

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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REGULAR PUBLIC MEETING

+ + + + +

WEDNESDAY

SEPTEMBER 23, 2026

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The Regular Public Meeting of the District of Columbia Board of Zoning Adjustment convened via Videoconference, pursuant to notice at 9:42 a.m. EDT, Michelle Pourciau, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

MICHELLE POURCIAU, Chairperson
PAUL GOLDSTEIN, Vice-Chairperson
ROBYN JACKSON WELLS, District Resident Appointee
MELISSA LINDSJO, NCPC Designee

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
CHRISTINE BRUINS, NPS Designee

OFFICE OF ZONING STAFF PRESENT:

KEARA MEHLERT, Secretary
SARA A. BARDIN, Director
PAUL YOUNG, A/V Production Specialist

OFFICE OF PLANNING DEVELOPMENT REVIEW STAFF PRESENT:

PHILIP BRADFORD
PHILIP ISAIAH
MATTHEW JESICK

1 OFFICE OF ZONING ATTORNEY ADVISORS PRESENT:

2 SARAH BAJAJ, ESQ.
3 CARISSA DEMARE, ESQ.
4 JORDANE WONG, ESQ.

5 The transcript constitutes the minutes
6 from the Regular Public Meeting held on Wednesday,
7 September 23, 2026.
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P-R-O-C-E-E-D-I-N-G-S

(9:42 a.m.)

BZA CHAIR POURCIAU: Good morning. My name is Michelle Pourciau, Chair of the District of Columbia Board of Zoning Adjustment. Today is September 23, 2026, and the time is 9:42 a.m. Joining me today is Robyn Wells and Melissa Lindsjo. And we have Zoning Commissioner Chairman Anthony Hood for our first case. And with us for the rest of the day is Zoning Commissioner Christine Bruins.

On September 22nd, 2026, the Board entered into a closed meeting session for the purpose of obtaining legal advice from counsel. This closed meeting was voted upon previously in a public setting to be held for the purpose of obtaining legal advice from our counsel and deliberate, but not vote on contested cases on today's agenda. While discussions were held, there were no decisions made.

Today's meeting and hearing agendas are available on the Office of Zoning's website. Please be advised that this proceeding is being recorded by a court reporter. And it's also webcast live via Webex and YouTube Live. The video of the webcast will be available on the Office of Zoning's website after today's hearing. Accordingly, everyone who is

1 listening on Webex or by telephone will be muted during
2 the hearing. If you experience difficulty accessing
3 Webex or with your telephone call in, then please call
4 our Office of Zoning highlight number at 202-727-5471
5 to receive Webex log in or call in instructions.

6 Today, we will begin with our virtual public
7 meeting decision meeting session, followed by our
8 virtual public hearing session. Please be advised that
9 we do not take any public testimony at our meeting
10 session. Public testimony will be taken during the
11 hearing session.

12 In today's hearing session, everyone who is
13 listening on Webex or by telephone will be muted during
14 the hearing and only persons who have signed up to
15 participate or testify will be unmuted at the
16 appropriate time. Please take your name and home
17 address before providing oral testimony or your
18 presentation. Oral presentation should be limited to
19 a summary of your most important points. When you are
20 finished speaking, please mute your audio so that your
21 microphone is no longer picking up sound or background
22 noise. All persons planning to testify either in favor
23 or in opposition should have signed up in advance. They
24 will be called by name to testify. By signing up to
25 testify, all participants completed the oath or

1 affirmation as required by Subtitle Y, Section 408.7.

2 Request to enter evidence at the time of an
3 online virtual hearing, such as written testimony or
4 additional supporting documents other than live video,
5 which may not be presented as part of testimony may be
6 allowed pursuant to Subtitle Y, Section 103.13. The
7 order of procedure for special exceptions and variances
8 is pursuant to Subtitle Y, Section 409. Time
9 constraints for hearing testimony shall be maintained
10 pursuant to Subtitle Y, Sections 408.2 and 408.3.

11 Once again, if you experience difficulty
12 accessing Webex or with your telephone call-in, or if
13 you have forgotten to sign up 24 hours prior to this
14 hearing, then please call our offices on the highlighted
15 number at 202-727-5471 to sign up to testify and receive
16 Webex login or call in instructions.

17 At the conclusion of each case, an individual
18 who was unable to testify because of technical issues
19 may file a request or leave to file a written version
20 of the planned testimony to the record within 24 hours
21 following the conclusion of public testimony in the
22 hearing.

23 If additional written testimony is accepted,
24 then parties will be allowed a reasonable time to respond
25 as determined by the Board. The Board would then make

1 his decision as. At its next meeting session, but no
2 earlier than 48 hours after the hearing.

3 At the conclusion of the Board's decision
4 meeting session or hearing session, the Office of Zoning
5 in consultation with the chair will determine whether
6 a full summary order may be issued. A full order is
7 required when the decision it contains is adverse to
8 a party, including an affected ANC. A full order may
9 also be needed if the Board's decision differs from the
10 Office of Planning's recommendation.

11 Although the Board favors the use of summary
12 orders whenever possible, an applicant may not request
13 the Board to issue such an order. Finally, the district
14 of Columbia administrative procedure act requires that
15 public hearing on each case be held in open before the
16 public.

17 However, pursuant to sections 405(b) and 406
18 of that act, the Board may consistent with this rules
19 of procedure and the act enter into a closed meeting
20 on a case for purposes of seeking legal counsel on a
21 case pursuant to D.C. official code Section 2-575(b)(4)
22 and/or deliberating on a case pursuant to D.C. official
23 code Section 2-575(b)(13), but only after providing the
24 necessary public notice and, in the case of an emergency
25 closed meeting after taking a roll call vote.

1 The next item on our agenda is a vote for the
2 Board to hold a closed meeting on September 29th, 2026
3 at 2:00 p.m. This session is being held in order for
4 the Board to receive legal advice from its counsel
5 regarding the cases noted on the agenda for the September
6 30th, 2026 meeting and to preserve the attorney client
7 privilege between the Board and its attorney pursuant
8 to D.C. Official Code Section 2-575(b)(4)(a), and to
9 deliberate, but not vote on the contested cases,
10 pursuant to D.C. Official Code Section 2-575(b)(13).

11 I will ask the Secretary to provide the list
12 of cases on the agenda.

13 MS. MEHLERT: Thank you, Madam Chair. The
14 cases scheduled for the September 26 public meeting and
15 hearing are 21497, Anthony and Lindsay Hill; 21501 of
16 Gohar Sedighi and Michael Donovan; 21430 of 1365 Perry
17 LLC; and 17429 be of St. Patrick's Episcopal Church
18 and Day School.

19 BZA CHAIR POURCIAU: Thank you. I will now
20 make a motion to enter into closed session on September
21 29th, 2026. Is there a second?

22 VICE CHAIR GOLDSTEIN: Second.

23 BZA CHAIR POURCIAU: The motion has been
24 seconded. Will the secretary now please take a roll call
25 vote.

1 MS. MEHLERT: Please respond to the Chair's
2 motion to hold a closed meeting legal counsel on
3 September 29th chair.

4 Chair Pourciau?

5 BZA CHAIR POURCIAU: Yes.

6 MS. MEHLERT: Vice Chair Goldstein?

7 VICE CHAIR GOLDSTEIN: Yes.

8 MS. MEHLERT: Board Member Wells?

9 MEMBER WELLS: Yes.

10 MS. MEHLERT: Board Member Lindsjo?

11 MEMBER LINDSJ0: Yes.

12 MS. MEHLERT: Commissioner Bruins?

13 COMMISSIONER BRUINS: Yes.

14 MS. MEHLERT: Staff would record the vote as
15 5-0-0. The motion passes.

16 BZA CHAIR POURCIAU: Thank you. Motion
17 passes. The Board will meet in closed session at 2:00
18 p.m. on September 29th, 2026.

19 Madam Secretary, do we have any preliminary
20 matters?

21 MS. MEHLERT: Yes, there are a couple of
22 changes to today's agenda. Application Number 21485
23 of Capitol Hill Hotel Owner 1, LLC, is postponed to the
24 December 2nd, 2006 public meeting. And Application
25 Number 20925-A of Sarlea Mah and Camile Williams has

1 been postponed to the December 16th, 2026 public
2 hearing.

3 BZA CHAIR POURCIAU: Thank you. All right,
4 with that, I think we're ready to proceed to the first
5 case.

6 Ms. Mehlert, would you please introduce our
7 first case for our public meeting session?

8 MS. MEHLERT: Yes, first in the meeting
9 session is Application Number 21326-A of Ehsan Jazini.

10 This is a request to Subtitle Y, Section 700, for
11 reconsideration of the final order in Application Number
12 21326, or alternatively to reopen the record or
13 reschedule further proceedings.

14 The order granted special exceptions under
15 Subtitle D. Section 207.5, and Subtitle U, Section 253
16 to allow a new third floor and three-story rear addition
17 to an existing two-story attached principal dwelling
18 and accessory apartment on the second floor of a new
19 two-story accessory structure in the rear yard. It's
20 located in R-3/GT zone at 3546 Whitehaven Parkway,
21 Northwest, Square 1296, Lot 384. Anthony Hood is here,
22 who participated in the original hearing.

23 BZA CHAIR POURCIAU: Thank you. Thank you
24 Chairman Hood for joining us. I would like to say for
25 the record that all present Board members other than

1 Commissioner Hood are new to the Board and did not
2 participate in the hearing previously, but we have all
3 read the record and are prepared to opine and make a
4 decision on this request today.

5 Commissioner Hood, Chairman Hood, since you
6 were at the prior hearing, I wanted to ask if you would
7 like to start us off with any thoughts from that, or
8 would you like to hear a little discussion and then
9 follow up immediately after?

10 ZC CHAIR HOOD: First of all, let me say good
11 morning. I think, Madam Chair, with Mr. Courtois'
12 inquiry, I think, to be fair to him, I've already --
13 we made the decision, but I think you all have a fresh
14 pair of eyes and looking at this.

15 I can go on and tell you how we come to the
16 conclusion, but I don't need to relitigate the case.

17 And I know you all are basically all new. But I can
18 tell you a lot of work went into the BZA's decision.

19 And I want to particularly shout out Board and former
20 Board Member Blake, who really took a lead and really
21 examine this.

22 Both former Chair Hill and myself, we really
23 did an exhaustive discovery and worked with all the
24 issues that came up in this case. Even to the fact that
25 I noticed that Mr. Courtois mentioned, and hopefully

1 I'm pronouncing his name, right, I want to give him due
2 diligence and be fair to him, even though I know he
3 mentioned how we didn't look at the ANC letter.

4 The ANC letter, as the applicant has already
5 mentioned to you all, did not really say much. But also
6 in that agency letter, it mentioned how one of the people
7 who had opposition held it back. So I guess I'm not
8 going to tarnish his request. You all have a fair point
9 of eyes, but I will uphold the decision that the BZA
10 did.

11 But I guess you all have reviewed the record
12 and I would suggest in fairness to him now, you all come
13 up with your own conclusions, but I will stand with the
14 conclusions that did previously. I did go back and we
15 look at what we've done and I think we did our due
16 diligence. So, thank you, Madam Chair, for allowing
17 me that opportunity.

18 BZA CHAIR POURCIAU: Thank you. I appreciate
19 that. There was a lot of information in the record.
20 We reviewed it carefully. We met with legal counsel
21 yesterday to ensure that we had a clear understanding
22 of this requested action and the process required.

23 I'd like to just go around to board members.

24 And I'll end with Board Member Wells just to get your
25 thoughts on what's before us today. And I'll start with

1 Vice Chair Goldstein, please.

2 VICE CHAIR GOLDSTEIN: Thank you. I think
3 Board Member Wells, were you planning to lead off on
4 this? And I'm happy to supplement if that's the case.

5 BZA CHAIR POURCIAU: Very good. Sorry about
6 that. All right. Board Member Wells, thank you.

7 MEMBER WELLS: Yeah, I can lead off in
8 discussion. So, you know, the motion brought brought
9 up a few different concerns for us to consider in this
10 motion. One of them, I think, that we could talk about,
11 or talk about is the ANC letter and whether or not, you
12 know, the idea of giving great weight to. And
13 Commissioner Hood, you know spoke to this a little bit,
14 is that there wasn't a lot of detail or information about
15 what those issues are concerned were that the ANC had
16 in order for the Board at the time to provide great weight
17 to.

18 Another topic is raised about, you know, OP's
19 letter and ANC reconciling that there is no requirement
20 for a board to reconcile those two issues. And so with
21 the information that was had the OP report seems to
22 provide adequate information as well as testimony during
23 the previous hearings to support the Board's decision
24 at the time.

25 I think those are those were the major findings

1 as well as the testimony from the previous hearings that
2 were held on this subject matter. And the findings of
3 the Board in support of the requested relief also appear
4 to be adequate that there is enough information entered
5 into the record. The applicant met the burden of proof
6 for the Board to support the decisions at the time.
7 And I'll leave it there for any thoughts or discussion.

8 BZA CHAIR POURCIAU: Thank you for that
9 review, summary.

10 Vice Chair Goldstein, would you like to add
11 anything?

12 VICE CHAIR GOLDSTEIN: Sure. I think that
13 was a great start. I may repeat a few things, but I
14 want to make sure that they got covered although I think
15 it's been covered well. The motion for reconsideration
16 needs to state all respects in which the final order
17 is claimed to be erroneous and the relief sought.

18 I don't believe that there was anything
19 claimed that was erroneous in the order, in the final
20 order. One of the challenges that were raised in the
21 motion of reconsideration was the failure to give great
22 weight.

23 I think that's been covered in this discussion
24 that the ANC report did not state any issues and concerns
25 about the application. So there was nothing for the

1 Board to give great weight to in their in their report
2 that said that they did not support the application.

3 Additionally, the Board, as Board Member Wells
4 said regarding reconcile and conflicting evidence in
5 the record, and the Board was free to credit the evidence
6 that it found most credible and persuasive, and there
7 was substantial evidence to support the Board's finding.

8 That leads to the third claim of the
9 reconsideration request that the special exception
10 findings were not supported in the record. But in
11 reviewing the record, I would say the Board exhaustively
12 reviewed the evidence over multiple meetings and
13 hearings.

14 They listened to and questioned the
15 applicants, parties, office of planning, those
16 testifying during the course of the hearing. They
17 weighed the information, they asked for additional
18 exhibits, and they reached a conclusion based on the
19 facts and the standards of review as they as they
20 interpreted them. So, in my view, there was ample
21 support for that determination.

22 I'd also like to say that it appears the
23 applicant may also be asking for a rehearing. But it's
24 not really clear what the basis for that rehearing would
25 be. There's no mention of newly discovered evidence,

1 which is one of the criteria for rehearing and why that
2 evidence would not have been reasonably presented to
3 the Board prior to the issuance of the final order.
4 So, it does not seem as if there are grounds for a motion
5 for rehearing.

6 Additionally, I think there was a request to
7 reopen the record, but that is typically a request that
8 happens prior to a final order. This would not seem
9 to be a timely request to reopen the record. So, for
10 that basis, I don't see support for a reconsideration
11 of the final order.

12 BZA CHAIR POURCIAU: Thank you, Vice Chair,
13 for those additional comments.

14 Board Member Lindsjo, would you please add
15 any discussion items you have?

16 MEMBER LINDSJO: Yeah, thank you. No, thank
17 you for both my colleagues really laying that out and
18 Commissioner Hood laying out his previous experience
19 with the case. I would align my comments with all of
20 the above moving forward. Thank you.

21 BZA CHAIR POURCIAU: Very good. I, too,
22 appreciate all the comments and the thoroughness of
23 especially Board Member Wells and Goldstein and laying
24 out what is before us. And the history from Chairman
25 Hood is invaluable. I think we're ready to vote on this

1 one. I don't know.

2 Board Member Wells, did you want to offer a
3 motion on this, please?

4 MEMBER WELLS: I'll do my best to offer a
5 motion on this. So, I'll move to deny. I move to deny
6 the reconsideration of the final order in application
7 number 21326 and deny reopening the record or schedule
8 for the proceedings.

9 The final order adequately addresses material
10 issues related to the approval of the special exceptions
11 under Subtitle D, Section 207.5 to allow a rear wall
12 of an existing road building under Subtitle U,
13 Subsection 253 to allow an accessory apartment on the
14 2nd floor of the new accessory structure in a rear yard
15 resisting attached principal dwelling.

16 The final order addresses the ANC and open
17 reports and offers a required consideration to make a
18 determination for approval of the special exceptions.

19 The applicant satisfies the burden of proof through
20 testimony and evidence submitted to the record to
21 support the request of relief.

22 In addition, no new evidence was provided in
23 the motion that the BZA did not previously address to
24 support reopening the record or scheduling any further
25 proceedings.

1 BZA CHAIR POURCIAU: Excellent. Is there a
2 second?

3 VICE CHAIR GOLDSTEIN: I'll second.

4 BZA CHAIR POURCIAU: Thank you.

5 Madam Secretary, would you please call the
6 vote?

7 MS. MEHLERT: Please respond to Board Member
8 Wells' motion to deny the motion for reconsideration
9 or alternatively reopening the record or scheduling for
10 the proceedings.

11 Chair Pourciau?

12 BZA CHAIR POURCIAU: Yes.

13 MS. MEHLERT: Vice Chair Goldstein?

14 VICE CHAIR GOLDSTEIN: Yes.

15 MS. MEHLERT: Board Member Wells?

16 BOARD MEMBERS WELLS: Yes.

17 MS. MEHLERT: Board Member Lindsjo? I think
18 you are muted. Board Member Lindsjo?

19 MEMBER LINDSJO: Yes.

20 MS. MEHLERT: Chairman Hood?

21 ZC CHAIR HOOD: Yes.

22 MS. MEHLERT: Staff would record the vote as
23 5-0-0 to deny the motion for reconsideration in
24 application number 21326 on the motion made by Board
25 Member Wells and seconded by Vice Chair Goldstein.

1 BZA CHAIR POURCIAU: Thank you, Chairman
2 Hood, for joining us today.

3 ZC CHAIR HOOD: Y'all have a great day.

4 BZA CHAIR POURCIAU: You too.

5 Ms. Mehlert, would you please introduce the
6 next expedited review case, please?

7 MS. MEHLERT: Yes. Next is an expedited
8 review application number 21500 of 1927 Property
9 Heritage Trust. This is an application pursuant to
10 Subtitle X, Section 901.2 for a special exception under
11 Subtitle D, Section 5201 from the rear yard requirements
12 of Subtitle D, Section 207.1.

13 This is for a one-story rear addition to an
14 existing two-story detached principal dwelling with a
15 one-story accessory structure in the rear yard. It's
16 located in the R-1B zone at 3812 Garrison Street, NW,
17 square 1851, lot 26.

18 BZA CHAIR POURCIAU: Thank you. Thank you,
19 Commissioner Bruins, for coming on. This seems
20 somewhat straightforward, but I want to see -- you know,
21 have a little discussion on this before we move to any
22 kind of action.

23 Vice Chair Goldstein, did you have any remarks
24 on this application?

25 VICE CHAIR GOLDSTEIN: I'd be happy to get

1 us started. The application for the one-story
2 screened-in porch, which intrudes into the required rear
3 yard, seems very modest. It seems like a reasonable
4 request. The Office of Planning supported it. ANC 3E
5 supported it. I don't see any issues with the request.

6 I think they've met their burden. The only
7 thing I would say is that the ANC referenced a desire
8 for a rain barrel to be a condition of any approval.

9 The installation of at least one rain barrel to be a
10 condition of any approval that we make.

11 I don't think that there's any nexus between
12 the installation of a rain barrel and the required rear
13 yard relief. So I would say that that's a request that
14 I would not feel comfortable including as a condition.

15 But saying that, I would be supportive of the
16 application more generally.

17 BZA CHAIR POURCIAU: Thank you, Vice Chair.

18 Board Member Wells, do you have anything you'd
19 like to add?

20 MEMBER WELLS: I would agree with Vice Chair
21 Goldstein's statements here. It seemed very
22 straightforward for a screened-in porch. I don't have
23 anything further to add.

24 BZA CHAIR POURCIAU: Thank you.

25 Board Member Lindsjo, would you like to add

1 any remarks or comments about this application?

2 MEMBER LINDSJ0: I have nothing else to add,
3 but I would agree.

4 BZA CHAIR POURCIAU: Excellent.

5 MEMBER LINDSJ0: Thank you.

6 BZA CHAIR POURCIAU: And Commissioner Bruins,
7 do you have any thoughts on this application?

8 COMMISSIONER BRUINS: I think it's very
9 straightforward. And with the ANC, DDOT, and OP lack
10 of concerns or lack of opposition, I see no issues.

11 BZA CHAIR POURCIAU: Very good. Thank you
12 all for that. And I'd just like to add, I hope the
13 applicant would consider adding a rain barrel. I think
14 it is an item that is good for the environment. And
15 so with that, would someone like to make a motion on
16 this expedited review case?

17 VICE CHAIR GOLDSTEIN: I'm happy to. I would
18 move to approve application number 21500 for 1927
19 Property Heritage Trust at 3812 Garrison Street NW for
20 the case as captured in red by the Secretary.

21 BZA CHAIR POURCIAU: I second. Is there any
22 more discussion on this item?

23 Madam Secretary, would you please take the
24 vote?

25 MS. MEHLERT: Please respond to the Vice

1 Chair's motion to approve the application. Chair
2 Pourciau?

3 BZA CHAIR POURCIAU: Yes.

4 MS. MEHLERT: Vice Chair Goldstein?

5 VICE CHAIR GOLDSTEIN: Yes.

6 MS. MEHLERT: Board Member Wells?

7 MEMBER WELLS: Yes.

8 MS. MEHLERT: Board Member Lindsjo?

9 MEMBER LINDSJ0: Yes.

10 MS. MEHLERT: Commissioner Bruins?

11 COMMISSIONER BRUINS: Yes.

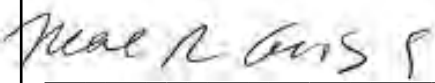
12 MS. MEHLERT: Staff would record the vote as
13 5-0-0 to approve application number 21500 on the motion
14 made by Vice Chair Goldstein and seconded by Chair
15 Pourciau.

16 BZA CHAIR POURCIAU: Very good. We will now
17 proceed to our virtual public hearing session.

18 (Whereupon, the above-entitled matter went
19 off the record at 10:10 a.m.)
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1 C E R T I F I C A T E

2 This is to certify that the foregoing transcript was
3 duly recorded and accurately transcribed under my
4 direction; further, that said transcript is a true and
5 accurate record of the proceedings; and that I am neither
6 counsel for, related to, nor employed by any of the
7 parties to this action in which this matter was taken;
8 and further that I am not a relative nor an employee
9 of any of the parties nor counsel employed by the
10 parties, and I am not financially or otherwise
11 interested in the outcome of the action.

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17 _____

18 Eric Carpenter
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