

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DISTRICT DEPARTMENT OF THE ENVIRONMENTNOTICE OF PERMIT ACTION

Notice is hereby given that, pursuant to 40 CFR Part 51.61, D.C. Code §1.1506, and 20 DCMR § 206, the Air Quality Division (AQD) of the District Department of the Environment (DDOE) located at 51 N Street, N.E., Washington, DC intends to issue a permit to construct and operate one (1) 900 kW emergency generator set to be installed in the U.S Capitol Building located at One Columbus Circle, NE., Washington DC.

The application to construct / operate the generator and the draft permit are all available for public inspection at AQD and copies may be made between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Olaniyan Tajudeen, at (202) 535-2998.

Interested persons may submit written comments within 30 days of publication of this notice. Comments should be addressed to Stanley C. Tracey, Acting Program Manager, Air Quality Division, District Department of the Environment, 51 N Street, N.E., Washington D.C. 20002. **No written comments postmarked after January 15, 2007 will be accepted.** The written comments must also include the person's name, telephone number, affiliation, if any mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit. For more information, please contact Olaniyan Tajudeen at (202) 535- 2998.

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The application to construct / operate the generator and the draft permit are all available for public inspection at AQD and copies may be made between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Olaniyan Tajudeen, at (202) 535-2998.

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The application to construct / operate the generators and the draft permit are all available for public inspection at AQD and copies may be made between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Olaniyan Tajudeen, at (202) 535-2998.

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The application to construct / operate the generator and the draft permit are all available for public inspection at AQD and copies may be made between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Olaniyan Tajudeen, at (202) 535-2998.

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The application to construct / operate the generator and the draft permit are all available for public inspection at AQD and copies may be made between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Olaniyan Tajudeen, at (202) 535-2998.

Interested persons may submit written comments within 30 days of publication of this notice. Comments should be addressed to Stanley C. Tracey, Acting Program Manager, Air Quality Division, District Department of the Environment, 51 N Street, N.E., Washington D.C. 20002. **No written comments postmarked after January 15, 2007 will be accepted.** The written comments must also include the person's name, telephone number, affiliation, if any mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit. For more information, please contact Olaniyan Tajudeen at (202) 535- 2998.

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DISTRICT DEPARTMENT OF THE ENVIRONMENTNOTICE OF PERMIT ACTION

Notice is hereby given that, pursuant to 40 CFR Part 51.61, D.C. Code §1.1506, and 20 DCMR § 206, the Air Quality Division (AQD) of the District Department of the Environment (DDOE) located at 51 N Street, N.E., Washington, DC intends to issue a permit to construct and operate one (1) 750 kW generator, one (1) 350 kW generator and one (1) 40 kW emergency generator set in the U.S. Supreme Court located at One First Street NE., Washington DC 20543.

The application to construct / operate the generators and the draft permit are all available for public inspection at AQD and copies may be made between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Olaniyan Tajudeen, at (202) 535-2998.

Interested persons may submit written comments within 30 days of publication of this notice. Comments should be addressed to Stanley C. Tracey, Acting Program Manager, Air Quality Division, District Department of the Environment, 51 N Street, N.E., Washington D.C. 20002. **No written comments postmarked after January 15, 2007 will be accepted.** The written comments must also include the person's name, telephone number, affiliation, if any mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit. For more information, please contact Olaniyan Tajudeen at (202) 535- 2998.

**FRIENDSHIP PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****STAFF AND BOARD RETREAT FACILITAOR AND TECHNICAL WRITER**

Interested parties shall respond to this RFP by submitting (4 copies, 1 original inclusive) sealed qualification statements and by addressing the specific proposal requirements as requested in this RFP in an envelope clearly marked "RFP — "Staff and Board Retreat Facilitator and Technical Writer" to

Ms. Valerie Holmes  
Friendship Public Charter School (FPCS)  
120 Q Street, NE, Suite 200  
Washington, DC 20002

By no later than: **4:00 PM on December 22, 2006.**

**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**

**Introduction**

FPCS is soliciting proposals and qualification statements from consultants to provide services as a Staff and Board Retreat Facilitator and Technical Writer. 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.

**Background**

Friendship Public Charter School (FPCS) is the largest public charter school system serving nearly 4,000 students in Washington D.C. on five campus locations. FPCS's mission is to prepare a diverse, cross-section of children for success as students, workers, and citizens by providing them with a world-class education that motivates students to achieve high academic standards, enjoy learning and develop as responsible, ethical contributors to their communities. Students of the Friendship Public Charter School System benefit from a high-quality school design, caring teachers, 21st century technology, and strong connections with their respective communities. Since its founding in 1998, the Friendship Public Charter School System has opened four of its five campuses in formerly vacant D.C. public school buildings. The fifth campus is housed in a converted Safeway supermarket. It has invested over thirty-million dollars to turn these buildings into attractive centers of learning where children and teens feel

valued and supported. Using proven teaching techniques and state-of-the art technology, students have made dramatic gains on the Stanford Achievement Tests and in a city where barely 52 percent of young people are graduated from high school, this year, Friendship's Collegiate Academy achieved a 92 percent graduation rate among a senior class of 300. These students received offers from Bucknell University, the College of William and Mary, Carnegie Mellon University, Howard University and the Rochester Institute of Technology

### **Project Scope**

It is the intent of this request for proposal (RFP) to select a qualified consultant to provide Friendship Public Charter School with a Staff and Board Retreat Facilitator and Technical Writer. The consultant should be able to facilitate organizational developmental retreats for members of the District Office and board for the Friendship Public Charter School's board of trustees. There will be a series of retreats focusing on the organization's strategic plan. The primary purpose of the series will be to discuss, develop and formalize the group's governance and administrative functions. The facilitator will work with staff to plan these meetings and set the agenda. Additionally, the facilitator will prepare documents outlining the group's background, guiding principles, vision, mission, goals, objectives and strategies based on discussions from the retreats. Also included in the document would be the groups' membership, roles & responsibilities, quorum, secretariat, meetings and committee terms of appointment.

The ideal consultant(s) would have a background and experience in organizational development planning, preK-12 education, excellent facilitation skills and excellent oral and written communication skills.

### **Proposal Requirements**

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

1. A brief discussion of the consultant's history, and services offered.
2. Consultant's resume.
3. Owner/client's name, contract person, telephone numbers, for at least (3) similar or related assignments.
4. Provide proof of LSDBE as firms certified as LSDBE will receive preferential consideration. See <http://olbd.dc.gov/>
5. A proposed unsigned contract, which include terms, payments and amount contract not to exceed.

Applicants should address correspondence to:

Catherine Somefun  
Comptroller of Schools  
Friendship Public Charter School  
120 Q Street, NE  
Washington, DC 20002

For further information, contact Ms. Valerie Holmes at 202-281-1722.

**DEPARTMENT OF HEALTH  
ADMINISTRATION FOR HIV POLICY AND PROGRAMS**

**NOTICE OF FUNDING AVAILABILITY  
2007 HIV Prevention Program Grants**

The Government of the District of Columbia, Department of Health (DOH), Administration of HIV Policy and Programs (AHPP), is soliciting applications from qualified applicants to conceptualize, develop and manage relevant and effective HIV/AIDS prevention programs in the District of Columbia.

A total of up to \$1,400,000 in DC Appropriated and Federal Grants funds and will be available, pending the District of Columbia's receipt of award and funds from the Centers for Disease Control and Prevention. The total amount is subject to adjustment according to the actual award amount received from these sources for FY 2007 programs.

AHPP will award several grants on a competitive basis to community groups to develop programs for the following program areas:

	Program Area	Approximate Total Amount Available
1	<b>Prevention with HIV-Positive Persons</b>	TBA
2	<p><b>HE/RR for Priority Target Populations</b></p> <ul style="list-style-type: none"> <li>• African American Heterosexual Men</li> <li>• African American Heterosexual Women</li> <li>• Latino Heterosexual Men and Women</li> <li>• Adolescents and Young Adults (ages 13 to 24)</li> <li>• Injection Drug Users</li> <li>• African American Homosexual Men</li> <li>• African American Men Who Have Sex with Men</li> <li>• White Men Who Have Sex with Men</li> <li>• White Homosexual Men</li> <li>• Latino Homosexual Men</li> <li>• Latino Men Who Have Sex With Men</li> </ul> <p>*Recommendations for target populations and interventions are based on priority-setting processes conducted by the District of Columbia, HIV Prevention Community Planning Group. Proposals must describe strategies that will be used to reach individuals who engage in the following behaviors that place them that at risk of HIV transmission:</p> <ul style="list-style-type: none"> <li>• unprotected anal intercourse</li> <li>• unprotected vaginal intercourse</li> <li>• exchange of blood through sharing injection equipment</li> <li>• multiple sex and/or injection equipment sharing partners</li> </ul>	TBA
3	<b>Community-Level Interventions</b>	TBA

**The Request for Applications (RFA) will be available for pick up at: 64 New York Avenue, NE, 5<sup>th</sup> Floor—Suite 5001, on December 8, 2006 and on the following website [www.opgd.dc.gov](http://www.opgd.dc.gov) under District Grants Clearinghouse.**

**The RFA submission deadline is no later than 4:45 P.M. on January 8, 2007.** Applications must be delivered to 64 New York Avenue, NE, 5<sup>th</sup> Floor—Suite 5001 and all applications will be recorded upon receipt.

**Applications submitted at or after 4:46 P.M. on January 8, 2007 will not be forwarded to the review panel for funding consideration.** Any additions or deletions to an application will not be accepted after the deadline of 4:46 P.M. January 8, 2007.

**A Pre-Applications Conference will be held December 18, 2006 from 1:00 P.M. to 3:00 P.M., at 64 New York Ave, N.E., Washington, DC in the Administration for HIV Policy and Programs 1st Floor Conference Room.**

For additional information, please contact:

**L. Michael Gipson  
Administration for HIV Policy and Programs  
64 New York Ave. N.E.  
Suite 5001  
Washington, DC 20002  
Phone: (202) 671-4900  
Fax: (202) 671-4860  
Email: [michael.gipson@dc.gov](mailto:michael.gipson@dc.gov)**

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
RESIDENTIAL AND COMMUNITY SERVICES DIVISION

PUBLIC NOTICE  
NOTICE OF FUNDING AVAILABILITY

**NEIGHBORHOOD-BASED ACTIVITIES:  
HOME Community Housing Development Organization (CHDO) Operating Grants**

The Department of Housing and Community Development (DHCD) is soliciting applications under its HOME Investment Partnership Agreement with the U.S. Department of Housing and Urban Development (HUD) to support and preserve affordable housing in the District. The Federal HOME Regulations which govern this agreement permit DHCD to spend up to 5% of its fiscal year HOME Allocation on operating expenses for qualified Community Housing Development Organizations (CHDOs).

Awardees under this RFA must be certified as CHDOs by DHCD by the time of grant execution. Other details of funding requirements and priorities will be described in the Request for Applications.

The Request for Applications (RFA) will be released on or before December 15, 2006, and the deadline for submission is January 31, 2007, at 4:00 p.m. Applications can be obtained from 801 North Capitol Street, NE, 6<sup>th</sup> Floor Reception Desk, Washington, DC 20002. For additional information, please contact the Department of Housing and Community Development, Residential and Community Services Division at (202) 442-7161. The RFA will be available from the DHCD website, located at [www.dhcd.dc.gov](http://www.dhcd.dc.gov), on or about January 10, 2007.

A Pre-Application Conference will be held at the Department of Housing and Community Development on January 5, 2007, at 10:00 a.m., 801 N. Capitol Street, NE, 9<sup>th</sup> Floor. Attendance at the conference is encouraged for all potential applicants.

**D.C. DEPARTMENT OF HUMAN SERVICES  
REHABILITATION SERVICES ADMINISTRATION**

**NOTICE OF PUBLIC MEETINGS**

Pursuant to requirements of the Rehabilitation Act of 1973, as amended, the Department of Human Services (DHS), Rehabilitation Services Administration (RSA), hereby gives public notice of a State Rehabilitation Council meetings, in accordance with 29 U.S.C. § 725(f). The State Rehabilitation Council meetings are open to the public and will be held on the following dates at the District of Columbia Rehabilitation Services Administration at 810 First Street, N.E., 10<sup>th</sup> Floor Conference Room:

Thursday, January 18, 2007 at 2:00 p.m.

Thursday, April 19, 2007 at 2:00 p.m.

Thursday, July 19, 2007 at 2:00 p.m.

Thursday, October 18, 2007 at 2:00 p.m.

Individuals who wish to attend these meetings should call 202-442-8466 five (5) days prior to a meeting date to ensure the meeting has not been rescheduled.

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

**Judicial Tenure Commission Begins Review  
of Judge Mary Ellen Abrecht For Senior Status**

This is to notify members of the bar and the general public that Judge Mary Ellen Abrecht of the Superior Court of the District of Columbia has requested a recommendation for reappointment as a Senior Judge.

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 Judge Abrecht 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 **January 5, 2007**, 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

**OPTIONS PUBLIC CHARTER SCHOOL**

**REQUEST FOR PROPOSAL (RFP)**

Options school seeks bids on 4 wireless, mobile computer labs configured to our LAN with 12, 12, 18, and 18 new laptop computers with three year warranties. Bidders may submit bids for the equipment alone or the equipment and installation.

The selection committee will consider the quality and cost of the product offered and the experience and availability of the service provider to install the product in a timely manner.

Minimum specifications for the Laptops and Lab Carts and contact information are provided below. Bids must be received by Friday, December 29, 2006 at 3:00 PM EST.

**Laptop Computers:**

15" TFT screen, 1.5ghz processor, 512MB RAM, 40GB hard drive, CD-RW/DVD, Wireless 802.11g, Ethernet 10/100, 4.5hrs battery life, 3 year warranty, Windows XP-Pro, Office.

**(4) Brentford Mobile Lab Carts:**

Two with slots for up to 12 laptops and two with slots for 18 laptops, Heavy steel cabinets with lockable doors, suitable power supply to charge laptops when not in use, top area usable for printer.

Glenn Swanson  
Option Public Charter School  
1375 E Street NE  
Washington, DC 20002  
Phone: (202) 547-1028  
Fax: (202) 547-1272

**PROJECT LABOR AGREEMENT STADIUM TASK FORCE**

**NOTICE OF PUBLIC MEETINGS**

**Stadium Project Labor Agreement**

The Project Labor Agreement Stadium Task Force of the District of Columbia will hold a public meeting on the following dates on December 2006 and January 2007. The following meetings will be held at:

One Judiciary Square  
441 4<sup>th</sup> Street, N.W., Conference Room 1117  
Washington, D.C. 20001

The scheduled meeting dates and times are as follows:

**Thursday, December 14, 2006**

**Thursday, January 11, 2007**

**6:30 – 8:00 P.M.**

The Public is invited to present questions and comments regarding the stadium's Project Labor Agreement. All questions and comments are limited to five minutes and must be submitted at least two weeks prior to the meeting date. Presentation of public questions and comments must be confirmed in advance by the Project Labor Agreement Task Force.

To submit your comments, write, fax or email:

Noel F. Meekins  
609 H Street, N.E., Room 411  
Washington, D.C. 20002  
Fax at (202) 698-5721  
[noel.meekins@dc.gov](mailto:noel.meekins@dc.gov)

**MEETING AGENDA**

1. Call to order
2. Roll call of task force members
3. Consideration and vote of minutes of last meeting
4. Reports
5. Special Orders – (Important business previously designated for consideration at the meeting)
6. Unfinished business
7. New business
8. Public Comments
9. Announcements
10. Adjournment

**THURGOOD MARSHALL ACADEMY PUBLIC CHARTER HIGH SCHOOL****NOTICE OF REQUEST FOR PROPOSALS****Venue for Annual Gala Fund-Raising Event**

Thurgood Marshall Academy—a nonprofit, college-preparatory, public charter high school—seeks a venue to host its Shining Star Gala. This annual event raises funds that support the school's rigorous curriculum and youth development services, as well as honoring supporters and raising public awareness about the school's work.

Ideal venues will have, but are not limited to, the following characteristics:

- Elegant, formal appearance in all rooms
- Unique and prestigious location
- Available one of the following dates in 2007: April 21, April 28, or May 5
- Ability to host 200–400 guests for both a reception and a sit-down dinner
- Space for silent auction to occur during the cocktail reception
- A stage or the ability to set one up
- Music and dancing allowed
- Parking close by (on-site parking a plus)
- High-quality in-house catering or ability to work with distinguished local catering companies
- If the venue requires the use of in-house catering, it must provide:
  - High quality food
  - Elegant presentation
  - Competitive pricing
  - Pricing options

Further information about Thurgood Marshall Academy—including our nondiscrimination policy—may be found at [www.thurgoodmarshallacademy.org](http://www.thurgoodmarshallacademy.org)

Submit proposals—including unsigned contract and website address—no later than **5 pm EST on Friday, December 22, 2006**, via e-mail to [aferranti@tmapchs.org](mailto:aferranti@tmapchs.org).

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

**Application No. 17403-A of Walnut Street LLC, on behalf of 917 M Street LP c/o Philip Abraham, pursuant to 11 DCMR §§ 3103.2 and 3104.1, for a special exception from the roof structure enclosing wall equal height requirement under subsection 411.11, a variance from the lot occupancy requirement under section 772, and a variance from the residential recreation space requirement under subsection 773.3, to allow the construction of an apartment building in the C-2-A District at premises 917 M Street, N.W. (Square 368, Lot 900).**

**HEARING DATE:** December 20, 2005  
**DECISION DATE:** December 20, 2005 (Bench Decision)  
**MODIFICATION DECISION DATE:** December 5, 2006

**MODIFICATION 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 December 20, 2005, public hearing on Application No. 17403, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2F and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2F, which is automatically a party to this application. ANC 2F submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application. No parties appeared at the public hearing in opposition to this application. The Board of Zoning Adjustment ("Board") determined that the 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 concluded that the Applicant met the burden of proof for the requested relief and granted the application, and approved Application No. 17403, by Order dated January 23, 2006.

**THE MODIFICATION**

On November 3, 2006, the Applicant filed a request to modify the plans approved by Board of Zoning Adjustment Order No. 17403. The Applicant served the OP and ANC 2F with a copy of the request for modification of plans at the same time that the request was filed. ANC 2F submitted a letter (Exhibit 34) in support of the modification request. OP did not comment on the modification request. The

modification request was accompanied by a request for a waiver of the six-month rule to allow consideration of the modification nine (9) months after the issuance of the order. None of the changes to the plans create any new areas of zoning relief. The requested modification involved the following changes to the approved plans:

1. Special exception for the Roof Structure Walls of Unequal Height. There are two roof structures on the modified plan. The elevator roof structure is in front of the building, and is less than four feet above the top of the project. Therefore, pursuant to subsection 411.17, it is not governed by the otherwise-applicable roof structure provisions. The stair tower has shifted to the rear of the roof, and includes sloping walls. As such, the same relief as previously granted remains applicable.
2. Residential Recreation Space Variance. The minimum required residential recreation space in the C-2-A District is 20% of the gross floor area devoted to residential. The Board approved a variance to allow 9.5% of compliant residential recreation space. Together with non-compliant recreation space, the total shown on the approved plans is 16%, all of which is outdoors and usable only in good weather. The modified plan includes 6.4% of compliant residential recreation space, plus additional non-compliant space, bringing the total to 10.5%. Although the recreation space is reduced, a large portion is now indoors which allows for year-round use.
3. Lot Occupancy Variance. The maximum permitted lot occupancy in the C-2-A District as a matter of right is 60%. The Board approved a variance to allow a maximum lot occupancy of 80%. The maximum lot occupancy shown on the modified plans is 87%. The lot occupancy on each level of the modified plans is smaller, on a floor by floor basis, than the approved plans.

### DECISION

On December 5, 2006, the Board, at its regularly scheduled public meeting, concluded that the aforementioned modifications (Exhibit 31) to the approved plans are minor and are within the requirements of § 3129. Additionally, the requested modifications do not change the material facts the Board relied upon in approving the original application. No additional zoning relief is required. After reviewing the request for modification and the supporting materials, the Board determined that the request should be granted.

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

DEC 15 2006

findings of fact and conclusions of law. It is therefore **ORDERED** that the **MODIFICATION OF APPROVED PLANS AND WAIVER OF THE SIX-MONTH TIME LIMIT** pursuant to section 3129 be **GRANTED**.

**VOTE: (December 20, 2005) APPROVING APPLICATION 17403:**

5-0-0 (Geoffrey H. Griffis, Curtis L. Etherly, Jr., John A. Mann, II,  
Ruthanne G. Miller and Michael G. Turnbull to approve)

**VOTE: (December 5, 2006) APPROVING MODIFICATION OF PLANS and  
WAIVER of SIX-MONTH TIME LIMIT**

5-0-0 (Geoffrey H. Griffis, Curtis L. Etherly, Jr., John A. Mann, II,  
Ruthanne G. Miller 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:** DEC 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.

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

BZA APPLICATION NO. 17403-A

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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. 17534 of 1024 Pennsylvania Ave., LLC**, pursuant to 11 DCMR § 3103.2, for a variance from the residential recreation space requirements under section 773, a variance from the minimum rear yard requirement under subsection 404.1 and a variance from the structures in open space requirements under section 2503, to allow the development of a multi-family residential building in the CHC/C-2-A District at premises 1022 Pennsylvania Avenue, S.E. (Square 972, Lot 67).\*

**HEARING DATE:** November 14, 2006

**DECISION DATE:** December 5, 2006

**SUMMARY ORDER**

**\*Note:** The original relief was amended to include a variance from the rear yard requirement under 11 DCMR § 404.1 and a variance from the structures in open space requirements under § 2503.

**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) 6B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. ANC 6B submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3102.2, for variances from §§ 773, 404.1 and 2503. 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 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, (773, 404.1 and 2503) 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

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substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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

**VOTE:**        **4-0-1**            (Geoffrey H. Griffis, Ruthanne G. Miller and John A. Mann II to grant; Anthony J. Hood to grant by absentee ballot; Curtis L. Etherly, Jr. not voting, not having heard the case)

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

Each concurring member approved the issuance of this order.

**FINAL DATE OF ORDER:**        DEC 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."

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TWR

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