

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR, SUITE 7200
WASHINGTON, DC 20002 (202) 442-4423

POSTING DATE: SEPTEMBER 28, 2007
PETITION DATE: NOVEMBER 13, 2007
HEARING DATE: NOVEMBER 28, 2007

LICENSE#: 77835
LICENSEE: PEACOCK CAFÉ DC, INC
TRADE NAME: PEACOCK GRAND CAFE
LICENSE CLASS: RETAILER CLASS "C"RESTAURANT
ADDRESS: 2020 K STREET, NW

WARD 2 ANC 2A SMD 2A06

NOTICE IS HEREBY GIVEN THAT THIS APPLICANT HAS APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSE ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

NATURE OF OPERATION

NEW AMERICAN BISTRO WITH DJ AND LIVE BAND (MAXIMUM 5 PIECES).

HOURS OF OPERATION

SUNDAY, 9AM-2AM
MONDAY THROUGH THURSDAY, 11AM-2AM
FRIDAY, 11AM-3AM
SATURDAY, 9AM-3AM

SALE, SERVICE OR CONSUMPTION OF ALCOHOLIC BEVERAGES

SUNDAY, 10AM-2AM
MONDAY THROUGH THURSDAY, 11AM-2AM
FRIDAY, 11AM-3AM
SATURDAY, 9AM-3AM

HOURS OF ENTERTAINMENT

SUNDAY THROUGH THURSDAY, 6PM-2AM
FRIDAY AND SATURDAY, 6PM 3AM

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POSTING DATE: SEPTEMBER 28, 2007
PETITION DATE: NOVEMBER 13, 2007
HEARING DATE: NOVEMBER 28, 2007

LICENSE#: 77847
LICENSEE: YOUR SWISS CHEF, INC
TRADE NAME: BISTRO BERNOISE
LICENSE CLASS: RETAILER CLASS "C" RESTAURANT
ADDRESS: 5120 MACARTHUR BLVD., NW

WARD 3 ANC 3D SMD 3D05

NOTICE IS HEREBY GIVEN THAT THIS APPLICANT HAS APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSE ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

NATURE OF OPERATION

NEW RESTAURANT, FRENCH BISTRO WITH RADIO MUSIC.

HOURS OF OPERATION

SUNDAY THROUGH SATURDAY, 11AM-10PM

SALE, SERVICE OR CONSUMPTION OF ALCOHOLIC BEVERAGES

SUNDAY THROUGH SATURDAY, 11AM-10PM

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR, SUITE 7200
WASHINGTON, DC 20002 (202) 442-4423

POSTING DATE: SEPTEMBER 28, 2007
PETITION DATE: NOVEMBER 13, 2007
HEARING DATE: NOVEMBER 28, 2007

LICENSE#: 77882
LICENSEE: ANAIS BAR & LOUNGE LLC
TRADE NAME: ANAIS BAR & LOUNGE LLC
LICENSE CLASS: RETAILER CLASS "C" TAVERN
ADDRESS: 1104 H STREET, NE

WARD 6 ANC 6A SMD 6A01

NOTICE IS HEREBY GIVEN THAT THIS APPLICANT HAS APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSE ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

NATURE OF OPERATION

NEW TAVERN SERVING LIGHT FARE WITH AN OCCASIONAL DJ. SUMMER GARDEN WITH CAPACITY FOR 12 PATRONS.

HOURS OF OPERATION

SUNDAY THROUGH THURSDAY, 11AM-2AM
FRIDAY AND SATURDAY, 11AM-3AM

HOURS OF SALE, SERVICE OR CONSUMPTION OF ALCOHOLIC BEVERAGES AND SUMMER GARDEN

SUNDAY THROUGH THURSDAY, 11AM-1:30AM
FRIDAY AND SATURDAY, 11AM-2:30AM

HOURS OF ENTERTAINMENT

SUNDAY THROUGH SATURDAY, 6PM-2AM

READVERTISED

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR, SUITE 7200
WASHINGTON, DC 20002 (202) 442-4423**

**POSTING DATE: SEPTEMBER 28, 2007
PETITION DATE: NOVEMBER 13, 2007
HEARING DATE: NOVEMBER 28, 2007**

**LICENSE#: 77562
LICENSEE: MORONI & BROTHERS, INC
TRADE NAME: MORONI & BROTHERS PIZZA RESTAURANT
LICENSE CLASS: RETAILER CLASS "D" RESTAURANT
ADDRESS: 4811 GEORGIA AVE., NW**

WARD 4 ANC 4D SMD 4D06

NOTICE IS HEREBY GIVEN THAT THIS APPLICANT HAS APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSE ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

NATURE OF OPERATION

NEW FAMILY RESTAURANT SERVING ITALIAN AND LATIN FOOD. NO ENTERTAINMENT.

HOURS OF OPERATION

**MONDAY THROUGH THURSDAY, 7AM-11:30PM
FRIDAY AND SATURDAY, 7AM-12AM
CLOSED ON SUNDAY**

HOURS OF SALE, SERVICE OR CONSUMPTION OF ALCOHOLIC BEVERAGES

**MONDAY THROUGH THURSDAY, 8AM-11:30PM
FRIDAY AND SATURDAY, 8AM-12AM**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
 941 NORTH CAPITOL STREET, NE, 7TH FLOOR, ROOM 7200
 WASHINGTON, DC 20002

PERSONS OBJECTING TO THE APPROVAL OF A RENEWAL APPLICATION ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF THE LICENSE. HEARINGS WILL BEGIN AT 10:00AM AT 941 NORTH CAPITOL STREET, NE, 7TH FLOOR, ROOM 7200, HEARING ROOM.

RESCIND NOTICE

POSTING DATE 5/18/2007
 PETITION DATE 7/2/2007
 HEARING DATE 7/18/2007

THE FOLLOWING ESTABLISHMENTS ARE RENEWING THEIR ABC LICENSES:

License #74917 McCormick & Schmick Rest. Corp.

ANC 2B06 Restaurant K

Class Retailer CR 03 1700 K Street, NW No V/A

Endorsement:

<u>Hours of Operation</u>	<u>Hours of Sales</u>	<u>Entertainment Hours</u>	<u>Sidewalk Hours</u>
MON 11am to 2 am	11am to 2 am		
TUE 11am to 2 am	11am to 2 am		
WED 11am to 2 am	11am to 2 am		
THU 11am to 2 am	11am to 2 am		
FRI 11am to 3 am	11am to 3 am		
SAT 11am to 3 am	11am to 3 am		
SUN 11am to 2 am	11 am to 2 am		

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
 941 NORTH CAPITOL STREET, NE, 7TH FLOOR, ROOM 7200
 WASHINGTON, DC 20002

PERSONS OBJECTING TO THE APPROVAL OF A RENEWAL APPLICATION ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF THE LICENSE. HEARINGS WILL BEGIN AT 10:00AM AT 941 NORTH CAPITOL STREET, NE, 7TH FLOOR, ROOM 7200, HEARING ROOM.

RESCIND NOTICE

POSTING DATE 9/7/2007
 PETITION DATE 10/22/2007
 HEARING DATE 11/7/2007

THE FOLLOWING ESTABLISHMENTS ARE RENEWING THEIR ABC LICENSES:

License #77127 GBR-DC, LLC

ANC 2F03 Georgia Brown's

Class Retailer CR 02 950 15th Street, NW No V/A

Endorsement:

	<u>Hours of Operation</u>	<u>Hours of Sales</u>	<u>Entertainment Hours</u>	<u>Sidewalk Hours</u>
MON	11am to 2 am	11am to 2 am	N/A	11 am to 2 am
TUE	11am to 2 am	11am to 2 am	N/A	11 am to 2 am
WED	11am to 2 am	11am to 2 am	N/A	11 am to 2 am
THU	11am to 2 am	11am to 2 am	8 pm to 2 am	11 am to 2 am
FRI	11am to 3 am	11am to 3 am	8 pm to 3 am	11 am to 3 am
SAT	11am to 3 am	11am to 3 am	8 pm to 3 am	11 am to 3 am
SUN	11am to 2 am	11 am to 2 am	N/A	11 am to 2 am

RESCIND

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR, SUITE 7200
WASHINGTON, DC 20002 (202) 442-4423**

**POSTING DATE: SEPTEMBER 7, 2007
PETITION DATE: OCTOBER 22, 2007
HEARING DATE: NOVEMBER 7, 2007**

**LICENSE#: 77562
LICENSEE: MORONI & BROTHERS, INC
TRADE NAME: MORONI & BROTHERS PIZZA RESTAURANT
LICENSE CLASS: RETAILER CLASS "D" RESTAURANT
ADDRESS: 4811 GEORGIA AVE., NW
WARD 4 ANC 4D SMD 4D06**

NOTICE IS HEREBY GIVEN THAT THIS APPLICANT HAS APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSE ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

NATURE OF OPERATION

NEW FAMILY RESTAURANT SERVING ITALIAN AND LATIN FOOD. NO ENTERTAINMENT.

HOURS OF OPERATION

**MONDAY THROUGH THURSDAY, 7AM-11:30PM
FRIDAY AND SATURDAY, 7AM-12AM
CLOSED ON SUNDAY**

HOURS OF SALE, SERVICE OR CONSUMPTION OF ALCOHOLIC BEVERAGES

MONDAY THROUGH SATURDAY, 8AM-12AM

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR, SUITE 7200
WASHINGTON, DC 20002
(202) 442-4423

POSTING DATE: SEPTEMBER 28, 2007
PETITION DATE: NOVEMBER 13, 2007
HEARING DATE: NOVEMBER 28, 2007

LICENSE#: 75435
LICENSEE: SONIC BOOM, INC.
TRADE NAME: MAYORGA LOUNGE
LICENSE CLASS: RETAILER'S "C" RESTAURANT
ADDRESS: 3301 14TH STREET, NW

WARD 1 ANC 1A SMD 1A05

NOTICE IS HEREBY GIVEN THAT THIS LICENSEE HAS APPLIED FOR A SUBSTANTIAL CHANGE TO HIS LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

LICENSEE REQUESTS PERMISSION TO HAVE AN ENTERTAINMENT ENDORSEMENT FOR ENTERTAINMENT ON SUNDAY THROUGH THURSDAY, 7 PM TO 2 AM, AND FRIDAY AND SATURDAY, 7 PM TO 3 AM.

IN ADDITION, LICENSEE REQUESTS A CHANGE IN THE HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES AND CONSUMPTION. CURRENT HOURS ARE SUNDAY THROUGH WEDNESDAY, 10 AM TO 11 PM, AND THURSDAY THROUGH SATURDAY, 10 AM TO 1 AM. PROPOSED HOURS OF OPERATION ARE SUNDAY, 8 AM TO 2 AM, MONDAY THROUGH THURSDAY, 7 AM TO 2 AM, AND FRIDAY AND SATURDAY, 7 AM TO 3 AM. PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES AND CONSUMPTION ARE SUNDAY AND MONDAY, 11 AM TO 2 AM; TUESDAY THROUGH THURSDAY, 10 AM TO 2 AM; AND FRIDAY AND SATURDAY, 10 AM - 3AM.

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(202) 442-4423

POSTING DATE: SEPTEMBER 28, 2007
PETITION DATE: NOVEMBER 13, 2007
HEARING DATE: NOVEMBER 28, 2007

LICENSE#: 60080
LICENSEE: HAILE G. BAINOSAI
TRADE NAME: SELAM RESTAURANT
LICENSE CLASS: RETAILER'S "C" RESTAURANT
ADDRESS: 1524-1526 U STREET, NW

WARD 2 ANC 2B SMD 2B09

NOTICE IS HEREBY GIVEN THAT THIS LICENSEE HAS APPLIED FOR A SUBSTANTIAL CHANGE TO HIS LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

LICENSE REQUESTS PERMISSION TO AMEND ENTERTAINMENT ENDORSEMENT FROM ENTERTAINMENT ON FRIDAY AND SATURDAY, 10:00 PM – 2:30 PM TO ENTERTAINMENT, DANCING AND COVER CHARGE ON SUNDAY THROUGH THURSDAY, 9:00 PM – 2:00 AM, FRIDAY AND SATURDAY, 9:00 PM – 3:00 AM.

IN ADDITION, THE LICENSEE REQUESTS PERMISSION TO EXTEND THE HOURS OF ALCOHOLIC BEVERAGES. CURRENT HOURS ARE SUNDAY 10:00 AM – 2:00 AM, MONDAY THROUGH THURSDAY, 9:00 AM – 2:00 AM, AND FRIDAY AND SATURDAY, 9:00 AM – 3:00 AM. PROPOSED HOURS ARE SUNDAY THROUGH THURSDAY, 11:00 AM TO 2:00 AM, AND FRIDAY AND SATURDAY, 11:00 AM – 3:00 AM.

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WASHINGTON, DC 20002 (202) 442-4423

POSTING DATE: SEPTEMBER 28, 2007
PETITION DATE: NOVEMBER 13, 2007
HEARING DATE: NOVEMBER 28, 2007

LICENSE#: 75391
LICENSEE: BROOKLAND RESTAURANT LLC
TRADE NAME: CARDINAL'S NEST
LICENSE CLASS: RETAILER'S "C" TAVERN
ADDRESS: 3748 10TH STREET, NE
WARD 5 ANC 5A SMD 5A06

NOTICE IS HEREBY GIVEN THAT THIS LICENSEE HAS APPLIED FOR A SUBSTANTIAL CHANGE TO HIS LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

NATURE OF OPERATION

LICENSEE REQUESTS PERMISSION TO AMEND THE LICENSE CAPACITY FROM 65 TO 375 AND TO ADD A SUMMER GARDEN WITH SEATING FOR 40 PATRONS.

SUMMER GARDEN HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION

SUNDAY, 10AM-2AM
MONDAY THROUGH THURSDAY, 8AM-2AM
FRIDAY AND SATURDAY, 8AM-3AM

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, DECEMBER 4, 2007
SECOND FLOOR HEARING ROOM, SUITE 220-S
441 4TH STREET, N.W.
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

1:00 P.M. TO 6:00 P.M. AFTERNOON SESSION

P.M.

WARD SEVEN

17689 **Application of Taiwo Demuren, pursuant to 11 DCMR § 3104.1,**
ANC-7E **for a special exception to allow the construction of a new four (4)**
 unit apartment building under section 353 in the R-5-A District at
 premises 5139 Astor Street, S.E. (Square 5309, Lot 13).

WARD SEVEN

17690 **Application of Taiwo Demuren, pursuant to 11 DCMR § 3104.1,**
ANC-7E **for a special exception to allow the construction of a new four (4)**
 unit apartment building under section 353 in the R-5-A District at
 premises 5131 Astor Street, S.E. (Square 5309, Lot 9).

WARD THREE

**THIS APPEAL WAS CONTINUED FROM THE SEPTEMBER 4, 2007,
PUBLIC HEARING SESSION:**

17645 **Appeal of The Dexter Street Trust, pursuant to 11 DCMR §§ 3100**
ANC-3D **and 3101, from the decision of the Zoning Administrator (ZA) to**
 issue Building Permit No. B94022, allowing the construction of a
 new single-family dwelling and free-standing garage that allegedly
 violates building height, side yard and Wesley Heights Overlay tree
 protection provisions, in the WH/R-1-A District at premises 4840
 Dexter Street, N.W. (Square 1397, Lot 6).

BZA PUBLIC HEARING NOTICE

DECEMBER 4, 2007

PAGE NO. 2

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial.

The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4 of the Regulations, the Board will impose time limits on the testimony of all individuals.

Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board. Individuals and organizations wishing party status in any case before the Board must request that status and should do so in writing not less than fourteen (14) days prior to the date set for the public hearing on the particular application in accordance with Subsection 3106.2. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence. FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

RUTHANNE G. MILLER, CHAIRPERSON, CURTIS L. ETHERLY, JR., VICE CHAIRPERSON, MARC D. LOUD, SHANE L. DETTMAN, AND A MEMBER OF THE ZONING COMMISSION ----- BOARD OF ZONING ADJUSTMENT, BY JERRILY R. KRESS, FAIA, DIRECTOR.

PHN 12/4/07 rsn

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, November 8, 2007, 6:30 p.m. (1ST Case)**
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 07-24 - Text Amendment – DCMR Title 11 - Text Amendment to Eliminate the Certificate of Occupancy Requirement for CBRFs Housing Six or Less Persons with Disabilities

THIS CASE IS OF INTEREST ALL ANCS

On September 6, 2007, the Office of Zoning received a petition from the District of Columbia Office of Planning (“OP a text amendment to the zoning regulations to eliminate the requirement that a certificate of occupancy (“C of O”) be obtained for community based residential facilities (“CBRF”) intended to house six or fewer unrelated persons with disabilities.

At present, the Zoning Regulations require C of Os for all uses except one-family dwellings. A “one-family dwelling” is defined as “a dwelling used exclusively as a residence for one (1) family”, 11 DCMR 199.1. A family is defined to include six or fewer unrelated persons. *Id.* Thus, six unrelated persons (whether disabled or not) constitute a “family” and may occupy a dwelling without first obtaining a C of O. However, if such individuals require one or more persons to live with them to provide “treatment, rehabilitation, assistance, or supervision in their daily living”, their dwelling would meet the definition of a community based residential facility and a C of O must be obtained. Thus, whether or not six unrelated persons must obtain a C of O for a dwelling depends solely upon whether the group needs an additional resident to provide the assistance needed for them to live in a non-institutional setting.

At its September 10, 2007 meeting, the Zoning Commission adopted the rule on an emergency basis¹ and set it down for a hearing at a later date. The Commission also waived § 3013.1 of its rules of procedure, which would have required a twenty-day waiting period before publication.

The proposed text amendment is as shown below.

Title 11 of the District of Columbia Municipal Regulations, ZONING, Chapter 32, ADMINISTRATION AND ENFORCEMENT, § 3203.1, is amended to read as follows (new language is shown in bolded text, deleted language is shown in strikethrough):

¹ A Notice of Proposed and Emergency Rulemaking appears elsewhere in this volume of the *D.C. Register*

Z.C. NOTICE OF PUBLIC HEARING

Z.C. CASE NO. 07-24

PAGE 2

3203.1 Except as provided in §§ 3203.7, 3203.8, 3203.9, **or the second sentence of this subsection**, no person shall use any structure, land, or part of any structure or land for any purpose ~~other than a one-family dwelling~~ until a certificate of occupancy has been issued to that person stating that the use complies with the provisions of this title and the D.C. Construction Code, Title 12 DCMR. **The requirements of this subsection shall not apply to:**

- (a) **A one-family dwelling; or**
- (b) **A community based residential facility to be occupied by six or fewer persons with a handicap plus resident supervisors, as permitted by right in residence and commercial districts pursuant 11 DCMR §§ 201.1 (o) and 330.5 (i).**

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), an amended, D.C. Official Code § 6-641 *et seq.* (2001).

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of § 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to that section, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file in writing their intention to testify. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

Information should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 210-S, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of this particular case and your daytime phone number. **FOR RURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, GREGORY JEFFRIES, JOHN G. PARSONS, AND MICHAEL G. TURNBULL, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLING, SECRETARY TO THE ZONING COMMISSION.