

**CENTER CITY PUBLIC CHARTER SCHOOLS, INC.****NOTICE OF REQUEST FOR PROPOSALS**

Center City Public Charter Schools, Inc. is soliciting proposals from qualified vendors for the following products and services:

- (1) Consulting & outreach services to provide community outreach for student recruitment.
- (2) Renovation work in seven schools to install air conditioning, not necessarily a full HVAC system, and related electrical upgrades.

To obtain copies of full RFP's, please visit our web-site: [www.centercitypcs.org](http://www.centercitypcs.org). The full RFP's contain guidelines for submission, applicable qualifications and deadlines. Contact person:

Lauran Greene

(202) 589-0202

**THE CESAR CHAVEZ PUBLIC CHARTER SCHOOLS FOR PUBLIC POLICY  
SOLICITATION FOR PROPOSALS**

**Materials Testing Services**

The Cesar Chavez Public Charter Schools for Public Policy, in accordance with section 2204 (c) (1) (A) of the DC School Reform Act of 1995 (Public Law 104-134), hereby solicits proposals for Material Testing Services for a school renovation project.

All necessary forms and a full RFP may be obtained by calling 202-547-3975 ext. 10.

The Cesar Chavez Public Charter Schools will receive bids from October 31, 2008 to COB November 10, 2008. Send Proposals to:

Attn: Maria Fenton  
709 12<sup>th</sup> Street, SE  
Washington, D.C. 20003.

**District of Columbia Board of Elections and Ethics****Notice of Public Testing of Vote Counting System**

The District of Columbia Board of Elections and Ethics hereby gives notice of the public test of the Board's vote counting systems for the November 4, 2008 Presidential General Election.

The public test will be conducted on Saturday, November 1, 2008 at 9:00 a.m. in the Board's main office located at One Judiciary Square, 441 - 4<sup>th</sup> Street, N.W., Suite 250. For more information about the test, the public may call 202-727-2525.

**FRIENDSHIP PUBLIC CHARTER SCHOOL**  
**NOTICE OF REQUEST FOR PROPOSAL FOR**

Friendship Public Charter School is seeking bids from prospective candidates to provide the following services:

- 1.) **Copier/Business Machine Maintenance** in accordance with requirements and specifications detailed in the Request for Proposal.
- 2.) **Overnight Courier/Shipping Service Provider** in accordance with requirements and specifications detailed in the Request for Proposal.
- 3.) **Postage & Postage Machine Provider** in accordance with requirements and specifications detailed in the Request for Proposal.
- 4.) **Media – Communication Consultant** in accordance with requirements and specifications detailed in the Request for Proposal.
- 5.) **Sports Management Program** in accordance with requirements and specifications detailed in the Request for Proposal
- 6.) **Netbooks** in accordance with requirements and specifications detailed in the Request for Proposal.

An electronic copy of the full Request for Proposal (RFP) may be requested by contacting:

Valerie Holmes  
[vholmes@friendshipschools.org](mailto:vholmes@friendshipschools.org)  
202-281.1722

**DISTRICT DEPARTMENT OF THE ENVIRONMENT****NOTICE OF FILING OF  
CLEANUP ACTION PLAN**

Pursuant to § 601(b) of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code § 8-636.01(b) (Supp. 2005) (Act)), the Voluntary Cleanup Program in the District Department of the Environment (DDOE), Land Remediation and Development Branch (LRDB), is informing the public that it has received a proposed Cleanup Action Plan (CAP) pertaining to real property located at 4900 Puerto Rico Avenue, NE, Case No. VCP2008-017. The VCP applicant is Capital Area Food Bank, 645 Taylor Street, N.E. Washington, D.C. 20017, Attn. Ms. Lynn Brantley, President and CEO. The CAP identifies sources of petroleum hydrocarbons and select metals in soil and groundwater. The applicant intends to demolish an existing warehouse and redevelop the subject property into a new warehouse facility on substantially the same footprint of the existing building.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC) for the area in which the property is located. The application is available for public review at the following location:

Voluntary Cleanup Program  
District Department of the Environment (DDOE)  
51 N Street, N.E., 6<sup>th</sup> Floor, Room 6011  
Washington, DC 20002

Interested parties may also request a copy of the application for a small charge to cover the cost of copying by contacting the Voluntary Cleanup Program at the above address or calling (202) 535-1337.

Written comments on the proposed approval of the application must be received by the VCP program at the address listed above within twenty one (21) days from the date of this publication. DDOE is required to consider all public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion.

**DISTRICT DEPARTMENT OF THE ENVIRONMENT****NOTICE OF FILING OF  
CLEANUP ACTION PLAN**

Pursuant to § 601(b) of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code § 8-636.01(b) (Supp. 2005) (Act)), the Voluntary Cleanup Program (VCP) in the District Department of the Environment (DDOE), Land Remediation and Development Branch (LRDB), is informing the public that it has received a proposed Cleanup Action Plan (CAP) pertaining to real property located at 2400 14<sup>th</sup> Street, NW, case No. VCP2008-018. The VCP applicant is United Dominion Realty, Three Lincoln Center-5430 LBJ Freeway, Suite 1250, Dallas, Texas 75240 Attn. Mr. William Deniger, Vice President of Construction Department. The CAP identifies sources of petroleum and chlorinated organic solvents in soil and groundwater. The applicant intends to perform a remediation action and plans to raze the existing shopping center structures and redevelop the property to a 10-story mixed use building having two levels of underground parking.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC) for the area in which the property is located. The application is available for public review at the following location:

Voluntary Cleanup Program  
District Department of the Environment (DDOE)  
51 N Street, N.E., 6<sup>th</sup> Floor, Room 6011  
Washington, DC 20002

Interested parties may also request a copy of the application for a small charge to cover the cost of copying by contacting the Voluntary Cleanup Program at the above address or calling (202) 535-1337.

Written comments on the proposed approval of the application must be received by the VCP program at the address listed above within twenty one (21) days from the date of this publication. DDOE is required to consider all public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion.

**D.C. DEPARTMENT OF HEALTH**  
Community Health Administration

**NOTICE OF FUNDING AVAILABILITY #CHA-RFA-103108**

The D.C. Department of Health (DOH), Community Health Administration (CHA) is soliciting applications from qualified applicants to provide services that will assist residents eat healthier and access integrated (holistic) health care for prevention and treatment of chronic diseases.

These funds will be awarded by the DOH/CHA using funds from the U.S. Department of Agriculture, Food Stamp Nutrition Education Program and the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Preventive Health Services contingent upon availability of funding.

Approximately \$550,000 will be available to support these services:

- Part A Nutrition Services \$200,000
- Part B Program Area One - \$100,000 Asthma Education and Training for Daycare
- Part B Program Area Two – \$250,000 Chronic Disease: Integrated Wellness Approach

The Requests for Applications (RFA) will be available for pickup October 31, 2008 at 825 North Capitol Street, NE, Washington, DC, 3<sup>rd</sup> Floor Reception Area. The RFA will be available on the Office of Partnerships and Grants Services website, [www.opgd.dc.gov](http://www.opgd.dc.gov) under the District Grants Clearinghouse. A Pre-Application conference will be held at DOH, 825 North Capitol St., NE, Conference Room 4131, Monday November 10, 2008. from 10:00 am to 12 Noon.. Applicants are encouraged to e-mail their questions to [varlerie.brown@dc.gov](mailto:varlerie.brown@dc.gov) prior to the Pre-Application Conference scheduled for November 10, 2008 at 10:00 a.m.

For assistance call Sherry Billings at (202) 442-9173.

**DISTRICT OF COLUMBIA HISTORIC PRESERVATION OFFICE  
HISTORIC PRESERVATION FUND  
SUBGRANTING ASSISTANCE PROGRAM**

**FY 2009 GRANT-IN-AID ANNOUNCEMENT**

**REQUEST FOR APPLICATIONS  
GENERAL SOLICITATION NOTIFICATION**

The District of Columbia's Historic Preservation Office (HPO) announces the availability of matching grant funds from the Federal Historic Preservation Fund (HPF) for activities consistent with priorities established under the DC Historic Preservation Plan. The DC HPF subgranting program is made possible through an annual appropriation awarded by the National Park Service.

The DC State Historic Preservation Office is currently soliciting applications for the Open-Project Community competitive selection process. In most cases, subgrant funding applied for must be matched by the applicant at 40% of the total cost of the project. In FY 2009, total grant funds available for subgrants and contracts is \$48,000, 10 percent of the estimated federal grant award to the District of Columbia from the National Park Service. The deadline for receipt of any and all applications is **5:00 pm, Monday, December 1, 2008**. All applications should be mailed to the District of Columbia Historic Preservation Office, 801 North Capitol Street, NE, Suite 3000, Washington, DC 20002, and must fully comply with submission guidelines specified in the DC Historic Preservation Fund Grants Manual (available from the DC Historic Preservation Office and on the office website at <http://planning.dc.gov>).

Eligible applicants for HPF subgrant awards include nonprofit organizations, private individuals (as contractors to the HPO) or groups working in partnership with nonprofits, institutions of higher learning, and other agencies of the Government of the District of Columbia.

Eligible activities include historic district surveys, National Register nominations, structural assessments of registered properties and outreach activities including publications and educational events. Priority will be given to submissions that relate to the District of Columbia Historic Preservation Office Annual Work Plan for FY 2009 and the Historic Preservation Plan for the District of Columbia 2008-2012 (both available from the DC Historic Preservation Office and on the office website at <http://planning.dc.gov>). Eligible project dates are January 1, 2009 through September 30, 2009 (9 months) and April 1, 2009 through September 30, 2010 (18 months).

All grants will be reviewed using a standardized rating system based on the merits of the project, the ability of the applicant to complete the project, availability of funding, and distribution of project type and location. Final grant award decisions will be made by the DC State Historic Preservation Officer and approved by the National Park Service.

Letters of support from ANC's and neighborhood organizations will be factors considered during the review process.

An original and two (2) copies of the application and proposal must be submitted for each project proposed. Additional information on the grant application procedures and submission requirements may be obtained from the DC Historic Preservation Office at 801 North Capitol Street, NE, Suite 3000, Washington, DC 20002, or at 202-442-8835 (phone) or 202-741-5246 (fax).

**PAUL PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSAL**

Paul Public Charter School is seeking proposals from **Qualified Electrical Contractors** to install electrical service to a 98'x 68' modular classroom building.

**Bid specifications** may be obtained by contacting:

Mr. Harold Bardonille  
5800 Eighth Street, NW  
Washington, DC 20011  
(202) 291-7499.

Site inspection may be arranged by appointment on Monday through Friday between the hours of 9:30 AM and 4:00 PM.

**Proposals will be accepted as soon as possible but no later than Friday, November 7, 2008 by 4:00 PM.**

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION  
NOTICE OF FUNDING AVAILABILITY

**FY 2009 Charter Schools Program Dissemination Grant**

**RFA RELEASE DATE: October 31, 2008**

**APPLICATION SUBMISSION DEADLINE: December 1, 2008**

The Office of the State Superintendent of Education is soliciting grant proposals from qualified applicants for the Charter Schools Program Dissemination Grant. The purpose of the Charter Schools Program Dissemination Grant is to assist other schools in adapting the charter school's program (or certain aspects of the charter school's program), or to disseminate information about the charter school, through such activities as:

1. Assisting other individuals with the planning and start-up of one or more new public schools, including charter schools, that are independent of the assisting charter school and the assisting charter school's developers, and that agree to be held to at least as high a level of accountability as the assisting charter school;
2. Developing partnerships with other public schools, including charter schools, designed to improve student academic achievement in each of the schools participating in the partnership;
3. Developing curriculum materials, assessments, and other materials that promote increased student achievement and are based on successful practices within the assisting charter school; and
4. Conducting evaluations and developing materials that document the successful practices of the assisting charter school and that are designed to improve student performance in other schools.

**Eligible Organizations/Entities**

An eligible applicant is a charter school that has been in operation for at least three (3) consecutive years and has demonstrated overall success as defined by the No Child Left Behind Act, which states:

1. Substantial progress in improving student academic achievement;
2. High levels of parent satisfaction; and
3. The management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school.

A pre-application conference will be held. To receive more information, please contact Steph Cheng.

**CONTACT PERSON:** Steph Cheng  
Office of the State Superintendent of Education  
Government for the District of Columbia  
441 4th Street, N.W., Suite 350N  
Washington, D.C. 20001  
Tele: 202-724-1513  
Fax: 202-727-2019  
stephanie.cheng@dc.gov

Please visit [www.osse.dc.gov](http://www.osse.dc.gov) or contact Steph Cheng to receive a copy of the RFA.

**TWO RIVERS PUBLIC CHARTER SCHOOL****NOTICE OF REQUEST FOR PROPOSALS**

Two Rivers Public Charter School, in compliance with Section 2204 (c) of the District Of Columbia School Reform Act of 1995 ("Act"), hereby solicits expressions of interest for the following service.

**I. Security System Design and Installation Services Sought:**

Superior design and installation services sought to provide design and installation of access control and CCT security systems at school facility.

For Additional Information and Statement of Work E-Mail:

[procurement@tworiverspcs.org](mailto:procurement@tworiverspcs.org). Deadline for submissions is November 15, 2008.

**TWO RIVERS PUBLIC CHARTER SCHOOL****NOTICE OF REQUEST FOR PROPOSALS**

Two Rivers Public Charter School, in compliance with Section 2204 (c) of the District Of Columbia School Reform Act of 1995 (“Act”), hereby solicits expressions of interest for the following service.

**I. Technology Management Services Sought:**

Superior technology management services sought to provide IT project management, systems analysis, strategic guidance, troubleshooting, and staff training.

For Additional Information and Statement of Work E-Mail:

[procurement@tworiverspcs.org](mailto:procurement@tworiverspcs.org). Deadline for submissions is November 15, 2008.

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

**Application No. 17779 of James C. Word**, pursuant to 11 DCMR § 3103.2, for a variance from the lot area requirements under sections 401.3, to convert a church building into an eight (8) unit apartment house in the R-4 District at premises 3408 Sherman Avenue, N.W. (Square 2841, Lot 115).

**NOTE:** The Applicant amended the application and asked for variance relief under section 401.11 (apartment house conversion) as well as section 401.3. However, the Board determined that relief was only needed from section 401.3.

**HEARING DATE:** June 10, 2008  
**DECISION DATES:** July 29, 2008 and October 7, 2008

**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 Office of Planning (OP) submitted two reports in opposition of the application. The ANC did not file a report on 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 reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2 and 401.3, that there exists an exceptional or extraordinary situation or condition related to the property that creates an undue hardship for the owner in complying with the Zoning Regulations, and that the

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441 4<sup>th</sup> Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: [dcoz@dc.gov](mailto:dcoz@dc.gov)

Web Site: [www.dcoz.dc.gov](http://www.dcoz.dc.gov)

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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 § 3100.5, 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 (pursuant to Exhibit Nos. 9 and 30 (plans)) be **GRANTED**.

**VOTE: 4-1-0** (Marc D. Loud, Ruthanne G. Miller, Mary Oates Walker, Shane L. Dettman to Approve and Michael G. Turnbull to Deny)

### **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:** OCT 15 2008

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

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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.

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

**Application No. 17800 of D.C. Carry-Out**, pursuant to 11 DCMR § 3104.1, for a special exception to allow a fast food restaurant under section 733, in the C-2-A District at premises 2427 Minnesota Avenue, S.E. (Square 5578, Lot 74).

**HEARING DATES:** July 22, 2008 and September 9, 2008

**DECISION DATE:** October 14, 2008

**SUMMARY ORDER**

**REVIEW BY THE ZONING ADMINISTRATOR**

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 8A and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 8A, which is automatically a party to this application. ANC 8A did not submit a report related to 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 733. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 733, that the requested relief can be granted, being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, 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, SUBJECT to the following CONDITIONS:**

1. Approval shall be for a period of **THREE (3) YEARS**.

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2. The business hours of operation shall be from 11:00 a.m. to 12:00 midnight, seven days a week.
3. Trash containers shall be placed outside of the building for no more than two hours, and only on trash collection days.
4. The Applicant shall collect and remove trash from the exterior of the property twice a day and maintain a litter-free environment on the exterior of the property seven days a week.

**VOTE:**       **4-0-1** (Marc D. Loud, Ruthanne G. Miller and Shane L. Dettman to approve; Mary Oates Walker to approve by absentee vote; Gregory N. Jeffries 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:**              OCT 17 2008          

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

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, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT

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**BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.**

TWR

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

**Application No. 17810 of Michael Reitz**, pursuant to 11 DCMR § 3104.1, for a special exception to allow a garage addition to an existing one-family dwelling under section 223, not meeting the lot occupancy (section 403) and rear yard (section 404) requirements in the D/R-5-B District at premises 1505 Harvard Street, N.W. (Square 2577, Lot 42).

**HEARING DATE:** September 16, 2008

**DECISION DATE:** October 21, 2008

**SUMMARY ORDER**

**REVIEW BY THE ZONING ADMINISTRATOR'S OFFICE**

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 1B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1B, which is automatically a party to this application. ANC 1B 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. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP and ANC reports, 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 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 § 3100.5, 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 (pursuant to Exhibit No. 7 - Plans) be **GRANTED**.

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**VOTE:**       **5-0-0** (Shane L. Dettman, Ruthanne G. Miller, Marc D. Loud, Mary Oates Walker to approve. Anthony J. Hood to approve by absentee ballot)

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

Each concurring member approved the issuance of this order.

**FINAL DATE OF ORDER:** October 22, 2008

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. 17815 of James Chandler**, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under § 403, a variance from the rear yard requirements under § 404, a variance from the open court requirements under § 406, variance from § 2001.3 - enlargement of a nonconforming structure devoted to a conforming use provision, to allow additions to a proposed one-family dwelling, in the R-4 District at premises 1201 T Street, N.W. (Square 274, Lot 821).

**Note:** The application was amended to eliminate variance relief under §§ 2000.2, 2001.2, 2300.2, 2300.7, 2500.3, 2500.4, and 2503.1 – provisions determined to be inapplicable to the application.

**HEARING DATE:** September 23, 2008  
**DECISION DATE:** September 23, 2008 (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) 1B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1B, which is automatically a party to this application. ANC 1B submitted a report in support of the application. The Office of Planning also submitted a report in support of the application.

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

Based upon the record before the Board and having given great weight to the ANC and the Office of Planning reports filed in this case, the Board concludes that in seeking variances from § 403, 404, 406, and § 2001.3, the applicant has met the burden of proving under 11 DCMR § 3103.2, 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.

**BZA APPLICATION NO. 17815**

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Pursuant to 11 DCMR § 3100.5, 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, pursuant to Exhibit No. 7 - Plans, be **GRANTED**.

**VOTE:**        **5-0-0** (Marc D. Loud, Ruthanne G. Miller, Mary Oates Walker, Shane L. Dettman, and Michael G. Turnbull to approve)

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

Each concurring member approved the issuance of this order.

**FINAL DATE OF ORDER:**           **OCT 10 2008**          

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

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.

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, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION,

**BZA APPLICATION NO. 17815**

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HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

**Application No. 17816 of Michael D. Sendar**, pursuant to 11 DCMR § 3103.2, for a variance from the use provisions for a general retail business under subsection 330.5, in the R-4 District at premises 816 and 818 Rhode Island Avenue, N.W. and 819 and 821 Q Street, N.W. (Square 396, Lots 28, 805 and 806).

**HEARING DATE:** September 23, 2008

**DECISION DATE:** October 7, 2008

**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) ANC-2C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2C, which is automatically a party to this application. ANC 2C submitted a report in support of the application. The Office of Planning also submitted a report in support of the application.

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

Based upon the record before the Board and having given great weight to the ANC and Office of Planning reports filed in this case, the Board concludes that in seeking a variance from § 330.5, the applicant has met the burden of proving under 11 DCMR § 3103.2, 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 § 3100.5, 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

**BZA APPLICATION NO. 17816****PAGE NO. 2**

of law. It is therefore **ORDERED** that this application, pursuant to Exhibit No. 7, Sketch and Plans, be **GRANTED, SUBJECT to the following CONDITION:**

The applicant shall limit the commercial activity to the Neighborhood Shopping District uses listed under §701.1, 701.4, and 701.5 of the Zoning Regulations, except that:

- a. the property shall not be used for a bar or cocktail lounge;
- b. there shall be no newspaper distribution station permitted at the site; and
- c. no alcoholic beverage sales for off-premises consumption are permitted, unless as an accessory use to an otherwise permitted use.

**VOTE:**           **5-0-0**           (Ruthanne G. Miller, Marc D. Loud, Mary Oates Walker,  
Shane L. Dettman and Michael G. Turnbull to approve)

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

Each concurring member approved the issuance of this order.

**FINAL DATE OF ORDER:**              OCT 14 2008          

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

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.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

**BZA APPLICATION NO. 17816**  
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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, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

**Application No. 17822 of Matthew S. Pickner**, pursuant to 11 DCMR § 3104.1, for a special exception to construct a two-story rear addition to an existing one-family row dwelling under section 223, not meeting the lot occupancy (section 403) and rear yard (section 404) requirements in the R-4 District at premises 1165 3<sup>rd</sup> Street, N.E. (Square 773, Lot 270).

**HEARING DATE:** October 14, 2008

**DECISION DATE:** October 14, 2008 (Bench Decision)

**SUMMARY ORDER**

**REVIEW BY THE ZONING ADMINISTRATOR'S OFFICE**

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. ANC 6C submitted a report in support of the application. The Office of Planning (OP) submitted a report in support of the application. The Board, for good cause shown, waived the posting requirements under subsection 3113.14.

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. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP and ANC reports, 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 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 § 3100.5, 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

BZA APPLICATION NO. 17822

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conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit No. 8 - Plans) be **GRANTED**.

**VOTE:** 4-0-1 (Ruthanne G. Miller, Michael G. Turnbull, Shane L. Dettman, and Marc D. Loud to Approve. Mary Oates Walker 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:** October 15, 2008

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

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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. 17823 of KC Enterprise c/o Kevin B. Moody**, pursuant to 11 DCMR § 3103.2, for a variance from the lot area and lot width requirements under section 401, and a variance from the side yard requirements under subsection 405.9, to construct a new detached one-family dwelling in the R-2 District at premises 4938 Eads Place, N.E. (Square 5184, Lot 6).

**HEARING DATE:** October 14, 2008

**DECISION DATE:** October 14, 2008 (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) 7C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 7C which is automatically a party to this application. ANC 7C did not participate in the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3103.2, from the variance requirements of sections 401 and 405.9. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP report, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, 401 and 405.9, 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 § 3100.5, 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

BZA APPLICATION NO. 17823

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conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit No. 12 - Plans) be **GRANTED**.

**VOTE:** 4-0-1 (Ruthanne G. Miller, Marc D. Loud, Gregory N. Jeffries and Shane L. Dettman to approve. Mary Oates Walker 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:** October 16, 2008

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

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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.

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

**Application No. 17832 of Robert Fischer**, pursuant to 11 DCMR § 3104.1, for a special exception to allow a rear deck addition to an existing one-family row dwelling under § 223, not meeting the lot occupancy (§ 403) and rear yard (§ 404) requirements in the R-3 District at premises 2908 Cortland Place, N.W. (Square 2130, Lot 62).

**HEARING DATE:** October 21, 2008  
**DECISION DATE:** October 21, 2008 (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) 3C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3C which is automatically a party to this application. ANC 3C submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception relief under § 223. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP 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, 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 § 3100.5, 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, pursuant to Exhibit No. 24 (Plans), be **GRANTED**.

**BZA APPLICATION NO. 17832**

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**VOTE: 5-0-0** (Ruthanne G. Miller, Marc D. Loud, Shane L. Dettman, Mary Oates Walker and Michael G. Turnbull to approve).

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

Each concurring member approved the issuance of this order.

**FINAL DATE OF ORDER: OCT 22 2008**

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

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.

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, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON

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**ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT.  
DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED.  
VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.**

TWR

**OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES  
PUBLICATIONS PRICE LIST**

**DISTRICT OF COLUMBIA MUNICIPAL REGULATIONS (DCMR)**

TITLE	SUBJECT	PRICE
1	DCMR MAYOR AND EXECUTIVE AGENCIES (JUNE 2001) .....	\$16.00
3	DCMR ELECTIONS & ETHICS (MARCH 2007) .....	\$20.00
4	DCMR HUMAN RIGHTS (MARCH 1995).....	\$13.00
5	DCMR BOARD OF EDUCATION (DECEMBER 2002).....	\$26.00
6A	DCMR POLICE PERSONNEL (JUNE 2007).....	\$8.00
7	DCMR EMPLOYMENT BENEFITS (JANUARY 1986).....	\$8.00
8	DCMR UNIVERSITY OF THE DISTRICT OF COLUMBIA (JUNE 1988).....	\$8.00
9	DCMR TAXATION & ASSESSMENTS (APRIL 1998).....	\$20.00
10	DCMR DISTRICT'S COMPREHENSIVE PLAN (PART 1, OCTOBER 2007) .....	\$70.00
	+ \$10.00 for postage	
10	DCMR PLANNING & DEVELOPMENT (PART 2, MARCH 1994) w/1996 SUPPLEMENT* .....	\$26.00
11	DCMR ZONING (FEBRUARY 2003) .....	\$35.00
12	DCMR CONSTRUCTION CODES SUPPLEMENT (MARCH 2007).....	\$25.00
13B	DCMR BOILER & PRESSURE VESSEL CODE (MAY 1984).....	\$7.00
14	DCMR HOUSING (DECEMBER 2004) .....	\$25.00
15	DCMR PUBLIC UTILITIES & CABLE TELEVISION (JUNE 1998).....	\$20.00
16	DCMR CONSUMERS, COMMERCIAL PRACTICES & CIVIL INFRACTIONS (JULY 1998).....	\$20.00
17	DCMR BUSINESS, OCCUPATIONS & PROFESSIONS (MAY 1990) .....	\$26.00
18	DCMR VEHICLES & TRAFFIC (APRIL 1995) w/1997 SUPPLEMENT* .....	\$26.00
19	DCMR AMUSEMENTS, PARKS & RECREATION (JUNE 2001) .....	\$26.00
20	DCMR ENVIRONMENT - CHAPTERS 1-39 (FEBRUARY 1997) .....	\$20.00
20	DCMR ENVIRONMENT - CHAPTERS 40-70 (FEBRUARY 1997) .....	\$26.00
21	DCMR WATER & SANITATION (FEBRUARY 1998).....	\$20.00
22	DCMR PUBLIC HEALTH & MEDICINE (AUGUST 1986).....	\$26.00
22	DCMR HEALTH CARE & COMMUNITY RESIDENCE FACILITIES SUPPLEMENT (AUGUST 1986 - FEBRUARY 1995) .....	\$13.00
23	DCMR ALCOHOLIC BEVERAGES (AUGUST 2004).....	\$10.00
24	DCMR PUBLIC SPACE & SAFETY (DECEMBER 1996) .....	\$20.00
25	DCMR FOOD AND FOOD OPERATIONS (AUGUST 2003) .....	\$20.00
26	DCMR INSURANCE (FEBRUARY 1985).....	\$9.00
27	DCMR CONTRACTS AND PROCUREMENT (JULY 1988).....	\$22.00
28	DCMR CORRECTIONS, COURTS & CRIMINAL JUSTICE (AUGUST 2004).....	\$10.00
29	DCMR PUBLIC WELFARE (MAY 1987) .....	\$8.00
30	DCMR LOTTERY AND CHARITABLE GAMES (MARCH 1997) .....	\$20.00
31	DCMR TAXICABS & PUBLIC VEHICLES FOR HIRE (JULY 2004) .....	\$16.00

**Publications Price List (Continued)**

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Complete Set of <i>D.C. Municipal Regulations</i> .....	\$665.00
D.C. Register yearly subscription.....	\$195.00
Rulemaking Handbook & Publications Style Manual (1983).....	\$5.00
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