

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**BOARD FOR****THE CONDEMNATION OF INSANITARY BUILDINGS****NOTICE OF PUBLIC INTEREST**

The Director of the Department of Consumer and Regulatory Affairs, in accordance with section 742 of the District of Columbia Home Rule Act of 1973, as amended, D.C. Code section 1-1504 (1999 Repl.), hereby gives notice of a change in the regularly scheduled meetings of the Board for the Condemnation of Insanitary Buildings (BCIB) 2007. The BCIB meetings are regularly held on the second and fourth Wednesdays of each month. However, the meeting previously scheduled for December 12, 2007 has been postponed. The BCIB will conduct its regular scheduled meeting on December 19, 2007. The meeting will begin at 10:00 a.m. in Room 7100 a 941 North Capitol Street, NW, Washington, D.C. 20002. The BCIB meetings are open to the public. Please call the Building Condemnation Division on (202) 535-1859 or 535-1651 for further information.

The BCIB is charged with examining the sanitary condition of all buildings in the District of Columbia, determining which buildings are in such insanitary condition as to endanger the health or lives of its occupants or persons living in the vicinity, and issuing orders of condemnation requiring the owners to remedy the insanitary condition. Should the owner fail to remedy the cited conditions, the BCIB shall cause the building to be made habitable, safe and sanitary or razed and removed. The cost of work performed by the District of Columbia Government shall be assessed to the property.

BCIB meeting scheduled for December 12, 2007, has been postponed to December 19, 2007

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BOARD OF ELECTIONS AND ETHICS**CERTIFICATION OF ANC/SMD VACANCIES**

The District of Columbia Board of Elections and Ethics hereby gives notice that there are vacancies in six (6) Advisory Neighborhood Commission offices, certified pursuant to D.C. Official Code § 1-309.06(d)(2); 2001 Ed; 2006 Repl. Vol.

VACANT: 3DO7, 6B11, 8B03, 8C05, 8C06, 8E01

Petition Circulation Period: **Monday, December 10, 2007 thru Monday, December 31, 2007**

Petition Challenge Period: **Thursday, January 3, 2008 thru Wednesday, January 9, 2008**

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

**D.C. Board of Elections and Ethics
441 - 4th Street, NW, Room 250N
Washington, DC 20001**

For more information, the public may call **727-2525**.

E.W. STOKES COMMUNITY FREEDOM PUBLIC CHARTER SCHOOL**NOTICE OF REQUEST FOR PROPOSALS**

The E.W. Stokes Community Freedom Public Charter School, hereby solicits requests for proposals for the following services:

- I. Third Party Inspections**
- II. Materials Testing**
- III. Integrated Security System and Services**
- IV. Information Technology Systems and Services**

To obtain an electronic or hard copy of the Request for Proposal (RFP) please contact the owner's representative:

Derrek Niec-Williams
Brailsford & Dunlavey
(202) 289-4455

Deadline for submissions is December 11, 2007 at 5pm.

DC STATE BOARD OF EDUCATION

NOTICE OF PUBLIC MEETING

State Board of Education Meeting – This is a regular meeting of the State Board of Education.

There will be a vote on the State Standards for Health and Physical Education.

Should anyone wish to testify before the SBOE, please contact the office.

Thursday, December 13, 2007 – 5:30 pm

Old Council Chambers

441 4th Street, NW

Washington, DC 20001

Contact: Beverley R. Wheeler (202)741-0886

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

Application No. 15340-A of A&S Associates, LLC,¹ pursuant to 11 DCMR § 3129, for a minor modification of approved plans under Board of Zoning Adjustment Order No. 15340 (as already modified).

HEARING DATE: July 3, 2007

DECISION DATE: July 3, 2007

DECISION AND ORDER

On April 3, 2007, A&S Associates, LLC (“Applicant”) filed this request with the Board of Zoning Adjustment (“BZA” or “Board”) for what it termed a “minor” modification of Board Order No. 15340, dated August 17, 1990 (the “1990 Order”), as originally modified on April 19, 1991 (the “1991 Order”). The Applicant also requested a waiver of the six-month time limitation on the filing of modification requests. *See*, 11 DCMR § 3129.3.

The Board, after reviewing the record in the case, deliberated on the modification request at its public meeting on July 3, 2007. At the public meeting, the Board voted 3-0-2 to deny the Applicant’s request to waive the six-month requirement of 11 DCMR § 3129.6, and to deny the modification request itself.

FINDINGS OF FACT

1. On August 17, 1990, the Board issued the 1990 Order, granting the Applicant’s predecessor-in-interest (N.V. Homes Ltd. Partnership) a special exception and several variances to construct 34 single-family detached dwellings on a theoretical lot subdivision in an R-1-A zone district in the 2500 Block of 49th Street, N.W.
2. The 1990 Order was modified in 1991 to permit the construction to be phased-in over a 10-year period, ending on the 10th anniversary of the 1991 modification

¹The original applicant, modification of whose plans is herein being requested, was N.V. Homes Ltd. Partnership. A&S Associates, LLC is the original applicant’s successor-in-interest.

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- order, *to wit*, on April 19, 2001. During this 10-year period, the 1990 order remained in full force and effect.
3. Sometime before August 11, 2006, 33 of the originally planned and permitted 34 dwellings were constructed.
 4. On August 11, 2006, the Department of Consumer and Regulatory Affairs (“DCRA”) issued Building Permit No. B73714 to the Applicant authorizing the construction of the last of the 34 originally-planned dwellings.
 5. On December 22, 2006, DCRA revoked Building Permit No. B73714, having determined that it had been issued in error because the 1990 Order, as modified by the 1991 Order, had expired in 2001.
 6. After DCRA revoked the building permit, the Applicant filed this modification request with the Board, seeking “an extension of the expiration date of the Board’s approval to construct the final house in the project.” Exhibit No. 47, at 2.
 7. The Applicant also requested that the Board approve a “Revised Site Plan” which included several changes from the original site plan, (*See*, Exhibit No. 49 at 2, and Attachment B), and that the Board include several conditions in any order granting the modification request. (*See, Id.* at 3-4).

CONCLUSIONS OF LAW

Section 3129 of the Zoning Regulations permits applicants to request, without a hearing, a minor modification of plans approved by the Board within six months of the date of the final order approving the application.² This provision assumes an underlying effective order that authorizes the plans for which a modification is sought, and contemplates a modification of that underlying order to effectuate modification of the plans.

In this case, the Applicant requests the Board to extend the expiration date of the 1991 Order in order to complete construction authorized by that order. That order clearly conditions the 1990 Order with the statement that “construction of the project may be phased over a period of TEN YEARS.” 1991 Order at 2. Further, the 1991 Order also states that “[t]he requested modification would result in the permitted flexibility of the applicant to phase the development of the project over a period of *up to* ten years.” *Id.*, at 1. (Emphasis added.) There is nothing in the record to suggest that the Applicant, or

²In order to proceed with this case, the Board waived the applicability of § 3129.6, pursuant to its authority under § 3100.5.

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its predecessor in interest, was granted more time than the 10-year phase-in period. Therefore, the Board concludes that, at the end of that 10-year period, on April 19, 2001, the 1990 Order, as modified by the 1991 Order, expired, and the Applicant's special exception permission to construct its 34-dwelling project came to an end. Because the 1990 Order, as modified by the 1991 Order, expired in 2001, there is no existing order in effect for the Board to modify. Because the order has expired, the Board cannot reach the underlying plans for purposes of modification, as their validity has also expired

The Board is required to give "great weight" to issues and concerns raised by the affected Advisory Neighborhood Commission ("ANC") and to any recommendations made by the Office of Planning. D.C. Official Code §§ 1-309.10(d) and 6-623.04 (2001). Great weight means acknowledgement of the issues and concerns of these two entities and an explanation of why the Board did or did not find their views persuasive. The Office of Planning did not make a recommendation with respect to this application, but ANC 3D, the ANC within which the subject property is located, did. ANC 3D, at a properly-noticed and regularly-scheduled meeting, voted unanimously in favor of a motion to deny the application for modification, and set forth its reasons at some length in its report to the Board dated June 12, 2007. Exhibit No. 48. The ANC argued that the request for modification was too late, that the modifications were not minor and that the neighbors should be heard on the modified plans. Because the Board agrees with the ANC that the request for modification is too late and denies the request on that basis, it need not address the other concerns.

Accordingly, the Board concludes that there is no existing order in effect in this case for the Board to modify pursuant to 11 DCMR § 3129; therefore it is hereby **ORDERED** that this application is **DENIED**.

VOTE: 3-0-2 (Ruthanne G. Miller, John A. Mann II and Curtis L. Etherly, Jr., to deny. No fourth member and no Zoning Commission member participating or voting.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
Each concurring Board member approved the issuance of this order.

FINAL DATE OF ORDER: NOV 27 2007

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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.

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.

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

Application No. 17619 of 3DG/3400 11th Street LLC, pursuant to 11 DCMR § 3103.2, for a variance from the nonconforming structure provisions under subsection 2001.3, and a variance from the off-street parking requirements under subsection 2101.1, to allow an addition to an existing commercial building in the C-2-A District at premises 3400 11th Street, N.W. (Square 2839, Lot 121).

HEARING DATES: June 12, 2007, November 14, 2007
DECISION DATE: November 14, 2007

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) 1A, the Office of Planning (OP) and to owners of property within 200 feet of the site. The site of the application is located within the jurisdiction of ANC 1A. The ANC did not participate in the application. The OP submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board required the applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR §§ 3103.2, 2001.3 and 2101.1.

Based upon the record before the Board and having given great weight to the OP report filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, 2001.3 and 2101.1, 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 the Zoning Regulations, and that the relief 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 (pursuant to Exhibit 29 – Plat and Plans) be **GRANTED**.

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VOTE: 3-0-2 (Ruthanne G. Miller, Michael G. Turnbull, and Shane L. Dettman to approve. Marc D. Loud and the third mayoral appointee not present, not voting).

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

Each concurring Board member has approved the issuance of this order.

FINAL DATE OF ORDER: November 19, 2007

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.

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 § 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.

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.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE

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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. 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. 17682 of Bill and Nicola Renison, pursuant to 11 DCMR § 3104.1, for a special exception to allow a rear addition to an existing single-family dwelling under section 223, not meeting the rear yard (section 404) requirements in the R-1-B District at premises 3222 Stephenson Place, N.W. (Square S-2017, Lot 801).

HEARING DATE: November 20, 2007
DECISION DATE: November 20, 2007 (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) 6C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3G, which is automatically a party to this application. ANC 3G submitted a letter in support of the application. The Office of Planning (OP) 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 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 conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit No.7 – Plans) be **GRANTED**.

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VOTE: 4-0-1 (Ruthanne G. Miller, Gregory N. Jeffries, Marc D. Loud and Shane L. Dettman to approve. The third mayoral appointee 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: November 21, 2007

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. 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

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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. 17683 of Heidi Elliott and Caroline Vollmer, pursuant to 11 DCMR § 3104.1, for a special exception to allow the construction of a rear deck to a flat under section 223, not meeting the lot occupancy (section 403) and open court (section 406) requirements, in the R-4 District at premises 109 15th Street, N.E. (Square 1069, Lot 42).

HEARING DATE: November 20, 2007
DECISION DATE: November 20, 2007 (Bench Decision)

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

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) 6A and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6A, which is automatically a party to this application. ANC 6A did not submit a report related to the application. The Office of Planning (OP) 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 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 report, 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

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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 (pursuant to Exhibit No. 8 Plans) be **GRANTED**.

VOTE: **4-0-1** (Ruthanne G. Miller, Marc D. Loud, Shane L. Dettman and Gregory N. Jeffries to grant; the third mayoral appointee 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: NOV 21 2007

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.

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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. 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.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING**

Z.C. Case No. 05-28A

**(Approval of Second Stage PUD & Related Map Amendment –
Square 5041, Lots 809, 814, 815, 817, 818, and 820)**

November 28, 2007

THIS CASE IS OF INTEREST TO ANC 7D

On November 16, 2007, the Office of Zoning received an application from Parkside Residential (the “applicant”) for approval of a second stage PUD and related map amendment for the above-referenced property.

The property that is the subject of this application consists of Square 5041, Lots 809, 814, 815, 817, 818, and 820 in Northeast Washington, D.C. (Ward 7) on a site that is bound by Anacostia Avenue to the north, Grant Place to the east, Foote Street to the west, and Barnes Street and Parkside Place to the south. The property is currently zoned R-5-A.

The applicant requests approval of a second stage PUD and a related map amendment from R-5-A to C-3-A, in order to develop 120 townhouses, with a senior housing facility containing approximately 100 units on an adjacent parcel. This application is for the first phase of a larger development that will consist of residential, mixed use, commercial, and retail and contain approximately 330,000 gross floor area. The entire 15.5-acre PUD site will have a density of 4.4 FAR with a maximum height of 110 feet.

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

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING**

Z.C. Case No. 07-31

**(Amendment to the Zoning Map –
Square 416, Lots 24, 25, 26, 27, 821, and 822)**

November 28, 2007

THIS CASE IS OF INTEREST TO ANC 1B

On November 20, 2007, the Office of Zoning received an application from Joseph C. Young, *et al.* (the “applicant”) for approval of an amendment to the zoning map for the above-referenced property.

The property that is the subject of this application consists of Square 416, Lots 24, 25, 26, 27, 821, and 822 in northwest Washington, D.C. (Ward 1) with addresses of 715-727 T Street, N.W. The property is currently zoned R-4 and the applicant is seeking a zoning change to the C-M-1 or ARTS/C-2-B zone.

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

**OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES
PUBLICATIONS PRICE LIST**

DISTRICT OF COLUMBIA MUNICIPAL REGULATIONS (DCMR)

TITLE	SUBJECT	PRICE
1	DCMR MAYOR AND EXECUTIVE AGENCIES (JUNE 2001)	\$16.00
3	DCMR ELECTIONS & ETHICS (MARCH 2007)	\$20.00
4	DCMR HUMAN RIGHTS (JUNE 2007)	\$13.00
5	DCMR BOARD OF EDUCATION (DECEMBER 2002).....	\$26.00
6A	DCMR POLICE PERSONNEL (MAY 1988).....	\$8.00
7	DCMR EMPLOYMENT BENEFITS (JANUARY 1986).....	\$8.00
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