

**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:

**Victor G. Wexler  
Single-Member District 2B05**

**Denise L. Wright  
Single-Member District 5C05**

DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS AND ETHICS

FICTITIOUS BALLOT  
DEMOCRATIC PRIMARY  
DISTRICT OF COLUMBIA  
FEBRUARY 12, 2008

TO VOTE: Use the No. 2 Pencil to connect the broken arrow pointing to your choice, like this:  
For each office, vote only for the number of candidates indicated. (DO NOT USE RED INK)



<p>DEMOCRATIC PRESIDENTIAL PREFERENCE VOTE FOR NO MORE THAN ONE (1)</p> <p>_____ ← █</p> <p>_____ ← █</p> <p>_____ ← █</p> <p>Write-in, if any ← █</p>	<p>DEMOCRATIC PRIMARY</p> <p>DISTRICT OF COLUMBIA FEBRUARY 12, 2008</p> <p>TO VOTE: Use the No. 2 Pencil to connect the broken arrow pointing to your choice, like this:</p>  <p>For each office, vote only for the number of candidates indicated. (DO NOT USE RED INK)</p>	
	<p>TO VOTE: Use the No. 2 Pencil to connect the broken arrow pointing to your choice, like this:</p>  <p>For each office, vote only for the number of candidates indicated. (DO NOT USE RED INK)</p>	

DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS AND ETHICS

FICTITIOUS BALLOT  
REPUBLICAN PRIMARY  
DISTRICT OF COLUMBIA  
FEBRUARY 12, 2008

TO VOTE: Use the No. 2 Pencil to connect the broken arrow pointing to your choice, like this:  
For each office, vote only for the number of candidates indicated. (DO NOT USE RED INK)



<p><b>REPUBLICAN PRESIDENTIAL PREFERENCE</b> VOTE FOR NO MORE THAN ONE (1)</p> <hr/> <hr/> <hr/> <hr/>	<p><b>REPUBLICAN PRIMARY</b></p> <p><b>DISTRICT OF COLUMBIA</b> FEBRUARY 12, 2008</p> <p>TO VOTE: Use the No. 2 Pencil to connect the broken arrow pointing to your choice, like this</p>	
<p><b>MEMBERS OF THE REPUBLICAN NATIONAL COMMITTEE</b></p> <p><b>REPUBLICAN NATIONAL COMMITTEEMAN</b> VOTE FOR NO MORE THAN ONE (1)</p> <hr/> <hr/>	<p></p>	
<p><b>REPUBLICAN NATIONAL COMMITTEEWOMAN</b> VOTE FOR NO MORE THAN ONE (1)</p> <hr/> <hr/>	<p>For each office, vote only for the number of candidates indicated.</p> <p>(DO NOT USE RED INK)</p>	
<p><b>MEMBERS OF THE D.C. REPUBLICAN COMMITTEE</b></p> <p><b>D.C. REPUBLICAN COMMITTEE</b> TO VOTE FOR AN ENTIRE SLATE CHOOSE NO MORE THAN ONE (1)</p> <hr/> <hr/>	<p>TO VOTE: Use the No. 2 Pencil to connect the broken arrow pointing to your choice, like this:</p> <p></p>	
	<p>For each office, vote only for the number of candidates indicated.</p> <p>(DO NOT USE RED INK)</p>	

DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS AND ETHICS

FICTITIOUS BALLOT  
STATEHOOD GREEN Primary  
DISTRICT OF COLUMBIA  
FEBRUARY 12, 2008

TO VOTE: Use the No. 2 Pencil to connect the broken arrow pointing to your choice, like this:  
For each office, vote only for the number of candidates indicated. (DO NOT USE RED INK)



<p>STATEHOOD GREEN PRESIDENTIAL PREFERENCE VOTE FOR NO MORE THAN ONE (1)</p> <hr/> <hr/> <hr/> <hr/> <p>Write-in, if any</p> <hr/>	<p>STATEHOOD GREEN PRIMARY</p> <p>DISTRICT OF COLUMBIA FEBRUARY 12, 2008</p> <p>TO VOTE: Use the No. 2 Pencil to connect the broken arrow pointing to your choice, like this:</p>	
<p>← █ █</p> <p>← █ █</p> <p>← █ █</p> <p>← █ █</p>		
	<p>For each office, vote only for the number of candidates indicated. (DO NOT USE RED INK)</p> <p>TO VOTE: Use the No. 2 Pencil to connect the broken arrow pointing to your choice, like this:</p>  <p>For each office, vote only for the number of candidates indicated. (DO NOT USE RED INK)</p>	

## DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS

Final Notice of Polling Place Relocation

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The Board of Elections and Ethics hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of final action taken at its January 9, 2008 meeting in relocating Precinct #1, Ward 6 Polling Place.

The public is advised that the voting area for Precinct #1 will be changed from:

**R. H. Terrell Middle School  
1000 1<sup>st</sup> Street, N.W.  
Recreation Room**

and moved to:

**Walker-Jones Elementary School  
100 L Street, N.W.  
Auditorium**

**Please note that the relocation will be effective beginning with the upcoming February 12, 2008 Presidential Preference Election.** All registered voters in the precinct will be individually notified of this change.

For further information, members of the public may contact the Board of Elections and Ethics at 727-2525.

**DISTRICT OF COLUMBIA REGISTER VOL 55 - NO. 3**  
**LIST OF ANC COMMISSIONERS**  
 January 2, 2007 - January 2, 2009

**JANUARY 18 2008**

ANC/SMD	NAME	ADDRESS	ZIP	PHONE
<b>1A</b>				
1A01	JACQUELINE C. ARGUELLES	1424 Perry Place, NW	20010	882-6219
1A02	CALVIN B. WOODLAND, JR.	1477 Newton Street, NW #207	20010	588-0110
1A03	VACANT			
1A04	BETTY PAIR	3552 - 11th Street, NW	20010	387-3817
1A05	ANNE THEISEN	1514 Monroe Street, NW	20010	328-2242
1A06	SAMUEL JOHNSON	1030 Kenyon Street, NW	20010	781-2216
1A07	LARRY E RAY	1003 Otis Place, NW	20010	483-0241
1A08	JANISHA N. RICHARDSON	766 Princeton Place, NW #A	20010	545-0485
1A09	DONNY GONZALEZ	618 Keefer Place, NW	20010	299-4476
1A10	LENWOOD "LENNY" JOHNSON	P.O. Box 1978	20013	829-1446
1A11	DOTTI LOVE WADE*	1116 Columbia Road, NW	20009	483-2992
<b>1B</b>				
1B01	MYLA MOSS	335 U Street, NW	20001	289-7201
1B02	PHILIP C. SPALDING	1929 13th Street, NW	20009	986-5053
1B03	CATHERINE HAMMONDS	1341 Clifton Street, NW #204	20009	232-0540
1B04	DEE HUNTER*	2124 12th Place, NW	20009	822-4529
1B05	BRIANNE K. NADEAU	2112 New Hampshire Ave, NW # 404	20009	232-5496
1B06	MEGHAN CONKLIN	1439 Chapin Street, NW #304	20009	907-1097
1B07	ZACHARY WRIGHT	1400 Fairmont Street, NW	20009	986-9429
1B08	ROSEMARY AKINMBONI	1339 Fairmont Street, NW	20009	528-6945
1B09	THOMAS K. D. SMITH	736 Fairmont Street, NW	20001	258-7427
1B10	NATE MATHEWS	533 Gresham Place, NW	20001	319-9656
1B11	VACANT			
<b>1C</b>				
1C01	BARRY WEISE	1816 Kalorama Road, NW # 301	20009	332-0003
1C02	EMILY MECHNER	2448 20th Street, NW	20009	332-4888
1C03	BRYAN WEAVER*	1812 Calvert Street, NW #D	20009	422-2162
1C04	MINDY MORETTI	2630 Adams Mill Road, NW #208	20009	338-9861
1C05	J. MICHAEL LOGSDON	2713 Ontario Road, NW #1	20009	415-3724
1C06	NANCY SHIA	1736 Columbia Road, NW #111	20009	234-0383
1C07	WILSON REYNOLDS	2370 Champlain Street, NW #23	20009	986-2213
1C08	KATHIE BOETRICH	2306 17th Street, NW	20009	309-0989
<b>1D</b>				
1D01	JANE ZARA	1611 Monroe Street, NW	20010	483-9303
1D02	VACANT			
1D03	JACK McKAY	3200 19th Street, NW	20010	462-8692
1D04	GREGG EDWARDS*	1647 Lamont Street, NW # 201	20010	234-6647

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\*ANC Chairperson

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ANC/SMD	NAME	ADDRESS	ZIP	PHONE
1D05	DAVID BOSSERMAN	1739 Irving Street, NW	20010	483-4165
1D06	ANGELIA D. SCOTT	1845 Harvard Street, NW # 606	20009	234-6647
<b>2A</b>				
2A01	DAVID M. LEHRMAN	2020 F Street, NW #431	20006	293-4115
2A02	LOWELL THOMAS	2425 L Street, NW #312	20037	622-7506
2A03	ASHER CORSON*	955 26th Street, NW #709	20037	773-294-2018
2A04	ARMANDO IRIZARRY	2475 Virginia Avenue, NW #911	20037	326-2964
2A05	ERIC MALINEN	2440 Virginia Avenue, NW	20037	418-0995
2A06	FLORENCE HARMON	1099 22nd Street, NW #1011	20037	390-4438
<b>2B</b>				
2B01	CURTIS FARRAR	1727 S Street, NW	20009	667-2375
2B02	WILLIAM E. M. HEWITT	1621 21st Street, NW	20009	215-9154
2B03	BOB MEEHAN	1740 Corcoran Street, NW #0001	20009	234-5151
2B04	VACANT			
2B05	VICTOR G. WEXLER	1520 16th Street, NW #504	20036	745-0054
2B06	MIKE SILVERSTEIN	1301 20th Street, NW #705	20036	833-4440
2B07	PHIL CARNEY	1514 17th Street, NW # 504	20036	462-2776
2B08	WILLIAM F. STEPHENS	1771 T Street, NW #2	20009	617-233-9763
2B09	RAMON ESTRADA*	1417 T Street, NW	20009	412-9434
<b>2C</b>				
2C01	ALEXANDER M. "ALEX" PADRO	1519 8th Street, NW	20001	518-3794
2C02	KEVIN CHAPPLE	438 S Street, NW	20001	449-5072
2C03	DORIS L. BROOKS*	612 Emmanuel Court, NW # 204	20001	682-1633
2C04	BARBARA CURTIS	1301 7th Street, NW # 510	20001	468-4244
<b>2D</b>				
2D01	SANDRA PERLMUTTER*	2153 California Street, NW # 502	20008	744-5770
2D02	MARYEVA CANDON	2122 California Street, NW # 562	20008	222-0555
<b>2E</b>				
2E01	ED SOLOMON*	3525 S Street, NW	20007	333-5762
2E02	RON LEWIS	3400 Reservoir Road, NW	20007	333-4388
2E03	WILLIAM SKELSEY	1513 - 35th Street, NW	20007	431-5803
2E04	JENNA LOWENSTEIN	3619 Prospect Street, NW	20007	973-769-4538
2E05	BILL STARRELS	1045 31st Street, NW # 502	20007	338-1450
2E06	TOM BIRCH	1240 29th Street, NW	20007	347-3666
2E07	CHARLES F. EASON, JR.	3027 Cambridge Place, NW	20007	342-6262
<b>2F</b>				
2F01	CHARLES REED*	1310 Q Street, NW	20009	387-8877
2F02	JIM RICHARDSON	1302 Rhode Island Avenue, NW	20005	234-2348

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\*ANC Chairperson

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ANC/SMD	NAME	ADDRESS	ZIP	PHONE
2F03	CHRISTOPHER DYER	1420 N Street, NW #508	20005	588-8008
2F04	JENNIFER TROCK	1217 N Street, NW #201	20005	248-3509
2F05	JEROME E. SIKORSKI	1221 Mass. Avenue, NW #1019	20005	737-1848
2F06	MICHAEL B. BENARDO	912 P Street NW	20001	232-0890
<b>3B</b>				
3B01	KATHLEEN W FIORILLO	3851 Calvert Street, NW	20007	342-0225
3B02	ALAN BLEVINS	3516 W Place, NW #104	20007	577-7894
3B03	MELISSA LANE*	4114 Davis Place, NW # 108	20007	276-0681
3B04	HORACE (HOWIE) KREITZMAN	4000 Cathedral Avenue, NW # 601 B	20016	965-0845
3B05	BRIAN A. COHEN	3908 Benton Street, NW	20007	337-0134
<b>3C</b>				
3C01	LEE BRIAN REBA	2829 Connecticut Avenue, NW	20008	724-8126
3C02	GLORIA E. DAY	2401 Calvert Street, NW #827	20008	232-8821
3C03	STEPHANIE M ZOBAY	2935 Cathedral Avenue, NW	20008	387-6759
3C04	AVRAM FECHTER	2710 Macomb Street, NW #110	20008	966-5899
3C05	R. BRUCE BECKNER	3225 Highland Place, NW	20008	966-0492
3C06	TRUDY REEVES	3816 Porter Street, NW B398	20016	364-8897
3C07	RICHARD ROTHBLUM	3810 Macomb Street, NW	20016	244-3023
3C08	CATHERINE MAY	2800 - 36th Street, NW	20007	965-3332
3C09	NANCY J. MacWOOD*	3417 Woodley Road, NW	20016	966-5333
<b>3D</b>				
3D01	ELIZABETH (BETSY) SANDZA	4301 Forest Lane, NW	20007	966-0121
3D02	TOM SMITH	4601 Tilden Street, NW	20016	364-7130
3D03	NAN S. WELLS	5057 Overlook Road, NW	20016	362-3409
3D04	RACHEL W. THOMPSON*	5835 Sherrier Place, NW	20016	364-1384
3D05	ALMA HARDY GATES	4911 Ashby Street, NW	20007	338-2218
3D06	ANN F. HEUER	4705 Foxhall Cresents, NW	20007	965-4705
3D07	VACANT			
3D08	VACANT			
3D09	ANN HAAS	1601 45th Street, NW	20007	703-358-2360
<b>3E</b>				
3E01	AMY McVEY*	4600 Albemarle Street, NW	20016	966-7047
3E02	TALIA PRIMOR	4531 45th Street, NW	20016	641-1040
3E03	CAROLYN M. SHERMAN	4341 Ellicott Street, NW	20016	966-1181
3E04	LUCY ELDRIDGE	4104 Legation Street, NW	20015	363-0354
3E05	ANNE C. SULLIVAN	4431 Springdale Street, NW	20016	244-2461
<b>3F</b>				
3F01	SUSAN BANTA	3500 Springland Lane, NW	20008	244-3240

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ANC/SMD	NAME	ADDRESS	ZIP	PHONE
3F02	KAREN LEE PERRY	3003 Van Ness Street, NW #W118	20008	363-6748
3F03	JANE SOLOMON	2935 Albemarle Street, NW	20008	244-7060
3F04	FRANK T. WINSTEAD	4545 Connecticut Avenue, NW	20008	364-7228
3F05	MITAL GANDHI	4801 Connecticut Avenue, NW # 824	20008	486-1000
3F06	CATHY WISS*	3810 Albemarle Street, NW	20016	966-1310
3F07	DANIEL L KLIBANOFF	3801 Connecticut Avenue, NW #444	20008	363-6674
<b>3G</b>				
3G01	CAROL SEITZ	3001 Beech Street, NW	20015	364-8229
3G02	GARY THOMPSON	2840 Northampton Street, NW	20015	362-0942
3G03	SAMANTHA NOLAN	2940 Northampton Street, NW	20015	244-2620
3G04	ALLEN E. BEACH	3342 Stuyvesant Place, NW	20015	362-2239
3G05	JERRY LEVINE*	3605 Livingston Street, NW	20015	686-1089
3G06	JIM McCARTHY	3835 Livingston Street, NW	20015	707-7225
3G07	CRIS FROMBOLUTI	5312 38th Street, NW	20015	339-8798
<b>4A</b>				
4A01	KARL KENNEDY	1841 Sudbury Lane, NW	20012	249-8396
4A02	JOURDINIA SMITH BROWN	7820 - 14th Street, NW	20012	723-4194
4A03	STEPHEN A "STEVE" WHATLEY*	1315 Fern Street, NW	20012	301-504-5793
4A04	MARIAN C. BENNETT	1346 Sheridan Street, NW	20011	571-227-2454
4A05	HABIEBA SNOW ISRAEL	6101 16th Street, NW #922	20011	291-4551
4A06	VACANT			
4A07	DAVE WILSON	5810 16th Street, NW	20011	441-7888
4A08	JAMES H. JONES	4600 Blagden Terrace, NW	20011	291-3203
<b>4B</b>				
4B01	SARA GREEN	7106 Piney Branch Road, NW	20012	829-8802
4B02	FAITH WHEELER	818 Whittier Place, NW	20012	882-7565
4B03	FREDERICK D. GRANT	601 Roxboro Place, NW	20011	726-6655
4B04	MALIK F. M. JOHNSON	613 Oneida Place, NW	20011	729-4252
4B05	BLONDINE C. HUGHES*	814 Missouri Avenue, NW	20011	726-9246
4B06	GLORIA D. PALMER	5523 Kansas Avenue, NW	20011	722-2751
4B07	JUDI JONES	25 Sheridan Street, NW	20011	291-5327
4B08	YVONNE A. JEFFERSON	6009 New Hampshire Avenue, NE	20011	529-3887
4B09	DOUGLASS SLOAN	313 Nicholson Street, NE	20011	829-0674
<b>4C</b>				
4C01	DEE JOLLEY	5711 13th Street, NW	20011	726-3395
4C02	DAMIAN A. NICKENS	5113 - 13th Street, NW	20011	905-3788
4C03	RONALD P. BLAND	1605 Buchanan Street, NW	20011	723-4986
4C04	MAGGIE BISCARR	1427 Taylor Street, NW	20011	829-2802

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4C05	LOUIS WASSEL	1403 Varnum Street, NW	20011	723-3580
4C06	KELITA BOYD	3654 New Hampshire NW #38	20010	421-6951
4C07	SHANEL O. ANTHONY	4409 Kansas Avenue, NW #110	20011	291-6455
4C08	TIMOTHY A. JONES	737 Rock Creek Church Road, NW #110	20010	722-0701
4C09	JOSEPH MARTIN*	4230 4th Street, NW	20011	309-1817
4C10	KEVIN E. HUMMONS	320 Shepherd Street, NW	20011	240-605-4331
<b>4D</b>				
4D01	JOSHUA LOPEZ	711 Jefferson Street, NW	20011	386-2103
4D02	RENEE L. BOWSER*	5322 - 2nd Street, NW	20011	466-1593
4D03	ROBERT L. WHIDDON	5116 5th Street, NW	20011	829-6310
4D04	DONNA BROCKINGTON	912 Gallatin Street, NW # 101	20011	462-1183
4D05	EVERETT D. LOTT	5122 North Capitol Street, NW	20011	210-887-9997
4D06	LUCRETIA HOCKADAY	907 Decatur Street, NW	20011	829-4691
<b>5A</b>				
5A01	SANDI WASHINGTON	32 Buchanan Street, NE	20011	682-2336
5A02	PATRICIA ROBERTS	5278 Chillum Place, NE	20011	635-7173
5A03	ANGEL ALSTON	4707 6th Place, NE	20017	526-1122
5A04	CYNTHIA M. REID	1276 Delafield Place, NE	20017	529-0022
5A05	VACANT			
5A06	MARY BAIRD-CURRIE	1120 Michigan Avenue, NE	20017	635-1970
5A07	VACANT			
5A08	TIMOTHY THOMAS*	4716 Eastern Avenue, NE	20017	390-2229
5A09	SHIRLEY RIVENS SMITH	2000 Upshur Street, NE	20018	231-7924
5A10	JHAZ PHIFER SR	3607 - 20th Street, NE	20018	269-1631
5A11	JANAE GRANT	2811 Newton Street, NE	20018	703-974-5975
5A12	ROBERT "BOB" KING	3102 Apple Road, NE	20018	673-7645
<b>5B</b>				
5B01	WILLIAM C. SHELTON *	1437 Montana Avenue, NE #5	20018	526-8454
5B02	PATRICIA BROWN-DANIELS	2429 Hamlin Street, NE	20018	301-319-4542
5B03	RAYMOND W. CHANDLER	1013 Bryant Street, NE	20018	529-5998
5B04	RAYSEEN WOODLAND	1024 Girard Street NE	20017	528-3560
5B05	ROSETTA B. DAVIS	1708 Montello Avenue, NE	20002	409-7524
5B06	WILHELMINA LAWSON	1510 Montello Avenue, NE	20002	397-1596
5B07	DAVID L. HOOPER	1324 Queen Street, NE	20002	396-0788
5B08	ELISE BERNARD	1220 Florida Avenue, NE	20002	398-7165
5B09	VACANT			
5B10	INDIA HENDERSON	1807 L Street, NE	20002	246-4911
5B11	WILLIAM H. "BILL" MYERS, JR.	2005 M Street, NE #3	20002	388-0214

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ANC/SMD	NAME	ADDRESS	ZIP	PHONE
5B12	JOSEPH L. PAUL	857 21st Street, NE # 2	20002	409-7389
<b>5C</b>				
5C01	ANITA BONDS*	202 Bates Street, NW	20001	550-0619
5C02	KRIS HAMMOND	1813 North Capitol Street, NE	20002	302-7343
5C03	STUART DAVENPORT	P.O. Box 77002	20013	549-6996
5C04	JOHN T. SALATTI	131 U Street, NW	20001	986-2592
5C05	DENISE L. WRIGHT	219 R Street, NE Unit A	20002	744-7154
5C06	MARY L. FARMER-ALLEN	119 Rhode Island Avenue, NE	20002	635-1401
5C07	BARRIE DANEKER	26 Bryant Street, NW #2	20001	986-8781
5C08	MARSHALL R. PHILLIPS SR	336 Channing Street, NE	20002	529-1831
5C09	SILAS H. GRANT JR.	2830 6th Street, NE	20017	498-4196
5C10	TIMOTHY DAY	3205 7th Street, NE	20017	210-2703
5C11	ALLISON DEFOE	3149 Hawthorne Drive, NE	20017	671-1509
5C12	DERRICK O. HOLLOWAY SR.	4430 First Street, NE	20011	832-3375
<b>6A</b>				
6A01	RAPHAEL V. MARSHALL	826 10th Street, NE	20002	256-5335
6A02	JOSEPH FENGLER*	815 F Street, NE	20002	423-8868
6A03	DAVID HOLMES	919 Massachusetts Ave., NE	20002	251-7079
6A04	NICK ALBERTI	1330 North Carolina Avenue, NE	20002	543-3512
6A05	MARY BEATTY	1228 Duncan Place, NE	20002	997-0431
6A06	WILLIAM SCHULTHEISS	1225 F Street, NE	20002	543-5003
6A07	GLADYS ANN MACK	703 18th Street, NE	20002	398-3329
6A08	STEPHANIE NIXON	423 18th Street, NE # 4	20002	396-7234
<b>6B</b>				
6B01	DAVID GARRISON	8 - 4th Street, SE	20003	543-3591
6B02	MARY WRIGHT	649 C Street, SE # 401	20003	544-4075
6B03	JULIE S. OLSON*	320 G Street, SE	20003	544-7247
6B04	KIRSTEN OLDENBURG	423 12th Street, SE	20003	546-8542
6B05	KENAN JARBOE	911 East Capitol Street, SE	20003	547-7064
6B06	WILBERT "WILL" HILL	701 - 14th Street, SE	20003	544-3785
6B07	CAROL J. GREEN	1343 Ives Place, SE	20003	343-9668
6B08	NEIL GLICK	1515 Mass. Avenue, SE	20003	547-1551
6B09	MICHAEL O. PATTERSON	1512 Pennsylvania Avenue, SE	20003	544-9899
6B10	FRANCIS M. CAMPBELL	1805 Burke Street, SE	20003	543-2528
6B11	VACANT			
<b>6C</b>				
6C01	KEITH SILVER	901 New Jersey Avenue, NW #410	20001	679-7807
6C02	MARK A. DIXON	80 New York Avenue, NW #402	20001	638-7594

## LIST OF ANC COMMISSIONERS

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ANC/SMD	NAME	ADDRESS	ZIP	PHONE
6C03	LENA A. BROWN	8 Temple Court, NW	20001	842-1369
6C04	ANNE PHELPS	1150 5th Street, NE	20002	544-4537
6C05	ALAN KIMBER	228 Parker Street, NE	20002	390-0235
6C06	THOMAS J. HAMILTON	415 6th Street, NE	20002	544-4475
6C07	RYAN VELASCO	218 5th Street, NE	20002	413-7202
6C08	KAREN WIRT*	234 E Street, NE	20002	547-7168
6C09	CHARLEY DOCTER	801 Pennsylvania Ave, NW #1101	20004	347-0310
<b>6D</b>				
6D01	MAX S. SKOLNIK	700 - 7th Street, SW #610	20024	554-6070
6D02	DAVID SOBELSOHN	201 I Street, SW #838	20024	484-8303
6D03	RON MCBEE	827 3rd Street, SW	20024	544-2021
6D04	ANDY LITSKY	423 N Street, SW	20024	544-8070
6D05	ROGER MOFFATT*	1301 Delaware Ave, SW # N 717	20024	488-0288
6D06	RHONDA NATALIE HAMILTON	44 O Street, SW # 12	20024	488-7997
6D07	BOB SIEGEL	919 - 5th Street, SE	20003	367-7917
<b>7A</b>				
7A01	SHEILA M. CARSON CARR	515 46th Street, SE #2	20019	584-1014
7A02	DEBORAH EVANS-BAILEY	4318 D Street, SE	20019	452-3577
7A03	PRIDE HIETT*	3111 E Street, SE	20019	582-8590
7A04	CHARLENE EXUM	3423 Minnesota Avenue, SE	20019	584-1676
7A05	KAREN SETTLES	234 37th Street, SE	20019	584-0631
7A06	JAMAL TURNER	4040 East Capitol Street, NE	20019	396-7158
7A07	VILLAREAL JOHNSON	2934 Nelson Place, SE	20019	582-9056
<b>7B</b>				
7B01	LINDA (LE) S. ECKLES	1425 Minnesota Avenue, SE	20020	678-9060
7B02	HOWARD WAYS	2210 32nd Street, SE	20020	406-4040
7B03	L. YVONNE (L.Y.) MOORE*	2330 Good Hope Road, SE #1112	20020	889-8966
7B04	PHILLIP J. HAMMOND	2132 Branch Avenue, SE	20020	582-3059
7B05	ROBIN R. H. MARLIN	3350 Erie Street, SE	20020	442-4756
7B06	RAYMOND C. KEITH	2110 Suitland Terrace, SE	20020	584-4685
7B07	S. THETUS BOYD	3508 Highwood Drive, SE	20020	584-3072
<b>7C</b>				
7C01	PATRICIA MALLOY	501 50th Place, NE	20019	398-1956
7C02	GERI J. AVERYTT	5360 East Capitol Street, NE	20019	482-2521
7C03	CATHERINE A. WOODS	4904 Fitch Place, NE	20019	398-5307
7C04	ALICE CHANDLER	5106 Hayes Street, NE	20019	399-8446
7C05	MARY L. GAFFNEY	328 62nd Street, NE #201	20019	399-1828
7C06	THOMAS S. ALSTON	914 55th Street, NE	20019	584-4431

**DISTRICT OF COLUMBIA REGISTER VOL 55 - NO. 3**  
**LIST OF ANC COMMISSIONERS**  
 January 2, 2007 - January 2, 2009

**JANUARY 18 2008**

ANC/SMD	NAME	ADDRESS	ZIP	PHONE
7C07	MURIEL CHAMBERS*	1027 46th Street, NE	20019	398-2326
<b>7D</b>				
7D01	VERONICA E. RAGLIN	408 21st Street, NE	20002	396-7653
7D02	SHARITA SLAYTON	918 42nd Street, NE	20019	399-7184
7D03	DOROTHY DOUGLAS*	4401 Minnesota Avenue, NE	20019	398-5160
7D04	WAREES MAJEED	316 34th Street, NE	20019	288-6261
7D05	RICK TINGLING-CLEMMONS	4614 Central Avenue, NE	20019	397-2277
7D06	TONY SCURRY	4208 Benning Road, NE # 5	20019	498-5738
7D07	MICHELLE STARR	3732 Burnham Place, NE	20019	398-3563
<b>7E</b>				
7E01	NAOMI P. ROBINSON*	1131 46th Place, SE	20019	583-9034
7E02	LINDA S. GREEN	4239 Massachusetts Avenue, SE	20019	354-1861
7E03	ROSA A. HAMLETT	503 53rd Street, SE	20019	582-0138
7E04	BARBARA L. McCOY	114 46th Street, SE #1	20019	575-2940
7E05	MARLINE O. SCOTT	5120 Drake Place, SE	20019	582-1875
7E06	DAVID INOUE	5427 B Street, SE	20019	582-7273
7E07	CHESTER SPEIGHT	102 - 58th Street, SE #A	20019	575-2667
<b>8A</b>				
8A01	ANTHONY MUHAMMAD*	P.O. Box 73878	20056	359-3517
8A02	BARBARA J. CLARK	1620 Ridge Place, SE	20020	359-2407
8A03	GRETA J. FULLER	1352 Maple View Place, SE	20020	889-3482
8A04	LaTESHA "TE TE" HUDSON	1849 Good Hope Rd, SE #301	20020	359-1845
8A05	VACANT			
8A06	JACKIE WARD	2619 Douglass Place, SE # 101	20020	678-1156
8A07	LENDIA SUE JOHNSON	1512 Howard Road, SE	20020	678-8872
<b>8B</b>				
8B01	A. BRAXTON-JONES	2342 - 24th Street, SE #1607	20020	889-2663
8B02	DAVID S. BREWER*	P.O. Box 30949	20030	
8B03	VACANT			
8B04	CHARLES WILSON	1808 Morris Road, SE	20020	678-5236
8B05	TIJWANNA U. PHILLIPS	3235 23rd Street, SE #21	20020	610-9834
8B06	MITCHELL G. HAWKINS, III	3406 23rd Street, SE	20020	421-0593
8B07	JACQUE PATTERSON	3521 21st Street, SE	20020	834-2553
<b>8C</b>				
8C01	DOROTHEA FERRELL	1159 Stevens Road, SE	20020	889-2825
8C02	VACANT			
8C03	MARY J. CUTHBERT*	3325 Martin Luther King Ave., SE #12	20032	563-0310
8C04	R. CALVIN LOCKRIDGE	121 Raleigh Street, SE	20032	562-4974

## LIST OF ANC COMMISSIONERS

January 2, 2007 - January 2, 2009

ANC/SMD	NAME	ADDRESS	ZIP	PHONE
8C05	VACANT			
8C06	VACANT			
8C07	CARDELL SHELTON	115 Upsal Street, SE	20032	562-4399
<b>8D</b>				
8D01	PATRICIA CARMON	816 Southern Avenue, SE # 204	20032	371-1150
8D02	O. V. JOHNSON	632 Elmira Street, SE	20032	561-0050
8D03	ABSALOM "AB" JORDAN	4335 4th Street, SE # 2	20032	574-5657
8D04	BENNIE C. HOWARD, III	118 Elmira Street, SW	20032	645-4300
8D05	MARVIN JAY LEE	136 Ivanhoe Street, SW # 101	20032	369-3072
8D06	MARIA POWELL*	77 Elmira Street, SW	20032	561-6254
8D07	THERESA H. JONES	4020 First Place, SW	20032	561-7318
<b>8E</b>				
8E01	VACANT			
8E02	"S.S." SANDRA SEEGARS	1107 Savannah Street, SE	20032	561-6616
8E03	CHRISTOPHER L. HAWTHORNE	1922 Valley Terrace, SE	20032	678-6449
8E04	MELVIN H. SIMS	915 Savannah Street, SE	20032	562-7951
8E05	LEON J. SWAIN, JR.	1202 Savannah Street, SE	20032	248-3226
8E06	WANDA D. LOCKRIDGE*	419 Valley Avenue, SE	20032	320-6063
8E07	SANDRA (SV) WILLIAMS	847 Barnaby Street, SE	20032	468-3343

## DISTRICT DEPARTMENT OF THE ENVIRONMENT

NOTICE OF PERMIT ACTION

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 51 N Street, NE, Washington, D.C., intends to issue a permit to install and operate one (1) 1,000 kW diesel emergency generator at the Georgia Central Office of Verizon Washington, D.C. Inc. located at 926 Gallatin Street, N.W., Washington D.C.

The application to construct/operate the generator and the draft permit are available for public inspection 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 these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Olaniyan Tajudeen at (202) 535-2998.

Interested persons may submit written comments within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a 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.

Comments should be addressed to:

Stephen S. Ours  
Chief, Permitting and Enforcement Branch  
Air Quality Division  
District Department of the Environment  
51 N Street, NE  
Washington D.C. 20002

**No written comments postmarked after February 18, 2008 will be accepted.**

For more information, please contact Olaniyan Tajudeen at (202) 535-2998.

## DISTRICT DEPARTMENT OF THE ENVIRONMENT

NOTICE OF PERMIT ACTION

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE) located at 51 N Street, NE, Washington, D.C. intends to issue a permit for the replacement of three (3) existing 900 kW diesel emergency generators with four (4) 1,000 kW diesel emergency generators at Children's National Medical Center, located at 1111 Michigan Avenue, NW, Washington D.C.

The application to replace the existing generators with four 1,000 kW generators and the draft permit are available for public inspection 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 these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Olaniyan Tajudeen at (202) 535-2998.

Interested persons may submit written comments within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a 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.

Comments should be addressed to:

Stephen S. Ours  
Chief, Permitting and Enforcement Branch  
Air Quality Division  
District Department of the Environment  
51 N Street, NE  
Washington D.C. 20002

**No written comments postmarked after February 18, 2008 will be accepted.**

For more information, please contact Olaniyan Tajudeen at (202) 535-2998.

**POTOMAC LIGHTHOUSE PUBLIC CHARTER SCHOOL  
REQUEST FOR PROPOSALS**

The Potomac Lighthouse Public Charter School is seeking proposals from qualified vendors to provide student transportation services.

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

Attn: Jackie Lawlah  
Potomac Lighthouse Public Charter School  
1600 Taylor Street, NE  
Washington, DC 20017  
Phone: 202-526-6003  
Fax: 202-526-6005

Sealed proposals shall be received no later than February 19, 2008, by 11:00 AM EST

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

“PLPCS Student Transportation Services 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.

Potomac Lighthouse Public Charter School reserves the right to reject any and all proposals without limitation. The Potomac Lighthouse Public Charter School reserves the right to award a contract as it determines to be in the best interest. To acquire a copy of the proposal specification, please contact Jackie Lawlah at the above phone number or send an email request to [jlawlah@lighthouse-academies.org](mailto:jlawlah@lighthouse-academies.org)

**DISTRICT OF COLUMBIA HOUSING FINANCE AGENCY****OAK STREET APARTMENTS****Notice of Intent to Issue Bonds**

On or about January 22, 2008, the District of Columbia Housing Finance Agency intends to transmit to the Council of the District of Columbia a notice of the Agency's intent to issue \$5,500,000 in tax-exempt and/or taxable housing revenue bonds for the acquisition and rehabilitation of the Oak Street Apartments which are located at 1456 Oak Street, N.W., in Ward 1 (the "Project"). The Project consists of one building with 50 residential units, which will be comprised of one-(1) and two-(2), bedroom units. A minimum of 40% of the units will be set aside for households with incomes at or below 60% of the area median income.

## DEPARTMENT OF HUMAN SERVICES

NOTICE OF PUBLIC INTEREST**REQUEST FOR COMMENTS ON THE ESTIMATES AND  
METHODOLOGY FOR THE DISTRICT OF COLUMBIA  
FY 2007 CASELOAD REDUCTION CREDIT REPORT**

The Director, Department of Human Services ("Department"), pursuant to the requirements of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 601 *et seq.*) and 45 C.F.R. 261.41(a)(8), hereby gives notice of the intent to publish the 2008 Temporary Assistance for Needy Families ("TANF") Caseload Reduction Credit Report. At the end of each fiscal year, the Department of Human Services is required to submit a Caseload Reduction Credit Report to the U.S. Department of Health and Human Services' Regional Office. The Caseload Reduction Credit Report provides data on the gross decline in the District's TANF caseload, estimates whether any portion of this caseload decline is attributable to changes in program rules that have the effect of restricting eligibility, and estimates of cases supported by local funds in excess of required levels of Maintenance of Effort. Under federal regulations, this Report must be made available for public comment.

All interested persons are invited to submit written comments to:

Sharon Cooper-DeLoatch, Administrator  
Income Maintenance Administration  
645 H Street, N.E., 5<sup>th</sup> Floor  
Washington, DC 20002

The comment period will be open until the close of business thirty (30) days from the date this notice is published in the *D.C. Register*.

**FORM ACF – TANF CASELOAD REDUCTION REPORT**

<b>State: District of Columbia</b>		<b>Fiscal Year to which credit applies: 2008</b>	
Overall Report	<input checked="" type="checkbox"/>	Apply the overall credit to the two-parent participation rate?	<input checked="" type="checkbox"/> yes
Two-parent Report	<input type="checkbox"/>		<input type="checkbox"/> no
<p><b>PART 1 –Eligibility Changes Made Since FY 2005</b> (Complete this section for EACH change)</p>			
<p>1. Name of eligibility change: Child Support Pass Through Disregard</p>			
<p>2. Implementation date of eligibility change: April 2006</p>			
<p>3. Description of policy, including the change from prior policy:                  In April 2006, the District of Columbia Office of the Attorney General, Child Support Service Division, instituted a \$150 pass through to TANF households for whom the city collects child support. In response to this change, the Income Maintenance Administration changed its unearned income policy to disregard this source of income.</p>			
<p>4. Description of the methodology used to calculate the estimated impact of this eligibility change (attach supporting materials to this form):                  The impact of this policy change is expected to be an increase in caseload, therefore no methodology for estimating the reduction is necessary.</p>			
<p>5. Estimated average monthly impact of this eligibility change on caseload in comparison year: positive</p>			

FORM ACF – TANF CASELOAD REDUCTION REPORT

State: **District of Columbia**

Fiscal Year to which credit applies: **2008**

1. Name of eligibility change: Income Resource Alignment
2. Implementation date of eligibility change: April 2006
3. Description of policy, including the change from prior policy:

In April 2006, IMA changed its treatment of some income and resource categories to align policy across the TANF, Food Stamp and Medicaid Programs. The changes in TANF policy included:

Income:

- Donations – exclude first \$600 per quarter
- Grandparent benefits – excluded
- Inconsequential income – exclude first \$50 per month
- Educational benefits – excluded
- Emergency Assistance – excluded
- Jury Duty Payments – excluded
- Senior Community Service Employment Income – excluded

Resources:

- Burial funds – excluded
- Earned income tax credit – excluded
- Emergency assistance – excluded
- Income tax refunds – excluded

FORM ACF – TANF CASELOAD REDUCTION REPORT

State: District of Columbia	Fiscal Year to which credit applies: 2008
<ul style="list-style-type: none"> <li>• Land contracts – excluded</li> <li>• U.S. Savings Bonds – excluded if unable to cash out</li> <li>• Higher Education Savings Plans (e.g. 529's) – excluded</li> <li>• Retirement Accounts – excluded</li> <li>• Promissory Notes – excluded</li> <li>• Loan-related Assets – excluded</li> <li>• Retroactive Child Support Pass Through – excluded</li> <li>• Retroactive OASDI – excluded for six months</li> <li>• Medicare Buy-in reimbursements – excluded</li> <li>• Lawsuit settlements Against the D.C. Government – excluded</li> <li>• Home Sales – excluded, pending new purchase</li> </ul>	
<p>4. Description of the methodology used to calculate the estimated impact of this eligibility change: (attach supporting materials to this form)</p> <p>The impact of this policy is expected to be an increase in caseload, therefore no methodology for estimating the reduction is necessary.</p>	
<p>5. Estimated average monthly impact of this eligibility change on caseload in comparison year: positive</p>	

FORM ACF – TANF CASELOAD REDUCTION REPORT

State: District of Columbia	Fiscal Year to which credit applies: 2008
1. Name of eligibility change: TANF Rate Increase	
2. Implementation date of eligibility change: July 2006	
3. Description of policy, including the change from prior policy: The District of Columbia increased the TANF payment by 7.5%.	
4. Description of the methodology used to calculate the estimated impact of this eligibility change: (attach supporting materials to this form) The impact of this policy change is expected to be an increase in caseload, therefore no methodology for estimating the reduction is necessary.	
5. Estimated average monthly impact of this eligibility change on caseload in comparison year: positive	



**FORM ACF – TANF CASELOAD REDUCTION REPORT**

**State: District of Columbia**

**Fiscal Year to which credit applies: 2008**

**D.C. FY07 Caseload Reduction Credit - Excess MOE Calculation**

A	MOE Required	75,145,547
B	FY 2007 MOE Spending	75,345,456
C	Federal Block Grant Spending in FY 2007	71,647,051
D=B+C	Total FY07	146,992,507
E	FY07 avg. mo. Caseload	15,172
F=D/E	Avg spending/case	9,688
G=B-A	Excess MOE	199,909
H=G/F	Cases funded by excess MOE	21
E	FY 05 Avg Mo Caseload	17,254
J	FY07 Avg Mo Caseload	15,172
K=J-H	FY06 Adjust for excess MOE	15,151
L=E-K	Decline	2,103
M=L/E	<b>% decline – Caseload Reduction Credit</b>	<b>12%</b>

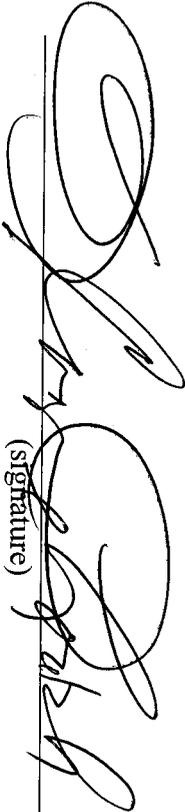
FORM ACF - TANF CASELOAD REDUCTION REPORT

State: District of Columbia

Fiscal Year to which credit applies: 2008

PART 3 -- Certification

I certify that we have provided the public an appropriate opportunity to comment on the estimates and methodology used to complete this report and considered those comments in completing it. Further, I certify that this report incorporates all reductions in the caseload resulting from State eligibility changes and changes in Federal requirements since Fiscal Year 2005.

  
(signature)

Sharon Cooper-DeLoatch

(name)

Administrator

(title)

DISTRICT OF COLUMBIA  
POLICE OFFICERS STANDARDS AND TRAINING BOARD

**2008 MEETING SCHEDULE**

The District of Columbia Police Officers Standards and Training (D.C. POST) Board will hold open meetings on the following dates and times during Calendar Year 2008:

Monday, February 4, 2008, 5 p.m. – 7 p.m.

Monday, May 5, 2008, 5 p.m. – 7 p.m.

Monday, September 8, 2008, 5 p.m. – 7 p.m.

Monday, December 1, 2008, 5 p.m. to 7 p.m.

The meetings will be held in Room 1117 South, 441 4<sup>th</sup> Street, Northwest, Washington, D.C. 20001 or as otherwise announced in the D.C. Register. Anyone interested in the work of the D.C. POST Board may attend the meetings. Please note that you must present picture identification in order to enter the building.

Copies of the materials to be voted on by the Board at a particular meeting may be obtained in advance beginning ten (10) business days prior to the meeting. Typed written comments on the materials may be submitted to the Office of the Board at least one (1) business day in advance of the meeting. Written comments received or postmarked after this date will not be accepted.

Members of the public who wish to present oral testimony at a particular meeting should contact the Office of the D.C. POST at least one business day prior to the meeting by telephone or by faxing a written copy of the comments to be presented. Public comments will be limited to the last thirty (30) minutes of the meeting. Individual comments will be limited to three (3) minutes. Members of the public will be scheduled on an "first come-first served" basis.

The contact information is as follows:

Office of the D.C. Police Officers Standards and Training Board  
300 Indiana Avenue, Northwest, Room 4136  
Washington, D.C. 20001  
Attn: Lieutenant Will Goodwin

E-Mail: [will.goodwin@dc.gov](mailto:will.goodwin@dc.gov)  
Fax Number: 202-727-0711  
Telephone Number: 202-727-9913

## OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA

January 7, 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 February 1, 2008.

Black,	Trudy M.	Rpt	U.S. Court of Federal Claims 717 Madison Pl,NW	20005
Brown,	Gwendolyne	Rpt	1800 Varnum St,NE	20018
Caporaletti,	Mary Anne	Rpt	Jorden Burt 1025 ThomJeff St,NW #400E	20007
Cooper,	Adreanne P.	Rpt	3640 11th St,NW	20010
Hicks,	Brenda L.	Rpt	P S I Services 770 M St,SE	20003
Hudgens,	Beverly N.	Rpf	Wash Hosp Ctr/Business Office 110 Irving St,NW	20010
Johnson,	Antoine B.	Rpt	1306 Girard St,NW	20009
McConnell,	Karen N.	Rpt	Derenberger & Page Reporting 1430 S St,NW	20009
Mantz,	Brenda Clarke	Rpt	The MacLaughlin Company 1725 DeSales St,NW	20036
Smith,	Antoinette	Rpt	Americans for the Arts 1000 Vermont Ave,NW 12th F	20005
Smith,	Vivian L.	Rpt	Robinson & Geraldo 1316 Pa Ave,SE	20003
Sugarman,	Richard L.	Rpt	City Title & Escrow 4400 Jenifer St,NW #350	20015
Vickery,	Denise Dobner	Rpt	Esquire Deposition Services 1020 19th St,NW #620	20036

**DC OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION (OSSE)**

**NOTICE OF PUBLIC MEETING**

**Commission for Career and Technical Education (CTE)**

This meeting is being held to organize the process for the development of a 5 year state plan for Career & Technical Education.

Wednesday, January 23, 2008

12:30 pm – 1:30 pm

441 4<sup>th</sup> Street, NW

11<sup>th</sup> Floor, Room 1112

Washington, DC 20001

Contact: Juan Garcia (202)727-3471

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

**Appeal No. 17513 of Advisory Neighborhood Commission 2E** pursuant to 11 DCMR §§ 3100 and 3101, from the administrative decision of the Zoning Administrator, Department of Consumer and Regulatory Affairs (DCRA) to issue Building Permit No. 88614 allowing additions to an existing single-family dwelling, allegedly in violation of the lot occupancy (§ 403) and nonconforming structure provisions under subsection 2001.3 for the property at 1242 Potomac St., N.W., in the R-3 District.

**HEARING DATE:** October 10, 2006  
**DECISION DATE:** October 10, 2006

**DISMISSAL ORDER**

**INTRODUCTION**

Advisory Neighborhood Commission 2E (“ANC 2E” or “Appellant”) filed this appeal with the Board of Zoning Adjustment (“Board”) on April 19, 2006, pursuant to 11 DCMR §§ 3100 and 3101, challenging the administrative decision of the Zoning Administrator, Department of Consumer and Regulatory Affairs (“DCRA”), to issue Building Permit 88614, dated January 20, 2006, to the property owners of 1242 Potomac Street, N.W., Washington, D.C., allowing additions to an existing single-family dwelling.

Appellant alleged that the addition would exceed the maximum lot occupancy permitted by 11 DCMR § 403 and thereby did not meet one of the three prerequisites of the matter of right expansion of a nonconforming structure delineated in 11 DCMR § 2001.3.

On October 5, 2006, the property owners, through their attorneys, filed a Motion to Dismiss, alleging that the appeal was untimely. The Board heard the motion as a preliminary matter at the October 10, 2006 hearing on the appeal. Upon hearing from all the parties to the matter, the Board voted to grant the motion and dismissed the appeal. A full discussion of the facts and law that support this conclusion follows.

BZA APPEAL NO. 17513

PAGE NO. 2

## PRELIMINARY MATTERS

### Notice of Public Hearing

The Office of Zoning scheduled a public hearing on the appeal on October 10, 2006. In accordance with 11 DCMR §§ 3112.13 and 3112.12, the Office of Zoning mailed notice of the hearing to the Appellant, the property owner, and DCRA. The Office of Zoning advertised the hearing notice in the *D.C. Register* at 53 DCR 30 (July 28, 2006).

### Parties

The Appellant in this case is Advisory Neighborhood Commission 2E (“ANC 2E” or “Appellant”). The ANC was represented by Laurie B. Horvitz, Esq., Finkelstein & Horvitz, P.C.

The Appellee, DCRA, was represented by its attorney, Matthew Green, Esq. Also present at the hearing to give testimony was the Zoning Administrator, Bill Crews.

The appeal relates to construction at 1242 Potomac Street, N.W., Washington, D.C. (“Subject Property”). The owners of the subject property are Harry L. and Anne A. Gutman (the “Gutmans” or the “property owners”). The property owners were represented by Wayne S. Quin, Esq. and Carolyn Brown, Esq., of the law firm of Holland and Knight. As the property owners, the Gutmans were automatically deemed a party under 11 DCMR § 3199.1.

The Board granted a request for party status made by the Citizens Association of Georgetown (“CAG”), finding that the organization had a significant relationship to the property because the property is located in Georgetown where its members live. In addition, the organization was in a position to address the broader context or ramifications of the appeal issues on Georgetown properties in general.

## FINDINGS OF FACT

1. The property that is the subject of this appeal (“Subject Property”) is located at 1242 Potomac Street, N.W. in the R-3 zone district.

2. The Subject Property is improved with a multi-story, one family semi-detached dwelling, a carriage house, and a shed, which together occupy 48 percent of the lot. The maximum lot occupancy in an R-3 District is 40 percent for a one family semi-detached dwelling and 60 percent for row dwellings.

**BZA APPEAL NO. 17513****PAGE NO. 3**

3. The Subject Property is located within the Georgetown Historic District.
4. Early in 2005, the property owners initiated plans to build an addition to their house. The first design concept was a large addition at the rear of the house that would have been connected by an enclosed passageway to an existing, free-standing garage at the rear of the property. This first plan was considered by the ANC on March 1, 2005 at which time the ANC recommended that any approvals of the addition be denied as too large for the site. *See, Exhibit 23, Property Owner's Motion to Dismiss at 2 – 3, and Tabs A and H.*
5. On March 3, 2005, the Old Georgetown Board (“OGB”) reviewed the first scheme and recommended that the addition be reduced in size. *See, Exhibit 23, Property Owner's Motion to Dismiss, at 2, and Tabs A and H.*
6. In May 2005, the property owners shared revised drawings with their then neighbors to the north and south. The revised design would have reduced the size of the addition by 60% and relocated and rebuilt the existing shed and pergola (at times referred to as the “trellis”) to extend from the side of the main house to the south property line. *See, Exhibit 23, Property Owner's Motion to Dismiss, Tabs B and H.*
7. On May 31, 2005, the ANC, responding to continuing objections from the two abutting neighbors, recommended denial of the second set of drawings. The minutes of that meeting stated:

The architect for the project presented revised plans for the addition. The new proposal was 60% smaller than the previous version. Thus, due to the wooden trellis structure currently existing on the south side of the home, a special exception would no longer be needed as lot occupancy would be 54%. The architect claimed, much to the dismay of neighbors and several Commissioners, that the trellis qualified the home as a row house and not a semi-detached house. The neighbors to the north and the south opposed the plans due to loss of light and open space in their backyards. Other aesthetic and structural changes to the existing carriage house were proposed. Commissioner Starrels moved (Clements Second) for the following which passed by a vote of 7-0:

ANC 2E has no objections to the alterations to the carriage house.

In addition, the following resolution was proposed. Commissioner Starrels moved (Lever Second) for the following which passed by a vote of 7-0:

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Because of the negative impact on the light and open space of the abutting neighbors, especially the neighbor at 1244 Potomac Street, ANC 2E cannot endorse the plans as presented. Also, ANC 2E does not appreciate the manner in which the applicant is trying to increase their lot coverage.

Exhibit 23, Property Owner's Motion to Dismiss, Tab D.

8. After this May 2005 meeting the ANC approached the ZA and asked whether this was an appropriate way in which to expand lot coverage. The ANC represented at the hearing that it was assured that any such permit application for this property would be placed in a holding pattern if the trellis was the basis for zoning approval. *See*, Transcript at 131. At the hearing the ZA explained that while he was in fact waiting for a decision from this Board in another case to determine whether the permit was issued in error, he did not indicate to the Appellant that it should wait for this determination prior to bringing this appeal. *See*, Transcript at 187 - 189.

9. The OGB met on June 2, 2005, at which time the property owners described the 54% lot occupancy and neighbors objected to the property owners' interpretation of the zoning regulations. *See*, Exhibit 23, Property Owner's Motion to Dismiss, Tab H.

10. On July 7, 2005, the OGB considered the revised scheme and recommended approval of the project in concept, including the pergola extending to the south property line, with minor modifications. The ANC and CAG were present at the OGB meeting and an ANC representative spoke in opposition to the project. *See*, Exhibit 23, Property Owner's Motion to Dismiss at 4 and Tab H, and Exhibit 25, Property Owner's Supplemental Exhibits, Tab B.

11. On July 21, 2005, the Commission on Fine Arts ("CFA") adopted the OGB's recommendation to approve the project. *See*, Exhibit 23, Property Owner's Motion to Dismiss at 4 and Tab H, and Exhibit 25, Property Owner's Supplemental Exhibits, Tab C.

12. In October 2005, the property owners applied for a building permit. *See*, Exhibit 20, Appellant's Supplemental Filing in Support of Appeal, Tab 6.

13. On November 4, 2005, the OGB considered the project for final review and recommended approval of the permit. The final drawings included the pergola connection. The OGB recommended approval of the permit. In that approval the OGB indicated that "you can't amend the plans without coming back [to the OGB]." The ANC

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was present at the OGB meeting. *See*, Exhibit 23, Property Owner's Motion to Dismiss, at 4 and Tabs E and H.

14. On November 17, 2005, the Commission on Fine Arts ("CFA") adopted the OGB's recommendations to approve the permit. In the minutes of the November 17<sup>th</sup> CFA meeting, the CFA's recommendation states: "No objection to concept design for proposed two-story rear addition as shown in supplemental drawings received and dated 24 June 2005...File new submission of working drawings, including dimensions and details, with permit application for review by the Commission when ready." *See*, Exhibit 23, Property Owner's Motion to Dismiss, Tab H and Exhibit 25, Property Owner's Supplemental Exhibits, Tab C.

15. On January 11, 2006, the property owners' architect notified the neighbors on either side that construction was to begin shortly and that the neighboring properties would be protected during construction. *See*, Exhibit 23, Property Owner's Motion to Dismiss at 5 and Tab F.

16. DCRA issued Building Permit No. 88614 on January 20, 2006. The permit was posted on January 24, 2006, in the front window of the property owners' house. The permit described the work to be done as follows: "Demo[lish] existing prior addition and rebuild 2 story basement and addition at rear of house. Renovate interior." Under "Conditions/Restrictions" the permit added the details: "CFA Note: Approved as per supplemental drawings received 26 October 2005." *See*, Exhibit 20, Appellant's Supplemental Filing in Support of Appeal, Tab 1.

17. According to the Appellant, construction began soon after the permit was issued. *See*, Transcript at 134.

18. On February 1, 2006, one of the two neighbors, Mr. Cooley, contacted the property owners' architect to inquire whether the plans approved under the building permit were the same as those approved by the OGB. The architect informed Mr. Cooley that the plans were the same drawings and that copies should be available through the public record at DCRA. *See*, Exhibit 23, Property Owner's Motion to Dismiss at 5 and Tab H, and Exhibit 25, Property Owner's Supplemental Exhibits, Tab D.

19. On March 7, 2006, ANC 2E Chairman Ed Solomon e-mailed Zoning Administrator Bill Crews, stating that it had been about a month since he had requested a copy of the permit application for the work being done at 1242 Potomac Street, N.W. Chairman Solomon indicated the issue was whether a trellis was being used as the basis for granting a permit for a semi-detached house that would be beyond the allowable 40%

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lot occupancy. He further stated, "The permit 88614 was issued on January 20, 2006. I want to keep our ANC option viable in case we wish to appeal the permit." *See*, Exhibit 23, Property Owner's Motion to Dismiss, Tab G.

20. Zoning Administrator Crews replied to Chairman Solomon on March 8, 2006 that he had found the permit file and would give Chairman Solomon a telephone call once Zoning Administrator Crews checked into another issue with the application. His e-mail indicated that, "[b]ased upon the plat drawings, it appears that they are replying (sic) on an existing shed/pergola." *See*, Exhibit 23, Property Owner's Motion to Dismiss, Tab G.

21. On March 23, 2006, the Zoning Administrator met with members of the ANC and the community and shared the permit application with them, but did not provide them with a full set of plans.

22. On April 4, 2006 Chairman Solomon e-mailed Zoning Administrator Crews and thanked him for meeting with the ANC Commissioners and informed him that the issue of appealing the permit was on the ANC's April 4<sup>th</sup> agenda for its general meeting. Chairman Solomon asked if new information had developed with regard to DCRA's internal process to issue a stop work order. He further indicated that the permit information Zoning Administrator Crews had provided had not addressed the trellis issue, nor had the ANC received a copy of the plans that might have addressed the issue. *See*, Exhibit 23, Property Owner's Motion to Dismiss, Tab G.

23. The ANC did not ask the property owners for a copy of the permit plans. *See*, Transcript at.176-78.

24. On April 17, 2006, Chairman Solomon e-mailed Zoning Administrator Crews to inquire about the status of the permit. In that e-mail, Chairman Solomon stated that "[a]lthough ANC 2E is in the process of filing an appeal to this permit, this appeal [may] be moot if the permit is withdrawn by DCRA." Chairman Solomon also stated that "[a]t our meeting [Zoning Administrator Crews] advised community leaders that the basis of a trellis to justify this permit would not stand." *See*, Exhibit 23, Property Owner's Motion to Dismiss, Tab G.

25. On April 19, 2006, the ANC filed an appeal, 88 days after the issuance of the building permit.

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### **CONCLUSIONS OF LAW**

Pursuant to the Zoning Act, the Board has jurisdiction to hear appeals alleging “error in any order, requirement, decision, determination, or refusal made by...any [District] administrative officer or body in the carrying out or enforcement of” the Zoning Regulations. D.C. Official Code § 6-641.07(g)(1) (2001).

Appellant has appealed Building Permit No. 88614 on grounds that DCRA issued the permit based on an erroneous classification of the dwelling as a row dwelling. The Appellant further claims that the permit was issued in violation of the zoning regulations of the District of Columbia related to maximum lot occupancy and the expansion of nonconforming structures.

### **Motion to Dismiss**

The Property Owners filed a motion to dismiss the appeal on grounds that: (1) the appeal was untimely filed as it was filed 88 days after the building permit was issued or 28 days beyond the 60-day time limit for filing an appeal and (2) laches.

The District of Columbia Court of Appeals has held that “[t]he timely filing of an appeal with the Board is mandatory and jurisdictional.” *Mendelson v. District of Columbia Board of Zoning Adjustment*, 645 A.2d 1090, 1093 (D.C., 1994.) If an appeal is not timely filed, the Board lacks jurisdiction to consider it. *Waste Management of Maryland, Inc. v. District of Columbia Board of Zoning Adjustment*, 775 A.2d 1117, 1122 (D.C., 2001) Accordingly, the Board must consider the jurisdictional question of timeliness first, prior to a consideration of the merits.

The Board’s Rules of Practice and Procedure governing the timely filing of an appeal before the Board are set forth in 11 DCMR § 3112.2. Subsection 3112.2 (a) requires that all appeals be filed within 60 days after the date the person filing the appeal had notice or knowledge of the decision complained of, or reasonably should have had notice or knowledge, whichever is earlier. This 60-day time limit may be extended only if the appellant shows that: (1) “There are exceptional circumstances that are outside the appellant’s control and could not be reasonably anticipated that substantially impaired the appellant’s ability to file an appeal to the Board; and (2) The extension of time will not prejudice the parties to the appeal.” 11 DCMR 3112.2(d).

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The ANC acknowledged in its appeal that the official decision complained of is the issuance of Building Permit No. 88614 on January 20, 2006. In its appeal, the Appellant identified the error complained of as the classification of the dwelling as a row house, and stated that the issuance of the Building Permit violated the zoning laws and regulations of the District of Columbia relating to lot occupancy and nonconforming structure requirements. *See*, Exhibit 20 at 1.

The ANC does not contest that it did not appeal the permit within 60 days of when it knew or should have known of the issuance of the permit. Rather it asserts that the time should run from March 23, 2005, when the Zoning Administrator shared the permit application with the ANC and informed the Appellant that the approved plans and the ZA's review of it were premised on the deconstructed pergola and shed that had been moved. The ANC argues that prior to that time it did not know the rationale for the issuance of the permit and therefore the grounds for the appeal. Alternatively, the ANC argues that the time for appealing the permit should be extended because its ability to file the appeal within 60 days of the issuance of the permit was impaired by its lack of knowledge of the rationale for the permit until that March 23, 2005 meeting.

The Board finds that the time for appealing the permit, which is the administrative decision in which error is alleged in this appeal, runs from the issuance of the permit on January 20, 2005, not from the March 23, 2005, meeting. The clear language of § 3112.2 speaks to knowledge of the decision complained of, not to knowledge of the rationale for the decision. The information provided by the Zoning Administrator on March 23, 2005, was a verbal confirmation and explanation, of the official approval contained in the already-issued permit. *See Application No. 16982 of J. Brendon Herron and ANC 3F* (April 7, 2005) (60-day time frame for bringing the appeal may not be re-started by a subsequent DCRA communication except when DCRA reverses its position. *Id* at 10.)

Nor does the Board find that the ANC was substantially impaired by exceptional circumstances outside its control that could not reasonably have been anticipated from filing its appeal within 60 days of issuance of the permit. The evidence in the record reflects that this is not a case where the ANC had difficulty learning what the permit authorized, but to the contrary – that the ANC had been following this specific zoning issue through various proceedings even prior to the issuance of the permit and was well aware of the zoning issues it has appealed.

The record shows that the ANC was actively scrutinizing this project since it first considered the design concept at its March 1, 2005, ANC meeting. As far back as May 31, 2005, the ANC's minutes show that the ANC was expressing its concern with what the property owner was proposing, as well as its understanding of the inherent zoning issue

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involved. The minutes of the May meeting specifically indicate the ANC's disagreement with the architect's description that the trellis connection qualified the house as a row dwelling and not a semi-detached dwelling. *See*, Finding of Fact 7.

Moreover, the ANC spoke in opposition to the project at two OGB meetings: first, in June 2005 when the property owners discussed the 54 percent lot occupancy and the neighbors objected to their interpretation of the zoning regulations and again, on July 7, 2005, at the OGB's regular public meeting when OGB recommended approval of the project with the pergola connection. *See*, Findings of Fact 9 - 10. In addition, the CFA flagged in its final approval of the project at its November 17, 2005 meeting that the "permit application is pending final zoning review. Any modifications to the approved design as a result of further review in the permit process must be submitted to the Commission for approval." *See*, Findings of Fact 13 - 14. Finally, the ANC was in communication with the Zoning Administrator both before and after the permit was issued. *See*, Findings of Fact 8, 20 - 24.

Accordingly, the Appellant was well aware of the permit and the zoning issues that form the basis for this appeal prior to the March 23, 2006, meeting, particularly, in light of its active participation in the proceedings before the OGB.

Moreover, while the Appellant claimed that it had difficulty in obtaining copies of the plans from DCRA to review before and after the building permit was issued, neither the ANC nor the neighbors ever asked the property owners for a copy of their plans. *See*, Finding of Fact 23. Nor did the ANC's inability to obtain the plans from DCRA impair its ability to file this appeal as the ANC was aware of the zoning issues from the earlier plans reviewed by the OGB and, as early as February 2006, the architect for the property owner advised the abutting property owner to the south that the plans that were the basis for the permit had been the same plans previously submitted to the ANC and approved by the OGB. *See*, Finding of Fact 18. (*See also*, *Appeal of Henry P. Sailer, et. al.*, BZA Appeal No. 17054-A (2004) at 5 "Although it may have been difficult for the Appellants to obtain details from DCRA regarding the permits and plans, there is no evidence that DCRA's actions substantially impaired Appellant's ability to file the subject appeal.")

Finally, Appellant asserts that its delay in filing the appeal should be excused because it relied on the ZA's representation that the ZA was waiting for another decision from this Board in order to determine whether DCRA had issued the permit in error. However, the ZA acknowledged at the hearing that there was no functioning procedure for "holding" a permit once it has been issued and that, in any event, an appellant still needs to take whatever action is required to preserve its rights. The Board finds that if the Appellant did mistakenly rely on the ZA's representation of DCRA's intentions, that that reliance does

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not constitute exceptional circumstances beyond its control substantially impairing its ability to file the appeal. (*Compare Appeal of Paul A. Basken and Joshua S. Meyer*, BZA Appeal No. 17411 (2005) (Reliance on opposing counsel's misrepresentation of the deadline for filing the appeal did not constitute exceptional circumstances impairing the appellant's ability to appeal a permit.")).

Accordingly, because Appellant filed this appeal beyond the 60-day time limit and its ability to file the appeal was not substantially impaired by exceptional circumstances beyond its control, this Board is without jurisdiction to hear the appeal.

Because of the disposition of this appeal on the grounds that it was not timely, the Board need not address the Property Owners' further assertions that the appeal is barred by the equitable doctrine of laches.

For the reasons discussed above, it is hereby **ORDERED** that the **MOTION TO DISMISS** the appeal as untimely is **GRANTED**.

Vote taken on October 10, 2006

**VOTE: 5-0-0** (Geoffrey H. Griffis, Ruthanne G. Miller, Curtis L. Etherly, Jr., John A. Mann II and Gregory N. Jeffries to grant the motion).

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

Each concurring member has approved the issuance of this Order.

**FINAL DATE OF ORDER:**           JAN 04 2008          

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.