

**DISTRICT OF COLUMBIA COMMISSION ON JUDICIAL
DISABILITIES AND TENURE**

**Judicial Tenure Commission Begins Reviews
of Judges For Senior Status**

This is to notify members of the bar and the general public that Judges Bruce D. Beaudin, Stephen F. Eilperin, and Peter H. Wolf of the Superior Court of the District of Columbia, and Judge John M. Steadman of the District of Columbia Court of Appeals have requested recommendations for reappointment as Senior Judges.

The District of Columbia Retired Judge Service Act P.L. 98-598, 98 Stat. 3142, as amended by the District of Columbia Judicial Efficiency and Improvement Act, P.L. 99-573, 100 Stat. 3233, §13(1) provides in part as follows:

"...A retired judge willing to perform judicial duties may request a recommendation as a senior judge from the Commission. Such judge shall submit to the Commission such information as the Commission considers necessary to a recommendation under this subsection.

(2) The Commission shall submit a written report of its recommendation and findings to the appropriate chief judge of the judge requesting appointment within 180 days of the date of the request for recommendation. The Commission, under such criteria as it considers appropriate, shall make a favorable or unfavorable recommendation to the appropriate chief judge regarding an appointment as senior judge. The recommendation of the Commission shall be final.

(3) The appropriate chief judge shall notify the Commission and the judge requesting appointment of such chief judge's decision regarding appointment within 30 days after receipt of the Commission's recommendation and findings. The decision of such chief judge regarding such appointment shall be final."

The Commission hereby requests members of the bar, litigants, former jurors, interested organizations and members of the public to submit any information bearing on the qualifications of Judges Beaudin, Eilperin, Wolf, and Steadman which it is believed will aid the Commission. The cooperation of the community at an early stage will greatly aid the Commission in fulfilling its responsibilities. The identity of any person submitting materials will be kept confidential unless expressly authorized by the person submitting the information.

All communications should be mailed, or faxed, by **August 4, 2006**, and addressed to:

District of Columbia Commission on Judicial
Disabilities and Tenure
Building A, Room 312
515 Fifth Street, N.W.
Washington, D.C. 20001
Telephone: (202) 727-1363
FAX: (202) 727-9718

The members of the Commission are:

William P. Lightfoot, Esquire, Chairperson
Hon. Gladys Kessler, Vice Chairperson
Gary C. Dennis, M.D.
Eric H. Holder, Jr., Esquire
Ronald Richardson
Claudia A. Withers, Esquire

BY: /s/ William P. Lightfoot
Chairperson

FRIENDSHIP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

CURRICULUM PURCHASING SYSTEM

Interested parties shall MAIL the response 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 — CURRICULUM PURCHASING SYSTEM" 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 Friday, July 7, 2006.

Introduction

FPCS is soliciting proposals and qualification statements from providers of curriculum purchasing systems. 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.

Friendship Public Charter School Inc. ("Friendship") reserves the right to reject any and all qualification statements, to cancel this solicitation, and to waive any informalities or irregularities in procedure.

Project Scope

It is the intent of this Request for Proposal (RFP) to select a qualified firm to provide Friendship Public Charter School with a curriculum purchasing system that will have the capability to purchase textbooks – and curriculums for all grades and subject areas from one on-line source. Also, to allow the campuses the to purchase curriculum and course materials, while the finance office tracks activities and, approve purchases for a streamlined purchasing system.

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 history, and services offered
2. Resumes of key staff who will provide services and training
3. Names and contact information of at least three client references
4. A proposed unsigned contract, which include terms and payments

DISTRICT OF COLUMBIA REGISTER

JUN 30 2006

Applicants should respond 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.

DEPARTMENT OF HEALTH

NOTICE OF CERTIFICATION

The Director of the Department of Health, pursuant to the authority set forth in Reorganization Plan No 4 of 1996, hereby gives notice of certification of three new drugs to the formulary of the District of Columbia Acquired Immunodeficiency Syndrome Drug Assistance Program ("ADAP"). The three new drugs that have been certified by the Food and Drug Administration and are now certified for inclusion in the ADAP program are Entecavir (Baraclude), approved March 29, 2005, Risperidone (Risperdal), approved December 29, 2003, and Somatropin (Serostim), approved August 23, 1996.

ADAP is designed to assist low income individuals with Acquired Immunodeficiency Syndrome (AIDS) or related illnesses to purchase certain physician-prescribed, life-sustaining drugs that have been approved by the U.S. Food and Drug Administration for the treatment of AIDS and related illnesses. Rules for this program may be found at Chapter 20 of Title 29 of the DCMR.

If there are any questions, please contact Christy Pleze-Best, Public Health Analyst, AIDS Drug Assistance Program, Administration for HIV Policy and Programs on (202) 671-4900.

**Department of Housing and Community Development (DHCD)
Home Purchase Assistance Program (HPAP)**

Notice of Public Interest

**First-Time Homebuyer Assistance for Downpayment and Closing Costs
(Effective June 30, 2006)**

NOTE:

**** "Desired Purchasing Power," the purchasing power intended to be afforded to income-eligible four-person households, = \$235,000.**

**** Closing Cost Assistance for all eligible households = 4% of purchase price or \$7,000, whichever is less. Closing Cost Assistance is provided to eligible households distinct from and in addition to Downpayment Assistance, which is shown below.**

**** The Per Client Downpayment Assistance Cap = \$70,000.**

Calculated Maximum Downpayment Assistance Available per Household Income by Household Size is as follows:

Household Size	1	2	3	4	5	6	7	8
Maximum assistance								
	<i>per household income less than or equal to:</i>							
Very low income households								
\$ 70,000	\$ 31,600	\$ 36,100	\$ 40,650	\$ 45,150	\$ 48,750	\$ 52,350	\$ 56,000	\$ 59,600
Low income households								
\$ 70,000	\$ 40,600	\$ 46,400	\$ 52,200	\$ 58,000	\$ 61,650	\$ 65,250	\$ 68,900	\$ 72,500
\$ 69,550	\$ 41,300	\$ 47,200	\$ 53,100	\$ 59,000	\$ 62,700	\$ 66,400	\$ 70,050	\$ 73,750
\$ 66,750	\$ 42,000	\$ 48,000	\$ 54,000	\$ 60,000	\$ 63,750	\$ 67,500	\$ 71,250	\$ 75,000
\$ 63,900	\$ 42,700	\$ 48,800	\$ 54,900	\$ 61,000	\$ 64,800	\$ 68,650	\$ 72,450	\$ 76,250
\$ 61,100	\$ 43,400	\$ 49,600	\$ 55,800	\$ 62,000	\$ 65,900	\$ 69,750	\$ 73,650	\$ 77,500
\$ 58,300	\$ 44,100	\$ 50,400	\$ 56,700	\$ 63,000	\$ 66,950	\$ 70,900	\$ 74,800	\$ 78,750
\$ 55,500	\$ 44,800	\$ 51,200	\$ 57,600	\$ 64,000	\$ 68,000	\$ 72,000	\$ 76,000	\$ 80,000
\$ 52,700	\$ 45,500	\$ 52,000	\$ 58,500	\$ 65,000	\$ 69,050	\$ 73,150	\$ 77,200	\$ 81,250
\$ 49,900	\$ 46,200	\$ 52,800	\$ 59,400	\$ 66,000	\$ 70,150	\$ 74,250	\$ 78,400	\$ 82,500
\$ 47,100	\$ 46,900	\$ 53,600	\$ 60,300	\$ 67,000	\$ 71,200	\$ 75,400	\$ 79,550	\$ 83,750
\$ 44,300	\$ 47,600	\$ 54,400	\$ 61,200	\$ 68,000	\$ 72,250	\$ 76,500	\$ 80,750	\$ 85,000
\$ 41,500	\$ 48,300	\$ 55,200	\$ 62,100	\$ 69,000	\$ 73,300	\$ 77,650	\$ 81,950	\$ 86,250
\$ 38,700	\$ 49,000	\$ 56,000	\$ 63,000	\$ 70,000	\$ 74,400	\$ 78,750	\$ 83,150	\$ 87,500
\$ 35,900	\$ 49,700	\$ 56,800	\$ 63,900	\$ 71,000	\$ 75,450	\$ 79,900	\$ 84,300	\$ 88,750
\$ 33,050	\$ 50,400	\$ 57,600	\$ 64,800	\$ 72,000	\$ 76,500	\$ 81,000	\$ 85,500	\$ 90,000
\$ 32,350	\$ 50,600	\$ 57,800	\$ 65,050	\$ 72,250	\$ 76,750	\$ 81,300	\$ 85,800	\$ 90,300
Moderate income households								
\$ 30,250	\$ 51,100	\$ 58,400	\$ 65,700	\$ 73,000	\$ 77,550	--	--	--
\$ 27,450	\$ 51,800	\$ 59,200	\$ 66,600	\$ 74,000	\$ 78,650	--	--	--
\$ 24,650	\$ 52,500	\$ 60,000	\$ 67,500	\$ 75,000	\$ 79,700	--	--	--
\$ 21,850	\$ 53,200	\$ 60,800	\$ 68,400	\$ 76,000	\$ 80,750	--	--	--
\$ 19,050	\$ 53,900	\$ 61,600	\$ 69,300	\$ 77,000	\$ 81,800	\$ 81,800	--	--
\$ 16,250	\$ 54,600	\$ 62,400	\$ 70,200	\$ 78,000	\$ 82,900	\$ 82,900	--	--
\$ 13,450	\$ 55,300	\$ 63,200	\$ 71,100	\$ 79,000	\$ 83,950	\$ 83,950	--	--
\$ 10,650	\$ 56,000	\$ 64,000	\$ 72,000	\$ 80,000	\$ 85,000	\$ 85,000	--	--
\$ 7,850	\$ 56,700	\$ 64,800	\$ 72,900	\$ 81,000	\$ 86,050	\$ 86,050	\$ 86,050	--
\$ 5,000	\$ 57,400	\$ 65,600	\$ 73,800	\$ 82,000	\$ 87,150	\$ 87,150	\$ 87,150	--
\$ 2,200	\$ 58,100	\$ 66,400	\$ 74,700	\$ 83,000	\$ 88,200	\$ 88,200	\$ 88,200	--
\$ 0*	\$ 69,550	\$ 79,500	\$ 89,400	\$ 99,350	\$ 105,550	\$ 105,550	\$ 105,550	\$ 105,550

*** Moderate income households in this uppermost range of incomes are eligible for Closing Cost Assistance only.**

Assistance levels are determined for four-person households by calculating standard mortgage qualification levels for each \$1,000 of income and subtracting each such mortgage level amount from the "Desired Purchasing Power" (as defined above). Household incomes eligible for assistance for household sizes other than four persons are adjusted as shown.

**MAYOR'S ADVISORY COMMISSION
ON AFRICAN COMMUNITY AFFAIRS**

PUBLIC NOTICE

NOTICE OF PUBLIC MEETINGS

The Mayor's Advisory Commission on African Community Affairs for the District of Columbia will hold a public meeting on the following dates during the Calendar Year 2006. All meetings will be held at The John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Suite 301, Washington, DC 20004. The meeting dates and times are as follows:

- Tuesday, July 11, 2006 (6:00 p.m.)**
- Tuesday, August 1, 2006 (6:00 p.m.)**
- Tuesday, September 5, 2005 (6:00 p.m.)**
- Tuesday, October 3, 2006 (6:00 p.m.)**
- Tuesday, November 7, 2006 (6:00 p.m.)**
- Tuesday, December 5, 2006 (6:00 p.m.)**

THURGOOD MARSHALL ACADEMY
NOTICE OF REQUEST FOR PROPOSAL
BUSINESS SERVICES

Thurgood Marshall Academy Public Charter High School—a law-related, college-preparatory public charter school in Anacostia—seeks an experienced, qualified business services vendor (or team of vendors) to support accounting, benefits, procurement, and general business management.

I. Proposal Deadline and Delivery

- A. Only printed (not faxed or e-mailed) proposals will be accepted and considered.
- B. One (1) original and three (3) copies of the proposal shall be delivered.
- C. Proposals must be delivered by 4:00 p.m. EST on July 11, 2006.
- D. Proposals must be delivered to:
 - David Schlossman
 - Thurgood Marshall Academy Public Charter High School
 - 2427 Martin Luther King, Jr. Avenue, SE
 - Washington, DC 20020
- E. The only acceptable proof of delivery is a receipt issued by Thurgood Marshall Academy.
- F. At Thurgood Marshall Academy's sole discretion, all Proposals shall remain effective for sixty (60) calendar days after the proposal deadline.
- G. Questions may be directed to David Schlossman by phone (202-204-6650) or by e-mail (dschlossman@tmapchs.org); Thurgood Marshall Academy will make every effort to respond prior to the proposal deadline, but failure to do so shall not affect decision about proposals.

II. Format and Scope of Services

Proposals must include the following elements:

- A. Overview description of the vendor(s)
- B. Demonstration of qualifications
- C. Resumes for key staff
- D. Scope of Services, including
 - a. Transition from current accounting system to vendor's system
 - b. Accounting approach, including
 - i. general accounting services,
 - ii. reporting (ad hoc, quarterly, and annually),
 - iii. audit process,

- iv. tax filings,
- v. software options
- c. Human resources services including
 - i. fringe benefit program management
 - ii. employee handbook revision
- d. Procurement support management and software options
- E. Comprehensive fee schedule.
- F. Proposer exceptions (optional). If a Proposer considers any of the terms or conditions of this RFP including, but not limited to, the proposed Scope of Services or any other provisions to be unacceptable, Proposer shall identify those exceptions, explain its reasons, and propose an alternative in a cover letter. Any such exceptions or proposed revisions, and the reasons therefore, will be considered as factors in evaluation of the Proposal provided, however, Thurgood Marshall Academy reserves the right to accept or reject any such exceptions or proposed revisions.

III. Reserved Rights

At all times, Thurgood Marshall Academy reserves the right to:

1. Evaluate and select Proposals at its sole discretion;
2. Reject any or all Proposals and to waive informalities in Proposals received;
3. Cancel the entire solicitation;
4. Issue subsequent requests for Proposal;
5. Negotiate with all Proposers or any single Proposer; and/or
6. Ask Proposers to make an oral presentation of their written Proposal to Thurgood Marshall Academy and answer concerns of Thurgood Marshall Academy members.

Thurgood Marshall Academy**Notice of Request for Proposals****Clerical Staffing Agency**

Thurgood Marshall Academy Public Charter High School—a law-related, college-preparatory public charter school in Anacostia—seeks an experienced, qualified staffing agency to assign temporary long-term clerical staff to the school. Thurgood Marshall Academy has an immediate need for a staffing agency that can provide a long-term reception staff member to answer phones and engage in light clerical and computer work. The selected agency may be asked to select and assign additional short-term or long-term temporary workers to Thurgood Marshall Academy and/or to renew services from year to year.

Interested staffing agencies may apply by e-mailing a proposal of no more than 3 pages or the equivalent (delivered via either an attached MS Word document or text in the body of an e-mail, or a combination of the two) to dschlossman@tmapchs.org by 4:00 p.m. EST on July 11, 2006. Confirmation of receipt of proposals will be e-mailed upon request and will serve as the sole receipt for the proposal.

The proposal should include:

- 1) clear contact information;
- 2) agency qualifications; and
- 3) an explanation of the following:
 - the process for selecting a qualified, computer-literate long-term receptionist able to both answer phones and undertake light clerical duties;
 - the rate for the duties describe above;
 - how timesheets and invoices shall be completed;
 - overtime and holiday pay policies;
 - verification services offered;
 - employee guarantees; and
 - temp-to-perm policies.

Proposals will be evaluated at the sole discretion of Thurgood Marshall Academy by comparing rates and by reviewing an agency's qualifications and its proven record of customer service to companies similar to Thurgood Marshall Academy. Thurgood Marshall Academy reserves the right to negotiate with all proposers or any single proposer.

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

Application No. 17485 of RSP Naylor LLC, pursuant to 11 DCMR § 3103.2, for a variance from the buildings on alley lot height requirement under subsection 2507.4, and a variance from the nonconforming structure provisions subsection 2001.3, to construct two row dwellings in the R-4 District at premises 1321-1325 Naylor Court, N.W. (Square 367, Lot 862).

HEARING DATE: June 20, 2006
DECISION DATE: June 20, 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 public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2F, the Office of Planning (OP) and to owners of property within 200 feet of the site. The site of the application is located within the jurisdiction of ANC 2F. The ANC submitted a report in support of the application. The OP also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board required the applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR §§ 3103.2, 2001.3, and 2507.4. No parties appeared at the public hearing in opposition to the 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 filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, 2001.3, and 2507.4, 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, Curtis L. Etherly, Jr., John A. Mann II and Michael G. Turnbull to approve).

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

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

FINAL DATE OF ORDER: June 21, 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.

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

BZA APPLICATION NO. 17485

PAGE NO. 3

FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

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

Application No. 17486 of Parkside Terrace Development LLC, pursuant to 11 DCMR § 3103.2, for a variance from the floor area ratio requirements under section 402, and pursuant to 11 DCMR § 3104.1, a special exception to allow more than one roof structure under subsection 411.11, and a special exception to allow convenience services as an adjunct to an existing twelve story apartment building under section 354, in the R-5-A District at premises 3700 9th Street, S.E. (Square 5926, Lot 3).

SUMMARY ORDER

HEARING DATE: June 20, 2006
DECISION DATE: June 20, 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) 8E and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 8E, which is automatically a party to this application. ANC 8E did not participate in the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under sections 354 and 411, and a variance pursuant to § 3103.2 from the requirements of sections 402. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 354 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

JUN 30 2006

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 402, 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 Michael G. Turnbull 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: June 21, 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

JUN 30 2006

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. RSN

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

Application No. 17488 of Mr. & Mrs. Lester Allen, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy provisions under section 403, a variance from the nonconforming structure provisions under subsection 2001.3, and a variance from the rear yard area requirements under subsection 2500.3, to allow an addition to an existing single-family dwelling and stair addition to an existing accessory garage in the R-4 District at premises 633 E Street, N.E. (Square 862, Lot 173).

HEARING DATE: June 20, 2006
DECISION DATE: June 20, 1006 (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) 6C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. ANC 6C submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

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, (403, 2001 and 2500) 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, John A. Mann II, Curtis L. Etherly and Michael G. Turnbull to approve)

JUN 30 2006

BZA APPLICATION NO. 17488
PAGE NO. 2

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

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: JUN 22 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.

DISTRICT OF COLUMBIA REGISTER

JUN 30 2006

BZA APPLICATION NO. 17488

PAGE NO. 3

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.

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