

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
DRAFT COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: June 30, 2015

SUBJECT: Report on PR 21-112, “Board of Zoning Adjustment Fred Hill Confirmation Resolution of 2015”

The Committee of the Whole, to which PR 21-112, “Board of Zoning Adjustment Fred Hill Confirmation Resolution of 2015” was referred, reports favorably thereon and recommends approval by the Council.

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I. BACKGROUND AND NEED

The purpose of Proposed Resolution 21-112 is to confirm the appointment of Fred Hill as a member of the Board of Zoning Adjustment (“BZA”). Mr. Hill is currently a Ward 2 resident of the District of Columbia.

Mr. Hill is a long-time businessman, entrepreneur, and resident in the Washington, D.C. region. He currently resides in the District’s Penn Quarter neighborhood and is President, CEO, and founder of The Hill Group, a business consulting firm. Clients of the Hill Group have included the Department of Health and Human Services; the National Institutes of Health; Indian Health Service; U.S. Agency for International Development; U.S. Patent and Trademark Office; Presidential Commission for the Study of Bioethical Issues; and Smithsonian Institute/National Museum of the American Indian. As President, Mr. Hill is responsible for corporate oversight of strategic planning initiatives, conference and event management projects, science writing and editing services, graphic and design services, and technical assistance. Prior to founding the Hill

Group, Mr. Hill worked as a project manager for more than 100 biomedical conferences and events, supervising conference managers and overseeing all aspects of planning and logistical services for Computercraft Corporation—a Maryland company. In addition, he holds a bachelor's degree in economics from the University of Arizona.

Beyond his business ventures, Mr. Hill has also applied himself to community-enhancing pursuits. He founded the Hill Foundation, a nonprofit organization that addresses health disparities at a community level. He served as Director of Finance and member of the Board of Directors for the D.C. chapter of the Entrepreneurs Organization. He additionally served on his condo board in ANC 2C and is active in Leadership Greater Washington.

Mr. Hill recently had first-hand experience with the Board of Zoning Adjustment as a petitioner for zoning relief. Mr. Hill is owner of an historic property on K Street, N.W., where he is developing a building to house the new offices of the Hill Group. As part of the BZA process, Mr. Hill was personally involved with the community outreach for the project at the Single Member District level and presented multiple times before the full Advisory Neighborhood Commission. He further worked with the Historic Preservation Review Board, the District of Columbia Preservation League, the Department of Transportation, the Department of Consumer and Regulatory Affairs, and the Office of Planning. Mr. Hill was ultimately successful in his case and the BZA granted the requested zoning relief.

At the public hearing on his nomination, Mr. Hill described his experience working with the BZA and stated that the process helped him develop an understanding of the standards the BZA must apply. In preparing for his case, he reviewed many past BZA cases both large and small. As a result, he stated, "I believe that it is necessary to assist lay members of the community with the BZA process so that their requests and/or concerns are addressed and understood." Additionally, he explained that as a homeowner in the District, he appreciates that while development is important, it must be balanced against the concerns of all stakeholders.

The Board of Zoning Adjustment is a creation of federal law.¹ The BZA is composed of a member of the National Capital Planning Commission or a Commission staff member; a member of the Zoning Commission; and three members appointed by the Mayor of the District of Columbia with the advice and consent of the Council.² Of the three members appointed by the Mayor, each must have been a resident of the District of Columbia for at least three years immediately preceding his or her appointment, and at least one of those three members must own his or her own home.³ The terms of the 3 members designated by the Mayor are 3 years.⁴

¹ Ch. 534, 52 Stat. 797 (1938), An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes.

² D.C. OFFICIAL CODE § 6-641.07(a) (2008 Supp.).

³ *See id.*

⁴ *Id.* § 6-641.07(b).

Table 1: Membership of the Board of Zoning Adjustment

Resolution #	Position	Appointee	Nominated for Term Expiring:	Residency
PR 20-112	Member, District Resident	Fred Hill	September 30, 2017	Ward 2
R 20-67	Member, District Resident (Chairperson)	Lloyd Jordan	September 30, 2015	Ward 6
R 19-56	Member, District Resident (Vice Chairperson)	Marnique Heath	September 30, 2016	Ward 5
N/A	National Capital Planning Commission Designee	Jeff Hinkle	N/A	N/A
N/A	Zoning Commission Designee	Rotating	N/A	N/A

The BZA is authorized to consider applications for special exceptions and variances, as well as hear appeals from decisions granting or refusing a building permit or granting or withholding of a certificate of occupancy, or other administrative decisions based on the zoning regulations or zoning map.⁵ The BZA addresses the following types of cases, and each case includes a public hearing before the BZA:

- **General**—general appeals from any order, requirement, decision, determination, or refusal made by the Mayor, Zoning Administrator, or any other administrative officer or body in the carrying out or enforcement of the zoning regulations;
- **Special Exceptions**—requests for special exceptions to the zoning regulations, regarding approval of certain aspects of the development or use of property, where “in the judgment of the BZA, the special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps....”⁶ Special exceptions are explicitly contemplated in the zoning regulations and are subject to special conditions specified in the regulations;
- **Variances**—Relief from the strict application of the zoning regulations, specifically: “[w]here, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any [zoning regulation] would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property....”⁷ Such relief may be granted in order to relieve the resulting hardship or practical difficulties; however, relief can only be granted “without substantial detriment to the public good and without substantially impairing the

⁵ *Id.* § 6-641.07(f).

⁶ D.C. MUN. REGS. tit. 11, § 3104.1 (2011).

⁷ D.C. OFFICIAL CODE § 6-641.07(g)(3) (2008 Supp.).

intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map;”⁸ and

- **Other**—decisions on other special questions which the BZA is authorized by its regulations to opine on, including map interpretations.⁹

The Board of Zoning Adjustment is distinct from the Zoning Commission; the latter has plenary authority over zoning, including formulation of the zoning regulations. The Zoning Commission has exclusive jurisdiction over all matters concerning land use zoning in the District of Columbia.¹⁰ In addition to being responsible for the zoning regulations (title 11 D.C. Municipal Regulations), the Commission reviews all cases relating to the zoning map and text. These include planned unit developments (PUDs) and campus plans of colleges and universities. The Zoning Commission is also responsible for implementing the Comprehensive Plan, a plan which is proposed by the Mayor and adopted by the Council. The Commission’s plenary authority includes the right to review, *sua sponte*, any decision of the Board of Zoning Adjustment.¹¹

Some critics of Mr. Hill’s nomination have raised concerns that he lacks sufficient experience in land use issues. However, Mr. Hill has expressed his full commitment to fulfilling the responsibilities of a BZA board member. Mr. Hill testified at the public hearing on PR 21-112 that he has enough time to serve and expected to devote a minimum of four week days every week to the BZA. In preparation, he restructured the organization of his company, the Hill Group, to enable him step away. Moreover, he stated his intention to devote time to studying the zoning regulations and the operations of the BZA in order to become more competent in relevant issues. The Committee sees no reason why Mr. Hill will not be able to apply the tests and standards fairly and accurately. Therefore, the Committee recommends the confirmation of Mr. Fred Hill as a member of the Board of Zoning Adjustment.

II. LEGISLATIVE CHRONOLOGY

March 26, 2015	PR 21-112, “Board of Zoning Adjustment Fred Hill Confirmation Resolution of 2015” is introduced by Chairman Mendelson at the request of the Mayor.
April 14, 2015	PR 21-112 is officially “read” at a legislative meeting; on this date the referral of the proposed resolution to the Committee of the Whole is official and the 90-day period for Council review begins. If the measure is

⁸ *Id.*

⁹ *Id.*(f)-(g). The law also specifies that the Zoning Commission may authorize the BZA to interpret the zoning maps, and address questions of lot line or district boundary line disputes, or similar questions that may arise. *Id.* § 6-641.07(d).

¹⁰ *Tenley & Cleveland Park Emergency Comm. v. Dist. of Columbia Bd. of Zoning Adjustment*, 550 A.2d 331 (D.C. 1988).

¹¹ *See* D.C. MUN. REGS. tit. 11, § 3128 (2000).

not acted upon by the Council before July 14, 2105, PR 21-112 will be deemed disapproved.

- April 3, 2015 Notice of Intent to Act on PR 21-112 is published in the *District of Columbia Register*.
- May 8, 2015 Notice of a Public Hearing on PR 21-112 is published in the *District of Columbia Register*.
- June 9, 2015 The Committee of the Whole holds a public hearing on PR 21-112.
- June 30, 2015 The Committee of the Whole marks-up PR 21-112.

III. POSITION OF THE EXECUTIVE

Mr. Hill is the Mayor's nominee for one of three District resident positions appointed by the Mayor to the Board of Zoning Adjustment.

I. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from any Advisory Neighborhood Commission on PR 21-112.

II. SUMMARY OF TESTIMONY

The Committee of the Whole held a public roundtable on PR 21-112 on Tuesday, June 9, 2015. The testimony summarized below is from that hearing. A copy of this testimony is attached to this report.

Chris Otten, Public Witness, testified in opposition to the resolution. He challenged Mr. Hill's level of experience related to planning and stated that Mr. Hill is not qualified for a position on the BZA. He additionally called for nomination of individuals in the future who are "citizen planners," or whom at least have more familiarity with the District's zoning regulations.

Frederick L. Hill, Nominee, testified regarding his background and experience as they pertain to the Board of Zoning Adjustment, and his interest in serving on the Board.

In addition, the Committee received a letter of opposition from **Nancy MacWood**, Chair of the Committee of 100 on the Federal City (C100). Ms. MacWood presented three reasons for C100's opposition to the nomination: (1) There was no general, public solicitation of applications for the seat; (2) Mr. Hill's resume lacks any land-use, zoning, historic preservation,

or planning experience; and (3) Mr. Hill's testimony at the public hearing on PR 21-112 was vague and general.

The Committee also received written testimony by *Gina Schaefer* in support of Mr. Hill's nomination. Ms. Schaefer met Mr. Hill eight years prior when they lived in the same condominium building. She praised his work on the condominium board where he negotiated agreements among the neighbors and nearby businesses. She wrote, "I am confident in Fred's ability to evaluate information, take different viewpoints into consideration, and determine a resolution."

III. IMPACT ON EXISTING LAW

This confirmation is consistent with existing law. Three positions for District residents exist on the Board of Zoning Adjustment. Pursuant to D.C. Official Code § 6-641.07(a), the Board shall be composed of one representative of the National Capital Planning Commission; one representative of the Zoning Commission; and three other members appointed by the Mayor with the advice and consent of the Council. Of those three members confirmed by the Council, each must have been a resident of the District for at least three years immediately preceding his or her appointment, and at least one shall own his or her own home. By operation of law, the appointment is deemed disapproved on the 90th day (excluding days of Council recess) following submission of the nomination by the Mayor, absent Council action.¹²

IV. FISCAL IMPACT

PR 21-112 will have no fiscal impact on the District of Columbia budget or financial plan. Pursuant to D.C. Official Code § 1-611.08(c)(2)(A), the three District members of the Board of Zoning Adjustment are compensated for their services at a rate of \$25 per hour, with a cap of \$12,000 per board member per year.¹³ The compensation for members of the Board is included as part of the annual budget for the Office of Zoning.

V. SECTION-BY-SECTION ANALYSIS

Section 1 States the short title of PR 21-112.

Section 2 Confirms the appointment of Fred Hill as a member of the Board of Zoning Adjustment.

¹² See D.C. OFFICIAL CODE § 1-523.01(e). The 90 day period of review for PR 21-112 expires on July 15, 2015.

¹³ The Chairperson of the BZA who is a public member receives an addition compensation of 20% above the annual \$12,000 cap. See D.C. OFFICIAL CODE § 1-611.08(c)(2)(J).

Section 3 Requires that a copy of the resolution, upon adoption, be transmitted to the nominee and to the Mayor.

Section 4 Provides that PR 21-112 shall take effect immediately.

VI. COMMITTEE ACTION

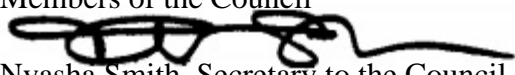
VII. ATTACHMENTS

1. PR 21-112 as introduced.
2. Nominee's response to Committee questions.
3. Written testimony and comments.
4. Legal sufficiency determination.
5. Committee Print for PR 21-112.

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : March 30, 2015

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Thursday, March 26, 2015. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Board of Zoning Adjustment Fred Hill Confirmation Resolution of 2015", PR21-0112

INTRODUCED BY: Chairman Mendelson at the request of the Mayor

The Chairman is referring this legislation to the Committee of the Whole. This resolution will be deemed disapproved on Tuesday, July 14, 2015 without Council action.

Attachment

cc: General Counsel
Budget Director
Legislative Services



OFFICE OF THE
SECRETARY

2015 MAR 26 PM 4: 33

MURIEL BOWSER
MAYOR

MAR 26 2015

The Honorable Phil Mendelson Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

In accordance with section 8 of An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk and uses of building and other structures and of the uses of land in the District of Columbia, and for the purposes, approved June 20, 1938 (52 Stat. 799; D.C. Official Code § 6-641.07) (2012 Repl.)), which established the Board of Zoning Adjustment, and pursuant to section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01 (2012 Repl. and 2014 Supp.)), I am pleased to nominate the following person:

Mr. Fred Hill
912 F Street, NW
Unit 208
Washington, DC 20004
(Ward 2)

for appointment as a member of the Board of Zoning Adjustment, replacing Kathryn Allen, whose term expired September 30, 2014, for the unexpired portion of a three-year term to end September 30, 2017.

Enclosed, you will find biographical information detailing Mr. Hill's experience, together with a proposed resolution to assist the Council during the confirmation process. I would appreciate the Council's earliest consideration of this nomination for confirmation. Please do not hesitate to contact me or Steven Walker, Director, Office of Talent and Appointments, should the Council require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel E. Bowser".

Muriel E. Bowser
Mayor



Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution,
which was referred to the Committee on _____

To confirm the appointment of Mr. Fred Hill as a member of the Board of Zoning Adjustment.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this
resolution may be cited as the "Board of Zoning Adjustment Fred Hill Confirmation Resolution
of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Fred Hill
912 F Street, NW, Unit 208
Washington, DC 20004
(Ward 2)

as a member of the Board of Zoning Adjustment, established by section 8 of An Act Providing
for the zoning of the District of Columbia and the regulation of the location, height, bulk, and
uses of building and other structures and of the uses of land in the District of Columbia, and for
the purposes, approved June 20, 1938 (52 Stat. 799; D.C. Official Code § 6-641.07) (2012
Repl.)), replacing Kathryn Allen, whose term expired September 30, 2014, for the unexpired
portion of a 3-year term to end September 30, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution,
upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Frederick L. Hill

President and CEO

Mr. Hill has more than 20 years of experience in corporate governance and entrepreneurship. In 1998, he founded the Hill Group, a Native-American owned and managed small business. As President of the Hill Group, Mr. Hill has overseen corporate diversification, growth, and sustainability; has led strategic contract initiatives supporting the mission of numerous federal government clients; and has successfully implemented a variety of projects in the areas of health, information technology, and communications.

In addition, Mr. Hill served as Director of Finance and member of the Board of Directors for the Entrepreneurs Organization. He also founded the Hill Foundation, a nonprofit organization that addresses health disparities at a community level. Previously, Mr. Hill was a founding partner in a communications firm based in Beijing, China. He is a skilled project manager with broad experience in planning, budgeting, and implementation. Mr. Hill has a BA in Economics from the University of Arizona and studied Chinese Language at Beijing University in China.

Education, Certifications, and Training

BA, Economics, University of Arizona

Chinese Language Studies, Beijing University, Beijing, China

Experience

President and CEO, the Hill Group; Bethesda, Maryland (1998–Present). Responsible for corporate oversight of strategic planning initiatives, conference and event management projects, science writing and editing services, graphic and design services, and technical assistance, among other offerings in the company portfolio; responsible for corporate responses to technical and non-technical inquiries; oversees provision of exhibit services as well as IT and data communications services. Ensures that contracted work is performed on time, meets established goals, adheres to quality standards, and complies with budgetary requirements. Management activities include leading corporate and project staff meetings, overall program management, fiscal responsibility, progress reporting, and tasks essential to contract performance. Mr. Hill's clients have included the Department of Health and Human Services; the National Institutes of Health (Office of the Director; Division of Program Coordination, Planning, and Strategic Initiatives; Office of Behavioral and Social Sciences Research; Office of Science Policy Analysis; National Institute of Diabetes & Digestive & Kidney Diseases; *Eunice Kennedy Shriver* National Institute of Child Health and Human Development; National Institute on Minority Health and Health Disparities; National Center for Complementary and Alternative Medicine); Indian Health Service; U.S. Agency for International Development; U. S. Patent and Trademark Office; Presidential Commission for the Study of Bioethical Issues; and Smithsonian Institute/National Museum of the American Indian.

Project Manager, Computercraft Corporation; Bethesda, Maryland (1992-1998). Served as project manager for more than 100 biomedical conferences and events, supervising conference managers and overseeing all aspects of planning and logistical services. Responsibilities included working directly with client project officers; facilitating communications with planning committees, special guests, and speakers; researching conference and event sites; arranging special events; providing cost estimates; and negotiating contracts.



Executive Office of the Mayor - Office of Talent and Appointments
John A. Wilson Building | 1350 Pennsylvania Avenue, Suite 211 | Washington, DC 20004

Fred Hill



Fred Hill has more than 20 years of experience in corporate governance and entrepreneurship. In 1998, he founded the Hill Group, a Native-American owned and managed small business. As President of the Hill Group, Mr. Hill has overseen corporate diversification, growth, and sustainability; has led strategic contract initiatives supporting the mission of numerous federal government clients; and has successfully implemented a variety of projects in the areas of health, information technology, and communications. In addition, Mr. Hill served as Director of Finance and member of the Board of Directors for the Entrepreneurs Organization. He also founded the Hill Foundation, a nonprofit organization

that addresses health disparities at a community level. Previously, Mr. Hill was a founding partner in a communications firm based in Beijing, China. He is a skilled project manager with broad experience in planning, budgeting, and implementation. Mr. Hill has a BA in Economics from the University of Arizona and studied Chinese Language at Beijing University in China.



June 18, 2015

DC Council Chairman Phil Mendelson
The John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Dear Mr. Chairman:

It was honor to meet with you and discuss my nomination to the Board of Zoning Adjustment on June 9, 2015. Herein, I am responding to the letter sent from your office dated June 8, 2015 asking me to provide written answers to the questions below. If you have any additional questions, please feel free to contact me.

1. (Question) Please provide the name of each business entity, whether or not transacting any business with the District of Columbia government, in or from which you or any member of your immediate family have a beneficial interest exceeding in the aggregate \$1,000, or that produced income in excess of \$200 during a calendar year.

(Answer)

- a. The Hill Group, a Maryland Corporation
 - b. ComputerCraft Corporation, a Virginia Corporation
 - c. National Veterans Legal Services Program, (NVLSP) (wife's employer)
 - d. Alba 5th Street LLC, an apartment building in D.C.
 - e. Tyto 12th Street LLC, an office building under development in D.C.
2. (Question) Please provide the name of each business entity, whether or not transacting any business with the District government, in or from which you or your immediate family have received (or are receiving) Honoria and income earned for services rendered in excess of \$200 during a calendar year during the past two years. Also include the identity of any client for whom you performed a service in connection with your outside income if the client has a contract with the District government.

(Answer)

- a. The Hill Group, a Maryland Corporation
 - b. ComputerCraft Corporation, a Virginia Corporation
 - c. National Veterans Legal Services Program, (NVLSP) (wife's employer)
 - d. Alba 5th Street LLC, an apartment building in D.C.
 - e. I have not performed a service in connection with my outside income where the client has a contract with the District government.
3. Please provide the name of each business entity, whether or not transacting any business with the District government, in which you or any member of your immediate family serves as an

officer, director, partner, agent, employee, consultant, contractor, volunteer, or in any formal capacity of affiliation. Also list the position(s) held, a brief description of the entity, and any other pertinent details.

(Answer)

- a. The Hill Group, a Maryland Corporation; I am President/Founder/Sole Owner.
 - b. ComputerCraft Corporation, a Virginia Corporation; this is my parents' company, I serve on the Board of Directors and am a shareholder.
 - c. National Veterans Legal Services Program; my wife is employed an attorney employed there.
 - d. Alba 5th Street LLC; this is an apartment building in D.C. It is owned by my wife and me.
 - e. Tyto 12th Street LLC; this an office building being developed in D.C. It is owned by my wife and me.
4. (Question) Please provide the name of each business entity, whether or not transacting any business with the District government, in or from which you or any member of your immediate family had an agreement or arrangement for a leave of absence, future employment, including date of agreement, or continuation of payment by a former employer.

(Answer)

- a. None
5. Please provide the name of lender and the amount of liability for each outstanding liability borrowed by you or any member of your immediate family in excess of \$1,000. Do not include loans from a federal or state insured or regulated financial institution, or from any business enterprise regularly engaged in the business of providing revolving credit or installment accounts (i.e., you do not have to disclose loans from a federally insured or regulated bank).

(Answer)

- a. Mr. C. William Blomquist; \$1,850,000 owner financing for the office building under development by Tyto 12th Street LLC, located at 1017 12th Street, N.W., Washington D.C.
6. (Question) Please provide all real property located in the District in which you or any member of your immediate family have an interest with fair market value in excess of \$1,000 or that produced income in excess of \$200 during a calendar year. Do not list personal residences occupied by you or your spouse or domestic partner.

(Answer)

- a. Alba 5th Street LLC, an apartment building located at 825 5th Street N.E., Washington D.C.
 - b. Tyto 12th Street LLC, an office building under development located at 1017 12th St. N.W.
7. (Question) If you have received within the past twelve month any gifts from a prohibited source, as that term is defined by D.C. Official Code § 1-1161.01(46), and the aggregate value of the gifts from a prohibited source is \$100 or more, please provide the following information: (1) the name or entity that provided the gift; (2) a description of the gift; (3) the date the gift was received; and (4) an estimated value of the gift.

(Answer)

- a. None

8. (Question) Please list all professional and occupational licenses held by you.

(Answer)

- a. None

9. (Question) Please list any professional organizations of which you are currently a member

(Answer)

- a. The Entrepreneurs Organization (DC Chapter)
- b. Leadership Greater Washington (LGW)

10. (Question) Please list all boards and commissions connected with the District government on which you are or have been a member, and include the term of service for each.

(Answer)

- a. None

11. (Question) Do you have any outstanding liability for taxes, fees, or other payments to the District, federal, or other state or local governments, either contested or uncontested? If so, please explain, including attempts to pay the amount owed or to resolve the disputed claim, and provide relevant documentations.

(Answer)

- a. None

12. (Question) Do you or any member of your immediate family have any interest, financial or otherwise, that may directly or indirectly pose a conflict of interest for you in performance of your duties on the Board of Zoning Adjustment?

(Answer)

- a. None

13. (Question) Please describe your background and experience that qualify you to serve on the Board.

(Answer)

- a. Please see the enclosed copy of my written testimony, dated June 9, 2015.

14. (Question) For how long have you been a resident of the District of Columbia?

(Answer)

- a. I have lived in the Greater Washington Area since my family moved to this area when I was in the third grade, which was 39 years ago. I have been a resident of the District of Columbia off and on for over 11 of those years.

15. Do you own your own home in the District?

(Answer)

- a. Yes

16. Please discuss any past and present experiences not already mentioned that you believe are relevant to your reappointment to the Board of Zoning Adjustment.

(Answer)

- a. Please refer to my written, copy enclosed, and verbal testimony given to the Committee of the Whole on June 9, 2015.

In closing, if I am fortunate to receive an appointment to the BZA, I will eagerly take on the challenge of serving my community as a member of the Board and work diligently to serve the District of Columbia.

Sincerely,

A handwritten signature in black ink, appearing to read "Frederick L. Hill". The signature is stylized and cursive, with a large initial "F" and "L".

Frederick L. Hill

From: [d.c. forrd](#)
To: [LeFevre, Cynthia \(Council\)](#); [Mendelson, Phil \(COUNCIL\)](#)
Cc: [Alma Gates](#); [Nancy MacWood](#); [hjaffe@washingtonian.com](#); [Parisa Norouzi](#); [Dominic Moulden](#)
Subject: FRED HILL Testimony
Date: Tuesday, June 23, 2015 5:36:13 PM

TESTIMONY Regarding Fred Hill for the Record
6/23/15

Fred Hill is not qualified for a position on the BZA.

He didn't even fill out the proforma form required by the Council. Seems ignorant of the process.

He's got one experience on his own personal project regarding variances.

He's got no planning background.

This is a political appointment by the Mayor because Mr. Hill helped her mayoral campaign.

A position on the BZA is too important for political appointments. We need citizen planners, or at least those who know planning, the DC Comprehensive Plan, and who are a lot more familiar with the zoning regulations.

See more info here >> <http://www.washingtonian.com/blogs/capitalcomment/local-news/mayor-nominates-fred-hill-contributor-with-little-experience-to-zoning-board.php>

Regards,
Chris Otten
Following on my personal testimony 2 weeks ago on 6/9/15
202-810-2768

--

DC for Reasonable Development
<http://www.dc4reality.org>

**Public Hearing on B21-112:
Board of Zoning Adjustment Fred Hill Confirmation Resolution of 2015**

**Testimony of
Fred Hill**

Before the

Committee of the Whole

Council of the District of Columbia

June 9, 2015

Room 412

**John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, D.C. 20004**

Chairman Mendelson, members of the Council, my name is Fred Hill and I am very pleased to be here today as a nominee for the Board of Zoning Adjustments (BZA). I would like to personally thank Mayor Bowser for her faith in me and in nominating me to the BZA. I am honored to be considered to serve on a Board that is so vital to the character and development of our city.

I was 8 years old in 1976 when my parents first drove me across the 14th street Bridge during our cross country move from California, and I never forgot my first view of the Capitol. I have lived here since that time (including in Cathedral Heights, Shaw, and now in Penn Quarter) and truly love the District of Columbia. My father is Native American and my mother is Asian American. They lived the American Dream going from needing welfare assistance in Los Angeles to successful business owners here in the Greater DC area. I too am now a business owner with more than 20 years of experience in project management and corporate governance.

I have had the privilege of calling the Washington, D.C. area my home for the past 39 years and have witnessed the dramatic growth that has taken place in our city. I was around when the drinking age was 18 and the 9:30 club was actually at 930 F Street, North West. I have seen the changes in the U Street Corridor, Chinatown, 14th Street, H Street North East, Brookland, and I am looking forward to the exciting opportunities for beneficial growth on the other side of the Anacostia.

I earned my degree in Economics from the University of Arizona, studied Chinese in Beijing, China, founded a communications company in Beijing, founded a non-profit that addresses health disparities, and have become a skilled manager with broad experience in planning, budgeting, and implementation. I currently run a communications company soon to be moving our offices to our new building in D.C. Among my activities within the D.C.

community, I have served on the Board of Directors for the D.C. chapter of the Entrepreneurs Organization, served on my condo board in ANC 2C, and am active in Leadership Greater Washington.

Over the past 8 years, I have been increasingly involved with development and neighborhood issues, in so doing; I have become familiar with the important role of the BZA in allowing for continued healthy development when zoning variances are required. I own and am developing a building for my company's new office at 12th and K Street, North West.

Through my work with site selections and the office building project, I have had firsthand experience with the BZA process and the need for community and development to work together in the interest of smart growth for the city. During my exposure to the BZA process, I was personally involved with community outreach of the project at the Single Member District level and presented several times at the full Advisory Neighborhood Commission (ANC 2F). I worked with the Historic Preservation Review Board, the District of Columbia Preservation League, the Department of Consumer and Regulatory Affairs, the District Department of Transportation, and the District of Columbia Office of Planning to address their concerns before finally going before the BZA. From this process, I further understand the standards the BZA must address when reviewing a case. I am happy to say that after working with the community and the City, the requested relief was approved and in the future I will proudly be able to call D.C. my business home.

I am also a homeowner in the District and have weighed in on zoning issues in that capacity. From this, I understand the importance of development while balancing the concerns of stakeholders and being mindful of the overall zoning code. Having lived in three different areas of the City, I have a unique perspective of the varied neighborhood and community

concerns. During my tenure on my condo board, I have worked with the City and my neighbors on several issues regarding new restaurants and businesses near my current home.

Through my research of previous testimony, I have seen the BZA review cases both large and small in scale. The cases before the BZA can be as small as a deck extension or as big as an office building, and regardless, the BZA decisions must apply all the same standards. I also believe that it is necessary to assist lay members of the community with the BZA process so that their requests and/or concerns are addressed and understood.

I am aware of, and committed to, the many hours needed for preparation, study, and review of cases and the DC Municipal Regulation Title 11 prior to the Tuesday weekly BZA Public Meeting. I will draw from my 39 years as a resident of this area and my experience with the BZA and zoning issues to serve me in this role. I will also draw on my 17 years of experience with my own company of negotiating and addressing differing viewpoints to bring people together toward a common resolution.

In closing, I would like to again thank Chairman Mendelson and the Members of the Council for the opportunity to meet with you today. If I am confirmed, I pledge to the Council that I will work diligently to serve the District of Columbia with informed, researched, and well balanced decisions. I welcome any questions you may have for me at this time.

The Committee of 100 on the Federal City



www.committeeof100.net

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June 25, 2015

The Honorable Phil Mendelson
Chairman, Committee of the Whole
Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson & Members of the DC Council,

The Committee of 100 on the Federal City, as you know, is the District's oldest citizen planning, land-use and historic preservation organization. Accordingly, we closely monitor the appointments to, and the actions of the agencies that make the all-important decisions in these areas, including the Board of Zoning Adjustment ("BZA"). BZA decisions directly affect many DC residents and thus, its members should be carefully scrutinized to ensure that members understand the law, the significance of the issues under its control, and the importance of a fair and transparent process.

We respectfully suggest that there are many DC citizens who have demonstrated interest in land use issues and who have had some experience with the BZA or have testified before the Council on these issues. We think ordinary citizens should be considered for appointments to the BZA and Zoning Commission, if they can make a meaningful contribution to the work of these boards.

We are writing to you about Fred Hill, who was recently nominated by Mayor Bowser for a seat on the BZA and whose appointment is currently being considered by the Council. We have carefully considered how he was selected by the Mayor for this position and examined his resume and his testimony at his

The Honorable Phil Mendelson
June 11, 2014
Page Two

recent confirmation hearing on June 9 and ask you to reject the nomination. We base this request on three main reasons:


Selection: As far as we can tell, there was no general, public solicitation of applications for this seat, not from the Committee of 100, nor, as far as we can tell, from other organizations and individuals who share our keen interest in the BZA. This is reminiscent of how our submission was treated by the Mayor's Office of Talent and Appointments ("MOTA") for the expired term of a member of the Zoning Commission. The Committee of 100, joined by many other individuals and organizations, put forth Laura Richards, a noted local attorney and land-use expert who has an impressive background in community service, for this seat. While Ms. Richard's application was acknowledged, she was later told first that there was no vacancy because it had not been posted by the MOTA and then that the application was received after the vacancy had "expired." Another name was recently submitted to the Council, without any apparent consideration of the Richard's possibility and the broad support she garnered.

Resume: Mr. Hill has a distinguished record in corporate governance and entrepreneurship, with numerous federal clients, as well as in nonprofit health delivery and in communications. His resume is devoid of any land-use, zoning, historic preservation and planning experience. He has never engaged in any land use issue, other than seeking a variance for a recent development project. There is no evidence that Mr. Hill cares about land use issues beyond his professional self-interest.

Testimony: Mr. Hill gave vague, general answers to questions on how he would consider issues, applicants and decisions that the BZA deals with. Moreover, he had not submitted the basic form about taxes, residency and other information the Council requires for appointments of this type, a lapse that appears to show a lack of respect for the Council and a cavalier attitude toward the position he has been nominated to.

For these reasons we ask you to reject Mr. Hill's nomination. We are of course available to discuss this matter at your convenience.

Sincerely yours,


Nancy J. MacWood
Chairperson

6-09-2015

Testimony of Gina Schaefer in support of Fred Hill for the Board of Zoning Adjustments (BZA)

Chairman Mendelson, members of the Council, my name is Gina Schaefer and I am pleased to submit this testimony in support of Fred Hill serving on the Board of Zoning Adjustments.

I have been a proud resident of the District of Columbia for 22 years. I have lived in several different parts of the city and currently own and reside in Shaw. My husband (Marc Friedman) and I own and operate 5 ACE Hardware stores in the city employing over 200 people in the District. We also have an additional 5 stores outside of the District and are always looking for opportunities to expand.

Sensing a retail void in the District, we responded to the tremendous need for home and building improvement supplies by opening up the first of our community based stores in Logan Circle in 2003.

I have been focused on the "Return to Main Street" movement that promotes Shop Local campaigns and community revitalization for Main Street America. This has resulted in partnerships with many local entrepreneurs and creating a D.C. - based competition to secure prime shelf space in our stores.

I serve as a Board Member for several non-profit organizations including House of Ruth, The Institute for Local Self Reliance, and am a Corporate Advisory Board member for Jubilee Jobs. I also serve on the National Board of Directors for Ace Hardware Corporation based in Oak Brook, IL.

I first met Fred over 8 years ago when we became neighbors at the Ventana, located at 912 F Street, NW. At that time, he was serving on the condominium board with my husband. He worked with our neighbors to address their concerns about our building and the immediate neighborhood.

During his tenure, there was an issue with a mixed use space in the neighborhood. Many Ventana residents were opposed to what was to be a club and art space and he worked with all parties to get a voluntary agreement in place. The agreement addressed among other items: noise; hours of operation; and security. He also attended multiple meetings with the ANC to represent the building and our interests.

He also worked with Ventana commercial neighbors, the owners of Pi Pizza, and Amorini Panini, to address residents' concerns regarding noise, odor, trash, and other logistical issues. Through some lengthy negotiations, a voluntary agreement was reached between those businesses and our building. He did a great service to our building during those negotiations.

Being a homeowner and business owner in the city, I am aware of vital role the BZA plays in our city development. I am confident in Fred's ability to evaluate information, take different viewpoints into consideration, and determine a resolution.

Thank you for this opportunity to support Fred Hill in this important role for our city. If the Council or your staff has any further questions, please feel free to contact me.

1 **DRAFT COMMITTEE PRINT**
2 Committee of the Whole
3 June 30, 2015
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10 A PROPOSED RESOLUTION
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13 21-112
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16 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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18 _____
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21 To confirm the appointment of Mr. Fred Hill to the Board of Zoning Adjustment.
22

23 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
24 resolution may be cited as the “Board of Zoning Adjustment Fred Hill Confirmation Resolution
25 of 2015”.

26 Sec. 2. The Council of the District of Columbia confirms the appointment of:
27

28 Mr. Fred Hill
29 912 F Street, N.W., Unit 208
30 Washington, D.C. 20004
31 (Ward 2)
32

33 as a member of the Board of Zoning Adjustment, established by section 8 of An Act Providing
34 for the zoning of the District of Columbia and the regulation of the location, height, bulk, and
35 uses of buildings and other structures and of the uses of land in the District of Columbia, and for
36 other purposes, approved June 20, 1938 (52 Stat. 799; D.C. Official Code § 6-641.07), replacing
37 Kathryn Allen, whose term expired September 30, 2014, for the unexpired portion of a 3-year
38 term to end September 30, 2017.

1 Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution,
2 upon its adoption, to the nominee and to the Office of the Mayor.

3 Sec. 4. This resolution shall take effect immediately.