

DC ENERGY OFFICE**FISCAL YEAR 2006****REQUEST FOR GRANT APPLICATIONS FROM PUBLIC AND PRIVATE
SCHOOLS AND UNIVERSITIES IN THE DISTRICT OF COLUMBIA
TO CONDUCT TECHNICAL AUDITS (COMPREHENSIVE ENERGY STUDIES)**

The DC Energy Office (DCEO) Institutional Energy Efficiency Program (IEEP) is requesting grant applications for fiscal year 2006 from District of Columbia public and private schools and universities to assist with defraying the cost of a detailed Technical Audit (TA).

This is a two-year pilot program. In 2005 grants were awarded to six universities to fund detailed Comprehensive Energy Studies. The IEEP will be funded and governed by the DC Public Service Commission (PSC) Order No. 13475 governing the Reliable Energy Trust Funds (RETF) dated May 20, 2005 and any subsequent and applicable District of Columbia laws and regulations. This is a 50/50 matching grant program, with the cost of the TA study being shared by DCEO and the participating institution. DCEO has \$168,000 available for TAs in 2006.

The Request for Grant Applications (RFGA) will be available beginning Friday, March 31, 2006. The RFGA will be available for pick-up (one per applicant) weekdays from 9:00 a.m. to 4:00 p.m. at the DCEO, 2000 14th Street NW, Suite 300 East. The RFGA can also be retrieved from the DCEO website, www.dceo.dc.gov.

Applications must be in the physical possession of the DCEO by 4:45 p.m., Friday, April 21, 2006.

D.C. Energy Office
(202) 673-6750
Government of the District of Columbia
Anthony A. Williams, Mayor

FRIENDSHIP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

FINANCIAL AUDIT SERVICES

Interested parties shall respond to this RFP by submitting (4 copies, 1 original inclusive) sealed qualification statements and by addressing the specific proposal requirements as requested in this RFP in an envelope clearly marked "RFP—FINANCIAL AUDIT SERVICES TO FRIENDSHIP PUBLIC CHARTER SCHOOL" to

Ms. Valerie Holmes
Finance Office
Friendship Public Charter School (FPCS)
701 E Street SE
Washington, DC 20003

Alternative means of submission via e-mail addressed to Catherine Sanwo at csanwo@friendshipschools.org cc: Valerie Holmes at vholmes@friendshipschools.org

By no later than **4:00 PM on March 31, 2006.**

Introduction

Friendship Public Charter School (FPCS) is a non-profit 501c3 corporation authorized to own and manage a charter school in the District of Columbia. Under a charter issued by the DC Public Charter School Board, FPCS operates five campuses with a total of 3700 students and an annual budget of \$43 million. Accounting for school operations for four of the campuses is performed by the school management company, Edison Schools. The FPCS central office provides overall financial management for the corporation, its central office staff and the operations of one of the campuses.

FPCS is soliciting proposals and qualification statements from interested parties having specific interest and qualifications in the areas identified in this solicitation. Qualification statements for consideration must contain evidence of the bidder's experience and abilities in the specified area and other disciplines directly related to the proposed work. Other information required by FPCS includes the submission of profiles and resumes of the staff to be assigned to the projects, references, illustrative examples of similar work performed, and any other requested information which will clearly demonstrate the bidder's expertise in the area of this solicitation.

A selection committee will review and evaluate all qualification statements and proposals and may request that the bidders make oral presentations and or provide additional information. The selection committee will rely on the qualification statements and proposals in selection of finalists and, therefore, bidders should emphasize specific information considered pertinent to this solicitation and submit all information requested.

Project Scope

**PROVIDE FINANCIAL AUDIT SERVICES TO FRIENDSHIP PUBLIC CHARTER SCHOOL—
900 PENNSYLVANIA AVENUE SE, WASHINGTON, DC FOR THE FISCAL YEAR ENDING
JUNE 30, 2006 AND TWO SUBSEQUENT FISCAL YEARS. AUDITED FINANCIAL
STATEMENTS MUST BE COMPLETED FOR SUBMISSION ON NOVEMBER 1 OF THE
FOLLOWING FISCAL YEAR.**

It is the intent of the RFP to select an audit firm utilizing the criteria set forth under the proposal requirements section of this RFP to prepare: 1) audited financial statements; 2) Form 990 tax return to the IRS; and 3) single audit report on Federal Grants (Form A-133).

Proposal Requirements

Proposals shall include, at a minimum, the following information organized as follows in a qualification statement:

1. A brief discussion of the company/firm, its organization, and services offered;
2. Information that demonstrates a history of providing for charter schools: a) audited financial statements, b) Form 990 reports to the IRS, and c) Single Audit (A-133) reports on Federal grants.
3. Resume(s) for the proposed auditors to be included on the project team, including descriptions of prior work experience for each
4. The firm's policies on notification of changes in key personnel.
5. Three references (3) from charter school clients with contact information.
6. A copy of the firm's peer review letter from within the past three (3) years; and disclosure of whether the firm has been the object of any disciplinary action from the American Institute of Certified Public Accountants Oversight Board, the District of Columbia Government, or any applicable Federal, City or State regulatory agency;
7. Statement of whether the firm is on the Approved Auditor List for charter schools in the District of Columbia (maintained by the DC Public Charter School Board) and whether the firm is licensed to perform audits in the District of Columbia.
8. Sample engagement letter with information on retainer fees and maximum hourly rates by staff classification for financial audits of non-for-profit organizations under Government Auditing Standards, and for the single audit required by OMB Circular A-133. Also include an estimate of projected hours and projected expenses.

Audit firms must meet the following qualifications:

1. At least seven years in auditing financial statements for charter schools.
2. At least five years in working with records provided by education management organizations for charter schools.
3. Inclusion on the Approved Auditor List for charter schools in the District of Columbia
4. Experience in auditing at least one charter school in the District of Columbia.

Applicants should address proposals to:

Catherine Somefun
Chief Financial Officer
Friendship Public Charter School
701 E Street SE
Washington, DC 20003

For further information, contact Ms. Valerie Holmes at 202-675-6935.

FRIENDSHIP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

CONTRACT FOR OFFICE SUPPLIES

Interested parties shall respond to this RFP by submitting (4 copies, 1 original inclusive) sealed qualification statements by addressing the specific proposal requirements as requested in this RFP in an envelope clearly marked "RFP – CONTRACT FOR OFFICE SUPPLIES" to

Ms. Valerie Holmes
Finance Office
Friendship Public Charter School (FPCS)
701 E Street, SE
Washington, DC 20003

By no later than **4:00 PM on March 31, 2006**

Introduction

FPCS is soliciting proposals and pricing for quality office supplies.

A selection committee will review and evaluate all qualification statements and proposals and may request that the bidders provide additional information. The selection committee will rely on the qualification statements and proposals in selection of finalists and, therefore, bidders should emphasize specific information considered pertinent to this solicitation and submit all information requested.

Project Scope

PROVIDE QUALITY OFFICE SUPPLIES AT A REASONABLE PRICE FOR FRIENDSHIP PUBLIC CHARTER SCHOOL AND CORPORATE OFFICES.

Proposal Requirements

Proposals shall include:

1. A brief discussion of the company/firm
2. Pricing of Items

- | | | |
|-----------------------------|----------------------------|----------------------------|
| 1. PAPER CLIPS (ASSORTED) | 35. RUBBER BANDS | 68. SPLENDA |
| 2. BINDER CLIPS (ASSORTED) | 36. CARD STOCK | 69. DESK SPEAKERS |
| 3. SCISSORS | 37. PAPER CLIP DISPENSER | 70. DESK ORGANIZERS |
| 4. INVISIBLE TAPE | 38. DIXIE CRYSTAL CANISTER | 71. MAILING LABELS |
| 5. TAPE DISPENSER | 39. CARD FILE REFILL | 72. 3-TAB FILE FOLDERS |
| 6. PENCILS (#2 Yellow) | 40. ROLODEX | 73. TRANPARENCIES |
| 7. INK PENS (BALL POINT) | 41. 2 HOLE PUNCH | 74. STORAGE CONTAINERS |
| 8. PENCILS MECHANICAL | 42. 3 HOLE PUNCH | 75. TISSUE |
| 9. RULERS | 43. FILE DRAWERS | 76. PUSH PINS |
| 10. COLOR MARKERS | 44. TOILET PAPER | 77. SOLAR CALCULATORS |
| 11. STAPLES | 45. PAPER TOWELS | 78. UNIBALL INK PENS |
| 12. EXECUTIVE STAPLERS | 46. KITCHEN TRASH BAGS | 79. DESK PHONES |
| 13. PENCIL SHARPENERS | 47. ULTRA DISH WASH LIQUID | 80. INTER OFFICE ENVELOPES |
| 14. POST-IT NOTES (ASST SZ) | 48. DESK PAD | 81. TONER CARTRIDGES |
| 15. WITE-OUT TAPE | 49. COLOR INK CARTRIDGE | 82. HIGHLIGHTERS |
| 16. WITE-OUT FLUID | 50. BLACK INK CARTRIDGE | 83. MASKING TAPE |
| 17. STAPLES DISKETTS | 51. EPSON STYLUS | 84. PACKING TAPE |
| 18. ZIP DISKETTS | 52. TOP FSTN PRONG FOLDER | 85. TIME CLOCK |
| 19. ENVELOPES | 53. BATTERIES | 86. DESK FILE HOLDER |
| 20. FILE LABELS | 54. HEATER FLOOR UPRIGHT | 87. PRIVACY SCREEN FILTERS |
| 21. FELT TIP PENS | 55. FIRST AID KIT | 88. CLIPBOARDS |

DISTRICT OF COLUMBIA REGISTER

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|---------------------------|---------------------------|------------------------------|
| 22. MANILA FILE FOLDERS | 56. DISINFECTING WIPES | 89. POWER SURGE STRIPS |
| 23. COLOR FILE FOLDERS | 57. AIR FRESHENER | 90. STANDARD WALL CLOCKS |
| 24. BINDERS (ASSORT. SZ) | 58. STYROFOAM CUPS | 91. DESK LAMPS |
| 25. ADDRESS LABELS | 59. COFFEE | 92. DRY ERASE MARKERS |
| 26. NOTE PADS (ASSORT SZ) | 60. SUGAR | 93. DRY ERASE BOARDS |
| 27. COPY PAPER | 61. COFFEE MATE CREAMER | 94. PRESENTATION ESALS |
| 28. STORAGE FILE BOXES | 62. TEA (ASSORTED HERBAL) | 95. BLACK MARKERS |
| 29. PROTABLE FILE RACKS | 63. HAND SOAP | 96. HANGING FILE FOLDERS |
| 30. EXP. FILE FOLDERS | 64. SMALL TRASH CANS | 97. WALLET FILE FOLDERS |
| 31. CALCULATORS | 65. SMALL TRASH BAGS | 98. DESK TRAYS |
| 32. CALCULATOR TAPE | 66. KITCHEN TRASH BAGS | 99. LIGHT BULBS |
| 33. CALR INK CARTRIDGES | 67. HEAVY DUTY CUTLERY | 100. LARGE MAILING ENVELOPES |
| 34. REPORT BINDERS | | |

3. Terms of payment
4. Sample contract

Company should address a proposal with the above items to:

Catherine Somefun
Chief Financial Officer
Friendship Public Charter School
701 E Street, SE
Washington, DC 20003

Proposals addressed to Ms. Somefun can also be e-mailed to Ms. Valerie Holmes on vholmes@friendshipschools.org

For further information, contact Ms Valerie Holmes at 202-675-6935

Office of the Secretary of the
District of Columbia

March 9, 2006

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 April 1, 2006.

Browne, Viola E.	Rpt	NAHRO 630 I St, NW 20001
Catucci, Roberta A.	Rpt	C T I A 1400 16 th St, NW#600 20036
Cousin, Janie R.	Rpt	H U D 451 7 th St, SW 20410
Dunston, Marilyn W.	Rpt	Bell Boyd Lloyd 1615 L St, NW#1200 20036
Evans, Cora A.	Rpt	Greater S.E. Community Hosp 1310 Southern Ave, SE 20032
Febus, Rebekah J.	Rpt	L A D Reporting 1100 Conn Ave, NW#850 20036
Finch, Angel L.	Rpt	Snavely King et al 1220 L St, NW#410 20005
Ford, Dolores A.	Rpt	Rosenberg Freeman Assoc 1066 30 th St, NW 20007
Frances, Fern Moore	Rpt	M P D/S O M B 300 Indiana Ave, NW 20001
Gross, Neal R.	Rpt	Gross & Company 1323 R I Ave, NW 20005

Jerome, Stephany	Rpt	L A D Reporting 1100 Conn Ave, NW#850 20036
Kelly, Anne	Rpt	Wash Natl Eye Center 110 Irving St, NW 20010
Kendall, Cassandra	Rpt	Jones Day 51 Louisiana Ave, NW 20001
Kirtland, Marcia A.	Rpt	Jones Day 51 Louisiana Ave, NW 20001
Klapper, Misty	Rpt	Klapper & Associates 1150 Conn Ave, NW#900 20036
Klein, Sheila F.	Rpt	HOR/Internat'l Relations 2170 R H O B 20515
Lara, Rosa Elena	Rpt	P N C Bank 808 17 th St, NW 20006
McIntosh, Janet J.	Rpt	Array Title & Escrow 1720 Wis Ave, NW 20007
Malcolm, Prudentia Ann	Rpt	Collier Shannon Scott 3050 K St, NW 20007
Mason, Linda J.	Rpt	Mooney Green et al 1920 L St, NW#400 20036
Mead, Lisa A.	Rpt	Sheet Metal Workers' Asso 1750 N Y Ave, NW 20006
Merrone, Darlene	Rpt	King & Spalding 1730 Pa Ave, NW 20006
Murphy, Marian F.	Rpt	Doyle Law Firm 3219D Sutton Pl, NW 20016
Oyeneyin, Jerome	Rpt	Collier Shannon Scott 3050 K St, NW 20007
Prothro, Mary	Rpt	Federal Mediation 2100 K St, NW 20427

Simpson, Patricia Jo	Rpt Ernst & Young 1225 Conn Ave,NW 20036
Weitz, James B.	Rpt CHL Business Interiors 1155 21 st St,NW#250 20036
Willis, Shelia S.	Rpt Fed Housing Finance Bd 1625 I St,NW 20006
Wilson, Anita D.	Rpt CHL Business Interiors 1155 21 st St,NW#250 20036
Woodland, Rose M.	Rpt Hunton & Williams 1900 K St,NW 20006
Wright, Alice	Rpt D B I A 1100 H St,NW#500 20005

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

Application No. 17381 of AGG International, Inc. pursuant to 11 DCMR § 3104.1, for a special exception to permit new residential development under § 353 and for multiple buildings to be considered a single building under § 410, in the R-5-A District, located at the 1400 block of Rock Creek Ford Road, NW (Square 2726, Lot 810).

HEARING DATE: November 8, 2005

DECISION DATE: December 6, 2005

DECISION AND ORDER

AGG International, Inc., the property owner (the "owner" or the "applicant") of the subject premises, filed an application with the Board of Zoning Adjustment (Board) on June 14, 2005¹, for a special exception under §§ 353 and 410 to permit new residential development of four row dwellings in the R-5-A zone. Following a hearing on November 8, 2005, the Board voted to approve the special exception.

Preliminary Matters

Self-Certification The original owner submitted a "self-certification" form with the Board describing the zoning relief that is requested above (Exhibit 9). Attorneys for the applicant submitted a revised application form and letter reflecting the change in ownership (Exhibit 21).

Notice of Public Hearing Pursuant to 11 DCMR 3113.13, notice of the hearing was sent to the applicant, all owners of property within 200 feet of the subject site, the Advisory Neighborhood Commission (ANC) 4A, and the District of Columbia Office of Planning (OP). The applicant posted placards at the property regarding the application and public hearing and submitted an affidavit to the Board to this effect (Exhibit 29).

ANC Report In its report dated October 7, 2005, ANC 4A indicated that, at a regularly scheduled monthly meeting with a quorum present, it voted "not to support" the application. The ANC also indicated that it had not received sufficient information about the project from the applicant. ANC Commissioner Habieba Snow-Israel testified at the public hearing in opposition to the application, stressing that the ANC lacked information about the character of the project and the proposed materials, parking, and green space at the project. The applicant maintained that, although this information had been provided during ANC meetings, it would meet with the ANC again.

Party Status Requests There were no requests for party status. However, the ANC is automatically a party to this application.

¹ The application was filed on behalf of the original owner, AMM Development, Inc., but was amended on or about July 21, 2005, to reflect a transfer of ownership to AGG International, Inc.

Persons in Support/Opposition One community member testified in opposition to the application, claiming that the proposed off-street parking was inadequate.

Government Reports

Office of Planning (OP) Report OP's report stated that the application should be approved, subject to the applicant's filing a revised plan showing that the second floor would not be "cantilevered" into public space (Exhibit 31). As will be explained in the Findings of Fact, the applicant filed revised plans, and OP testified at the public that it supported the special exception.

Department of Transportation (DDOT) Report DDOT's report stated that it had "no objections" to the proposed project (Exhibit 20).

Department of Housing & Community Development (DHCD) Report DHCD's report stated that it would support the application if the plans were modified and the townhouses were "located further back from the front property line. . . so that only the corners of the. . . cantilevered second floor bedrooms touch[ed] the front property line" (Exhibit 26).

FINDINGS OF FACT

The Site and Surrounding Area

1. The property is known as the 1400 block of Rock Creek Ford Road, NW and is located in Square 2726, Lot 810, in the R-5-A zone district.
2. The property is an irregularly shaped undeveloped lot of uneven topography. It is bounded by 15th Street on the east, 16th Street on the west, Fort Stevens Drive on the north, and Rock Creek Park and Military Road on the south. The property is bisected by Rock Creek Ford Road, and has frontage on both Rock Creek Ford Road and Fort Stevens Drive.
3. To the north of the property are Fort Stevens Drive and the Rittenhouse Apartments. To the east are multiple family dwellings. To the south are Rock Creek Ford Road and additional multiple family dwellings. To the west is vacant land and the Jewish Primary Day School.
4. The immediate neighborhood is characterized by multi-family residences, including the Rittenhouse Apartments, and semi-detached row and garden apartment homes.
5. There are several recreational opportunities in the vicinity, including Rock Creek Park to the west of the property.

The Application

6. The owner seeks a special exception to permit new residential development of four two-story row dwellings. The project has a maximum floor area ratio (FAR) of 0.85 and includes four surface parking spaces. All four dwellings will be erected at the same time from the ground up, and have a building height at 20 feet, measured from the curb at the center of each row dwelling.

7. The R-5-A zone permits matter-of-right development of single-family residential uses for detached and semi-detached dwellings. However, row dwelling developments, such as the one proposed, must seek special exception approval under § 353 of the Zoning Regulations. Because the four structures will be located on one record lot, the applicant seeks to have the structures deemed one building under § 410 of the Zoning Regulations.

8. The owner submitted twenty sets of site plans with its application, including floor plans, elevations, and grading and landscaping plans (Exhibit 10). He also submitted photographs, a survey of the property, and an aerial photograph of the vicinity (Exhibits 6, 3, Tab E appended to Exhibit 30). Initial drawings and site plans showed an "overhang" of the second floors of the units into public space. The owner submitted a revised plan in its pre-hearing statement showing that the second floors would no longer be cantilevered into public space (Tab F appended to Exhibit 30).

Proposed Design and Site Plan Review

9. The four row houses will occupy less than forty percent of the total site. All areas not devoted to the building or parking will be appropriately landscaped.

10. The front entrances of three of the units, and the access stairway at the end unit (unit 1) each abut Rock Creek Ford Road, which abuts the lot. The unit 1 front entrance abuts a side yard. None of the rear entrances abut a street, front yard, or front court. There will be no service entrances (Exhibit 31).

11. The one exterior stairway, at the end unit, is entirely within the building area of the site plan and is not shown above the level of the main floor joists (Exhibit 31).

12. Site access will be provided from Rock Creek Ford Road through only two curb cuts. Based on the submitted plans, there is adequate unobstructed access to the street from each of the dwellings, and the rear yard is large enough to allow access to the rear of each unit (Exhibit 31). The design also allows access for pedestrians to and from each dwelling through existing sidewalks (Exhibit 20, 31).

13. The project includes adequate yards and adequate light and air for each dwelling unit. None of the row dwellings has another building between it and a public street. Each unit has a roof terrace that provides additional light and air for the dwellings.

14. Although the original plans showed the second floors "cantilevered" into public space, the revised plans eliminated this "overhang" by locating the units farther back from the property line at Rock Creek Ford Road.

Impacts

15. The Board agrees with DDOT's finding that the project will have a negligible impact on traffic circulation and on-street parking supply (Exhibit 20).

16. The Board concurs with OP's conclusion that the project is compatible in its scale and mass with nearby residential structures and will enhance the residential character of the neighborhood (Exhibit 31).

17. The Board finds that the project will not adversely affect the use of neighboring properties and, specifically, that area public schools would not be adversely affected by the development of four, low density residential structures (Exhibit 31). The Board finds that the proposed project – consisting of only four dwelling units – presents a minimal burden on the public school system. Although the application was referred for comment and recommendation to the DC Board of Education, its analysis was not part of this Board's record. However, OP addressed this issue in its report, and the Board agrees with its analysis.

CONCLUSIONS OF LAW

The Board is authorized under § 8 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 799, as amended; D.C. Official Code § 6-641.07(g)(2) (2001)), to grant special exceptions as provided in the Zoning Regulations. The applicant is seeking a special exception pursuant to 11 DCMR § 353 to construct a development consisting of four row dwellings in an R-5-A District and a special exception under § 410 to deem the four structures a single building, and thereby permit construction on a single record lot.

The Board can grant a special exception where, in its judgment, two general tests are met, and, the special conditions for the particular exception are granted.

The general tests. First, the requested special exception must "be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps." 11 DCMR § 3104.1. Second, it must "not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Map" 11 DCMR § 3104.1. As to these general tests, the Board finds that the project is compatible with nearby residential structures and will not adversely affect neighboring properties in any way (Findings of Fact 16 and 17).

The "special conditions" under sections 353 and 410

Under Section 353.1 of the Zoning Regulations, the Board may grant a special exception for new residential development in the R-5-A district that is not comprised of one-family detached or semi-detached dwellings, subject to the requirements set forth in § 410 and the following requirements under § 353:

353.2 The Board shall refer the application to the D.C. Board of Education for comment and recommendation as to the adequacy of existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project. This condition has been met (Finding of Fact 17).

353.3 The Board shall refer the application to the D.C. Departments of Transportation (DDOT) and Housing and Community Development (DHCD) for comment and recommendation as to the

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adequacy of public streets, recreation and other services to accommodate the residents of the project and the relationship of the proposed project to public plans and projects. This condition has been met. DDOT stated that the project will have negligible impact on traffic circulation and on street parking supply (Finding of Fact 15). While DHCD's support was subject to a design change, the applicant made this change (Finding of Fact 8).

353.4 The Board shall refer the application to the D.C. Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures, provisions of light, air, parking, recreation, landscaping, and grading as they relate to the future residents of the project and the surrounding neighborhood. As stated in the Findings of Fact, OP favorably reviewed these elements of the project. Therefore, this condition has also been met.

Section 410.1 of the Zoning Regulations states:

In an R-5 district, if approved by the Board of Zoning Adjustment, a group of one-family dwellings, flats, or apartment houses, or a combination of these buildings, with division walls erected from the ground up or from the lowest floor up, may be erected and deemed a single building for the purpose of this title; *provided, that the requirements of §§ 410.2 through 410.11 shall be met.* (Emphasis added).

The Board therefore reviewed the project for compliance with §§ 410.2 through 410.11.

410.2 All buildings in the group of buildings shall be erected simultaneously. The four row dwellings comprising the building will be erected simultaneously (Finding of Fact 6).

410.3 All front entrances of the group shall abut a street, front yard, or front court. The front entrances of three of the row dwellings abut Rock Creek Ford Road. The front entrance of unit 1 abuts a side yard (Finding of Fact 10).

410.4 No rear or service entrance shall abut a street, front yard, or front court unless below the main floor. There are no service entrances (Finding of Fact 10). Therefore, this condition is inapplicable.

410.5 No exterior stairway shall be constructed above the level of the joists of the main floor unless located entirely within the building area. No exterior stairways are above the level of the joists of the main floor (Finding of Fact 11).

410.6 No subdivision of the property shall be authorized until the Board has determined that the following requirements are met:

(a) There shall be adequate free access to the street from each separate dwelling, group of dwellings, or buildings resulting from the subdivision. All front entrances directly abut Rock Creek Ford Road, providing adequate free access (Finding of Fact 12).

(b) Adequate access for fire protection and other purposes shall be provided by easement, fee, alley, or street. The project provides adequate access for fire

protection and other purposes through the surrounding street system (Finding of Fact 12).

(c) There shall be adequate yards, courts, light, and air for each dwelling, group of dwellings, or group of buildings resulting from the subdivision. The project includes adequate yards and light and air for each dwelling unit. Each unit includes a roof terrace that provides additional light and air for the dwellings (Finding of Fact 13).

410.7 The height of an individual building in a group of buildings may be measured as follows:

- (a) Any building that does not have another building between it and a public street shall be considered to front on the street, and the building height shall be measured from the curb at the center of the front of the building; There is no building that has another building between it and a public street. The height of the building has been measured from the curb at the center of each row dwelling (Findings of Fact 13, 6).
- (b) Any building that has another building between it and the public street may have its height measured from the proposed finished grade at the center of the front of the building, and the front shall be that side of the building providing access to the majority of the dwelling units within the building. This condition is inapplicable.

410.8 The front entrances of not more than four (4) one-family dwellings, nor more than four (4) dwelling units per floor, shall face any street that abuts the lot. No more than four entrances are proposed. Three of the front entrances face Rock Creek Ford Road, which abuts the lot. The unit 1 front entrance abuts a side yard (Finding of Fact 10).

410.9 All front entrances of the group shall abut a street, front yard, or front court; provided, that a front entrance may abut a side yard if all one-family dwellings or dwelling units to which the entrance is appurtenant are located no nearer a street upon which the lot abuts than the rear of any part of the group having a front entrance abutting a street, front yard, or front court. This condition has been met. (See above).

410.10 No rear or service entrance shall abut a street, front yard, or front court, unless located below the main floor. No rear entrances abut a street, front yard or front court (Finding of Fact 10).

410.11 No exterior stairway shall be constructed above the level of the joists of the main floor, unless located entirely within the building area of the group. This condition duplicates the special condition in § 410.5.

The Board is required under Section 13 of the Advisory Neighborhood Commission Act of 1975, effective October 10, 1975 (D.C. Law 1-21), as amended; D.C. Official Code § 1-9.10(d)(3)(A)), to give "great weight" to the issues and concerns raised in the affected ANC's recommendations.

Although the ANC did not support the project, the Board is not persuaded by the reasons the ANC presented. The ANC stated, in its report and in its testimony, that the owner had not supplied enough information for the ANC to have even accessed the application. However, the Board finds that the owner was forthcoming with the specific information which the ANC claims to have lacked. Nevertheless, the Board gave the ANC ample opportunity to submit post-hearing materials in support of its position but it did not do so. As discussed above, the Board is satisfied that the owner has met its burden of proof with respect to each of the regulatory criteria.

In reviewing a special exception application, the Board is also required under D.C. Official Code § 6-623.04(2001) to give "great weight" to OP recommendations. For the reasons stated in this Decision and Order, the Board finds OP's advice to be persuasive.

For the reasons stated above, the Board concludes that the applicant has satisfied the burden of proof with respect to the application for a special exception under §§ 353 and 410 of the Zoning Regulations.

Therefore, for the reasons stated above, the application for a special exception is granted.

VOTE: 5-0-0 (Geoffrey H. Griffis, Ruthanne G. Miller, Curtis L. Etherly, Jr., John A. Mann II, and Gregory Jeffries (by absentee ballot) in favor of the motion to grant, and none opposed)

Vote taken on December 6, 2005

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

Each concurring member has approved the issuance of this Decision and Order.

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FINAL DATE OF ORDER: _____

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,

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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 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.

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

Application No. 17441 of JPI Development Services L.P. pursuant to 11 DCMR 3103.2, for variance relief from section 773 of the Zoning Regulations to permit less than the required residential recreation space and pursuant to 11 DCMR § 3104.1, special exceptions for multiple roof structures pursuant to sections 411 and 770.6 of the Zoning Regulations to allow the development of a multiple family residential building in the C-3-C District at premises 70 and 100 Eye Street, S.E. (Square 695, Lot 816).

Note: The applicant amended the application by adding special exception relief from subsection 770.6.

SUMMARY ORDER

HEARING DATE: March 14, 2006
DECISION DATE: March 14, 2006 (Bench Decision)

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) 6D and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6D, which is automatically a party to this application. ANC 6D submitted a report supporting the special exception relief and not supporting the variance relief sought in the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under sections 770.6 and 411, and a variance pursuant to § 3103.2 from the requirements of sections 773. 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, 770.6 and 411, that the requested relief can be granted, being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Based upon the record before the Board, the Board further concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2 and 773, 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 be **GRANTED**.

VOTE: 4-0-1 (Geoffrey H. Griffis, John A. Mann II, Ruthanne G. Miller, and Curtis L. Etherly, Jr. to approve. The Zoning Commission member not present, not voting).

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

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: March 14, 2006

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

BZA APPLICATION NO. 17441

PAGE NO. 3

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.

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Government of the District of Columbia
BOARD OF ZONING ADJUSTMENT

MAR 24 2006

Application No. 17448 of Josselyn Neukom & Brian Bulloch, pursuant to 11 DCMR § 3104.1, for a special exception to allow a rear addition to an existing single-family detached dwelling under section 223, not meeting the lot occupancy requirements (section 403) rear yard requirements (section 404), and side yard requirements (section 405), in the R-1-B District at premises 5603 Chevy Chase Parkway, N.W. (Square 1999, Lot 814).

Note: The Applicant submitted amended plans showing an off-street parking space located at the rear of the subject property.

HEARING DATE: March 14, 2006
DECISION DATE: March 14, 2006 (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) 3/4G and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3/4G, which is automatically a party to this application. ANC 3/4G submitted a report in support of the application. The Office of Planning (OP) also submitted a report in conditional support of the application.

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

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning

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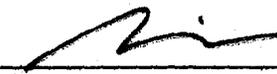
Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

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

VOTE: 4-0-1 (Geoffrey H. Griffis, Ruthanne G. Miller, Curtis L. Etherly, Jr., and John A. Mann II, to approve. The Zoning Commission member not present, not voting.)

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

Each concurring member approved the issuance of this order.

ATTESTED BY: 

JERRILY R. KRESS, FAIA

Director

FINAL DATE OF ORDER: MAR 14 2006

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.

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ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

CHANGE IN APRIL 2006 MONTHLY MEETING DATE

The Zoning Commission of the District of Columbia, in accordance with § 3005.1 of the District of Columbia Municipal Regulations, Title 11, Zoning, hereby gives notice that it has rescheduled the **April** monthly meeting from Monday, April 10, 2006, at 6:30 P.M., to **Thursday, April 20, 2006, at 6:30 P.M.**

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

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES
PUBLICATIONS PRICE LIST

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