

16 CHAIRMAN JORDAN: Motion made and
17 second. Any further discussion? All those in
18 favor, signify by saying aye.

19 (Chorus of Ayes)

20 CHAIRMAN JORDAN: Those opposed
21 nay, and the motion carries.

22 MS. ROSE: Staff will record the

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1 vote as three to zero to two with Mr. Hood making
2 the motion, Mr. Hinkle seconded and in support
3 with Mr. Jordan, Ms. Allen and Ms. Heath not
4 present, not voting.

5 CHAIRMAN JORDAN: The next case?

6 MS. ROSE: The next application
7 would be 18771 of Neil and Kate Hare.

8 (Off microphone discussion)

9 CHAIRMAN JORDAN: Okay. This is
10 up for special exception of the 223 request for
11 relief of lot occupancy rear yard, court, and
12 non-conforming structure.

13 It has Office of Planning support,
14 DDOT support and ANC 3B. The only issue I have,
15 but I don't think it's catastrophic because ANC
16 3B voted four to zero and it had been posted.

17 I don't have any, we normally at
18 some of these things like to see the letters
19 from the next door neighbors. I mean it's
20 important that the neighbors participate.

21 But we have support from the other
22 institutions, so with that I believe this is

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1 ready for relief as requested. So I would move
2 that we grant the request under 18771 for
3 relief.

4 MEMBER HOOD: Second.

5 CHAIRMAN JORDAN: Motion made and
6 second. Further discussion? All those in
7 favor, signify by saying aye.

8 (Chorus of Ayes)

9 CHAIRMAN JORDAN: Those opposed
10 nay, and motion carries.

11 MS. ROSE: Staff will record the
12 vote as three to zero to two with a motion by
13 Mr. Jordan, second by Mr. Hood with support by
14 Mr. Hinkle, Ms. Allen and Ms. Heath not present,
15 not voting.

16 CHAIRMAN JORDAN: Great. Thank
17 you, 775?

18 MS. ROSE: The next application is
19 18775 of Travis Brown, Jr. and Theresa Barger.

20 CHAIRMAN JORDAN: All right, I
21 think this is another 223 where the applicant
22 requested relief from side yard, but it was also

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1 noted that since there's going to be a large for
2 that non-conforming structure that relief from
3 2001.3 will be required.

4 So let's add that to the necessary
5 relief for this, since it's a 223. We don't
6 normally do that, but 223's are something we
7 don't mind working with people.

8 And there's letters from the
9 neighbors supporting this application. So
10 with that, I believe that the application is
11 ready for the grant of the relief. So I would
12 move that the relief request of 18775 be granted
13 of the motion.

14 MEMBER HINKLE: I'll second that.

15 CHAIRMAN JORDAN: We can have it in
16 harmony. I don't care. As long as we get a
17 second in unison. Any unreadiness? Any other
18 discussion about this?

19 Then all those in favor of granting
20 the relief with the additional 2001.3 relief,
21 signify by saying aye.

22 (Chorus of Ayes)

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1 CHAIRMAN JORDAN: Those opposed
2 nay. The motion carries.

3 MS. ROSE: Staff would record the
4 vote as three to zero to two, with a motion by
5 Mr. Jordan, second by Mr. Hinkle. In support,
6 Mr. Hood, with Ms. Allen and Ms. Heath not
7 represent, not voting.

8 (Whereupon, the meeting in the
9 above-entitled matter was concluded at 9:50
10 a.m.)

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