

DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS

Certification of Filling Vacancies
In Advisory Neighborhood Commissions

Pursuant to D.C. Official Code §1-309.06(d)(6)(G) and the resolution transmitted to the District of Columbia Board of Elections and Ethics "Board" from the affected Advisory Neighborhood Commission, the Board hereby certifies that the vacancies have been filled in the following single-member districts by the individuals listed below:

Don Padou
Single-Member District 5A07

Jacqueline Manning
Single-Member District 5B09

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2008

PUBLIC NOTICE**REQUEST FOR PUBLIC TO DRAFT TOTAL MAXIMUM DAILY LOADS OF NUTRIENTS/BIOCHEMICAL OXYGEN DEMAND FOR THE ANACOSTIA RIVER BASIN, MONTGOMERY AND PRINCE GEORGE'S COUNTY, MARYLAND AND THE DISTRICT OF COLUMBIA.**

The District of Columbia has prepared a Total Maximum Daily Load (TMDL) document under the requirement of the Clean Water Act, Section 303(d). This document, developed through a cooperative agreement between U.S. Environmental Protection Agency Region III (EPA), Maryland Department of the Environment and the Natural Resources Administration of the District of Columbia (DC) Department of the Environment, proposes to establish TMDLs of nutrients/biochemical oxygen demand (BOD) in the non-tidal and tidal portions of the Anacostia River within the State of Maryland, and in the tidal segments of the river within DC to address DC's listings for BOD. A BOD TMDL was established for the tidal Anacostia River in DC in 2001. The watershed-wide TMDLs developed in this report, when approved, replace the 2001 DC BOD TMDLs.

The public is invited to comment on the following TMDL document:

Draft Total Maximum Daily Loads of Nutrients/Biochemical Oxygen Demand for the Anacostia River Basin, Montgomery and Prince George's County, Maryland and The District of Columbia

Copies of the document are on file and may be inspected at the Martin Luther King, Jr. Library, 901 G St., NW, Washington, D.C. 20001, during normal business hours. In addition, the document can be obtained by calling the Water Quality Division at (202) 727-9216 between the hours of 9:00 am and 3:00 pm. Moreover, copies of the document can be downloaded from <http://ddoe.dc.gov/ddoe/site/default.asp>.

The Water Quality Division will consider the comments received to finalize the draft documents for transmittal to the U.S. Environmental Protection Agency.

Submit written comments by March 31st by postal mail or email to:

District Department of the Environment
Water Quality Division
51 N Street NE, 5th Floor
Washington, DC 20002
Attn: Anacostia Nutrients/BOD TMDL
monir.chowdhury@dc.gov

EPA will host a public meeting about the Anacostia River nutrients/BOD TMDL for all interested parties from both Maryland and DC on Friday, March 14, 2008, in Rooms 4 and 5 on the 1st Floor of the Metropolitan Washington Council of Governments at 777 N. Capitol St. NE, Washington DC from 1:00 pm– 3:00 pm. Directions are available at <http://www.mwco.org/contact/directions/default.asp>, or call (202) 962-3200.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF THE ENVIRONMENT**

NOTICE OF PERMIT ACTION

Notice is hereby given that, pursuant to 40 CFR 51.611 and D.C. Official Code § 2-505, and 20 DCMR § 206, the Air Quality Division (AQD) of the District Department of the Environment located at 51 N Street, N.E., Washington, DC, intends to issue a permit to the Washington Navy Yard to install and operate one (1) seven hundred fifty (750) kW, diesel fired emergency generator at 1325 10th Street, S.E. (Building 196).

The proposed permit to install and operate the emergency generator is available for public review at AQD and copies may be made between the hours of 8:15 a.m. and 4:45 p.m. Monday through Friday. Interested parties wishing to view this document should provide their names, addresses, telephone numbers and affiliation, if any, to Abraham T. Hagos at (202) 535-1354.

Interested persons may submit written comments within 30 days of publication of this notice. The written comments must include the person's name, telephone number, affiliation, if any, mailing address, and statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit. **Written comments postmarked after March 31, 2008 will not be accepted**

Address written comments to:

Stephen S. Ours,
Chief, Permitting and Enforcement Branch
Air Quality Division
District Department of the Environmental
51 N Street, N.E., 3rd Floor
Washington D.C. 20002.

For more information, please contact Abraham T. Hagos, at (202) 535-1354.

EXECUTIVE OFFICE OF THE MAYOR

**SERVE DC
DC COMMISSION ON NATIONAL AND
COMMUNITY SERVICE**

PUBLIC MEETING

The mission of the DC Commission on National and Community Service (Serve DC) is to promote the District of Columbia's spirit of service through national service, partnerships and volunteerism.

The DC Commission on National and Community Service (Serve DC) is pleased to announce its next Commission meeting on:

Wednesday, March 12, 2008, 5 P.M. – 7 P.M.

Conference Room 1107

One Judiciary Square

441 Fourth Street, NW

Washington, D.C.

All meetings are open to the public. Meeting minutes can be obtained from 441 4th Street NW, Suite 1140N, Washington, DC 20001.

For additional information or to request a copy of the minutes, please call 202-727-7925.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**NOTICE OF FUNDING AVAILABILITY****Administration of the District of Columbia Homebuyer Assistance Program**

The District of Columbia Department of Housing and Community Development (DHCD) hereby announces grant funding availability for a District of Columbia, non-profit organization to administer the following District of Columbia Homebuyer Assistance Programs: Home Purchase Assistance Program (HPAP); Employer Assisted Housing Program (EAHP); and the Home Purchase Assistance Step-Up Program. The Department intends to make funds available to one non-profit organization for these activities.

The Request for Applications (RFA) will include detailed descriptions of required organizational qualifications and grant-eligible activities.

The RFA will be available on Friday, February 29th, 2008, at DHCD, located at: 801 North Capitol Street NE, Washington, DC 20002 – 7th Floor Reception Desk. The RFA will also be available on the DHCD website, located at www.dhcd.dc.gov, on or about March 7, 2008. For additional information about this opportunity, please contact Janice Blassingame of DHCD's Residential and Community Services Division, at (202) 442-7295.

DHCD will host a pre-application conference for potential RFA respondents on Tuesday, March 11, 2008, at 10:00 a.m. at DHCD, 801 N. Capitol Street, NE, 9th Floor. All potential applicants are encouraged to attend the conference.

The deadline for submission of grant applications is Thursday, April 10, 2008, at 4:00 p.m.

Funding under this notice is anticipated to begin on or before January 1, 2009.

**LIGHTHOUSE FACILITIES MANAGEMENT, LLC
REQUEST FOR PROPOSALS**

Lighthouse Facilities Management, LLC, on behalf of Lighthouse Academies, Inc., Lighthouse Academies of Indiana, Inc. and their public charter schools, located in Cleveland, OH; East Chicago, IN; Gary, IN; Indianapolis, IN and Washington, DC, is seeking competitive proposals by March 21, 2008 at 11:00 a.m. EST for the delivery of breakfast, lunch and snack for the 2008-2009 school year with a possible extension of (4) one-year renewals. All meals must meet the minimum National School Breakfast, Lunch, and Snack meal pattern requirements. Meal pattern requirements, production records/delivery tickets and all necessary forms may be obtained from Lighthouse Facilities Management, LLC.

All sealed proposals shall be forwarded to the address listed below:

Attn: Kerri Chandler
Lighthouse Facilities Management, LLC
1661 Worcester Road, Suite 207
Framingham, MA 01701
Phone: 508-626-0901 ext. 27
Fax: 508-626-0905
kchandler@lighthouse-facilities.org

Sealed proposals shall be received no later than March 24, 2008, by 11:00 AM EST

Sealed proposals shall be submitted according to the Request for Proposal specifications. In addition all sealed proposals shall be submitted in a sealed envelope marked as:

“School Meal Proposal 2008-2009.” Indicate the firm name on the envelope. Included with the hard-copy proposals shall be an electronic copy of the proposal.

Late proposals will not be accepted. Proposals submitted via facsimile (Fax) machine will not be accepted.

Lighthouse reserves the right to reject any and all proposals without limitation. Lighthouse reserves the right to award a contract as it determines to be in the best interest of Lighthouse and the schools in the Lighthouse network. To acquire a copy of the proposal specification, please contact Kerri Chandler at the above phone number or e-mail address.

**LIGHTHOUSE FACILITIES MANAGEMENT, LLC
REQUEST FOR PROPOSALS
AMENDMENT**

Lighthouse Facilities Management, LLC, on behalf of Lighthouse Academies, Inc., Lighthouse Academies of Indiana, Inc. and their public charter schools, located in Cleveland, OH; East Chicago, IN; Gary, IN; Indianapolis, IN and Washington, DC, released a Request for Proposal for Pre-Plated Meal program on February 22, 2008 for the delivery of breakfast, lunch and snack for the 2008-2009 school year with a possible extension of (4) one-year renewals. All meals must meet the minimum National School Breakfast, Lunch, and Snack meal pattern requirements. Meal pattern requirements, production records/delivery tickets and all necessary forms may be obtained from Lighthouse Facilities Management, LLC.

Prospective vendors shall now note that the Washington, DC location is advertising the opportunity to bid on the delivery of breakfast, lunch, and/or snack meals utilizing United States Department of Agriculture (USDA) commodities. Bids must include a reduction in the overall contract price for utilizing USDA commodities towards lunch meals. Instructions are given in the Request for Proposal packet.

All other terms and conditions remain in effect.

All sealed proposals shall be forwarded to the address listed below:

Attn: Kerri Chandler
Lighthouse Facilities Management, LLC
1661 Worcester Road, Suite 207
Framingham, MA 01701
Phone: 508-626-0901 ext. 27
Fax: 508-626-0905
kchandler@lighthouse-facilities.org

Sealed proposals shall be received no later than March 24, 2008, by 11:00 AM EST

Sealed proposals shall be submitted according to the Request for Proposal specifications. In addition all sealed proposals shall be submitted in a sealed envelope marked as:

“School Meal Proposal 2008-2009.” Indicate the firm name on the envelope. Included with the hard-copy proposals shall be an electronic copy of the proposal.

Late proposals will not be accepted. Proposals submitted via facsimile (Fax) machine will not be accepted.

Lighthouse reserves the right to reject any and all proposals without limitation. Lighthouse reserves the right to award a contract as it determines to be in the best interest of Lighthouse and the schools in the Lighthouse network. To acquire a copy of the proposal specification, please contact Kerri Chandler at the above phone number or e-mail address.

**LIGHTHOUSE FACILITIES MANAGEMENT, LLC
REQUEST FOR PROPOSALS
2nd AMENDMENT**

Lighthouse Facilities Management, LLC, on behalf of Lighthouse Academies, Inc., Lighthouse Academies of Indiana, Inc. and their public charter schools, located in Cleveland, OH; East Chicago, IN; Gary, IN; Indianapolis, IN and Washington, DC, released a Request for Proposal for Pre-Plated Meal program on February 22, 2008 for the delivery of breakfast, lunch and snack for the 2008-2009 school year with a possible extension of (4) one-year renewals. All meals must meet the minimum National School Breakfast, Lunch, and Snack meal pattern requirements. Meal pattern requirements, production records/delivery tickets and all necessary forms may be obtained from Lighthouse Facilities Management, LLC.

Prospective vendors shall note that the Washington, DC location is advertising the opportunity to bid on the delivery of breakfast, lunch, and/or snack meals utilizing United States Department of Agriculture (USDA) commodities. Bids must include a reduction in the overall contract price for utilizing USDA commodities towards lunch meals. Instructions are given in the Request for Proposal packet.

In addition, sealed proposals shall be received no later than March 24, 2008, by 11:00 AM EST. There was a discrepancy in our earlier notice that stated March 21, 2008. This is incorrect and the correct date is March 24, 2008.

All other terms and conditions remain in effect.

All sealed proposals shall be forwarded to the address listed below:

Attn: Kerri Chandler
Lighthouse Facilities Management, LLC
1661 Worcester Road, Suite 207
Framingham, MA 01701
Phone: 508-626-0901 ext. 27
Fax: 508-626-0905
kchandler@lighthouse-facilities.org

Sealed proposals shall be submitted according to the Request for Proposal specifications. In addition all sealed proposals shall be submitted in a sealed envelope marked as: "School Meal Proposal 2008-2009." Indicate the firm name on the envelope. Included with the hard-copy proposals shall be an electronic copy of the proposal. Late proposals will not be accepted. Proposals submitted via facsimile (Fax) machine will not be accepted.

Lighthouse reserves the right to reject any and all proposals without limitation. Lighthouse reserves the right to award a contract as it determines to be in the best interest of Lighthouse and the schools in the Lighthouse network. To acquire a copy of the proposal specification, please contact Kerri Chandler at the above phone number or e-mail address.

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA

February 11, 2008

Notice is hereby given that the following named persons have been appointed as Notaries Public in and for the District of Columbia, effective on or after March 1, 2008.

Ansell,	Carol D.	Rpt	Adas Israel Congregation 2850 Quebec St,NW	20008
Azor,	Olga	Rpt	R & R Janitorial Services 1931 15th St,NW	20009
Barnes,	Angela V.	Rpt	Family & Child Services 1509 16th St,NW	20036
Bennett,	Sheila J.	New	4239 Benning Rd,NE	20019
Besaw,	Melanie M.	Rpt	Exclusive Resorts 1717 R I Ave,NW #900	20036
Brennan,	Carey	New	Brennan Title Company 5100 Wis Ave,NW #514	20016
Brooks,	Toshiba	New	Brustein & Manasevit 3105 South St,NW	20007
Brown,	Elissa J. Lee	New	Treasury FCU/Support Serv 1101 2nd St,NE	20002
Buzard,	Janice K.	Rpt	Janis Schuelke & Wechsler 1728 Mass Ave,NW	20036
Callaway,Jr.,	Tony A.	New	Dept of Navy/NFEC 1314 Harwood St,SE	20374
Chan,	Jessica	New	Jones Lang LaSalle 1717 Pa Ave,NW #1000	20006
Chism,	Toni S.	New	D O D/11th Wing 20 MacDill Blvd #240 BollingA	20032
Clark,	Mary T.	Rpt	Howrey LLP 1299 Pa Ave,NW	20004
Coleman,	Kimberly M.	New	Law Office/Herbert Rosenthal 1020 19th St,NW #400	20036

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Crandell,	Terri J.	New	Navy Federal Credit Union 9th & M Sts,SE Bldg 218	20374
Cranford,	Donna J.	Rpt	Pascal & Weiss 1008 Pa Ave,SE	20003
Daniels,	Annie	Rpt	725 Crittenden St,NE	20017
Davis,	Judy A.	Rpt	Federal Maritime Commission 800 N Cap St,NW	20573
Davis,	Patricia M.	New	TRAK Legal 1150 18th St,NW #325	20036
Davis,	Ryan	New	Newseum/Freedom Forum 555 Pa Ave,NW	20001
Deckelbaum,	Todd S.	Rpt	Settlementcorp 5301 Wis Ave,NW #710	20015
Dixon-Garner,	Donna	New	Affiliated Computer Services 1800 M St,NW	20036
Ellenberger,	Geraldine C.	Rpt	Cleary Gottlieb et al 2000 Pa Ave,NW	20006
Encarnacion,	Tomas E.	New	2209 1st St,NW	20001
Fintor,	Shelley	Rpt	Goodwin Procter 901 N Y Ave,NW	20001
Flaherty,	Susan L.Q.	Rpt	Roha & Flaherty 1725 I St,NW #300	20006
Flowers,	Earnestine A.	Rpt	Alston & Bird 950 F St,NW	20004
Gillich,	Krista	New	Gould Property 1725 DeSales St,NW #900	20036

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Givens,	Milton	New	Givens Settlement Services 59 Quincy Pl,NW	20001
Gonzalez,	Carlos	New	Wachovia Bank 3325 14th St,NW	20010
Grant,	Elvia Faye	Rpt	Derenberger & Page 1430 S St,NW	20009
Haney,	Susan	New	Beer Institute 122 C St,NW #350	20001
Hinnant, Jr.,	Willilam G.	Rpt	Office&ProfEmployeesIntlUnion 1660 L St,NW #801	20036
Hodges,	Mary	New	Keller Williams Capital Prop 3101 12th St,NE	20017
Hyson,	Desiree	New	Federal Capital Partners 1000 Potomac St,NW #120	20007
Islam,	Kamal	Rpt	CitiBank 3241 14th St,NW	20010
Jacobs,	Denise	Rpt	Fannie Mae 3900 Wis Ave,NW	20016
Jaffe,	Marcus C.	New	Keller Williams Capital Prop 3101 12th St,NE	20017
Jobe,	Steven D.	Rpt	Capitol City Properties 4435 Wis Ave,NW #400	20016
Johnson,	Masada F.	New	American Appraisal 1667 K St,NW #420	20006
Kurtz,	Marilyn S.	New	Dewey Ballantine 975 F St,NW	20004
Larson,	Mark A.	New	International Ctr for Journalists 1616 H St,NW 3rd Fl	20006

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Little,	Vicki Jacobs	Rpt	Williams Mullen 1666 K St,NW #1200	20006
Lyles,	Ruby Annalise	Rpt	Law Office of Frederick Brynn 922 Pa Ave,SE	20003
Lyons,	Carolyn L.	Rpt	Cohen Dippell & Everist 1300 L St,NW #1100	20005
Mateus,	Juan Pablo	New	Prince Construction Company 1111 Good Hope Rd,SE	20020
Mihalco,	Donna M.	New	Fulbright & Jaworski 801 Pa Ave,NW	20004
Miller,	Hortense E.	Rpt	D.C. Dept of Mental Health 35 K St,NE	20005
Neal,	Alisha	New	5107 Just St,NE	20019
Obaro,	Ayodele Augustine	Rpt	Oba Signing 4925 Fitch Pl,NE	20019
Ortiz,	Mike	New	Keller Williams Realty 3101 12th St,NE	20017
Portillo,	Miguel A. Rosales	New	Salvador Travel Services 1762 Columbia Rd,NW 2nd F	20009
Rogers,	Hattie M.	Rpt	University of D.C. 4200 Conn Ave,NW	20008
Rones,	Stephanie K.	New	2218 Randolph St,NE	20018
Saucier,	Joyce C.	Rpt	1907 Good Hope Rd,SE #111	20020
Shakir-Johnson,	Khadeeja	New	Keller Williams Capital Prop 3101 12th St,NE	20017

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Shell,	Marilyn	Rpt	561 24th St,NE	20002
Shepard,	Brendan M.	New	District Title 1707 L St,NW#1020	20036
Simmons,	Virginia	Rpt	Finnegan Henderson et al 901 N Y Ave,NW	20001
Smith,	Elzaida Y.	New	TIAA-CREF 1101 Pa Ave,NW #800	20004
Smith,	Phyllis E.	Rpt	Population Action International 1300 19th St,NW 2ndFloor	20036
Stahl,	Terry L.	Rpt	Carnegie Inst of Wash DTM 5241 Broad Branch Rd,NW	20015
Stanley,	Noelle M.	Rpt	Dickstein Shapiro 1825 I St,NW	20006
Taylor,	Judith W.	Rpt	2423 Otis St,NE	20018
Taylor,	Victoria	New	Amer Fed of Gov Employees 80 F St,NW	20001
Viera,	Yolanda	New	TIAA-CREF 1101 Pa Ave,NW #800	20004
Vinson,	Denise A.	Rpt	Arnold & Porter 555 12th St,NW	20004
Washington,	Janet K.	Rpt	G P O 732 N Cap St,NW Mail StopHC	20401
Weir,	Demetra	New	647 16th St,NE	20002
Wood, Jr.,	William	Rpt	Architect of the Capitol RHOB B34 U S Capitol	20515

Yalcin,	Odeth	Rpt	Bergeson & Campbell 1203 19th St,NW #300	20036
Crawford,	Charlotte E.	Rpt	Karp Frosh Lapidus et al 1133 Conn Ave,NW #250	20036

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17653 of Mary Fran Miklitsch and Donna Pavetti, pursuant to 11 DCMR § 3104.1, for a special exception to allow a third story addition to an existing single-family row dwelling under section 223, not meeting the lot occupancy requirements (section 403) and nonconforming structure provisions (subsection 2001.3), in the R-4 District at premises 635 E Street, N.E. (Square 862, Lot 174).

HEARING DATES: September 11, 2007, September 25, 2007 and February 12, 2008

DECISION DATE: February 12, 2008

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. ANC 6C submitted a report in support of the application. The Office of Planning (OP) submitted a report in conditional support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 223. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and

BZA APPLICATION NO. 17653
PAGE NO. 2

conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit No. 30 – Revised Plans) be **GRANTED**.

VOTE: 4-0-1 (Ruthanne G. Miller, Shane L. Dettman, Marc D. Loud and Mary O. Walker to Approve, the Zoning Commission member not present, not voting)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: FEB 13 2008

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS.

BZA APPLICATION NO. 17653

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SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17700 of Jewish Primary Day School of the Nation's Capital, Inc., pursuant to 11 DCMR § 3104.1, and 3103.2, for a variance to allow stacked parking spaces under subsection 2117.4, and a special exception to allow an increase in the number of students from 225 to 275, and an increase in the number of faculty from 42 to 56, and the use of a portion of the lot for play area serving an existing private school under section 206 (352), in the R-1-B and R-5-A Districts at premises 6045 16th Street, N.W. (Square 2726, Lot 824).

HEARING DATE: December 18, 2007

DECISION DATE: January 15, 2008

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 4A and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 4A, which is automatically a party to this application. ANC 4A submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under sections 206 and 352. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 206, that the requested relief can be granted being

BZA APPLICATION NO. 17700**PAGE NO. 2**

in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Based upon the record before the Board and having given great weight to the ANC and the Office of Planning reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with 11 DCMR § 2117.4 of the Zoning Regulations, and that relief from this provision can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**, **SUBJECT to the following CONDITIONS:**

1. Enrollment shall not exceed 275 students.
2. Faculty and staff combined shall not exceed 56.
3. No more than 65 students shall be permitted at one time on the play area adjacent to the residential property on the southern property line (play area).
4. Use of the play area as part of the School's program shall be limited Monday through Friday to the hours of 10:00 am – 2:30 pm and 3:30pm – 4:30 pm.
5. The School shall publish its programmed use of the play area for both the School and the summer camp.
6. The play area shall be set back 15 feet from the south property line and landscaped in accordance with the attached landscaping plan (Exhibit 40(B)) that includes an open lawn, a 10 foot grade change between the play area and the adjacent property, and a buffer of evergreen trees between the play area and the adjacent property.
7. No permanent play equipment will be permitted on the play area.
8. The School shall implement and maintain a transportation demand management program that maintains a trip generation level 10% lower than what existed at the

BZA APPLICATION NO. 17700

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time of the filing of this Application. Applicant shall identify clearly these figures on a yearly basis in its transportation demand management program which shall be available to the ANC and the community upon request.

VOTE: 4-0-1 (Ruthanne G. Miller, Marc D. Loud, Shane L. Dettman and Curtis L. Etherly, Jr. to approve; no other Board members participating.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: FEB 19 2008

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

BZA APPLICATION NO. 17700

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IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17719 of Istithmar Hotels Washington LLC, pursuant to 11 DCMR § 3104.1, for a special exception to allow the addition of new rooftop structures that do not meet the setback requirements from the interior court walls of an existing hotel under subsection 770.6 (411.11), in the DD/C-5 District at premises 1434 F Street, N.W. (square 225, Lot 803).

HEARING DATE: February 12, 2008
DECISION DATE: February 12, 2008 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2F and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2F, which is automatically a party to this application. On the date of the hearing, ANC 2F submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 770.6 (411.11). No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 770.6, that the requested relief can be granted, being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

BZA APPLICATION NO. 17719

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VOTE: 4-0-1 (Ruthanne G. Miller, Marc D. Loud, Mary Oates Walker and Gregory N. Jeffries to approve; Shane L. Dettman abstaining)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: FEB 13 2008

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC

BZA APPLICATION NO. 17719**PAGE NO. 3**

INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 08-03
(Zoning Map Amendment –
Various Lots in Squares 5228, 5229, 5253, 5262, 5263, 5264, and 5265)
February 21, 2008**

THIS CASE IS OF INTEREST TO ANC 7C

On February 14, 2008, the Office of Zoning received an application from Beulah Baptist Church of Deanwood Heights, Inc. (the “applicant”) for approval of Zoning Map amendments for the above-referenced property.

The property that is the subject of this application consists of Square 5228, Lot 44; Square 5229, Lots 3 and 4; Square 5253, Lots 23, 811, 813, and 814; Square 5262, Lots 14 and 824; Square 5263, Lots 5, 6, 7, 9 10, 40, 41, and 809; Square 5264, Lot 807; and Square 5265, Lot 805 in Northeast Washington, D.C. (Ward 7).

The property is currently zoned C-1 and R-2, and the applicant is proposing to rezone it to C-2-A to reflect the change in land use designation, for the majority of the property, under the D.C. Comprehensive Plan Amendment Act of 2006 from Low-Density Residential to mixed use Moderate-Density Residential and Low-Density Commercial.

For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

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