

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR
SUITE 7200
WASHINGTON, DC 20002
(202) 442-4423

HEARING DATE: NOVEMBER 19, 2003

SEPTEMBER 19, 2003, NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON NOVEMBER 19, 2003 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

APPLICATION NO. 664, SUPER LIQUORS, INC. T/A SUPER LIQUORS, RETAILER'S CLASS "A", 1631-33 NORTH CAPITOL ST., NE, WARD 5 ANC 5C02

LICENSEE REQUEST TO BE OPEN 24 HOURS A DAY, SEVEN DAYS A WEEK TO SELL GROCERY PRODUCTS.

SALE AND SERVICE OF ALCOHOLIC BEVERAGES
MONDAY THROUGH SATURDAY, 9AM-10PM

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
NOVEMBER 4, 2003

*CORRECTION

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR
SUITE 7200
WASHINGTON, DC 20002
(202) 442-4423

HEARING DATE: OCTOBER 22, 2003

AUGUST 22, 2003, NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON OCTOBER 22, 2003 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

APPLICATION NO. 50251, ABE HISAO T/A KOTOBUKI, RETAILER'S CLASS "C" RESTAURANT, 4822 MACARTHUR BLVD., NW, WARD 3 ANC 3D05

NATURE OF OPERATION
NEW RESTAURANT WITH NO ENTERTAINMENT.

SALE AND SERVICE OF ALCOHOLIC BEVERAGES
SUNDAY, 5PM-1AM
TUESDAY THROUGH SATURDAY, *5PM-1AM
CLOSED MONDAY

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
OCTOBER 7, 2003

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7th FLOOR
SUITE 7200
WASHINGTON, DC 20002

HEARING DATE: NOVEMBER 19, 2003

SEPTEMBER 19, 2003, NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON NOVEMBER 19, 2003 AT 10:00 A.M., 7th FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

APPLICATION NO. 30013, JJA INCORPORATED, T/A ASYLUM, RETAILER'S CLASS "C" RESTAURANT, 2471 18th ST., NW, WARD 1 ANC 1C07.

LICENSEE REQUEST TO EXPAND ITS PREMISES INTO THE FIRST FLOOR OF THIS BUILDING. THE FIRST FLOOR WILL INCLUDE A BAR. THIS EXPANSION WILL INCREASE THE CAPACITY TO AN ADDITIONAL 62 SEATS.

SALE AND SERVICE OF ALCOHOLIC BEVERAGES
MONDAY THROUGH THURSDAY, 5:00PM-2:00AM
FRIDAY, 5:00PM-3:00AM
SATURDAY, 6:00PM-3:00AM
SUNDAY, 12:00PM-2:00AM

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
NOVEMBER 4, 2003

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR
SUITE 7200
WASHINGTON, DC 20002
(202) 442-4423

HEARING DATE: NOVEMBER 19, 2003

SEPTEMBER 19, 2003, NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON NOVEMBER 19, 2003 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

APPLICATION NO. 33077, SWEET MANGO CAFÉ CORPORATION
T/A SWEET MANGO CAFÉ, RETAILER'S CLASS "C" RESTAURANT, 3701-07 NEW HAMPSHIRE AVE., NW, WARD 4 ANC 4C08

NATURE OF OPERATION

NEW RESTAURANT WITH A VARIETY OF LIVE MUSIC PLAYING INTERNATIONAL, JAZZ, R&B, GOSPEL, CLASSICAL AND BLUES, AS WELL AS RECORDED MUSIC, ALSO, HOST POETRY, COMEDY NIGHTS WIDE WORLD SPORTS ON TV AND DANCING. SUMMER GARDEN

SALE AND SERVICE OF ALCOHOLIC BEVERAGES

SUNDAY, 10AM-2AM

MONDAY THROUGH THURSDAY, 8AM-2AM

FRIDAY AND SATURDAY, 8AM-3AM

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
NOVEMBER 5, 2003

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL STREET, NE, 7th FLOOR, ROOM 7200
WASHINGTON, D.C. 20002

HEARING DATE 11/19/2003
PETITION DATE 11/4/2003
POSTING DATE 9/19/2003

RENEWALS

THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSE

APP. NO. 305 ANC 6A06	JUNG JOO CHOI T/A LEE'S GROCERY 1451 MARYLAND AVE	NE	RET " B "
APP. NO. 310 ANC 4C07	MASENPHIL LLC T/A UNEEDA MARKET 4400 GEORGIA AVENUE	NW	RET " B "
APP. NO. 645 ANC 2F03	J & K MARKET INC T/A J & K MARKET 234 15TH STREET	NW	RET " B "
APP. NO. 1134 ANC 6B02	MOLIN, INC T/A NORMANDIES 83 M STREET	SE	RET " A "
APP. NO. 1543 ANC 2C02	ANDREW KILPATRICK JR. T/A A & K MARKET 523 Q STREET	NW	RET " B "
APP. NO. 1969 ANC 1A10	SUNG W & MYUNG G KIM T/A LAMONT MARKET 450 LAMONT ST	NW	RET " B "
APP. NO. 1971 ANC 3G05	BROAD BRANCH MARKET, INC. T/A BROAD BRANCH MARKET 5608 BROAD BRANCH ROAD	NW	RET " B "
APP. NO. 2008 ANC 2B09	FREEDOM MARKET INC T/A FREEDOM MARKET INC 1901 NEW HAMPSHIRE AVE	NW	RET " B "

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL STREET, NE, 7th FLOOR, ROOM 7200
WASHINGTON, D.C. 20002

HEARING DATE 11/19/2003
PETITION DATE 11/4/2003
POSTING DATE 9/19/2003

RENEWALS

THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSE

APP. NO. 2035 ANC 5C04	THE VOLCANO CORPORATION T/A FLAGLER MARKET 2200 FLAGLER PLACE NW	RET " B "
APP. NO. 2580 ANC 4C03	LYDIA ASSEFA T/A SUPER SAVER GROCERY & DELI 4413 14TH STREET NW	RET " B "
APP. NO. 2654 ANC 5A04	P K SODA, INC. T/A SOUTH DAKOTA MARKET 4942 S DAKOTA AVENUE NE	RET " B "
APP. NO. 3508 ANC 3D09	SY LOTUS CORPORATION T/A PALISADES MARKET 4554 MACARTHUR BLVD NW	RET " B "
APP. NO. 4887 ANC 6A01	YU SUNG CHONG & SOON KI T/A LEES MARKET 1025 7TH STREET NE	RET " B "
APP. NO. 5104 ANC 7D03	BYUNG SEI PARK & REUNG JA YI T/A BENNING HEIGHTS MARKET 547 42ND ST. NE	RET " B "
APP. NO. 5398 ANC 3F05	JOE & M, INC. T/A CLOVER MARKET 5014 CONNECTICUT AVE NW	RET " B "
APP. NO. 5517 ANC 1B09	LE JAE GIL T/A HARVARD DELI 2820 GEORGIA AVE NW	RET " B "

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL STREET, NE, 7th FLOOR, ROOM 7200
WASHINGTON, D.C. 20002

HEARING DATE 11/19/2003
PETITION DATE 11/4/2003
POSTING DATE 9/19/2003

RENEWALS

THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSE

APP. NO. 5559 ANC 1B09	YONG HA & CHONG HUI MA T/A CHUCK'S MARKET 2601 SHERMAN AVE	NW	RET " B "
APP. NO. 5761 ANC 6D06	FRIENDLY DAVIDS MARKET T/A FRIENDLY FOOD MARKET 1399 HALF STREET	SW	RET " B "
APP. NO. 5804 ANC 5C04	Z-D TAM, INC T/A A & L MARKET 2007 FIRST STREET	NW	RET " B "
APP. NO. 5928 ANC 7D03	KIMS MENICK MARKET INC T/A MENICKS MARKET 4401 NANNIE HELEN BURR	NE	RET " B "
APP. NO. 5999 ANC 1A01	ENB ENTERPRISES, INC T/A NEW DODGE MARKET 3620 14TH ST	NW	RET " B "
APP. NO. 6488 ANC 3B04	MUN HYON K & MUN CHONG H T/A 4000 M MARKET 4000 MASSACHUSETTS AVEN	NW	RET " B "
APP. NO. 6893 ANC 6B05	J.PARK CORPORATION T/A ADAMS MARKET 700 F STREET NE	NE	RET " B "
APP. NO. 7227 ANC 8B05	OM CORPORATION T/A SHIPLEY SUPERMARKET 2283 SAVANNAH STREET	SE	RET " B "

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL STREET, NE, 7th FLOOR, ROOM 7200
WASHINGTON, D.C. 20002

HEARING DATE 11/19/2003
PETITION DATE 11/4/2003
POSTING DATE 9/19/2003

RENEWALS

THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSE

APP. NO. 7859 ANC 1C08	CHO ON KUK T/A KAPLANS MARKET 1766 FLORIDA AVE	NW	RET " B "
APP. NO. 8043 ANC 6B10	SOON SANG YOU T/A EASTERN THRIFTY MARKET 1620 A STREET	SE	RET " B "
APP. NO. 8318 ANC 6B04	JUNGBYUN, INCORPORATED T/A 7TH & L STRRET MARKET 700 L STREET	SE	RET " B "
APP. NO. 8372 ANC 5C01	ANSCO, INC T/A BATES MARKET 301 P STREET	NW	RET " B "
APP. NO. 8384 ANC 1D04	DAVID & CINDY INCORPORATED T/A SAMBER FOOD STORE 3243 MT PLEASANT ST	NW	RET " B "
APP. NO. 8716 ANC 5B06	KANG YOUNG J. & KANG IN S. T/A FAMILY MARKET 1309 5TH STREET	NE	RET " B "
APP. NO. 8898 ANC 5B08	MAN INC T/A MUDRICK'S SUPERMARKET 1064 BLADENSBURG RD	NE	RET " B "
APP. NO. 8971 ANC 4A02	YUE MING ZHANG T/A CHINA HUT 7708 GEORGIA AVENUE	NW	RET " B "

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL STREET, NE, 7th FLOOR, ROOM 7200
WASHINGTON, D.C. 20002

HEARING DATE 11/19/2003
PETITION DATE 11/4/2003
POSTING DATE 9/19/2003

RENEWALS

THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSE

APP. NO. 9030 ANC 4C10	PHILBAR CORPORATION T/A M & S MARKET 213 UPSHUR ST	NW	RET " B "
APP. NO. 9170 ANC 1C06	KIM DUK YOUNG & KI SOOK T/A PARK PLAZA MARKET 1629 COLUMBIA RD	NW	RET " B "
APP. NO. 9221 ANC 1A09	JEON DUK BAE T/A SUNRAY MARKET 3205 GEORGIA AVE	NW	RET " B "
APP. NO. 9753 ANC 1B02	ALBO CORP T/A ELEVEN MARKET 1936 11TH STREET	NW	RET " B "
APP. NO. 11830 ANC 4B08	BRIGHTWOOD SUPERMARKET, INC. T/A BRIGHTWOOD SUPERMARKET 100 KENNEDY STREET	NW	RET " B "
APP. NO. 50137 ANC 2F01	ERGOYE INJERA INC T/A E.I. MARKET 1712 14TH STREET NW	NW	RET " B "

**DISTRICT OF COLUMBIA
HISTORIC PRESERVATION REVIEW BOARD**

NOTICE OF PUBLIC HEARING

The D.C. Historic Preservation Review Board will hold a public hearing to consider applications to designate the following properties as historic landmarks in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the properties to the National Register of Historic Places:

**Case No. 03-02: Broad Branch Market (Affected ANC: 3G)
5608 Broad Branch Road, NW
Square 1997, Lot 78**

The hearing will take place at 10:00 a.m. on Thursday, October 23, 2003, at 441 Fourth Street, NW (One Judiciary Square), in Room 220 South. It will be conducted in accordance with the Review Board's Rules of Procedure (10 DCMR 26). A copy of the rules can be obtained from the Historic Preservation Office at 801 North Capitol Street, NE, Room 3000, Washington, DC 20002, or by phone at (202) 442-8800.

The Board's hearing is open to all interested parties or persons. Public and governmental agencies, Advisory Neighborhood Commissions, property owners, and interested organizations or individuals are invited to testify before the Board. Written testimony may also be submitted prior to the hearing. All submissions should be sent to the address above.

For each property, a copy of the historic landmark application is currently on file and available for inspection by the public at the Historic Preservation Office. A copy of the staff report and recommendation will be available at the office five days prior to the hearing. The office also provides information on the D.C. Inventory of Historic Sites, the National Register of Historic Places, and Federal tax provisions affecting historic property.

If the Historic Preservation Review Board designates the property, it will be included in the D.C. Inventory of Historic Sites, and will be protected by the D.C. Historic Landmark and Historic District Protection Act of 1978. The Review Board will simultaneously consider the nomination of the property to the National Register of Historic Places. The National Register is the Federal government's official list of prehistoric and historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage. Listing provides recognition of the historic importance of properties and assures review of Federal undertakings that might affect the character of such properties. If a property is listed in the Register, certain Federal rehabilitation tax credits for rehabilitation and other provisions may apply. Public visitation rights are not required of owners. The results of listing in the National Register are as follows:

Consideration in Planning for Federal, Federally Licensed, and Federally Assisted Projects:
Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects

affecting historic properties listed in the National Register. For further information, please refer to 36 CFR 800.

Eligibility for Federal Tax Provisions: If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 (which revised the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, the Economic Recovery Tax Act of 1981, and the Tax Reform Act of 1984) provides, as of January 1, 1987, for a 20% investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings. The former 15% and 20% Investment Tax Credits (ITCs) for rehabilitation of older commercial buildings are combined into a single 10% ITC for commercial and industrial buildings built before 1936. The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because the tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification requirements, please refer to 36 CFR 67.

Qualification for Federal Grants for Historic Preservation When Funds Are Available: The National Historic Preservation Act of 1966, as amended, authorizes the Secretary of the Interior to grant matching funds to the States (and the District or Columbia) for, among other things, the preservation and protection of properties listed in the National Register.

Owners of private properties nominated to the National Register have an opportunity to concur with or object to listing in accord with the National Historic Preservation Act and 36 CFR 60. Any owner or partial owner of private property who chooses to object to listing must submit to the State Historic Preservation Officer a notarized statement certifying that the party is the sole or partial owner of the private property, and objects to the listing. Each owner or partial owner of private property has one vote regardless of the portion of the property that the party owns. If a majority of private property owners object, a property will not be listed. However, the State Historic Preservation Officer shall submit the nomination to the Keeper of the National Register of Historic Places for a determination of eligibility for listing in the National Register. If the property is then determined eligible for listing, although not formally listed, Federal agencies will be required to allow the Advisory Council on Historic Preservation an opportunity to comment before the agency may fund, license, or assist a project which will affect the property. If an owner chooses to object to the listing of the property, the notarized objection must be submitted to the above address by the date of the Review Board meeting.

**DISTRICT OF COLUMBIA
HISTORIC PRESERVATION REVIEW BOARD**

NOTICE OF PUBLIC HEARING

The D.C. Historic Preservation Review Board will hold a public hearing to consider applications to designate the following properties as historic landmarks in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the properties to the National Register of Historic Places:

**Case No. 03-12: 819-821 7th St. NE (Affected ANC: 6A)
819-821 7th St. NE
Square 889, Lots 22 and 39**

The hearing will take place at 10:00 a.m. on Thursday, October 23, 2003, at 441 Fourth Street, NW (One Judiciary Square), in Room 220 South. It will be conducted in accordance with the Review Board's Rules of Procedure (10 DCMR 26). A copy of the rules can be obtained from the Historic Preservation Office at 801 North Capitol Street, NE, Room 3000, Washington, DC 20002, or by phone at (202) 442-8800.

The Board's hearing is open to all interested parties or persons. Public and governmental agencies, Advisory Neighborhood Commissions, property owners, and interested organizations or individuals are invited to testify before the Board. Written testimony may also be submitted prior to the hearing. All submissions should be sent to the address above.

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**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, NOVEMBER 18, 2003
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 SIX

17072 **Application of Maurice C. Walters and Mary Jean Pajak,**
ANC-6C pursuant to 11 DCMR § 3104.1, 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 requirements
(section 403) and side yard requirements (section 405) in the R-4
District at premises 623 Constitution Avenue, N.E. (Square 867, Lot
825).

WARD THREE

17069 **Application of 5626-28 Connecticut Avenue Associates,** pursuant
ANC-3G to 11 DCMR § 3104.1 for a special exception to allow an accessory
parking lot (last approved by BZA Order No. 16233, dated July 27,
1998) under section 214 in the R-2 District at premises 3831
McKinley Street, N.W. (Square 1860, Lots 5,6,7, 17 & 18).

WARD TWO

17071 **Application of Edward B. Rooths and Nancy N. Dao,** pursuant to
ANC-2F 11 DCMR § 3104.1, for a special exception to change a
nonconforming use (laundry service) on the basement and 1st floor
of a three story apartment house to another nonconforming use
(accounting, consulting and tax service business) under section
2003, in the R-5-C District at premises 1312 13th Street, N.W.
(Square 243, Lot 12).

PUBLIC HEARING NOTICE
NOVEMBER 18, 2003
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P.M.

WARD TWO

17034 **Appeal of Advisory Neighborhood Commission 2E**, pursuant to
ANC-2E 11 DCMR §§ 3100 and 3101, from the administrative decision of the
Zoning Administrator in the issuance of a final and bidding ruling
letter dated July 12, 2001, to the law firm of Shaw Pittman
confirming the ability to develop three lots on the east side of the
1500 block of 32nd Street, N.W. with three row dwellings. Appellant
alleges that the Zoning Administrator decision is flawed and
contains factual and legal errors. The R-3 zoned subject premises is
located in the 1500 block of 32nd Street, N.W. (east side) (Square
1270, Lots 19, 20 and 21).

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 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.

PUBLIC HEARING NOTICE

NOVEMBER 18, 2003

PAGE NO. 3

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

PHN 11/18/03 rsn

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, NOVEMBER 25, 2003
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 THREE

17073 **Application of PSD Trust, pursuant to 11 DCMR § 3104.1, for a**
ANC-3C **special exception to allow an addition to a single-family dwelling**
 under section 223, not meeting the side yard requirements (section
 405) in the TSP/R-1-A District at premises 2740 32nd Street, N.W.
 (Square 2119, Lot 18).

WARD TWO

17074 **Application of Deborah Gelin, pursuant to 11 DCMR § 3104.1,**
ANC-2E **for a special exception to allow a rear addition to a single-family**
 semi-detached dwelling under section 223, not meeting the lot
 occupancy requirements (section 403) rear yard requirements (404)
 and nonconforming structure provisions (subsection 2001.3) in the
 R-3 District at premises 1404 29th Street, N.W. (Square 1258, Lot
 809).

WARD ONE

17076 **Application of Jubilee Housing, Inc., pursuant to 11 DCMR §**
ANC-1C **3103.2, for a variance from the off-street parking requirements under**
 subsection 2101.1, for a private club in the R-5-B District at
 premises 1630 and 1650 Fuller Street, N.W. and 1631 Euclid Street,
 N.W. (Square 2576, Lots 62, 63, and 809).

PUBLIC HEARING NOTICE
NOVEMBER 25, 2003
PAGE NO. 2

P.M.

WARD SEVEN

17077 **Application of Eugene D. Myers (New Beginnings Christian
ANC-7C Fellowship, Inc.),** pursuant to 11 DCMR § 3103.2, for a variance
from the off-street parking requirements under subsection 2101.1,
for a church in the C-1 District at premises 4421 Sheriff Road, N.E.
(Square 5126, Lots 824, 826, and 828).

WARD SIX

17078 **Application of TC MidAtlantic Development Inc. on behalf of
ANC-6C Avalon Bay Communities, Inc. and Ruby Restaurant, Inc.**
pursuant to 11 DCMR § 3104.1, for a special exception from the
roof structure requirements in order to permit the development of a
ten-story office building with ground floor retail in the DD/C-2-C
District pursuant to section 411 and subsection 770.6, at premises
777 6th Street, N.W. (Square 486, Lots 10, 11, 12, 13, 36, 804, 805,
806, 807 and 808).

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 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

PUBLIC HEARING NOTICE

NOVEMBER 25, 2003

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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, CURTIS L. ETHERLY, JR., VICE CHAIRPERSON, RUTHANNE G. MILLER, DAVID A. ZAIDAIN, AND A MEMBER OF THE ZONING COMMISSION ----- BOARD OF ZONING ADJUSTMENT, BY JERRILY R. KRESS, FAIA, DIRECTOR.

PHN 11/25/03 rsn

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

TIME AND PLACE: Monday, November 3, 2003, 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. 03-21 (St. Coletta of Greater Washington, Inc. – Consolidated PUD and Map Amendment; Square E-1112, Part of Lot 800)

THIS CASE IS OF INTEREST TO ANC 6-B

On July 3, 2003, the Office of Zoning received an application from St. Coletta of Greater Washington, Inc. The Applicant is requesting approval of a consolidated Planned Unit Development and a Zoning Map Amendment. The Office of Planning provided its report on August 29, 2003, and the case was set down for hearing on September 8, 2003. The Applicant provided its prehearing statement as part of its application on August 29, 2003.

The property that is the subject of this application consists of approximately 227,276 square feet of land area and is located at 19th Street, S.E. and Independence Avenue, S.E., a portion of Lot 800 in Square E-1112, in Reservation 13 (see attached property description). The subject property is currently unzoned.

The Applicant proposes to construct a school for 200-250 students and up to 25 adults, all with cognitive disabilities, on the site. The school building will be a two-story structure containing approximately 100,612 square feet. The building will include classrooms, speech and occupational therapy rooms, group rooms, locker rooms, an infirmary, kitchens, a hydrotherapy room, administrative offices, a gymnasium, and conference rooms..

The Applicant seeks a PUD and a related Zoning Map Amendment to zone the site as SP-1.

The site, leased to St. Coletta of Greater Washington by the District of Columbia, is held by the District of Columbia pursuant to a Letter Transfer of Jurisdiction from the United States of America, acting through the General Services Administration, and is currently unzoned.

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The Applicant proposes to zone the site as SP-1, a medium density zone. The Special Purpose (SP) district is designed to stabilize those areas that are adjacent to areas that contain existing apartments, offices and institutions and to ensure that new development is compatible in use, scale and design with the transitional functions of the zone districts. .

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

Interested persons or representatives of organizations will be heard at the public hearing. **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 Rules. Except for the Applicant and the ANC, in order to participate as a party in a proceeding before the Commission, **any affected person 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 and address;
- (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; and
- (f) 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;

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- (4) The environmental, 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 Commission shall determine who will be recognized as a party. In so determining, the Commission shall consider whether the provisions of § 3022.3 have been complied with and whether the specific information presented qualifies the person as a party. The Commission shall grant party status only if the person requesting party status has clearly demonstrated 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.

Any person wishing to be considered a party should clearly state the request, and should also provide a daytime telephone number should it be necessary for the Office of Zoning to obtain additional information or clarification prior to the hearing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

The Zoning Commission hereby gives notice of the following procedures applicable to this case. Any person requesting to appear as a party to this application shall submit the following additional information:

1. A summary of the testimony of each witness.
2. 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 of qualifications of the proposed experts.
3. The total amount of time being requested to present the case.

The information cited above shall also be submitted by the Applicant. 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), pursuant to 11 DCMR § 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited above relating to the hearing procedures. The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

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The Zoning Commission gives further notice that it intends to establish time limits for oral presentations of both parties and persons. Accordingly, the following time limits shall apply:

- | | | |
|----|---------------|------------|
| 1. | Applicant | 60 minutes |
| 2. | Other Parties | 15 minutes |
| 3. | Organizations | 5 minutes |
| 4. | Individuals | 3 minutes |

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded. 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.

Information should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, PETER G. MAY, AND JAMES H. HANNAHAM ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.

PROPERTY DESCRIPTION

DESCRIPTION OF:

**Part of Lot 800 in Square E-1112
being also
Part of U.S. Appropriation 13,
District of Columbia.**

Part of Lot 800 in Square E-1112, as the same is shown on **Assessment and Taxation Plat No. 3572-I**, dated **April 22, 1969**, on file among the Records of the Office of the Surveyor of the District of Columbia, said land being also part of original **U.S. Appropriation No. 13** as set forth among said Records on the **King Plats of Washington, Plate XVI**, dated 1803, and also shown, in whole or in part, in **Survey Book 2** at page 507 (April 12, 1897), **Survey Book 8** at page 294 (July 21, 1910), **Subdivision Book 140** at page 199 (Transfer of Jurisdiction Plat, November 28, 1960) and **Surveyor's Office Map No. 4938** (January 23, 1961) among said Records; said part of Lot 800 in Square E-1112 (part of U.S. Appropriation No. 13) being more particularly described as follows:

BEGINNING for the same at the intersection of the east line of 19th Street, S.E. (80 ft. wide) and the south line of Independence Avenue, S.E. (90 ft. wide) as shown among said Records, being also the northwest corner of **Square E-1112** and **U.S. Appropriation No. 13**; thence departing 19th Street, S.E. and running with the south line of Independence Avenue, S.E.

1. **Due EAST, 618.32 feet**; thence departing Independence Avenue, S.E. and running in, through, over and across Lot 800 in Square E-1112 (U.S. Appropriation No. 13), so as to include a portion thereof, the following four (4) courses and distances:
2. **Due SOUTH, 297.71 feet**; thence
3. **Due WEST, 336.16 feet**; thence
4. **Due SOUTH, 153.09 feet**; thence
5. **Due WEST, 282.16 feet** to the aforesaid east line of 19th Street, S.E., being also the west line of Square E-1112 and U.S. Appropriation No. 13; thence running with said line
6. **Due NORTH, 450.80 feet** to the place of beginning, containing a computed area of **227,276 square feet** or **5.2175 acres** of land.

SUBJECT TO WMATA Permanent Underground Easement for Stadium / Armory Metro Station and tunnel, and all other easements, rights-of-way and/or restrictions of Record.