

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
Business and Professional License Administration

NOTICE OF PUBLIC HEARING
September 7, 2004

Notice is hereby given that National Society of the Daughters of the American Revolution has applied for a Basic Business License, Entertainment license with an endorsement of Public Hall under DC Law 9-160, and that all objectors are entitled to be heard, September 7, 2004 at 10:00 a.m. in Room 9100, 941 North Capitol Street, N.E., Washington DC before granting of such license.

Application No. 39209334, National Society of the Daughters of the American Revolution
311 18th Street, NW Washington, DC 20006.

Area of Delineation:

Constitution Avenue NW	1600 - 1800
Virginia Avenue NW	1700 - 1900
C Street NW	1700 - 1800
D Street NW	1700
E Street NW	1600 - 1800
17 th Street NW	200 - 400
18 th Street NW	200 - 400
19 th Street NW	200 - 400
Ellipse Circular Drive	1600 (Western Half) or 200 - 400

Nature of Operation:

The establishment will provide food, full bar, full (live/recording) entertainment and dance. No nude performance.

Hours of Operation:

The hours of operation will be Monday through Thursday 10:00 a.m. to 2:00 a.m., Friday and Saturday 10:00a.m. to 3:00 a.m.

All persons, residing within 600 feet wishing to testify at the public hearing should contact E. Savannah Little, Chief Administrative Law Judge, Office of Adjudication, 941 North Capitol Street N.E., Room 9100, Washington, D.C. 20002 by mail, no later than August 29, 2004.

**PETITION AND/OR REQUEST TO APPEAR BEFORE THE
ADMINISTRATIVE LAW JUDGE MUST BE FILED
ON OR BEFORE AUGUST 29, 2004**

NOTE: In accordance with the enactment of D.C. Law 12-86, "Omnibus Regulatory Reform Amendment Act of 1998", every license issued shall be valid for 2 years from the date of issuance. As such, this application is for a 2-year license.

D.C. BOARD OF EDUCATION

NOTICE OF PUBLIC HEARING

Thursday, September 9, 2004
6:30 p.m. – 9:00 p.m.
D.C. Board of Education
5th Floor Board room
825 N. Capitol St., NE, Washington, DC 20002

The D.C. Board of Education is reviewing the reallocation of the FY 2005-2010 Capital Improvement Plan Budget for the District of Columbia Public Schools.

The D.C. Board of Education will conduct a public hearing to receive comments and input on the capital budget reallocation.

A copy of the Notice of the Public Hearing on the Reallocation of the Capital Improvement Program Budget will be available for public review on August 6, 2004 at the following locations:

D.C. Public Schools
Offices of the Superintendent, room 9026, and D.C. Board of Education, room 9108
825 N. Capitol Street, NE

Each individual or representative of an organization who wishes to present testimony at the public hearing is requested to furnish his or her name, address, telephone number, and name of organization represented (if any) by calling 202-442-4289 no later than Tuesday, September 7 at 3:00 p.m.

All oral presentations shall be limited to three (3) minutes. Written statements may be submitted for the record until Thursday, September 9, 2004. Written statements should be addressed to: Russell Smith, Executive Director, D.C. Board of Education, 825 N. Capitol St., NE, Washington, DC 20002.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, OCTOBER 5, 2004
SECOND FLOOR HEARING ROOM, SUITE 220-S
441 4TH STREET, N.W.
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

1:00 P.M. TO 6:00 P.M. AFTERNOON SESSION

P.M.

WARD SIX

17216 **Application of Serena Schorr**, pursuant to 11 DCMR § 3104.1 and
ANC-6C 1202.1, for a special exception to allow a two-story rear addition to a
single-family semi-detached dwelling under section 223, not
meeting the lot occupancy (section 403), and side yard (section 405),
requirements in the Capitol Interest Overlay/R-4 District at premises
408 East Capitol Street, N.E. (Square 816, Lot 825).

WARD FIVE

17213 **Application of Faye Brinkley**, pursuant to 11 DCMR § 3103.2, for
ANC-5A a variance from the lot area and lot width requirements under section
401, and a variance from the side yard requirements under section
405, to allow the construction of a new single-family detached
dwelling in the R-1-B District at premises 1408 ½ Kearney Street,
N.E. (Square 4011, Lot 816).

WARD THREE

17200 **Application of Potomac Foods**, pursuant to 11 DCMR § 3104.1,
ANC-3F for a special exception to permit the continued use of an accessory
parking lot (last approved by BZA Order No. 16541) serving an
existing Burger King restaurant under section 214, in the R-1-B
District at the rear of 4422 Connecticut Avenue, N.W. (Square 1971,
Lot 822).

PLEASE NOTE:

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Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial.

The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4 of the Regulations, the Board will impose time limits on the testimony of all individuals.

Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board. Individuals and organizations wishing party status in any case before the Board must request that status and should do so in writing not less than fourteen (14) days prior to the date set for the public hearing on the particular application in accordance with Subsection 3106.2. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence. FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**GEOFFREY H. GRIFFIS, CHAIRPERSON, RUTHANNE G. MILLER,
VICE CHAIRPERSON, CURTIS L. ETHERLY, JR., JOHN A. MANN II,
AND A MEMBER OF THE ZONING COMMISSION ----- BOARD
OF ZONING ADJUSTMENT, BY JERRILY R. KRESS, FAIA, DIRECTOR.**

PHN 10/5/04 rsn

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, OCTOBER 12, 2004
SECOND FLOOR HEARING ROOM, SUITE 220-S
441 4TH STREET, N.W.
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

**9:30 A.M. TO 12:00 P.M. MORNING SESSION
1:00 P.M. TO 6:00 P.M. AFTERNOON SESSION**

A.M.

WARD ONE

17217
ANC-1D **Application of Doran Flowers**, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under section 403, a variance from the rear yard requirements under section 404, a variance from the court requirements under section 406, and a variance from the nonconforming structure provisions under subsection 2001.3, to allow the construction of a screened porch at the rear of a two-family row dwelling in the R-4 District at premises 3360 18th Street, N.W. (Square 2615, Lot 46).

WARD ONE

17218
ANC-1B **Application of Tonya Harris, TON Inc.**, pursuant to 11 DCMR § 3103.2, a variance from the number of stories and building height requirements under section 400, and pursuant to 11 DCMR § 3104.1, a special exception under section 223, to allow a fourth floor addition to an existing flat (two family dwelling), not meeting the lot occupancy requirements (section 403), in the R-4 District at premises 906 T Street, N.W. (Square 362, Lot 233).

WARD ONE

17221 **Application of Montrose, LLC**, pursuant to 11 DCMR § 3104.1,
ANC-1C for a special exception from the roof structure set-back provisions
 under subsection 411.11 (400.7(b)), for an existing five story
 residential condominium in the R-5-D District at premises 1819
 Belmont Road, N.W. (Square 251, Lot 45).

P.M.

WARD SIX

17214 **Appeal of Advisory Neighborhood Commission 6A**, pursuant to
ANC-6C 11 DCMR §§ 3100 and 3101, from the administrative decision of the
 Zoning Administrator of the Department of Consumer and
 Regulatory Affairs. Appellant alleges that the Zoning Administrator
 erred by issuing a certificate of occupancy permit (No. C76349,
 dated May 19, 2004) for a 30 seat deli/restaurant. Appellant argues
 that the actual use of the business is a fast food restaurant as defined
 by section 199, and regulated by section 733. The C-2-A zoned
 premises is located at 721 H Street, N.E. (Square 890, Lot 69).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial.

The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4 of the Regulations, the Board will impose time limits on the testimony of all individuals.

Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board. Individuals and organizations wishing party status in any case before the Board must request that

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status and should do so in writing not less than fourteen (14) days prior to the date set for the public hearing on the particular application in accordance with Subsection 3106.2. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence. FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

GEOFFREY H. GRIFFIS, CHAIRPERSON, RUTHANNE G. MILLER, VICE CHAIRPERSON, CURTIS L. ETHERLY, JR., JOHN A. MANN II, AND A MEMBER OF THE ZONING COMMISSION ----- BOARD OF ZONING ADJUSTMENT, BY JERRILY R. KRESS, FAIA, DIRECTOR.

PHN 10/12/04 rsn

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: September 30, 2004, 6:30 P.M.
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 04-08/02-45 (Second-Stage PUD – St. Elizabeths Hospital)

THIS CASE IS OF INTEREST TO ANC 8C

In Order No. 02-45, dated May 1, 2003, effective upon its publication in the *District of Columbia Register* on November 28, 2003, the Zoning Commission approved the first stage of this planned unit development (“PUD”), for a proposed new St. Elizabeths Hospital and grounds within the historic East Campus of St. Elizabeths. On March 8, 2004, St. Elizabeths Hospital (the “Applicant”) submitted its second-stage application and the Zoning Commission set down the case for public hearing at its meeting of May 10, 2004. On June 14, 2004, the Office of Zoning received a Pre-Hearing Submission and materials for the second-stage PUD.

The property that is the subject of this application consists of approximately 49.4 acres of land area. It is an irregularly shaped parcel in the southeast part of the East Campus of St. Elizabeths Hospital that is proposed to be developed with a new mental health hospital, parking, landscaping, stormwater controls, and related facilities. The PUD site is near the Congress Heights Metrorail Station and Alabama Avenue, S.E. The access drive to the PUD site is from Martin Luther King Jr. Avenue, S.E. The subject property was zoned SP-1 in the first-stage PUD.

The applicant intends, at the suggestion of the Office of Planning, to request a Minor Modification to expand the site by 5.19 acres and have the additional land rezoned from unzoned to SP-1. The additional land, if set down by the Commission prior to the proposed hearing date, will be considered as part of this hearing. The added site area is irregular in shape. It accommodates the roadway that accesses the proposed new hospital, a small gatehouse for the new hospital and open space along Alabama Avenue,

S.E. As a result of this added area, the total land area for the proposed Second Stage PUD will consist of 54.59 acres.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony is described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf;
- (f) A summary of the testimony of each witness;

- (g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;
- (h) The total amount of time being requested to present their case; and
- (i) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;
 - (3) The distance between the person's property and the property that is the subject of the application before the Commission;
 - (4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and
 - (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1. The information shall be filed no later than fourteen (14) days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also contain the information indicated in (e) through (h) above.

Time limits.

The following time limits for oral testimony shall be adhered to unless changed by the Commission, and no time may be ceded:

- | | | |
|----|----------------------------------|---|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 15 minutes each (60 minutes collectively) |

- | | | |
|----|---------------|----------------|
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, KEVIN L. HILDEBRAND, AND GREGORY N. JEFFRIES ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.