

**THE CESAR CHAVEZ PUBLIC CHARTER
SCHOOLS FOR PUBLIC POLICY**

**NOTICE FOR SOLICITATION OF PROPOSALS FOR
SCHOOL FACILITIES RENOVATION**

The Cesar Chavez Public Charter Schools for Public Policy, in accordance with section 2204 (c) (1) (A) of the DC School Reform Act of 1995 (Public Law 104-134), hereby solicits proposals for school facilities renovation.

The Cesar Chavez Public Charter Schools will receive bids from June 16, 2006 to COB June 30, 2006 Attn: Lisa Drew, 709 12th Street, SE, Washington, D.C. 20003. All necessary forms and a full RFP may be obtained by calling 202-547-3975 ext. 19.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BOARD FOR THE CONDEMNATION OF INSANITARY BUILDING
P.O. BOX 37200
WASHINGTON, D.C. 20013-7200

Find enclosed a list of buildings against which condemnation proceedings have been instituted. This list is current as of April 2006. The following paragraphs will give some insight into why these buildings were condemned and the meaning of condemnation for insanitary reasons.

Each listed property has been condemned by the District of Columbia Government's Board for the Condemnation of Insanitary Buildings (BCIB). The authority for this board is Title 6, Chapter 9, of the District of Columbia Code, 2001 Edition. The BCIB has examined each property and has registered with the record owner (via condemnation) a strong disapproval of the condition in which the property is being maintained. The BCIB has recorded at the Office of the Recorder of Deeds an Order of Condemnation against each property for the benefit of purchasers and the real estate industry.

These properties were condemned because they were found to be in such an insanitary condition as to endanger the health and lives of persons living in or in the vicinity of the property. The corrective action necessary to remove the condemnation order could take the form of demolition and removal of the building by the owner or the BCIB. However, most buildings are rendered sanitary, i.e., the insanitary conditions are corrected by the owner or the BCIB.

The administration of the condemnation program does not take title to property. The title to each property remains with the owner. Accordingly, inquiries for the sale or value of these properties should be directed to the owner of record. Inquiries regarding the owner or owner's address should be directed to the Office of Tax and Revenue, Customer Service, Office of Real Property Tax (202) 727-4829, 941 North Capitol Street, NE, 1st floor.

For further assistance, contact the Support Staff of the BCIB on 442-4486.

THE BOARD FOR THE CONDEMNATION OF INSANITARY BUILDING

Enclosure:

**BOARD FOR
THE CONDEMNATION OF INSANITARY BUILDINGS**

NOTICE OF PUBLIC INTEREST

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest</u>			
419 Columbia Road	132	3050	1
5109 Connecticut Avenue	48	1989	3
5109 Connecticut Avenue-Rear	48	1989	3
412 Delafield Place	175	3251	4
410 Florida Avenue	40	507	5
1461 Florida Avenue	147	2660	1
1333 Gallatin Street-Rear	17	2805	4
3003 Georgia Avenue	111	3052	1
3919 Georgia Avenue	0035	3027	4
3919 Georgia Avenue-Rear(Shed)	0035	3027	4
4607 Georgia Avenue	16	3015	4
4609 Georgia Avenue	17	3015	4
4613 Georgia Avenue-Rear	19	3015	4
5407 Georgia Avenue	51	2996	4
616 Irving Street	146	3052	1
4907 Kansas Avenue	77	3252	4
4841 Kansas Avenue	0060	3215	4
641 Keefer Place	19	3041	1
440 Kenyon Street	43	3049	1
709 Kenyon Street	806	2892	1
416 Luray Place-Rear	77	3044	1
1000 M Street	57	341	2
1006 M Street	51	341	2
37 Missouri Avenue	39	3393	4
39 Missouri Avenue	40	3393	4
1824 Monroe Street	813	2614	1
3642 New Hampshire Avenue	32	2898	1
1625 New Jersey Avenue	804	509E	5
1320 North Capitol Street	154	617	5
1424 North Capitol Street	10	616	5
1426 North Capitol Street	836	616	5
4922 North Capitol Street	67	3401	4

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest (Cont'd)</u>			
86 O Street	201	617	5
405 O Street	802	511	2
509 O Street	479	2001/2002	2
605 P Street	154	445	2
607 P Street	140	445	2
1429 Parkwood Place	62	2688	1
1428 Perry Place	29	2688	1
1427 Q Street	9	208	2
750 Quebec Place	201	3031	1
1001 Quebec Place	63	2902	4
936 Quincy Street	92	2901	4
3620 RCC Road	121	2831	1
423 Shepherd Street	38	3238	4
423 Shepherd Street-Rear	38	3238	4
815 T Street	23	393	1
333 U Street	21	3086	1
901 U Street	100	360	2
613 Upshur Street	72	3226	4
613 Upshur Street-Rear	72	3226	4
2023 Vermont Avenue	87	360	1
215 Whittier Street-Rear	820	3363	4
1329 Wisconsin Avenue	68	1232	2
1333 1 st Street	193	617	5
1401 1 st Street	814	616	5
1202 3 rd Street	837	523	2
1506 3 rd Street	818	521	5
1859 3 rd Street	810	3096	1
1209 4 th Street	810	523	6
1211 4 th Street	502	2026	6
1221 4 th Street	848	523	2
1417 5 th Street	54	511	2
1425 5 th Street	511	817	2
1427 5 th Street	818	511	2
1909 7 th Street	0802	0440	1
1905 8 th Street	802	416	1
1905 8 th Street -Rear	802	416	1
1301 9 th Street	801	399	2
1303 9 th Street	62	399	2

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest (Cont'd)</u>			
1305 9 th Street	63	399	2
1307 9 th Street	803	399	2
1309 9 th Street	804	399	2
4523 9 th Street	0046	3017	4
4529 9 th Street-Rear	49	3017	4
1715 11 th Street	10	335	2
2232 11 th Street	70	302	1
3007 11 th Street	99	2851	1
5113 13 th Street-Rear	19	2929	4
5713 13 th Street-Rear	51	2935	4
5749 13 th Street-Rear	58/818	2935	4
2208 14 th Street	30	202	1
4024 14 th Street	53	2694	4
3350 17 th Street	93	2612	1
3350 17 th Street-Rear	93	2612	1
3222 19 th Street	817	2604	1
3222 19 th Street-Rear	817	2604	1

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast</u>			
1033-39 Bladensburg Road	807	4473	5
3027 Channing Street	54	4360	5
837 Florida Avenue	63	908	6
907 Florida Avenue	803	961N	6
1369 Florida Avenue-Rear	129	1026	6
1653 Gales Street	182	4550	6
1655 Gales Street	183	4550	6
2001-R Gales St-Rear #1	800	4525	7
2001-R Gales St-Rear #2	800	4525	7
2001-R Gales St-Rear #3	800	4525	7
2001-R Gales St-Rear #4	800	4525	7
2001-R Gales St-Rear #5	800	4525	7
2001-R Gales St-Rear #6	800	4525	7
2001-R Gales St-Rear #7	800	4525	7
2001-R Gales St-Rear #8	800	4525	7
2001-R Gales St-Rear #9	800	4525	7
2001-R Gales St-Rear #10	800	4525	7

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast (Cont'd)</u>			
1209 Holbrook Street	37	4072	5
1002 Irving Street	812	3877	5
1511 Isherwood Street	176	4544	6
303 K Street	804	775	6
1753 L Street	0104	4474	5
1704 Lawrence Street-Rear	29	4146	5
4502 Lee Street	148	5155	7
5119 Lee Street	0038	5200	7
1800 M Street	124	4445	5
1227 Meigs Place	106	4055	5
1405 Montello Avenue	28	4060	5
1410 Montello Avneue	809	4059	5
1414 Montello Avenue	807	4059	5
5706 NHB Avenue	10	5214	7
1309 North Carolina Avenue	115	1035	6
624 Orleans Place	0372	0855	6
1243 Owen Place	188	4060	5
2509 Rhode Island Avenue-Rear	0820	4314	5
115 Riggs Road	85	3701	5
3610 South Dakota Avenue	33	4224	5
3610 South Dakota Avenue-Rear	33	4224	5
1741 Trinidad Avenue	26	4082	5
415 W Street	41	3601	5
514 3 rd Street	54	754	6
1811 3 rd Street	7	3570	5
1248 4 th Street	802	3587	5
612 5 th Street-Rear	68	810	6
935 5 th Street	0052	0831	6
1167 6 th Street	0288	0855	6
819 8 th Street	28	911	6
214 15 th Street	106	1055	6
4310 22 nd Street	12	4232	5
3721 30 th Place	814	4304E	5
1322 45 th Place	25	5120	7
1136 47 th Place	137	5155	7
1202 47 th Place	60	5160	7
1227 47 th Place	39	5160	7
1017 48 th Street	10	5153	7

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast (Cont'd)</u>			
1055 48 th Street	0098	5153	7
1023 50 th Street-Rear (South Garage)	803	5200	7
1023 50 th Street-Rear (North Shed)	803	5200	7
109 53 rd Street	91	5243	7
311 55 th Street	78	5250	7

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Southeast</u>			
1523 A Street	816	1072	6
1751 A Street	63	1097	6
1751 A Street-Rear	63	1097	6
5019 A Street	5	5327	7
5055 A Street	14	5327	7
20 Bass Circle	12	5345	7
5010 Benning Road	68	5340	7
5032 Benning Road	37	5340	7
4915 C Street	28	5336	7
5201 C Street	9	5312	7
4926 Call Place	33	5336	7
4930 Call Place	32	5336	7
5000 Call Place	35	5323	7
1107 D Street	50	992	6
627 E Street-Rear	842	877	6
3118 E Street	807	5440	7
3326 Ely Place	807	5444	6
647 G Street	139	878	6
3009 G Street	807	5480	7
1239 Goodhope Road	89	3033	8
1220 Mapleview Place	811	5800	8
1909 Martin Luther King Jr	829	5770	8
1911 Martin Luther King Jr	829	5770	8
1913 Martin Luther King Jr	829	5770	8
2228 Martin Luther King Jr	810	5802	8
2234 Martin Luther King Jr	811	5802	8
2238 Martin Luther King Jr	978	5802	8
2629 Martin Luther King Jr-East	192	5867	8
2629 Martin Luther King Jr-West	192	5867	8
2759 Martin Luther King Jr.-Rear	802	5982	8

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Southeast (Con't)</u>			
917 New Jersey Avenue	15	738	6
919 New Jersey Avenue	16	738	6
921 New Jersey Avenue	17	738	6
923 New Jersey Avenue	18	738	6
2241 Prout Street	803	5561	8
1620 South Capitol Street	0808	0708	6
1008 South Carolina Avenue	23	970	6
1225 Sumner Road	980	5865	8
821 Virginia Avenue	6	929	6
1242 W Street	99	5782	8
1708 W Street	154	5778	8
1118 1 st Street	60	743N	6
1122 1 st Street	58	743N	6
4010 3 rd Street	806	6167	8
4014 3 rd Street	804	6167	8
3020 7 th Street	50	5953	8
3009 8 th Street	814	5953	8
3009 8 th Street -Rear	814	5953	8
102 9 th Street	801	943	6
911 12 th Street	19	969	6

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Southwest</u>			
78 Darrington Street-Rear	23	6223S	8
71 Forrester Street	67	6240	8
157 Forrester Street	803	6240	8
10 N Street	60	653	6

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 Self-Government and Governmental Reorganization Act of 1973, as amended, D.C. Code section 1-1504 (1999 Repl), hereby gives notice that the Board for the Condemnation of Insanitary Buildings' (BCIB) regular meetings will be held on the dates listed below for calendar year 2005, (the second and fourth Wednesday of each month). The meetings will begin at 10:00 a.m. in Room 7100 of 941 North Capitol Street, NW, Washington, D.C. 20002.

2006

January 11th
January 25th

July 12th
July 26th

February 8th
February 22nd

August 9th
August 23rd

March 8th
March 22nd

September 13th
September 27th

April 12th
April 26th

October 11th
October 25th

May 10th
May 24th

November 8th
November 22nd

June 14th
June 28th

December 13th
December 27th

* * * * *

These regularly scheduled meetings of the BCIB are open to the public. Please call the Building Condemnation Division on (202) 442-4322 or 442-4486 for further information or for changes in this schedule.

DISTRICT OF COLUMBIA
EDUCATION LICENSURE COMMISSION

Notice of Application for Initial Licensure

The Education Licensure Commission, pursuant to the Advisory Neighborhood Commission Act, CODE Ann., § 1-261 (1987), AND THE ADMINISTRATIVE PROCEDURE ACT, D.C. CODE ANN., § 1-1506 (1987), hereby gives notice that Lake Forest Graduate School of Management, 1905 W. Field Court, Lake Forest, Illinois has made application for a degree school license to offer the degree of Masters of Business Administration in General Management with a specialization in Healthcare in the District of Columbia. The institution will locate at the Blue Cross and Blue Shield Association, 1310 G street NW, Washington, DC 20005, and ANC02 2F.

The Commission intends to take action on this application in not less than 30 days from the date of this notice. Comments should be submitted in writing within 30 days to:

Angela M. March
Education Program Specialist
Education Licensure Commission
DC State Education Office
441 4th Street NW, Suite 350 North
Washington, DC 20001
angela.march@dc.gov

E.L. Haynes Public Charter School
3029 14th St. NW
Washington, DC 20009
Phone: 202-667-4446
Fax: (202) 667-8811

NOTICE: REQUEST FOR PROVIDING SPECIAL EDUCATION SERVICES

The E.L. Haynes Public Charter School, in compliance with Section 2204 (c) of the District of Columbia School Reform Act, hereby solicits expressions of interest from **special education service providers**.

Letters of engagement should address:

- Contract year: August 2, 2006 – June 30, 2007.
- Services to include occupational therapy, physical therapy, speech and language therapy, and psychological counseling for students at varying levels.
- Provider to conduct special education evaluations and submit reports in compliance with legal timelines.
- Provider to participate as needed in MDT, IEP and other critical meetings.
- Performance of services includes cultivating an effective relationship with the school's student support team and completing all necessary paperwork in a timely manner.
- Provider will have experience in co-teaching, NCLB certified, and have all state licenses.
- Experience working with a diverse, inner city, student population a priority.

Questions: e-mail rhorne@elhaynes.org using the subject line "special education RFP" or call 202-667-4446

Deadline: 5 PM Friday, June 23, 2006 all proposals are due at the administrative office. Proposals may be mailed or sent by courier to the administrative office.

DEPARTMENT OF HEALTH

PUBLIC NOTICE

The District of Columbia Board of Dentistry hereby gives notice of the change of its regularly scheduled monthly meeting dates pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) ("Act").

Beginning Wednesday, July 19, 2006 the District of Columbia Board of Dentistry will now hold its regularly scheduled monthly meetings on the third Wednesday of each month at 10:00 a.m. The Board of Dentistry meets at 717 14th Street, NW, 10th Floor, Washington, D.C. 20005.

**D.C. DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH ADMINISTRATION
NOTICE OF FILING OF APPLICATIONS
TO PERFORM VOLUNTARY CLEANUPS**

Pursuant to § 601 (b) of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code § 8-636.01(b) (Supp. 2005)), the Voluntary Cleanup Program (VCP) in the D.C. Department of Health, Environmental Health Administration (EHA), Bureau of Hazardous Material and Toxic Substances (BHMTS), is informing the public that it has received three (3) applications, VCP2006-008, VCP2006-009 and VCP2006-010, to participate in the Voluntary Cleanup Program.

Application VCP-2006-008 pertains to the 19.7 acre site for the new major league baseball stadium at 1500 South Capital Street, S.E., Washington, D.C. 20003. The site is bounded on the north by N Street, S.E., on the east by First Street, S.E., on the south by Potomac Avenue, S.E. and on the west by South Capitol Street. The applicant is Allen Y. Lew, Chief Executive Officer, District of Columbia Sports and Entertainment Commission, 2400 East Capitol Street, S.E., Washington, D.C. 20003. The proposed stadium will host major league baseball events with a seating capacity of approximately 41,000, at least 1,100 regular and 125 handicapped parking spaces, and 30 bus spaces. The stadium will also provide space for vendors and concessions, team offices, and maintenance shops. The application identifies low to moderate levels of total petroleum hydrocarbons and some volatile organic compounds, low levels of a few semi-volatile organic compounds and of metals in soils and groundwater at various locations within the site.

Application VCP2006-009 pertains to 1101 Vermont Avenue, N.W., Washington, D.C. 20005. The applicant is John Connelly, Manager, c/o UBS Realty Investors, LLC, 242 Trumbull Street, Hartford, Connecticut 06103-1212. The applicant has no plans to change the current property usage, a 12-story office building including a street-level dry cleaning business and a three-level underground parking garage. The application identifies residual low concentrations of petroleum products and dry-cleaning solvents in the soil and groundwater beneath the building slab. The applicant has installed interior wells and taken interior soil samples to monitor the concentrations of these contaminants. The office building, which fully occupies the site, protects the public from exposure to the residual subsurface contamination beneath the building. The applicant does not plan to conduct additional cleanup activities at this time.

Application VCP-2006-010 pertains to properties at 306, 316, 322, 326, 328, and 332 H Street, N.E.; and 317, 319 and 323 I (Eye) Street, N.E., collectively referred to as 3rd and H Streets, N.E. The applicant is John R. Clark, III, President, Steuart Investment Company and President, Steuart - H Street, LLC. The address for both entities is 5454 Wisconsin Avenue, Suite 1600, Chevy Chase, Maryland 20815. The applicant plans to redevelop the property with an eight-story, mixed-use commercial/ residential building, with ground-floor retail and 210 to 250 one-to two-bedroom housing units. The application identifies petroleum and chlorinated solvents in soil and groundwater.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the respective Advisory Neighborhood Commissions for the areas in which the properties are located. Interested persons may submit written comments on the proposed approval of each of the applications to the address listed below. The EHA is required to consider all public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion. These applications will be available for public review at the following location:

Voluntary Cleanup Program
Bureau of Hazardous Material and Toxic Substances, EHA
51 N Street, N.E., Room 3024
Washington, DC 20002

Interested parties may also request a copy of the application for a small charge to cover the cost of copying by contacting the Voluntary Cleanup Program at the above address or calling (202) 535-1337.

Written comments must be received within twenty-one (21) days from the date of publication of this notice in the *District of Columbia Register* and should be addressed to the attention of Patricia N. Young, Esq., Program Manager at the address listed above.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN SERVICES
Family Services Administration

JUN 16 2006

PUBLIC NOTICE OF FUNDING AVAILABILITY

The Department of Human Services, Family Services Administration (DHS/FSA) pursuant to the requirements of Title 29, Chapter 40 of the District of Columbia Code of Municipal Regulations, hereby gives notice of the intent to announce the issuance of two Requests for Applications (RFAs) and the availability of federal grant funds under the Family Violence Prevention and Services Grant (42 U.S.C. § 10401 *et seq.*) Applications are being solicited from qualified public and private non-profit agencies based in and primarily servicing target communities in the District of Columbia, to provide:

1. Public information and education about domestic violence for:
 - Asian-American populations of the District of Columbia;
 - Latino populations of the District of Columbia;
 - Under-served racial, ethnic, and/or special population of the District of Columbia other than the Latino or Asian-American communities; and
2. Counseling and case management services for victims of domestic violence in the District of Columbia.

Grant funds of approximately \$180,000 are available for Fiscal Year 2007; \$90,000 of which is for public information and education and \$90,000 of which is for counseling and case management services for victims of domestic violence. The grant funds available for public information and education may be awarded in up to three (3) grants for a total of \$90,000. One (1) grant of \$90,000 will be awarded for counseling and case management services for victims of domestic violence. Qualified public and private non-profit agencies may apply for one (1) or both of the programs, however, separate submissions are required for each program.

Interested applicants may obtain RFA packages between the hours of 9:00 a.m. and 4:00 p.m., beginning June 20, 2006, at the following location: Family Services Administration, 2146 24th Place, N.E., Room 208, Washington, DC 20018, Attention: Barbara Strother, Grant Manager. Telephone No.: (202) 541-3957. Applications may also be obtained from the Office of Partnerships and Grants Development Website, <http://www.opgd.dc.gov/> go to the link, District Grants Clearinghouse.

A pre-application conference will be held on Tuesday, June 27, 2006; from 2:30 p.m. to 3:30 p.m. for the public information and education RFA and from 3:30 p.m. to 4:30 p.m. for the counseling and case management RFA at the above address in the Second-floor Conference Room.

The deadline for submission of both RFA's is 4:45 p.m., EST, on July 20, 2006.

Please address any questions to Barbara Strother.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Human Services
Early Care and Education Administration**

PUBLIC NOTICE OF FUNDING AVAILABILITY

Mini-Grant Management Program

The District of Columbia Department of Human Services (DHS), Early Care and Education Administration (ECEA) seeks to provide one grant to a non-profit community development financial intermediary (CDFI) capable of managing, promoting and monitoring a mini-grant program focused on the expansion, conversion and start-up of infant and toddler child care slots. The target populations will be all wards of the District, starting with the wards of greatest need.

The total amount available for the mini-grants is \$350,000 per year in District appropriated funds. Additional funding is available for managing, promoting and monitoring the mini-grant program. The grant award shall be for an initial period of one year from the date of the award beginning in Fiscal Year 2006. Upon satisfactory performance, availability of funds and at the discretion of the District, up to four (4) one-year renewable options may be exercised by the District.

The Request for Application (RFA) will be available on June 15, 2006. Applications and selection criteria may be obtained from the Office of Partnerships and Grants Development website, www.opgd.dc.gov, and go to the link, District Grants Clearinghouse, or from Ms. Priscilla Burnett, Program Assistant, DHS/Office of Grants Management at (202) 671-4407 or via e-mail to priscilla.burnett@dc.gov.

The Pre-Application Conference will be held on June 27, 2006, from 10:00 AM to 11:00 AM, at the Martin Luther King, Jr. Memorial Library, at 901 G Street, NW, Auditorium A-10, Washington, D.C. For preparation purposes, interested parties planning to attend are requested to RSVP to Ms. Priscilla Burnett, Program Assistant, DHS/Office of Grants Management at (202) 671-4407 or via e-mail to priscilla.burnett@dc.gov.

The deadline for application submission is July 26, 2006, 3:30 pm.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Human Services
Early Care and Education Administration

PUBLIC NOTICE OF FUNDING AVAILABILITY

Replication of the Parent-Child Home Program (PCHP) Model

The District of Columbia Department of Human Services (DHS), Early Care and Education Administration (ECEA) seeks to provide a grant to a community-based non-profit organization capable of replicating the Parent-Child Home Program (PCPH) Model. The PCHP is a research-based parenting and early literacy program designed to strengthen verbal interaction and educational interaction between parents and their children ages two and three. Target participants for the Parent-Child Home Program include: teen parents in the New Heights program; teen parents in foster care in group homes or independent living; parents of children ages two and three from the New Communities areas in Wards 7 and 8; and parents of young children referred by groups such as the Strengthening Families Collaborative, Early Head Start or TANF (Temporary Assistance for Needy Families) vendor or workers.

The total amount available for this grant is \$250,000 over a two year period, beginning Fiscal Year 2006. The funding source is in District appropriated funds. The grant award shall be for an initial period of one year from the date of the award. Upon satisfactory performance, availability of funds and at the discretion of the District, up to two (2) one-year renewable options may be exercised by the District.

The Request for Application (RFA) will be available on June 15, 2006. Applications and selection criteria may be obtained from the Office of Partnerships and Grants Development website, www.opgd.dc.gov, and go to the link, District Grants Clearinghouse, or from Priscilla L. Burnett, Program Assistant at (202) 671-4407, or via email to priscilla.burnett@dc.gov.

The Pre-Application Conference will be held on June 27, 2006, from 11:30 AM to 12:30 PM, at the Martin Luther King, Jr. Memorial Library, at 901 G Street, NW, Auditorium A-10, Washington, D.C. For preparation purposes, interested parties planning to attend are requested to R.S.V.P. to Priscilla L. Burnett, Program Assistant at (202) 671-4407 or via e-mail to priscilla.burnett@dc.gov.

The deadline for application submission is July 26, 2006, 3:30 pm.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Human Services
Early Care and Education Administration

PUBLIC NOTICE OF FUNDING AVAILABILITY

**Unified Communications Center (UCC)
CHILD DEVELOPMENT CENTER OPERATION
RFA #0721-07**

The District of Columbia Department of Human Services (DHS), Early Care and Education Administration (ECEA) seeks to provide a grant to an organization capable of providing services at the Unified Communications Center (UCC) Child Development Center (CDC) located at 2720 Martin Luther King Jr. Avenue, SE, Washington, DC. The proposed site contains 9,128 net square feet of program space. The CDC shall provide high quality, developmentally appropriate child care for a maximum of eighty-four (84) children from infant to Preschool, seven (7) days per week, twenty-three (23) hours a day with a minimum of eighteen (18) hours of operation during the initial start-up phase. The chosen Provider shall demonstrate the experience, ability, and capability to initiate 23/7 services once the CDC is fully operational.

The total amount available for this grant is \$150,000. The source of funding is committed from the Child Care and Development Fund Block Grant.

The grant award shall be for an initial period of two (2) years from the date of the award, beginning Fiscal Year 2006. Upon satisfactory performance, availability of funds, and at the discretion of the District, three (3) one-year renewable options may be exercised by the District.

The Request for Application (RFA) will be available on June 19, 2006. Applications and selection criteria may be obtained from the Office of Partnerships and Grants Development website, www.opgd.dc.gov. Follow the link to District Grants Clearinghouse or from Ms. Priscilla Burnett, Program Assistant, DHS/Office of Grants Management at (202) 671-4407, or via email at priscilla.burnett@dc.gov.

The Pre-Application Conference will be held on July 10, 2006, from 2:00 until 5:00 pm, at the Unified Communications Center, CDC, 2720 Martin Luther King Jr. Avenue, S.E. Washington, D.C. 20032. Please RSVP to Ms. Priscilla Burnett, Program Assistant, DHS/Office of Grants Management at (202) 671-4407.

The deadline for application submission is July 21, 2006, 2:00 pm EST.

NOTICE OF PUBLIC MEETING

The District of Columbia Police Officers Standards and Training (D.C. POST) Board will hold open meetings on the following dates and times during the remainder of Calendar Year 2006:

Monday, August 7, 2006, 5 p.m. – 7 p.m.

Tuesday, October 3, 2006, 5 p.m. – 7 p.m.

Tuesday, December 4, 2006, 5 p.m. – 7 p.m.

The meetings will be held in Room 1117 South, 441 4th 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 a “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 5031
Washington, D.C. 20001
Attn: Ms. Joan Weiss

E-Mail: joan.weiss@dc.gov or mail.post@dc.gov

Fax Number: 202-727-5101

Telephone Number: 202-727-1516

DC PUBLIC CHARTER SCHOOL BOARD**REQUEST FOR PROPOSALS – BOARD DEVELOPMENT****RFP# 6-1-06****Bid Open Date: June 16, 2006****Bid Closing Date: July 14, 2006****OVERVIEW OF THE PCSB GOVERNANCE PROJECT:**

The District of Columbia Public Charter School Board (PCSB) requests proposals for a Governance Project Consultant, which will provide governance training over the next three years for prospective and existing Board of Trustees members for the charter schools under the PCSB's authority. Currently in its second year of operation, the Governance Project is expanding to include three components: 1) Prospective Charter School Board Member Recruitment Consortium; 2) Board of Trustees Training Institute; and 3) technical assistance to charter school boards. The Prospective Charter School Board Member Recruitment Consortium will provide an orientation for members of the public interested in serving as a charter school trustee, and establish a resource pool from which charter school boards can recruit new members. The Board of Trustees Training Institute will provide a series of workshops for new charter school board members focused on the various aspects of charter school governance, including roles and responsibilities. The technical assistance to charter school boards will provide direct support to identified charter schools to assist them in overcoming particular challenges. The goals of the Governance Project are to 1) provide a resource from which schools can identify potential board members; 2) improve the understanding among prospective and existing board members of appropriate and effective charter school governance; and 3) provide individualized assistance to charter school boards.

AN OVERVIEW OF THE PCSB:

The School Reform Act of 1996 established the PCSB as one of two chartering authorities in the District of Columbia. In its role as an independent charter authorizer, the PCSB accepts and reviews applications to establish charter schools and provides oversight of those charter schools once approved. The PCSB also has the authority to revoke a school's charter for failure to comply with its charter, or applicable laws or regulations. The PCSB currently provides oversight of 34 charter schools on 42 campuses.

ABOUT CHARTER SCHOOLS AND CHARTER SCHOOL GOVERNANCE:

Charter schools are publicly funded schools that operate independent of the public school system. In exchange for this autonomy, charter schools are accountable for demonstrating high performance. Failure to do so could result in charter revocation.

Each charter school is governed by a Board of Trustees. Each charter school's Board of Trustees consists of up to 15 members, including at least two parents. A majority of the board members must reside in the District of Columbia. The Board of Trustees holds responsibility for the overall performance of the charter school by setting policies to ensure that the school's performance is in keeping with established targets and that its administrative operations are functioning properly. Failure to provide adequate oversight jeopardizes student performance and the school's existence.

TASKS**Prospective Charter School Board Member Recruitment Consortium****1. *Conduct Workshops***

The Governance Project Consultant will conduct workshops for both prospective and existing Board of Trustee members as part of the Prospective Charter School Board Member Recruitment Consortium.

The PCSB will solicit members of the public to submit applications to participate in the Prospective Charter School Board Member Recruitment Consortium. The Governance Project Consultant will conduct a workshop for Consortium participants to familiarize them with charter schools and the roles and responsibilities of charter school Boards of Trustees. At the conclusion of the workshop, it is expected that Consortium participants will make a final determination regarding their interest in becoming a board candidate.

The Governance Project Consultant will survey the boards of existing charter schools to identify the types of expertise that would benefit them. The Consultant will provide a workshop on charter school governance issues to existing board members who join the Consortium. Topics may include board roles and responsibilities and the process of selecting new board members.

2. *Make Referrals of Board Candidates to Charter School Boards*

Based on various factors (e.g., charter schools' identified needs and the interests of the board candidates), the Governance Project Consultant will make referrals of board candidates to the schools in the Consortium. The Consultant will

develop a process to determine if referrals resulted in board membership for the candidates.

3. Evaluation

The Governance Project Consultant will conduct an evaluation of the Prospective Charter School Board Member Recruitment Consortium results and offer recommendations on how the Consortium can further its goals of providing a resource from which charter schools can identify potential board members, and improving the understanding of prospective board members of appropriate and effective charter school governance.

Board of Trustees Training Institute

1. Conduct Workshops

The Governance Project Consultant will conduct a series of workshops especially for new charter school Boards of Trustees as part of the Board of Trustees Training Institute. Some of this training will be done in conjunction with PCSB staff and/or consultants. Possible topics include understanding the roles and responsibilities of a charter school board, evaluating the head of school, accountability planning, financial management, and strategic planning.

2. Evaluation

At the completion of the training series, the Governance Project Consultant will conduct an evaluation of the Board of Trustees Training Institute and offer recommendations on how the Institute can further its goal of improving the understanding among existing charter school board members of appropriate and effective charter school governance.

Technical Assistance to Charter School Boards

1. Technical Assistance

In consultation with PCSB staff, the Governance Project Consultant will provide one-on-one assistance to a select number of identified charter schools. The Consultant will be expected to gain a thorough understanding of identified schools' challenges through various means (stakeholder interviews, board meeting attendance, review of documents) and make recommendations to the schools on how to improve its governance. Additionally, the Consultant will need to determine and implement an appropriate means to follow-up with schools on the recommendations.

2. Evaluation

At the completion of the technical assistance, the Governance Project Consultant will conduct an evaluation to provide 1) a summary of issues and solutions for schools assisted and any "themes" that arose as a result of the consultation; and 2) recommendations on how to more effectively assist schools facing governance challenges, as well as proactive measures that can be taken to avoid such challenges.

Timeframe

The PCSB anticipates awarding the contract for the Governance Project Consultant by July 28, 2006. Workshops are expected to take place beginning in the fall of SY 2006-07 and lasting through SY 2008-09, and scheduled in consultation with PCSB staff.

Compensation

The total anticipated costs for the Governance Project Consultant contract will be no more than \$230,000 over the three year period.

Qualifications

The PCSB seeks contractors that possess:

- familiarity with charter schools
- familiarity with various accountability measures used by charter schools
- experience in providing training, especially as it relates to governance and board development
- a track record in providing governance training
- familiarity with the DC educational community

Proposal Contents and Deadline for Submission

Proposals should provide:

- a description of suggested workshop topics for the Consortium and Training Institute, including proposed timelines;
 - a description of services to be provided as it relates to technical assistance for identified schools;
 - evidence of the contractor's capabilities and experience with regard to each of the tasks and qualifications noted in this RFP;
 - a résumé or vita; and
 - a budget for the contractor's time and expenses.
-
- *Proposals should not exceed 20 pages in length, excluding attachments.*
 - *Applicants should submit 4 copies.*

Proposals will be accepted until 5:00 PM, July 14, 2006. Proposals should be sent to Tamara Lumpkin, Deputy Director, District of Columbia Public Charter School Board, 3333 14th St., NW, Suite 210, Washington, DC 20010. Questions concerning the application should be submitted in writing to the same address, or faxed to 202-328-2661.

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

Application No. 17319-A of William McKeever, pursuant to 11 DCMR § 3104.1, for a special exception to allow a rear addition to an existing single-family row dwelling under section 223, not meeting the side yard (section 405) and court (section 406) requirements in the DC/R-5-B District at premises 1723 Riggs Place, N.W. (Square 153, Lot 104).

HEARING DATE:	May 10, 2005
DECISION DATE:	June 7, 2005
MODIFICATION DECISION DATE:	June 6, 2006

SUMMARY ORDER ON MODIFICATION

Background. By order dated February 1, 2006, the Board granted a special exception to allow a rear addition to an existing single-family row dwelling under section 223, not meeting the court (section 406) requirement in the DC/R-5-B District at premises 1723 Riggs Place, N.W. (Square 153, Lot 104).

On March 31, 2006, the Applicant submitted a motion for modification of approved plans with the Office of Zoning. Copies of the motion for minor modification of plans were also submitted to the Office of Planning (OP), Advisory Neighborhood Commission 2B, and a group of neighbors represented by Volker Zinser who were parties in the previous application. The OP did not submit a report on the requested modification. ANC 2B submitted a letter taking no position on the modification request.

Modification of Plans. The plans approved under BZA Order No. 17319, showed a 23.94 square foot kitchen extension (the approved structure being 5.7 feet wide by 4.2 feet in depth). The Applicant's modification involves extending the depth of the structure by an extra two feet in an area that is 4.2 feet wide: an additional 8.4 square feet. This modification increases the total size of the project to 32.34 square feet. This increased depth would reduce the 14'x4.2' space remaining in the dog leg or court to 12'x4.2'. The modification will not cause the overall lot occupancy to exceed the 70 percent permitted under section 223. Further, the floor area ratio (FAR) will not be exceeded. No variance relief is required by the modification of plans. The minor modification will add only 8.4 square feet, making it possible for better furniture placement and enjoyment of the addition that was not possible in the original plan.

Based upon the record before the Board and having given great weight to the ANC report the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3129.1, that the requested relief can be granted being in

harmony with the general purpose and intent of the Zoning Regulations and Map. No parties opposed this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

The Board concludes that the Applicant's proposed modification of plans is consistent with the requirements of § 3129.7 of the Zoning Regulations in that the revisions represent a minor modification that does not change the material facts the Board relied upon in approving the original application.

Accordingly, it is therefore **ORDERED** that the application is **GRANTED**.

VOTE on Original Application (June 7, 2005): 4-1-0

(Geoffrey H. Griffis, Curtis L. Etherly, Jr., John A. Mann II and Kevin Hildebrand (by absentee vote) to approve; Ruthanne G. Miller opposed).

VOTE on Minor Modification of Plans (June 6, 2006): 3-0-2

(Geoffrey H. Griffis, John A. Mann II and John G. Parsons (by absentee vote), Ruthanne G. Miller abstaining and no Zoning Commission member participating).

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

Each concurring Board member approved the issuance of this order.

FINAL DATE OF ORDER: June 8, 2006

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 § 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 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. 17398 of Jason Lefebure, pursuant to 11 DCMR § 3103.2, for a variance from the floor area ratio requirements under § 1321.2, and a variance from the size of parking space requirements of § 2115.1, to allow the renovation of, and a third floor addition to, an existing building for commercial use in the HS/C-2-A District at premise 510 H Street, N.E. (Square 832, Lot 14).¹

HEARING DATE: December 6, 2005

DECISION DATE: December 6, 2005

DECISION AND ORDER

This application was submitted on July 15, 2005 by Jason Lefebure ("Applicant"), owner of the property that is the subject of the application ("subject property"). The application requests variances from the floor-area ratio ("FAR") requirement and the size of parking space requirement in order to construct an addition to the existing building, add a rear exit stair, and provide two under-size parking spaces. The building will not exceed the maximum FAR permitted in its C-2-A zone district, but will exceed the proportion of nonresidential FAR permitted both under the regulations governing the C-2-A district and the new provisions of the H Street, N.E. Neighborhood Commercial Overlay District ("Overlay"), which was set down by the Zoning Commission on October 25, 2004 and which became effective upon its publication in the *D.C. Register* on March 10, 2006. Once the Commission decided to set down the Overlay for a hearing, all building permit applications for properties located within the proposed Overlay had to be processed in accordance with the more restrictive proposed provision, as is required by 11 DCMR § 3202.5 (a).

The Board held and concluded a hearing on the application on December 6, 2005, and, at the close of the hearing, voted 4-0-1 to grant the application. No Zoning Commissioner member was present at the hearing.

PRELIMINARY MATTERS

Notice of Application and Notice of Hearing. By memoranda dated July 19, 2005, the Office of Zoning ("OZ") gave notice of the application to OP, the District of Columbia Department of Transportation, Advisory Neighborhood Commission ("ANC") 6C, the ANC within which the subject property is located, Single Member District 6C05, and the Council Member for Ward 6. Pursuant to 11 DCMR § 3113.13, OZ published notice of the hearing in the *D.C. Register* and mailed notice of the hearing to the Applicants, ANC 6C, and all owners of property within 200 feet of the subject property.

Requests for Party Status. There were no requests for party status.

¹The caption is different from that advertised. The relief requested changed during the course of the proceedings on the application and the caption has been revised to reflect the proper relief.

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Applicant's Case. The Applicant's architect presented the case. He testified to the narrowness of the subject property and the resultant practical difficulties in providing the required residential use. He also described the design of the project and opined that it would have a positive impact on the H Street Commercial Corridor.

Government Reports. The Office of Planning submitted a report to the Board dated November 21, 2005. OP opined that the Applicant met the variance tests and recommended approval of the variances requested. OP did not feel that granting the variances would have a detrimental effect on the Overlay.

ANC Report. ANC 6C submitted a report to the Board dated November 30, 2005, which recommended denial of the variances requested because, according to the ANC's analysis, the Applicant failed to satisfy the variance tests. The ANC also stated that the Applicant would not experience difficulties if the variances were not granted, and that granting them would set a bad precedent in the new Overlay corridor.

Persons in Support or Opposition. The Capitol Hill Restoration Society submitted a November 10, 2005 letter to the Board opposing the granting of the variances. The Society opined that the subject property is not unique and can be put to sufficient economic use within the existing zoning parameters.

The H Street Development Corporation submitted a November 2, 2005 letter to the Board supporting the granting of the requested variances. The Development Corporation views the granting of this application as an opportunity to renovate an "eyesore" and improve the H Street, N.E. commercial corridor.

FINDINGS OF FACT

The subject property and the surrounding area.

1. The subject property is located within the H Street commercial corridor, at 510 H Street, N.E., Square 832, Lot 14, in an HS/C-2-A zone district.
2. The lot is 19 feet wide and 1,660 square feet in area, but is not a perfect rectangle. It has a reduced rear yard area because a corner "chunk" of approximately 8 feet by 5 feet is cut out of the lot and is a part of the public alley at the rear.
3. The subject property is improved with a two-story building with a basement. The two buildings adjacent to the subject building on one side are both three stories tall.
4. The building itself is 1,145 square feet in area and occupies approximately 75% of the lot area. The building is 17 feet, 9 inches wide and 66 feet long.

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5. In the past, the building was used for commercial and possibly residential purposes. The basement has been used for storage, the first floor for a grocery store/billiard parlor, and the second floor either for a residence or a commercial use.
6. The building has been vacant for several years and is in need of renovation and repairs.

The proposed project.

7. The Applicant is proposing to renovate the existing building and to add a new third floor and mezzanine with a roof deck, as well as a new enclosed rear stairway. The roof deck will not be visible from the street.
8. The height of the building as proposed will be approximately 46 feet, 4 feet less than the maximum 50 feet permitted in the C-2-A zone district. 11 DCMR § 770.1.
9. The Applicant will provide two parking spaces in the rear, opening onto a rear alley, both of which will measure 8 feet by 16 feet,² smaller than the 9 feet by 19 feet required for a standard parking space. 11 DCMR § 2115.1.
10. The C-2-A zone district permits an overall maximum FAR of 2.5, with a maximum nonresidential FAR of 1.5. 11 DCMR § 771.2.
11. The subject property is located within the Housing Sub-District of the H Street Overlay, which permits a maximum FAR of 0.5 for nonresidential uses, unless an existing façade is preserved. 11 DCMR § 1321.2.
12. The Applicant will preserve the façade, indeed, the entire building, and so is permitted, under the Overlay, a maximum of 1.5 for nonresidential uses. 11 DCMR § 1321.3.
13. The Applicant is proposing to use the basement of the building for storage for a first floor retail tenant and to use the second floor and the newly-constructed third floor and mezzanine for office space for his graphic design business and studio.
14. The Applicant's proposed total FAR of 2.5 will not exceed the maximum FAR allowed, but will all be devoted to nonresidential uses, thereby exceeding the maximum nonresidential FAR allowed.

²In his testimony, the Applicant's architect stated that the 2 parking spaces provided would likely be 9 feet by 18 feet, even closer to the required size. (December 6, 2005 Transcript at 10.)

The Variance Test.

15. The subject building was built prior to the enactment of the Zoning Regulations and is small both in terms of length and width to allow for a residential use above a commercial use.
16. The building is long, but narrow, with limited direct sunlight from the front and back windows. It is attached to adjacent buildings on both sides, and therefore the width of its footprint cannot be expanded.
17. In order to locate residential uses on the second and third floors, two entries are required from the street, one for the first floor commercial occupancy and one for the upper residential uses. Such a multi-tenant residential use would require a 2-hour rated corridor at the stair.
18. The necessary second stair and attendant corridor circulation space would use up approximately 15% of the total gross floor area of the building, leaving an-overly narrow usable space of approximately 7 feet by 28 feet.
19. If the entire building is devoted to nonresidential uses, a second entry and its attendant stair and corridor are not required, leaving a suitably-sized usable space for the nonresidential uses.
20. A sufficient rear yard is provided, but there is insufficient room for two 9 by 19-foot parking spaces and there is nowhere else on the lot that such spaces can be located.
21. Both the retail and the office uses are permitted in the underlying C-2-A zone and in the Housing Sub-District of the Overlay.
22. The Applicant's business/office use will employ 10 people, most of whom will be using mass transit, walking, or bicycling to work.
23. Commercial vehicles, such as delivery trucks, will make limited stops at the subject property and the office use will not create any significant noise or other negative impacts on the surrounding area.
24. The absence of residential uses in the building will not have a detrimental effect on the H Street corridor. The first-floor retail will provide a lively street presence and will continue the string of first-floor retail along both sides of H Street. The upper-floor office space will provide additional activity in the building and the area during work hours.

CONCLUSIONS OF LAW

The Board is authorized to grant variances from the strict application of the Zoning Regulations to relieve difficulties or hardship where "by reason of exceptional narrowness, shallowness, or shape of a specific piece of property ... or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition" of the property, the strict application of any Zoning Regulation would "result in particular and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property ..." D.C. Official Code § 6-641.07(g)(3), 11 DCMR § 3103.2. The "exceptional situation or condition" of a property can arise out of the structures existing on the property itself. *See, e.g., Clerics of St. Viator v. D.C. Board of Zoning Adjustment*, 320 A.2d 291, 293-294 (D.C. 1974). Relief can be granted only "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." D.C. Official Code § 6-641.07(g)(3), 11 DCMR § 3101.2.

An applicant for an area variance must make the lesser showing of "practical difficulties," as opposed to the more difficult showing of "undue hardship," which applies in use variance cases. *Palmer v. D.C. Board of Zoning Adjustment*, 287 A.2d 535, 541 (D.C. 1972). The Applicant in this case, therefore, had to make three showings: exceptional condition of the property, that such exceptional condition results in "practical difficulties" to the Applicant, and that the granting of the variances will not impair the public good or the intent or integrity of the Zone Plan and Regulations.

The subject property whose lot and building pre-date the Zoning Regulations is exceptionally long and narrow and the building is bounded on both sides by party walls and adjacent buildings. One rear corner of what would otherwise be a rectangular lot is infringed upon by the rear alley. These exceptional circumstances lead to Applicant's difficulty in providing the required residential use.

The Applicant is constrained by the narrowness of the building in providing an upper-story residential component. If the required second entry and attendant stair and corridor were provided, there would not be adequate room left for a usable residential unit(s). If permitted to instead use the two upper floors and mezzanine as office space, no second entry, stair, or corridor are necessary, and the area left is sufficient to be used for this office space.

As for the size of the parking spaces, two 9 by 19-foot required spaces simply cannot fit in the building's rear yard. The size of the spaces provided is only slightly smaller than that required, and even at 8 feet by 16 feet, is sufficient to accommodate compact cars. (*See*, 11 DCMR § 2115.3). The Board concludes that the parking spaces are certainly large enough to be usable and that their provision furthers the public good by opening up 2 on-street parking spaces.

The last prong of the variance test is no impairment of the public good or of the intent or integrity of the Zone Plan and Regulations. With respect to the FAR variance, the Board finds none of these negatives here, and in fact, finds the opposite. The retail and office uses proposed

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by the Applicant are both permitted in the underlying C-2-A zone and in the Overlay, albeit at a somewhat reduced FAR than is proposed. Therefore the uses proposed are compatible with the surrounding area. Moreover, although the Applicant's proposal does not provide residential uses, it does further several of the goals of the H Street Overlay. Instead of razing the building, the proposal makes adaptive re-use of it, retains its façade, and improves it with a new addition. See, 11 DCMR §§ 1320.2(e) and 1321.3. (One of the purposes of the Overlay is to "[e]ncourage the reuse of existing buildings.") The proposal also furthers one of the main purposes of all Neighborhood Commercial Overlays by establishing a retail use on the first floor of the building. See, 11 DCMR § 1300.3(b). The re-use of the building will help to re-vitalize the H Street commercial corridor, thus enhancing the public good.

The Board is required to give "great weight" to issues and concerns raised by the affected ANC and to the 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. OP recommended granting the application and the Board agrees with this recommendation.

The ANC did not support the application on grounds that there did not appear to be evidence that the property was unique or exceptional or that the applicant would experience a practical difficulty if the variance were not granted. As set forth above, the Board finds that the property is exceptionally narrow and that this exceptional condition results in the difficulty of accommodating a residential use.. The ANC further stated that this exception would "set a poor precedent in this commercial corridor that is beginning to see development." It is unclear as to what kind of precedent the ANC was referring. However, each case must be judged on its individual merits and each application must independently meet the tests required. Given that this property meets the variance tests and is in accord with the several goals of the H Street Overlay, the Board does not find the ANC's argument 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 variance from the FAR requirements of § 1321.2, and a variance from the size of parking space requirements of § 2115.1. Accordingly, it is therefore **ORDERED** that the application be **GRANTED**.

Vote: 4-0-1 (Geoffrey H. Griffis, Ruthanne G. Miller, John A. Mann II and Curtis L Etherly, Jr. to grant. No Zoning Commissioner member present or voting.)

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

Each concurring Board member approved the issuance of this order.

JUN 08 2006

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, 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. 17425-A of 14T, LLC, pursuant to 11 D.C.M.R. §§ 3104.1 and 3103.2, for variances from the floor area ratio requirements under Section 771, lot occupancy requirements under section 772, residential recreation space requirements under section 773, residential setback requirements under subsection 1902.1(b), nonconforming structure provisions under subsection 2001.3, and a special exception from the rear yard requirements under subsection 774.2, for renovation and construction of an addition allowing a mixed use (retail/residential) building in the Arts/C-3-A District at premises 1832-1840 14th Street, N.W. (Square 206, Lots 231 and 822).

HEARING DATE: February 14, 2006
DECISION DATE: February 14, 2006 (Bench Decision)
DECISION DATE ON MODIFICATION: May 2, 2006

MODIFICATION OF APPROVED PLANS
SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 D.C.M.R. § 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) 2B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2B, which is automatically a party to this application. ANC 2B submitted a letter in support of the application. The Office of Planning submitted a report in support of the application.

REQUEST FOR MODIFICATION OF APPROVED PLANS

The above-captioned application was approved by the Board of Zoning Adjustment (Board) by Order No. 17425, dated March 6, 2006. On March 31, 2006, the applicant filed a Request for Modification of Approved Plans. The modification involves the relocation of proposed parking from a basement level (which was to be excavated under the historic structures), to the ground floor level, accessible at street-grade. Several other portions of the basement and first floor plans were affected by the relocated parking, namely:

1. The reduction in parking spaces provided from thirty-one (31), approved by the Board, to thirty (30);

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2. The Reduction in the number of residential units from thirty-eight (38) approved by the Board, to thirty-seven (37);
3. Conversion of the units remaining on the ground-floor level from residential to live/work "Artist Housing" as permitted by Section 1901.1 and 1908.1(d) of the Zoning Regulations;
4. Reduction in the retail gross floor area from 6,000 square feet, approved by the Board, to 4,830 square feet; and
5. Elimination of the loading berth, shown on the original application approved by the Board, which, pursuant to 11 D.C.M.R. § 2200.5, is not required.
6. Relocated parking spaces from the P-1 level to the ground floor.

The applicant submitted revised plans shown as Exhibit 34 in the record. Further, the applicant submitted additional plans noting an elevation change on the ground floor level, shown as Exhibit 35 in the record.

A modification of approved plans is allowed with Board approval under the provisions of Section 3129 of the Zoning Regulations. By memorandum dated May 1, 2006, noted in the record as Exhibit 36, the Office of Planning stated that they had reviewed the proposed changes and stated that the "requested changes do not appear to have any effect on the requested variances or on the justification provided for support of the relief. As such, OP has no objection to the modification."

The Board concludes that the requested modification of plans was timely filed pursuant to subsection 3129.3, is minor in nature, and does not change the material facts the Board relied upon in approving the original application.

Pursuant to 11 D.C.M.R. §§ 3101.6 and 3129.1, the Board has determined to waive the requirement of 11 D.C.M.R. § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that the **MODIFICATION OF APPROVED PLANS** be **GRANTED** subject to the revised plans (Exhibits No. 34 and 35) in the record.

VOTE: 5-0-0 (Geoffrey H. Griffis, John A. Mann II, Ruthanne G. Miller, present and voting to approve, Curtis L. Etherly, Jr. and Gregory Jeffries voting to approve by absentee vote).

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

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: MAY 05 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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GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 17474 of ASR Group Inc., as amended, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under section 772, a variance from the residential recreation space requirements under section 773, a variance from section 2115.2 that any accessory parking area or parking garage with 25 or more required parking spaces may designate up to 40 percent of the required parking spaces for compact cars, and a special exception pursuant to 11 DCMR § 3104.1 and 411.3 requiring that rooftop elements be placed in one enclosure, to allow the construction of a new 326-unit apartment building in the C-2-A District at premises 1300 Rhode Island Avenue, N.E. (Square 3956, Lot 801).

Note: *The initial application was amended to add relief under §§ 2115.2 and 411.3 as stated above.*

HEARING DATE: May 23, 2006
DECISION DATE: May 23, 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) 5B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5B, which is automatically a party to this application. ANC 5B submitted a report in support of the application. The report was filed at the public hearing, beyond the 7-day filing requirement. However the Board waived its rules to accept the late filing from the ANC. The Office of Planning (OP) submitted a report in support of all of the relief except for the variance from the lot occupancy requirement.

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 411.3. 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.

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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 411, 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.

Based upon the record before the Board and having given great weight to the ANC and the Office of Planning reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, *(772, 773 and 2115)* 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: 5-0-0 (Geoffrey H. Griffis, Ruthanne G. Miller, Anthony J. Hood, John A. Mann II and Curtis L. Etherly, Jr. to approve)

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

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: JUN 06 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

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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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TWR

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 17475 of Jemal's Giant LLC, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under section 772, a variance from the residential recreation space requirements under section 773, a variance from the side yard requirement under section 775 and pursuant to 11 DCMR 3104.1, for a special exception from the requirement that rooftop elements be placed in one enclosure under section 411, to allow the construction of a new 220 unit apartment building in the C-2-A District at premises 3460 14th Street, N.W. and 1439 Newton Street, N.W. (Square 2678, Lots 706, 832, and part of Lots 705 and 707).

Note: The Applicant amended the application to include variance relief under section 775 and special exception relief under section 411 as indicated in the revised heading above.

HEARING DATE: May 23, 2006
DECISION DATE: May 23, 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) 1A and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1A, which is automatically a party to this application. ANC 1A submitted a report in support of the application, however the report did not meet the requirements of §3115, entitling it to great weight. 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 section 411. 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 411, 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.

Based upon the record before the Board and having given great weight to the Office of Planning report filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, (772, 773 and 775) 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: 5-0-0 (Geoffrey H. Griffis, Curtis L. Etherly, Jr., Ruthanne G. Miller, John A. Mann II and Anthony J. Hood to approve)

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

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: JUN 07 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.

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.

TWR

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 17479 of Dung Nguyen, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under section 403, a variance from the rear yard requirements under section 404, and a variance from the nonconforming structure provisions under subsection 2001.3, to allow a rear deck addition to a single-family row dwelling in the R-3 District at premises 454 Delafield Place, N.W. (Square 3251, Lot 154).

HEARING DATE: May 23, 2006
DECISION DATE: May 23, 2006 (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) 4C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 4C, which is automatically a party to this application. ANC 4C did not submit a report or participate in this application. However, the Office of Planning (OP) submitted a report in support of the application.

Based upon the record before the Board and having given great weight to the Office of Planning report filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, (2001, 403 and 404), 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: 5-0-0 (Geoffrey H. Griffis, Curtis L. Etherly, Jr., Anthony J. Hood, John A. Mann II and Ruthanne G. Miller to approve)

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

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: JUN 06 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.

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BZA APPLICATION NO. 17479

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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.

TWR

ZONING COMMISSION NOTICE OF FILING
Case No. 06-26
(Consolidated PUD & Related Map Amendment – Square 3788, Lot 814)
June 1, 2006

THIS CASE IS OF INTEREST TO ANC 5A

On May 26, 2006, the Office of Zoning received an application from Rocky Gorge Development, LLC (the “applicant”) for approval of a consolidated PUD and related map amendment for the above-referenced property.

The property that is the subject of this application consists of Square 3788, Lot 814 in Northeast Washington, D.C. (Ward 5) and is bounded to the north by Phase I of the Rocky Gorge at Fort Totten Emerson Park development, to the west by another portion of the Thos. Somerville Co. site, to the south by detached dwellings fronting on 6th Place, N.E. and to the east by a strip of properties fronting on 7th Street, N.E. The property is currently split-zoned R-2 and FT/C-M-1.

The applicant proposes to develop a residential townhouse development, including parking and landscaped green space. Each 20’ wide townhouse will include a two-car garage and each 18’ townhouse will include at least a one-car garage. There will be a total 77 parking spaces to serve the residents and their guests, 53 of which will be contained in the garages of individual units and an additional 24 surface spaces that will be provided throughout the project. The project will have a density of approximately 0.44 FAR and a building height of approximately 30 feet. This request is not inconsistent with the Comprehensive Plan of the District of Columbia.

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

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ZONING COMMISSION NOTICE OF FILING
Case No. 06-27
(Consolidated PUD & Related Map Amendment – Square 54)
June 1, 2006

THIS CASE IS OF INTEREST TO ANC 2A

On May 30, 2006, the Office of Zoning received an application from Boston Properties, Inc., KSI Services, Inc. and The George Washington University (collectively, the “applicant”) for approval of a consolidated PUD and related map amendment for the above-referenced property.

The property that is the subject of this application consists of Square 54 in Northwest Washington, D.C. (Ward 2) and is located at 2200 Pennsylvania Avenue, N.W. The property is currently zoned R-5-D.

The applicant proposes a mixed-use project which includes approximately 870,000 square feet of gross floor area with a resulting density of 7.5 FAR that will provide approximately 333 dwelling units, 454,000 square feet of office space, and 84,000 square feet of retail space at and below grade. The building heights will vary from 90 feet to 130 feet; the office building will include 11 stories and the residential building 14 stories. The applicant is also requesting a related map amendment to the C-3-C zone district. This request is not inconsistent with the Comprehensive Plan of the District of Columbia.

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 (JUNE 1998).....	\$20.00
4	DCMR HUMAN RIGHTS (MARCH 1995).....	\$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
8	DCMR UNIVERSITY OF THE DISTRICT OF COLUMBIA (JUNE 1988).....	\$8.00
9	DCMR TAXATION & ASSESSMENTS (APRIL 1998).....	\$20.00
10	DCMR DISTRICT'S COMPREHENSIVE PLAN (PART 1, FEBRUARY 1999).....	\$33.00
10	DCMR PLANNING & DEVELOPMENT (PART 2, MARCH 1994) w/1996 SUPPLEMENT*.....	\$26.00
11	DCMR ZONING (FEBRUARY 2003).....	\$35.00
12	DCMR CONSTRUCTION CODES SUPPLEMENT (2003).....	\$25.00
13B	DCMR BOILER & PRESSURE VESSEL CODE (MAY 1984).....	\$7.00
14	DCMR HOUSING (DECEMBER 2004).....	\$25.00
15	DCMR PUBLIC UTILITIES & CABLE TELEVISION (JUNE 1998).....	\$20.00
16	DCMR CONSUMERS, COMMERCIAL PRACTICES & CIVIL INFRACTIONS (JULY 1998) W/DECEMBER 1998 SUPPLEMENT.....	\$20.00
17	DCMR BUSINESS, OCCUPATIONS & PROFESSIONS (MAY 1990).....	\$26.00
18	DCMR VEHICLES & TRAFFIC (APRIL 1995) w/1997 SUPPLEMENT*.....	\$26.00
19	DCMR AMUSEMENTS, PARKS & RECREATION (JUNE 2001).....	\$26.00
20	DCMR ENVIRONMENT - CHAPTERS 1-39 (FEBRUARY 1997).....	\$20.00
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