

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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SPECIAL PUBLIC MEETING

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Tuesday,
March 19, 2002

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The Public Meeting convened in Room 220, South, 441
4th Street, N.W., Washington, D.C., 20001, pursuant to notice at
9:00 a.m., Geoffrey H. Griffis, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

Geoffrey H. Griffis	Chairperson
David Levy	Board Member (NCPC)
Curtis Etherly, Jr.	Board Member

ZONING COMMISSION MEMBER PRESENT:

Anthony J. Hood	Commissioner
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COMMISSION STAFF PRESENT:

Beverly Bailey	Office of Zoning
Paul O. Hart	Office of Zoning
John K.A. Nyarku	Office of Zoning
Alberto Batisda	Office of Zoning

D.C. OFFICE OF CORPORATION COUNSEL:

Marie Sansone, Esq.

D.C. OFFICE OF PLANNING:

Maxine Brown-Roberts

John Moore

David McGettigy

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

(9:11 a.m.)

CHAIRPERSON GRIFFIS: Okay, good morning to all and we'll call this special meeting to order of 19 March 2002.

MR. HART: Good morning, everyone, Mr. Chair, Board members, staff. For this special public meeting this morning, we have before us application number 16803 of JFC Builders of DC pursuant to 11 DCMR 3103.2 for variance from the lot area requirements under subsection 401.3 and a variance from the off-street parking requirements under section 2101 to allow the conversion of a flat into a three-unit condominium in an R-4 District at premises 1358 Girard Street NW, that's Square 2860, Lot 56.

The hearing dates on this application were December 11th, 2001, February 19th, 2002. The decision dates are March 12 and today. The case is now before you.

CHAIRPERSON GRIFFIS: Thank you, Mr. Hart and good morning to you. Well, let me just introduce that did hear this case and will be deciding on this case; Mr. Hood on my very far right, representing the Zoning Commission; Mr. Etherly, Board Member, myself, Chair; Geoff Griffis and Mr. Levy on my far left representing the National Capital Planning Commission.

Okay, folks, do you remember the case? It is, as Mr. Hart has aptly said, a variance from the lot area requirements and also the variance from the off-street parking.

1 This was a very interesting case in terms of when and how it came
2 before us. Let me just give a little background just to refresh.

3 That this building is under construction. Permits
4 were issued for a three-unit. There was history in the case
5 regarding the amount of meters, PEPCO (phonetic) and Washington
6 Gas had services that established it and the record includes
7 bills and documentation of that metering. Basically the
8 applicant was establishing it as a three-unit building.

9 It wasn't until, as the record shows, the condo
10 conversion application was going through that the issue was
11 brought forward in terms of three units as opposed to a flat and
12 it was testified and -- that the three-unit apartment had been in
13 operation for at least 20 years. Now, we did have some testimony
14 regarding the questioning of that but that is what is before us
15 now.

16 Oh, additionally, we had asked, in fact, we
17 postponed this decision that was set for last week, to get
18 clarification from the Single Member District Commissioner of the
19 ANC. We have received that and I know I've verified with
20 everybody that you've been in receipt of that and it is part of
21 the record, and I think what it does is establish a little bit
22 more clarity of what was going on with the split vote, although
23 the whole ANC has not changed its recommendation and support,
24 recommendation for approval, the Single Member District
25 Commissioner, one BOA Calvin Woodland, his letter is dated March

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1 14th, indicates that he was initially in favor.

2 That during the -- I guess the ANC meeting he was
3 not satisfied that some of the issues had been resolved and he
4 has now come back after discussion with the applicant as this
5 Board directed, to support and, in fact, the last sentence says,
6 "I strongly support approval of the Board of Zoning Adjustment
7 Application 16803", which is the application before us.

8 So any comments, Board members, before we move on
9 with this, any issues of import that I need to bring up before we
10 get into the actual motions? Mr. Hood, yes.

11 COMMISSIONER HOOD: Mr. Chair, I will tell you that
12 I was again, while I won't belabor the point, was very
13 disappointed in the response that I received and what I read from
14 the ANC, but I want to call my colleagues' attention to page 6 of
15 the Office of Planning's report, which gives me some concern as
16 being a regulator on -- one of the regulators on the Zoning
17 Commission to keep the integrity of the zoning map and plan.

18 Even in the Office of Planning's report, they say,
19 "There may be some detriment to the public good, but the
20 detriment, if any, would not be substantial". I can tell you I
21 have run back and forth with that one sentence since last week
22 for awhile but I can tell you that I understand that there were
23 some permits issued. It was done previously. There were three
24 meters and I understand all of that, but that still doesn't make
25 it right.

1 So, you know, I can tell you that I am still not of
2 the mindset of moving forward to voting in favor of this, but I
3 was hoping to come today to hear some conversation from my
4 colleagues on how they felt. But I can tell you that if we
5 continue to allow this, it's going happen not just on Girard
6 Street, but all over the city.

7 At some point in time -- I understand, I've been on
8 cases before where this has been in place where things have
9 happened, they've been getting wrong permits and I've been very
10 sympathetic. While I want to be sympathetic in this case and
11 move forward with it with approval, I also want to be mindful
12 that this type of action occurs it seems like more frequently now
13 than ever and I just want us to be cautious of this. While Mr.
14 Chairman, I know you said this isn't precedent setting, we said
15 that last week, we had some cases that came in later and some
16 things were thrown up to us that were reminding us of actions
17 that this Board has taken, not this specific Board, but the Board
18 in the past.

19 So I just wanted to put that on the record. While
20 I am very sympathetic to the applicant and understand that they
21 have moved forward, but sometimes when the mistakes are caught,
22 we need to deal with them accordingly. So with that, I would
23 like to hear from my other colleagues, but I just want to make a
24 point that it says there may be some detriment to the public
25 good. I assure you that I'm not sure even to this point, how I'm

1 going to vote on it.

2 Again, I am sympathetic to the development, thank
3 you.

4 CHAIRPERSON GRIFFIS: Good, thank you, Mr. Hood.
5 And you bring up two excellent points and I think we do need to
6 delve into it and some of the background that I started out with
7 was to refresh. I absolutely agree with you in the fact that
8 we're seeing more cases of starting construction and then coming
9 in which is very difficult and frankly, one might question how
10 much a developer knew and strategized, that would just be
11 logical.

12 I think it was incredibly well documented in this
13 case of the process that was assumed by the developer to have
14 integrity and move along with it. And I think just the amount of
15 steps that are documented within the record and that's why I
16 bring up the mere fact that at the condo conversion stage, which
17 means -- this is my interpretation of the documentation that I'm
18 seeing is that he could have moved ahead and been 100 percent and
19 then renting the units now and frankly, no one would probably
20 have noticed anything but that there's a separate step in the
21 condo conversion that brought it back to the fact that it was --
22 perhaps, was not a legal three-unit building, when all the
23 substantial documentation before it was pointing in that
24 direction.

25 So I see this as very unique and in particular as

1 opposed to some of other cases that we have seen and perhaps,
2 might see. In terms of the detriment, the Office of Planning, I
3 was struck with that also and spent some time looking at that.
4 It seems like the detriment that they're talking about goes to
5 the parking and certainly -- and there's two points to that.
6 One, residential parking all over the city is difficult, there's
7 no question.

8 I think the issue, as I see it, is two-fold. One,
9 in order to make parking available on that site, you would have
10 to access it from Girard Street because the record shows it has
11 no rear access. I don't know if you've ever seen a townhouse.
12 It is not to my knowledge that they're done legally but with a
13 driveway in front of the row houses that are, you know, classic
14 in this neighborhood and across the city, that to me would be a
15 much greater detriment if we started parking in our front yards.

16 But secondly, the size of the house that we can see
17 from the record and from the photographs conceivably if it was,
18 let's throw out for argument sake it was a single family or even
19 a two-unit building, the amount of cars would not be regulated,
20 correct? I mean, you could have a family of four or five folks
21 and have three or four cars.

22 I don't think by the matter of counting units, it
23 necessarily means that you will have increased parking. I think
24 by the mere fact that the structure exists there will be -- there
25 will be a parking need or a potential for cars servicing that

1 property. My point being, as you get smaller units and I think
2 if -- I'm sure I'm correct that the proximity of a metro station
3 near this site and also the size of the unit, especially the
4 third unit in the basement, may, in fact -- it's not an assurity
5 but it may, in fact, reduce the number of cars that would
6 actually be at that site as opposed to two units or as a large
7 family.

8 And, you know, there's no way we can insure that or
9 prove it but I don't see the detriment increased by necessarily
10 just the increase of units on that property. And I think the
11 reverse, the fact of the matter is that you've got construction
12 that it was testified it was -- at the time of hearing it was 70
13 percent complete, the history of this building also being --
14 well, it had a fire. I don't recall directly how long in fact,
15 it had been unoccupied, but here we are bringing back, and I
16 think going to -- back to the planning, if you look at the
17 comprehensive plan, the Ward 1 plan, if you look, it has very
18 strong parallels to what is being laid out there in terms of
19 adding housing and I can't put my finger right on the exact
20 language here but adding housing to the neighborhood and also
21 bringing up the -- thank you very much, delivering additional
22 housing units to the market and you know, retaining and
23 encouraging, frankly, residents into the area, but that's my
24 points.

25 Anyone else have comments on this? Okay, let me -

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COMMISSIONER HOOD: Mr. Chair --

CHAIRPERSON GRIFFIS: Yeah.

COMMISSIONER HOOD: -- I just wanted to ask another question and maybe you all can help me see this through, too. What makes this lot any different, and I'm looking at the pictures, any different from the surrounding houses, even the one next door, the other ones? There was testimony that the neighbors supported -- and I understand the blight. And in fact, I mentioned this at the hearing. What makes this any different than the house next door? I mean, I think on the picture it was a corner lot or corner house or there is something in between.

What makes it different? And I see the report in front of me and I'm trying to see how it's applicable to the house next door or the house next door to that one? And maybe my colleagues, if you all could help me with that. I'm not putting anybody on the spot. I just need a little help here.

CHAIRPERSON GRIFFIS: And you're referring to the Office of Planning report?

COMMISSIONER HOOD: Yeah, I'm basically looking at the Office of Planning Report because that's where the depiction was of the house and I believe it's the one where the guys are working and I'm trying to see the relationship between that one and the one on the side of it and the one next door. And why would this one be any more aggrieved or any different than the

1 house in question.

2 MEMBER ETHERLY: Mr. Chair, I believe Mr. Hood is
3 referencing Attachment 3, illustrations in the Office of Planning
4 Report dated December 4th, page 1. The interesting thing about
5 this particular matter and it perhaps is a little troublesome but
6 not so much so that I'm inclined to vote against this
7 application, is the fact that you have, I don't want to call it
8 administrative error but you have a little bit of that in this
9 process where the developer moved forward and what appears by
10 most indications from the record in good faith with an
11 understanding that they had a three-unit building.

12 They had documentation records from local utilities
13 that spoke to that. I'm not certain if we had any testimony on
14 the record that spoke to whether or not any of the adjacent
15 properties were three-unit buildings as well, but I would suggest
16 to Mr. Hood that that is kind of the fly in the proverbial
17 ointment here, that we have what has by all indicates for a
18 number of years dating back perhaps as far as 1981, a three-unit
19 building that all of a sudden, upon redevelopment opportunity,
20 you find that, in fact, perhaps it should have been a two-unit
21 building giving the square footage of the property.

22 Whether or not that's the difference that gets us
23 to the exceptional condition component of the variance test, you
24 know, that's for my colleagues and I to come and sort through
25 and, once again, I do want to be sensitive to the fact that the

1 precedent of administrative error or administrative complications
2 being substantial grounds for a variance test, at least as far as
3 it relates to exceptional narrowness, shallowness or exceptional
4 topographical conditions, you know, it's probably worth some
5 conversation as we move forward with this, but the fact that we
6 had what appears to be a three-unit building for quite some years
7 gives me some measure of comfort with regard to my colleague, Mr.
8 Hood's concerns regarding the parking.

9 I note the Office of Planning's use of some
10 detriment, but I believe that does not rise to the level of
11 substantial detriment. That's where I fall on this, Mr. Chair.
12 Thank you.

13 CHAIRPERSON GRIFFIS: Good, thank you, Mr Etherly.

14 MEMBER LEVY: Mr. Chair, it's my recollection from
15 the hearing and in reviewing my notes that, in fact, the
16 applicant made their case for the variance based specifically on
17 the subject matter that Mr. Etherly just raised which is that the
18 building had been previously used as -- for three units, was
19 configured for three units, in fact, had utilities for three
20 units and that's the argument that's being used for the first two
21 prongs of the three-part test, three-prong test.

22 So the question I think before the Board today is
23 specifically tied to that.

24 CHAIRPERSON GRIFFIS: Thank you. I mean, I think
25 that is the point. I think that's exactly what we're looking at

1 here. I think that's why we had and we did have, as Mr. Etherly
2 has stated, ample documentation of that. And it was also in the
3 record, if I'm not mistaken, that it would have had to -- the
4 conversion or the work that would have been done to install the
5 meters and the numbers of meters would have had to be permitted
6 because that's the process that they would look to for city
7 approval before the utility company would come out and have --
8 you know, we don't have the entire case records running back and
9 looking at documentations or people involved but you know, many
10 times we are faced with past decisions and past realities that
11 have substantiated themselves in the buildings.

12 So, all right, that is quite a bit here. I think
13 we also need to talk about the opposition that we had. Mr.
14 Brazil did testify. For clarity, we had given time -- this was
15 actually postponed -- well, is -- yeah, it was, we postponed the
16 hearing at one point and we kept the schedule so that parties
17 could be received and applications for parties. We did not
18 receive any. However, we did have Ms. Brazil expressing quite a
19 bit of information in the case. A lot of it, I think we dealt
20 with directly in terms of what was pertinent and appropriate for
21 the variance case and what we could -- I think we outlined what
22 this Board has jurisdiction over and made reference and referrals
23 to other agencies and entities that can, in fact, deal with the
24 other issues that were brought up.

25 There was some question in the very beginning about

1 letters and the questioning of authenticity. They were stricken
2 from the record at the beginning of the hearing and left the
3 record, so they were no longer a part of and I think frankly, I'm
4 pleased that we have kept the integrity of this process intact
5 and I think we have maintained it up till now and I would imagine
6 as we finish this.

7 So that being said, yes, Mr. Levy.

8 MEMBER LEVY: Mr. Chair, let me add to that. There
9 was the matter specifically of a payment of \$5,000.00 from the
10 applicant to a witness and I just wanted to point out that the
11 applicant has provided verification that, in fact, that was a
12 payment that was related to work or rather damage being done to a
13 neighbor's property during construction and that was compensation
14 for repair of the damages.

15 CHAIRPERSON GRIFFIS: You know, that's an
16 interesting point. This Board has, in the past, made conditions
17 and agreements and constructions contracts with neighbors and you
18 know, folks walking by and whoever it might be, and here we have
19 an applicant that's coming in without conditions on an order that
20 has actually taken that step on their own. You know, it's not
21 within our jurisdiction to know everything, we don't need to know
22 everything. There seems to be -- it seemed from all the
23 information given on the record that this developer was trying to
24 be as conscientious as possible.

25 Obviously, these houses are connected. Any

1 construction is going to impact adjacent neighbors and it seems
2 that appropriate and substantial steps were made which I think
3 ought to be acknowledged. Yeah.

4 COMMISSIONER HOOD: Mr. Chair, I would just say
5 that I think the integrity of this whole process has been
6 straightforward. Especially, we have dealt, I think, very
7 conscientiously with the things that within our jurisdiction.
8 And we did take note of everything that was given to us and we
9 also are mindful that we have to deal with the zoning process and
10 I think that's how we need to proceed and I think that again, the
11 integrity of this process has been straightforward and I don't
12 think I would change any other thing.

13 But let me just say that I've heard the discussion
14 of my colleagues. Again, having heard a number of these cases
15 and I am sympathetic, even though it's nowhere in the regulations
16 that says we need to be sympathetic, but rules and regulations
17 have changed since 1958. A lot of things have changed. A lot of
18 things -- obviously, it was done previously. I'm just hoping as
19 we move forward that it was done in the manner in which it should
20 be been done because it was done in the past some time doesn't
21 always make it correct but by no fault of the developer.

22 And, Mr. Chair, I will associate myself with your
23 comments and at that point, I'm ready to vote.

24 CHAIRPERSON GRIFFIS: Very good, thank you, Mr.
25 Hood. Okay, I want to get one thing clarified, because I had it

1 in my notes, and Mr. Hood, I absolutely appreciate those
2 comments and I will proceed expeditiously with this but the last
3 piece, we do have two variances. We have the variance from the
4 lot area requirement and then we have the variance from the off-
5 street parking.

6 Oh, you know, it's an interesting point in terms of
7 the variance for the lot area. It was made in the record that
8 the mass of this building, the bulk of this building is not
9 changing. It -- by all appearances, it will be the same
10 building. So that being said, obviously it was in existence
11 before the zoning regs, but that's not the point I wanted to
12 make. The one question I had was we had some -- as you know, as
13 the existing building, one parking would be required, that would
14 be waived on an existing building.

15 And then the question came up and I just need to --
16 if you recall we had some question on the board of a flat would
17 have one parking requirement, a single family also and then there
18 was the question of whether additional parking would be required
19 if this was a three-unit building? How does it come under its
20 classification?

21 And do -- let me ask corporation counsel if she can
22 give us some clarity on that as I check my own notes.

23 MS. SANSONE: Mr. Chairman, the requirement in the
24 R-4 District for a flat, the two-unit dwelling was one for every
25 two dwelling units.

1 CHAIRPERSON GRIFFIS: Correct.

2 MS. SANSONE: And then the parking requirement for
3 a three-dwelling unit in the R-4 District would be one parking
4 space for units. So even though there's an increase in the
5 number of units, the number of required parking spaces remains
6 the same.

7 CHAIRPERSON GRIFFIS: Okay. So the question
8 directly is, is there a variance -- well, why don't we -- let's
9 separate the two. And I'm going to move approval of application
10 JFC Builders of DC, Application 16803 for a variance from lot
11 area requirements under subsection 401.3 and this is for the
12 conversion of a flat into a three-unit condominium in R-4, 1358
13 Girard Street NW. I think we have spoken directly to the case
14 that's been made.

15 This is a very unique situation in terms of timing
16 of discovery of the non-compliance and the process of which the
17 building was going under. I think history, the use and the
18 metering, of course, moves it to its uniqueness and in terms of
19 its difficulty in being realized by the developer as what was
20 planned.

21 COMMISSIONER HOOD: I will second that motion, Mr.
22 Chair, but just add if we can also incorporate the Office of
23 Planning report and stand on that, too, with your comments.

24 CHAIRPERSON GRIFFIS: Excellent point, Mr. Hood,
25 and I absolutely appreciate that. And I think Planning had a

1 very excellent report and it was very strong and I think you
2 spoke to a lot of those issues and I appreciate that. Is there
3 any other discussion on this?

4 MEMBER LEVY: Just, Mr. Chair, to add a little bit
5 that the applicant made a case for practical difficulty which is
6 tied directly to the uniqueness of the property and that was
7 difficulty in subsequently converting that back to a two-unit
8 building after 70 percent of it had been constructed based on
9 what the applicant understood was the use, the existing use of
10 the building and the permitted use of the building.

11 CHAIRPERSON GRIFFIS: Thank you for your clarity.

12 MEMBER ETHERLY: And just as an additional point,
13 Mr. Chairman, during my short tenure on the Board we perhaps
14 haven't necessarily had occasion to talk in such detail but I
15 think with regard to the prong of the test that deals with the
16 issue of without substantially impairing the intent purpose and
17 integrity of the Zone Plan, I would want to highlight that word
18 "integrity" and once again, note that we did have substantial
19 testimony and discussion regarding some concerns about integrity
20 in the process and just to reiterate, we did receive in this
21 member's opinion, a satisfactory explanation regarding the
22 arrangement between the applicant and a neighboring property
23 regarding compensation for any damage caused by construction work
24 and we did additionally receive what appears to be satisfactory
25 justification, rationale I should say for what appeared to be

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1 letters that were submitted to the record in error with regard to
2 signatures. There was an explanation provided by the applicant
3 and some additional submissions and I'm speaking specifically to
4 what is identified as Exhibit Number 33 which discusses that an
5 employee had submitted a letter with the signature of a
6 neighboring property owner in error without actually obtaining
7 that signature. Letters were subsequently stricken from the
8 record and replaced, if I recall correctly, with letters that
9 were genuine.

10 With that being said, Mr. Chairman, as we've laid
11 out the additional prongs of the test, and that additional piece,
12 without substantially impairing the intent, purpose and integrity
13 of the zone plan, I'm prepared to support your motion as well.

14 CHAIRPERSON GRIFFIS: Good, thank you very much.
15 Let me just follow that train of thought because I think it's
16 appropriate and important. We did -- this application did have
17 the support of the Office of Planning. It did have the support
18 of Public Works and I would highlight Mr. Layden's letter that
19 said the proposed change of use of the site to apartment dwelling
20 will not increase the off-street parking space requirements.

21 We also had the indication of the support from the
22 ANC. I think Mr. Hood brought up an excellent point of
23 discussion and I think it is absolutely what we should be
24 deliberating on and I would, in my comment in the Office of
25 Planning's report that indicates one element in the comprehensive

1 plan stresses the provision of additional housing and need for
2 neighborhood stabilization.

3 Any other comments, discussion on this? In which
4 case I would ask for all those in favor signify by saying Aye.

5 (Aye)

6 CHAIRPERSON GRIFFIS: And did we have a proxy, Mr.
7 Hart?

8 MR. HART: No, I'll call the Board, Mr. Chair.

9 CHAIRPERSON GRIFFIS: Thank you, I'm sorry.

10 MR. HART: The vote is called, is four to zero to
11 one to approve this application. The motion was made by Mr.
12 Griffis, seconded by Mr. Hood. Ms. Renshaw not present, not
13 voting.

14 CHAIRPERSON GRIFFIS: Indeed, okay, and just for
15 clarification, Mr. Hart, we have just approved a variance for the
16 lot area requirements. We now move to the second part of this,
17 which is a variance for the off-street parking. I guess Ms.
18 Sansone, I would ask you frankly -- I mean, I'm fully prepared to
19 move forward. I'm just questioning whether a variance is
20 required. By the conversion does that then make the requirement
21 necessary?

22 MS. SANSONE: Mr. Chairman, it would appear that
23 there is not a need for the variance in this case. However, the
24 Board may wish to, you know, confirm that that its own finding.

25 CHAIRPERSON GRIFFIS: Right, okay.

1 MS. SANSONE: Whether you do that by motion or
2 consensus.

3 CHAIRPERSON GRIFFIS: Well, that's good and I
4 appreciate that. I think we have the documentation and the
5 record clearly shows. What's interesting is the fact currently
6 what is required is one parking space and in this three-unit one
7 is required, meaning the world doesn't really change in terms of
8 the zoning and I would say that the case has been fairly strongly
9 made in support, especially with the transportation planning
10 weighing substantially on it.

11 So I would move approval of Application 16803 of
12 JFC Builders for variance from off-street parking required under
13 Section 2101 which will allow the conversion to the flat -- or
14 from the flat to the three-unit condo in the R-4 District at the
15 premises of 1358 Girard Street, NW and ask for a second.

16 MEMBER LEVY: I'll second it.

17 CHAIRPERSON GRIFFIS: Thank you, Mr. Levy. Any
18 discussion?

19 MS. SANSONE: Mr. Chairman, I wasn't clear whether
20 you wanted to approve a variance for the parking or just clarify
21 that you thought one wasn't necessary.

22 CHAIRPERSON GRIFFIS: Well, I was doing both and
23 I've now made a motion to approve the variance of parking.

24 MEMBER LEVY: I think if I could just weigh in on
25 that --

1 CHAIRPERSON GRIFFIS: Uh-huh.

2 MEMBER LEVY: -- it's possible that, in fact, the
3 variance is not necessary but that in this case we should great
4 it as a required variance and I'm comfortable proceeding with the
5 motion that's on the table.

6 CHAIRPERSON GRIFFIS: I think -- and I appreciate
7 that, Mr. Levy, because I think we're at a very fine line. I
8 mean, I don't think there's great clarity but I think there's
9 substantial detrimental impact either way. But I think just for
10 clarity sake that we ought to, and it is part of the record and
11 part of the whole hearing process and our deliberations. So I
12 think action on it is appropriate.

13 Any other comments? Not seeing any, I would ask
14 for all those in favor signify by saying Aye?

15 (Aye)

16 CHAIRPERSON GRIFFIS: And opposed.

17 MR. HART: I will record the vote as four to zero
18 to one. Mr. Griffis making the motion, Mr. Levy seconded it, Ms.
19 Renshaw not present, not voting. And this is addressing the off-
20 street parking requirement. I would like to add also that the
21 comment was -- the comments made by OP as referenced by the Chair
22 and Mr. Hood, it's my understanding should be cited in the order.

23 CHAIRPERSON GRIFFIS: Good, thank you very much,
24 Mr. Hart. And this will then end the official meeting of 19
25 March 2002. Thank you very much.

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(Whereupon, at 9:40 a.m. the above-entitled matter
was concluded.)