

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 **November, 2004**. 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

**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> | | | |
| 1106 Allison Street | 76 | 2917 | 4 |
| 1102 Buchanan Street | 124 | 2918 | 4 |
| 1102 Buchanan Street-Rear | 124 | 2918 | 4 |
| 7100 Chestnut Street | 808 | 3184 | 4 |
| 1323 Corcoran Street | 21 | 240 | 2 |
| 1502 Decatur Street | 32 | 2707 | 4 |
| 519 Florida Avenue | 25 | 3093 | 1 |
| 1461 Florida Avenue | 147 | 2660 | 1 |
| 3003 Georgia Avenue | 111 | 3052 | 1 |
| 3200 Georgia Avenue | 909 | 2892 | 1 |
| 3200 Georgia Avenue-Rear (West) | 909 | 2892 | 1 |
| 3200 Georgia Avenue-Rear (East) | 909 | 2892 | 1 |
| 3626 Georgia Avenue | 135 | 2897 | 1 |
| 3801 Georgia Avenue | 55 | 3028 | 4 |
| 1235 Ingraham Street | 64 | 2931 | 4 |
| 1342 Ingraham Street-Rear | 75 | 2804 | 4 |
| 641 Keefer Place | 19 | 3041 | 1 |
| 624 Kennedy Street | 49 | 3208 | 4 |
| 440 Kenyon Street | 43 | 3049 | 1 |
| 709 Kenyon Street | 806 | 2892 | 1 |
| 1331 Kenyon Street | 47 | 2843 | 1 |
| 414 Longfellow Street-Rear | 19 | 3260 | 4 |
| 416 Luray Place, NW-Rear | 77 | 3044 | 1 |
| 430 Manor Place | 65 | 3036 | 1 |
| 4001 Marlboro Place | 48 | 3313 | 4 |
| 37 Missouri Avenue | 39 | 3393 | 4 |
| 39 Missouri Avenue | 40 | 3393 | 4 |
| 3500 Nebraska Avenue | 24 | 1599 | 3 |
| 1713 New Jersey Avenue | 16 | 507 | 5 |
| 1424 North Capitol Street | 10 | 616 | 5 |
| 1424 North Capitol Street-Rear | 10 | 616 | 5 |
| 505 O Street | 36 | 479 | 5 |
| 507 O Street | 37 | 479 | 5 |
| 820 Otis Place | 119 | 2895 | 1 |
| 1001 Quebec Place | 63 | 2902 | 4 |
| 1000 Rhode Island Avenue | 19 | 337 | 2 |
| 1427 Rhode Island Avenue | 27 | 210 | 2 |
| 1429 Rhode Island Avenue | 28 | 210 | 2 |

| <u>BUILDINGS CONDEMNED</u> | <u>LOT</u> | <u>SQUARE</u> | <u>WD</u> |
|-----------------------------------|------------|---------------|-----------|
| <u>Northwest (cont'd)</u> | | | |
| 735 Rock Creek Church Road-Rear | 58 | 3130 | 4 |
| 1355 Shepherd Street | 45 | 2823 | 4 |
| 201 T Street | 832 | 3088 | 1 |
| 613 Upshur Street | 72 | 3226 | 4 |
| 613 Upshur Street-Rear | 72 | 3226 | 4 |
| 1325 V Street-Rear | 184 | 235 | 1 |
| 131 Varnum Street | 803 | 3321 | 4 |
| 1505 Varnum Street | 25 | 2698 | 4 |
| 1448 Whittier Place | 80 | 2732 | 4 |
| 1329 Wisconsin Avenue | 68 | 1232 | 2 |
| 1202 3 rd Street | 837 | 523 | 2 |
| 5311 3 rd Street-Rear | 6 | 3328 | 4 |
| 1221 4 th Street | 848 | 523 | 2 |
| 1416 5 th Street | 26 | 479 | 2 |
| 1555 9 th Street | 819 | 397 | 2 |
| 4001 5 th Street-Rear | 42 | 3238 | 4 |
| 1104 6 th Street | 859 | 449 | 2 |
| 1523 8 th Street-Rear | 13 | 421 | 2 |
| 1301 9 th Street | 801 | 399 | 2 |
| 1303 9 th Street | 62 | 399 | 2 |
| 1305 9 th Street | 63 | 399 | 2 |
| 1307 9 th Street | 803 | 399 | 2 |
| 1309 9 th Street | 804 | 399 | 2 |
| 1513-1515 11 th Street | 815 | 337 | 2 |
| 2219 13 th Street | 86 | 271 | 1 |
| 3637 13 th Street | 145 | 2829 | 1 |
| 3564 14 th Street | 24 | 2688 | 1 |
| 5310 14 th Street | 13 | 2716 | 4 |
| 1825 19 th Street | 218 | 132 | 2 |
| 3222 19 th Street-Rear | 817 | 2604 | 1 |
| 4513 45 th Street | 73 | 1588 | 3 |

| <u>BUILDINGS CONDEMNED</u> | <u>LOT</u> | <u>SQUARE</u> | <u>WD</u> |
|----------------------------|------------|---------------|-----------|
| <u>Northeast</u> | | | |
| 4952 Blaine Street | 1 | 5189N | 7 |
| 3027 Channing Street | 54 | 4360 | 5 |
| 3042 Clinton Street | 826 | 4319 | 5 |
| 600 Division Avenue | 13 | 5196 | 7 |
| 4237 Dix Street | 812 | 5088 | 7 |
| 4419 Edson Place | 831 | 5131 | 7 |

| <u>BUILDINGS CONDEMNED</u> | <u>LOT</u> | <u>SQUARE</u> | <u>WD</u> |
|------------------------------|------------|---------------|-----------|
| <u>Northeast</u> | | | |
| 4920 Fitch Place | 38 | 5181 | 7 |
| 5900 Foote Street | 805 | 5256 | 7 |
| 315 H Street | 814 | 777 | 6 |
| 303 K Street | 804 | 775 | 6 |
| 1907 Kearney Street | 45 | 4206 | 5 |
| 612 M Street | 8 | 855N | 6 |
| 1227 Meigs Place | 106 | 4055 | 5 |
| 1524 Olive Street | 34 | 5165 | 7 |
| 1524 Olive Street-Rear | 34 | 5165 | 7 |
| 115 Riggs Road | 85 | 3701 | 5 |
| 1741 Trinidad Avenue | 26 | 4082 | 5 |
| 234 V Street | 11 | 3561 | 5 |
| 415 W Street | 41 | 3601 | 5 |
| 1916 West Virginia Avenue | 33 | 4045 | 5 |
| 1020 3 rd Street | 34 | 749 | 6 |
| 1022 3 rd Street | 33 | 749 | 6 |
| 251 8 th Street | 64 | 917 | 6 |
| 608 8 th Street | 45 | 891 | 6 |
| 802 10 th Street | 47 | 933 | 6 |
| 4413 16 th Street | 5 | 4617 | 5 |
| 919 47 th Street | 119 | 5151 | 7 |

| <u>BUILDINGS CONDEMNED</u> | <u>LOT</u> | <u>SQUARE</u> | <u>WD</u> |
|---------------------------------|------------|---------------|-----------|
| <u>Southeast</u> | | | |
| 4928 A Street | 23 | 5331 | 7 |
| 27 Atlantic Street | 54 | 6170 | 8 |
| 4504 Bowen Road | 811 | 5365 | 7 |
| 5000 Call Place | 35 | 5323 | 7 |
| 5500 Central Avenue | 29 | 5282 | 7 |
| 420 Chesapeake Street-Rear | 808 | 6165 | 8 |
| 1425 Congress Place | 48 | 5889 | 8 |
| 1107 D Street | 50 | 992 | 6 |
| 1229 E Street | 816 | 1019 | 6 |
| 3326 Ely Place | 807 | 5444 | 6 |
| 2412 Martin Luther King Jr | 243 | 5806 | 8 |
| 3600 Martin Luther King Jr | 42 | 5331 | 7 |
| 3600 Martin Luther King Jr-Rear | 42 | 5331 | 7 |
| 915 New Jersey Avenue | 14 | 738 | 6 |
| 917 New Jersey Avenue | 15 | 738 | 6 |
| 919 New Jersey Avenue | 16 | 738 | 6 |

| <u>BUILDINGS CONDEMNED</u> | <u>LOT</u> | <u>SQUARE</u> | <u>WD</u> |
|------------------------------|------------|---------------|-----------|
| <u>Southeast</u> | | | |
| 1008 South Carolina Avenue | 23 | 970 | 6 |
| 1225 Sumner Road | 980 | 5865 | 8 |
| 1518 W Street | 814 | 5779 | 8 |
| 1326 Valley Place | 849 | 5799 | 8 |
| 4001 4 th Street | 39 | 6167 | 8 |
| 1012 7 th Street | 11 | 906 | 6 |
| 1014 7 th Street | 10 | 906 | 6 |
| 2304 16 th Street | 76 | 5753 | 8 |
| 1550 41 st Street | 55 | 5370 | 7 |

| <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 |

**FRIENDSHIP PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS
FOR REPLACEMENT OF COOLING TOWER
BLOW PIERCE CAMPUS**

Sealed proposal (an original and four (4) legible copies), in an envelope clearly marked "RFP-FRIENDSHIP PUBLIC CHARTER SCHOOL – REPLACEMENT OF COOLING TOWER BLOW PIERCE CAMPUS", will be received in the office of Friendship Public Charter School, Inc. located at 900 Pennsylvania Avenue, SE marked to the attention of Kimberly Campbell until **4:00 PM on December 29, 2004** for:

"COOLING TOWER REPLACEMENT TO FRIENDSHIP PUBLIC CHARTER SCHOOL – BLOW PIERCE CAMPUS, 725 19TH STREET, NE, WASHINGTON D.C."

FPCS 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, a non-profit tax exempt public charter school in the District of Columbia, is soliciting proposals from offerors having specific interest and qualifications in the areas identified in this solicitation. Qualification statements and proposals for consideration must contain evidence of the offeror's experience and abilities in the specified area and other disciplines directly related to the proposed work. Other information required by FPCS includes the submission of profiles and resumes of the staff to be assigned to the projects, references, illustrative examples of similar work performed, and any other requested information which will clearly demonstrate the offeror's expertise in the area of this solicitation.

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

Project Description

The Blow Pierce Campus is an existing Junior Academy (Gr. 6-8) with approximately 60,000 gsf in the main building. The school was renovated and opened in August 1999. Portions of the existing building systems were only repaired to bring them back on line. They were not replaced in the 1999 renovation. FPCS is developing a multi-year capital facilities plan for all FPCS facilities and one of the components of the plan is to have phased replacement of the HVAC systems at the Blow Pierce Campus serving the main classroom tower. The first phase of work at involves replacement of the existing cooling tower. The 2nd phase will involve future replacement of the unit ventilators in the classrooms.

The cooling tower must be capable of serving the future replacement of all ventilators in the classroom tower. The basis of design and capacity shall be BAC Model 15146 Cooling Tower or equal. Scope shall include but not limited to the following:

1. Contractor shall certify that he has investigated existing conditions related to the Work and that the price includes all labor and materials for a complete installation.
2. Permits
3. Bonds (Payment & Performance)
4. All pipe, fitting & valves

5. Manufacturer's warranty - 5 year on all mechanical equipment including motors and starters.
6. New Cooling Tower sump provided with BaltiBond Corrosion Protection
7. Rigging of old & new Cooling Tower
8. Electrical including new weather proof disconnect.
9. Temperature Control work for Tower fan
10. One year warranty on all work
11. Remove supports on top of tower enclosure and reinstall after rigging of new tower.
12. Reuse Support steel for new Cooling Tower – to be verified based new cooling tower dimensions. If modifications are required, contractor shall provide allowance.
13. Existing condenser water supply and return lines are underground. Contractor shall confirm existing conditions and clean out lines as necessary.
14. Clean & Paint existing steel
15. Make-up water piping
16. Drain piping
17. All work to be done on regular work hours
18. Provide new fenced enclosure around cooling tower on sides and top.
19. Contractor shall modify existing pad as necessary for placement of cooling tower.
20. Contractor shall provide shop drawing showing site plan and complete installation details and diagrams
21. All damaged ground and cover shall be restored with hydroseed or sod
22. Contractor shall include off – hour hourly wage scales if weekend or night work is required
23. Start up of new Cooling Tower & Demonstration
24. Sales Tax

Compliance with OLBD LSDBE and First Source goals shall be required for all successful offerors.

All offerors should understand that the project schedule is aggressive. Demolition and installation of new work must take place during the winter and spring term and be operational before the cooling season commences (March / April 2005).

Qualification Statement Requirements

The offeror shall provide the following information organized as follows in their qualification statement:

1. A brief discussion of the firm, its organization, and services offered;
2. Experience on fast-track and/or design-build projects of similar nature and scope as those required by this solicitation;
3. Owner/Client's name, contact person, telephone number, project description, project value, and prime contractor's name and address for at least three (3) similar construction projects completed by the offeror during the past three (3) years.
4. Proposed team and qualifications and experience of team members; knowledge and experience of team members with education, public school or charter school projects. Knowledge of education facilities start-up, operations, and facilities maintenance requirements
5. Description of successfully completed fast track and/or design-build projects of similar program and complexity in the District of Columbia or surrounding local jurisdictions.
6. Experience and history of the offeror with local building and regulatory requirements, OLBD, LSDBE, and First Source and publicly financed projects. A participation plan for Local and Small Disadvantaged Business Enterprises (LSDBE) shall be required for the successful bidder. For more information on LSDBE certified firms see <http://olbd.dc.gov/>.
- 7.

Proposal Requirements

Offerors shall submit the following in addition to qualifications:

1. Proposed scope of services
2. Itemized cost breakdown
3. Hourly billing rates for assigned team members for additional services if required
4. Budget hours and cost by day, week, month

Should you have any questions with regard to this solicitation, please contact Kimberly Campbell, Chief of Staff, at 202-675-0039

**DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH
ADDICTION PREVENTION AND RECOVERY ADMINISTRATION
OFFICE OF PREVENTION AND YOUTH SERVICES**

NOTICE OF FUNDING AVAILABILITY

Youth Substance Abuse Prevention Program

The District of Columbia Department of Health (DOH), Addiction Prevention and Recovery Administration (APRA), Office of Prevention and Youth Services (OPYS) is soliciting applications from qualified applicants to design and implement evidence-based substance abuse prevention programs, intervention, and service to science programs for youth, between the ages of 9 and 21. Organizations not currently receiving funds from APRA are encouraged to apply.

Federal and local funds are available for up to 14 grants. Grants will be awarded in four separate areas of consideration. RFAs may be submitted for Gender Specific, Peer Education and Leadership Development, Intervention and Outreach or Service to Science Programs. Funds were awarded to APRA through the US Department of Health and Human Services (DHHS), Substance Abuse Mental Health Services Administration (SAMHSA) Substance Abuse Prevention and Treatment Block Grant (SAPT BG), the U.S. Department of Education Safe and Drug Free Schools and Communities Act, and through D.C. Appropriated dollars.

The Request for Applications (RFA) will be released on December 28, 2004 and the deadline for submission is January 28, 2005. A Bidders Conference is scheduled for January 5, 2005, at 3:00 p.m. at 1300 First Street, NE, Third Floor.

Applications may be obtained from the Department of Health, 825 North Capitol Street, NE, Room 3125, Washington, D.C. 20002. The RFA will be available on The Office of Partnerships and Grants Development website, www.opgd.dc.gov/main.shtm, under the District Grants Clearinghouse, no later than December 29, 2004.

Please contact Linda Y. Fisher at (202) 442-5882 for additional information.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF INSURANCE, SECURITIES AND BANKING

Bulletin of New Bank Application(s)

Pursuant to D.C. Official Code § 26-704(b)(1)(A) (2001), the Commissioner of the Department of Insurance, Securities and Banking hereby gives notice that the Department of Insurance, Securities and Banking has received the following Application to organize a de novo commercial bank in the District of Columbia:

Applicant: Bank of Georgetown

Date of Application: November 16, 2004

Proposed Location: District of Columbia

Any person desiring to comment on this application may do so by submitting written comments within 20 days from the date of publication of this notice in the D.C. Register to:

Commissioner
Department of Insurance, Securities and Banking
810 First Street, NW, Suite 701
Washington, DC 20002

The public file for this application is available for inspection with the Department of Insurance, Securities and Banking during regular business hours from 8:30 a.m. to 5:00 p.m. at the address listed above.

**Paul Public Charter School
5800 8th Street NW
Washington, DC 20011**

Request for Proposal

Paul Public Charter School (www.paulcharter.org) will be soliciting proposals for qualified company to provide special education program management. Complete RFP submission requirements may be obtained by contacting Denise Taylor in the Business Office at 202-378-2251 beginning Friday, December 24, 2004. All proposals are due on Friday, January 14, 2005 at 4:00 PM.

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

Application No. 17215 of Archdiocese of Washington (Victory Youth Centers), pursuant to 11 DCMR § 3104.1, for a special exception from the theoretical subdivision provisions under section 2516, and a special exception under section 334, to construct a gymnasium/youth recreation center in the R-5-A District at premises 4275 4th Street, S.E. (Square 6242, Lot 834).

Note: The Board amended the application to require special exception relief from sections 334 (Community Service Center) and 2516 (Theoretical Subdivision).

HEARING DATE: November 16, 2004
DECISION DATE: November 16, 2004 (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) 8D, 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 8D. ANC 8D submitted a letter in support of the application. The OP submitted a report in support of the application. Sandra Allen, the Ward 8 Councilmember submitted a letter 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 special exception pursuant to 11 DCMR §§ 3104.1, 334 and 2516. 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 ANC and OP reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 334 and 2516, that the requested relief can be granted, subject to the conditions set forth below, 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.

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. The waiver will not prejudice the rights of any party, and is not prohibited by 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 Kevin L. Hildebrand 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: November 18, 2004

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, 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. 17223 of Carl Mintz, pursuant to 11 DCMR § 3104.1, for a special exception to allow a second story rear addition to an existing single-family semi-detached dwelling under section 223, not meeting the side yard requirements (section 405) and nonconforming structure requirements (2001.3) in the R-4 District at premises 704 East Capitol Street, N.E. (Square 897, Lot 805).

HEARING DATE(S): October 19, 2004, November 9, 2004
DECISION DATE: November 9, 2004

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) 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 ANC report did not meet all of the requirements under subsection 3115.1. 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 special exception under section 223. No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, 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 and 223, that the requested relief can be granted, subject to the conditions set forth below, 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.

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, Curtis L. Etherly Jr., Ruthanne G. Miller and John A. Mann II to approve, the Zoning Commission member not present, not voting)

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

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: November 10, 2004

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. RSN

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

Application No. 17227 of Dianne Carrington, pursuant to 11 DCMR § 3104.1, for a special exception to allow a two-story rear addition to an existing single-family row dwelling under section 223, not meeting the lot occupancy (403), side yard (section 405), and court requirements (section 406) in the R-2 District at premises 810 Sheridan Street, N.W. (Square 2980, Lot 46).

HEARING DATE: November 9, 2004
DECISION DATE: November 9, 2004 (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) 4B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 4B, which is automatically a party to this application. ANC 4B submitted a report in support of the application. The ANC report did not meet all of the requirements under subsection 3115.1. The Office of Planning (OP) submitted a report in conditional support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 223. No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, 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 and 223, that the requested relief can be granted, subject to the conditions set forth below, 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.

DEC 24 2004

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 TO REOPEN THE RECORD TO REVIEW REVISED ARCHITECTURAL PLANS: 5-0-0 (Curtis L. Etherly Jr., Anthony J. Hood, Geoffrey H. Griffis, Ruthanne G. Miller, and John A. Mann II to approve)

FINAL VOTE APPROVING THE REVISED ARCHITECTURAL PLANS (EXHIBIT NO. 26) AND TO GRANT THE APPLICATION: 5-0-0

(Geoffrey H. Griffis, Curtis L. Etherly Jr., Ruthanne G. Miller, Anthony J. Hood and John A. Mann II 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: November 10, 2004

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. RSN

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

Application No. 17228 of Samuel C. Reynolds, pursuant to 11 DCMR § 3103.2, for a variance from the floor area ratio requirements under section 771, and a variance from the off-street parking requirements under subsection 2101.1, to allow commercial/office use on the 1st, 2nd and portion of the basement in the C-2-A District at premises 3109 Georgia Avenue, N.W. (Square 3047, Lot 113).

Note: The Board amended the application at the public hearing to include variance relief from the off-street parking requirements under subsection 2101.1.

HEARING DATE: November 9, 2004
DECISION DATE: November 9, 2004 (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) 1A, 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 1A. ANC 1A did not participate in the application. The OP submitted a report recommending 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. 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 report filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, 771, and 2101.1, 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. The waiver will not prejudice the rights of any party, and is not prohibited by law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: 5-0-0 (Geoffrey H. Griffis, Curtis L. Etherly, Jr., Ruthanne G. Miller, Anthony J. Hood and John A. Mann II, 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: November 10, 2004

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.

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, 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.

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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. 17234 of D.C. Fire Engine Company No. 29, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under section 403, a variance from the side yard requirements under section 405, and a variance from the off-street parking requirements under subsection 2101.1, to allow an addition to an existing fire and emergency medical service facility in the R-1-B District at 4811 MacArthur Boulevard, N.W. (Square 1372, Lot 808).

HEARING DATE: November 16, 2004
DECISION DATE: November 16, 2004 (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) 3D, 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 3D. ANC 3D submitted a letter of support to the application. The OP 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. 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 report filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, 403, 405 and 2101.1, 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. The waiver will not prejudice the rights of any party, and is not prohibited by law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: 5-0-0 (Geoffrey H. Griffis, John A. Mann II, Curtis L. Etherly, Jr., Ruthanne G. Miller and Kevin L. Hildebrand 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: NOV 18 2004

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, 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. 17235 of D.C. Public Schools, pursuant to 11 DCMR § 3103.2, for a variance from the off-street loading facility requirements under section 2200, to allow the construction of the Bell-Lincoln Multicultural High/Middle School in the R-5-B/R-5-D District at premises 3101 16th Street, N.W. (Square 2673, Lot 889).

HEARING DATE: November 23, 2004
DECISION DATE: November 23, 2004 (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) 1A, 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 1A. ANC 1A submitted a resolution in support of the application. The OP 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. 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 ANC and OP reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2 and 2200, 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. The waiver will not prejudice the rights of any party, and is not prohibited by law. It is therefore **ORDERED** that this application be **GRANTED**.

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

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: November 24, 2004

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. 17235

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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. 17236 of B&F LLC, pursuant to 11 DCMR § 3103.2, for a variance from the lot area requirements under section 401, to allow the construction of a new single-family detached dwelling in the R-5-A District at premises 2828 R Street, S.E. (square 5584, Lot 118).

HEARING DATE: November 16, 2004
DECISION DATE: November 16, 2004 (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 public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 7B, 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 7B. ANC 7B submitted a letter of no opposition to the application. The OP submitted a report in support of the application. The Board denied party status to Ronald Staton on behalf of 2834 Acondo Assoc.

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. 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 report filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2 and 401, 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. The waiver will not prejudice the rights of any party, and is not prohibited by law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE DENYING PARTY STATUS:

5-0-0 (Curtis L. Etherly, John A. Mann II, Geoffrey H. Griffis, Carol J. Mitten, and Ruthanne G. Miller to approve)

VOTE APPROVING THE APPLICATION:

5-0-0 (Geoffrey H. Griffis, Carol J. Mitten, Curtis L. Etherly, Jr., Ruthanne G. Miller and John A. Mann II 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: NOV 18 2004

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, 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. 17242 of Patricia Murphy, pursuant to 11 DCMR § 3104.1, for a special exception to construct a two story rear addition to an existing single-family semi-detached dwelling under section 223, not meeting the side yard requirements under section 405, in the R-3 District at premises 3320 Dent Place, N.W. (Square 1278, Lot 233).

HEARING DATE: November 23, 2004

DECISION DATE: November 23, 2004 (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) 2E and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2E, which is automatically a party to this application. ANC 2E submitted a report in support of 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 special exception under section 223. No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, 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 and 223, that the requested relief can be granted, subject to the conditions set forth below, 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.

DEC 24 2004

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 John G. Parsons 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: November 23, 2004

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

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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. 17242-A of Patricia Murphy, pursuant to 11 DCMR § 3104.1, for a special exception to construct a two story rear addition to an existing single-family semi-detached dwelling under section 223, not meeting the side yard requirements under section 405, in the R-3 District at premises 3320 Dent Place, N.W. (Square 1278, Lot 233).

HEARING DATE: November 23, 2004

DECISION DATE: November 23, 2004 (Bench Decision)

CORRECTED SUMMARY ORDER*

Note: This order corrects BZA Order No. 17242, by adding the underlined text in the third paragraph below.

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) 2E and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2E, which is automatically a party to this application. ANC 2E submitted a report in support of 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 special exception under section 223. No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted, subject to the conditions set forth below, 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.

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 John G. Parsons 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: November 24, 2004

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,

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