

DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS

Certification of Filling Vacancies
In Advisory Neighborhood Commissions

Pursuant to D.C. Official Code §1-309.06(d)(6)(G) and the resolution transmitted to the District of Columbia Board of Elections and Ethics “Board” from the affected Advisory Neighborhood Commission, the Board hereby certifies that the vacancy has been filled in the following single-member district by the individual listed below:

James Simcox
Single-Member District 1A07

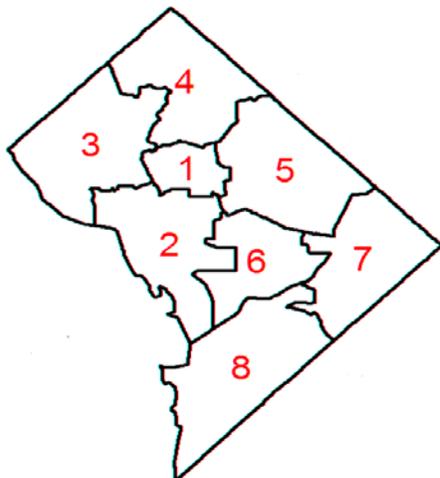
**D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**

CITYWIDE SUMMARY

Party Totals and Percentages by Ward for the period ending April 30, 2009

<i>WARD</i>	<i>DEM</i>	<i>REP</i>	<i>STG</i>	<i>N-P</i>	<i>OTH</i>	<i>TOTALS</i>
<i>1</i>	35,911	2,673	820	9,943	209	49,557
<i>2</i>	28,923	5,520	346	9,677	175	44,641
<i>3</i>	34,649	7,920	365	10,318	156	53,408
<i>4</i>	46,635	2,752	608	8,584	183	58,762
<i>5</i>	46,261	2,053	577	7,231	172	56,294
<i>6</i>	38,235	5,066	507	8,429	171	52,408
<i>7</i>	45,958	1,541	478	6,460	127	54,564
<i>8</i>	37,427	1,410	503	6,279	134	45,753
TOTALS	313,999	28,935	4,204	66,921	1,327	415,386
<i>TOTAL Percentage (by party)</i>	76%	7%	1%	15.7%	.3%	100%

Wards



*D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS*

PRECINCT STATISTICS

Ward 1

For the Period Ending: April 30, 2009

<i>PRECINCT</i>	<i>DEM</i>	<i>REP</i>	<i>STG</i>	<i>N-P</i>	<i>OTH</i>	<i>TOTALS</i>
<i>20</i>	1,258	45	15	317	11	1,646
<i>22</i>	2,777	254	39	704	14	3,788
<i>23</i>	1,913	130	61	529	9	2,642
<i>24</i>	2,103	227	33	603	17	2,983
<i>25</i>	3,445	417	75	998	9	4,944
<i>35</i>	2,938	209	69	845	13	4,074
<i>36</i>	3,360	232	77	896	21	4,586
<i>37</i>	2,390	128	51	592	13	3,174
<i>38</i>	2,303	124	66	597	17	3,107
<i>39</i>	3,298	229	97	910	22	4,556
<i>40</i>	3,236	224	102	1,010	21	4,593
<i>41</i>	2,469	152	59	846	19	3,545
<i>42</i>	1,483	57	34	410	8	1,992
<i>43</i>	1,422	78	27	296	7	1,830
<i>136</i>	790	125	8	233	2	1,158
<i>137</i>	726	42	7	157	6	938
<i>TOTALS</i>	35,911	2,673	820	9,943	209	49,556

*D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS*

PRECINCT STATISTICS

Ward 2

For the Period Ending: April 30, 2009

<i>PRECINCT</i>	<i>DEM</i>	<i>REP</i>	<i>STG</i>	<i>N-P</i>	<i>OTH</i>	<i>TOTALS</i>
<i>2</i>	408	122	5	251	7	793
<i>3</i>	1,261	405	9	556	8	2,239
<i>4</i>	1,285	407	7	566	7	2,272
<i>5</i>	2,097	733	21	781	9	3,641
<i>6</i>	2,497	1,158	39	1,492	23	5,209
<i>13</i>	1,203	268	5	426	5	1,907
<i>14</i>	2,565	412	31	825	11	3,844
<i>15</i>	2,801	298	27	801	19	3,946
<i>16</i>	2,703	346	32	639	13	3,733
<i>17</i>	3,780	579	46	1,171	39	5,615
<i>18</i>	3,180	192	52	692	11	4,127
<i>21</i>	1,333	88	27	287	6	1,741
<i>129</i>	1,764	300	17	632	6	2,719
<i>141</i>	2,046	212	28	558	11	2,855
<i>TOTALS</i>	28,923	5,520	346	9,677	175	44,641

*D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS*

PRECINCT STATISTICS

Ward 3

For the Period Ending: April 30, 2009

<i>PRECINCT</i>	<i>DEM</i>	<i>REP</i>	<i>STG</i>	<i>N-P</i>	<i>OTH</i>	<i>TOTALS</i>
<i>7</i>	1,067	404	16	458	4	1,949
<i>8</i>	2,227	723	26	697	9	3,682
<i>9</i>	1,050	594	7	398	6	2,055
<i>10</i>	1,871	565	17	673	5	3,131
<i>11</i>	3,236	868	39	1,266	23	5,432
<i>12</i>	492	204	3	197	5	901
<i>26</i>	2,602	415	32	801	11	3,861
<i>27</i>	2,340	300	21	512	9	3,182
<i>28</i>	2,390	744	31	883	14	4,062
<i>29</i>	1,289	288	15	390	5	1,987
<i>30</i>	1,258	308	16	277	5	1,864
<i>31</i>	2,286	425	18	578	9	3,316
<i>32</i>	2,619	451	24	614	12	3,720
<i>33</i>	2,780	403	40	734	11	3,968
<i>34</i>	3,138	535	25	954	17	4,669
<i>50</i>	1,960	326	14	402	10	2,712
<i>138</i>	2,044	367	21	484	1	2,917
<i>TOTALS</i>	34,649	7,920	365	10,318	156	53,408

*D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS*

PRECINCT STATISTICS

Ward 4

For the Period Ending: April 30, 2009

<i>PRECINCT</i>	<i>DEM</i>	<i>REP</i>	<i>STG</i>	<i>N-P</i>	<i>OTH</i>	<i>TOTALS</i>
<i>45</i>	2,106	91	39	365	11	2,612
<i>46</i>	2,944	108	34	529	14	3,629
<i>47</i>	2,605	174	41	667	18	3,505
<i>48</i>	2,700	157	42	518	10	3,427
<i>49</i>	695	36	18	168	2	919
<i>51</i>	3,138	621	32	633	8	4,432
<i>52</i>	1,266	298	4	259	2	1,829
<i>53</i>	1,156	89	15	255	4	1,519
<i>54</i>	2,256	116	36	448	10	2,866
<i>55</i>	2,643	96	35	413	14	3,201
<i>56</i>	3,002	104	35	639	17	3,797
<i>57</i>	2,531	90	31	441	15	3,108
<i>58</i>	2,259	63	31	361	5	2,719
<i>59</i>	2,577	102	31	389	10	3,109
<i>60</i>	1,957	88	24	644	7	2,720
<i>61</i>	1,604	65	21	285	3	1,978
<i>62</i>	3,174	179	38	381	6	3,778
<i>63</i>	3,037	121	62	551	12	3,783
<i>64</i>	2,300	69	15	303	8	2,695
<i>65</i>	2,685	85	24	335	7	3,136
<i>TOTALS</i>	46,635	2,752	608	8,584	183	58,762

D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

<i>PRECINCT STATISTICS</i>

Ward 5

For the Period Ending: April 30, 2009

<i>PRECINCT</i>	<i>DEM</i>	<i>REP</i>	<i>STG</i>	<i>N-P</i>	<i>OTH</i>	<i>TOTALS</i>
19	3,279	167	55	660	14	4,175
44	2,722	256	38	574	18	3,608
66	4,516	138	36	483	17	5,190
67	2,999	120	25	381	11	3,536
68	1,852	153	29	355	6	2,395
69	2,189	86	13	254	11	2,553
70	1,534	79	21	253	5	1,892
71	2,458	79	35	353	9	2,934
72	4,123	130	31	628	12	4,924
73	1,888	110	33	323	8	2,362
74	3,712	174	56	656	8	4,606
75	2,579	98	48	489	11	3,225
76	884	52	12	178	2	1,128
77	2,660	95	35	402	11	3,203
78	2,446	62	24	373	6	2,911
79	1,811	59	23	273	5	2,171
135	2,537	147	46	406	15	3,151
139	2,072	48	17	190	3	2,330
TOTALS	46,261	2,053	577	7,231	172	56,294

D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

PRECINCT STATISTICS

Ward 6

For the Period Ending: April 30, 2009

<i>PRECINCT</i>	<i>DEM</i>	<i>REP</i>	<i>STG</i>	<i>N-P</i>	<i>OTH</i>	<i>TOTALS</i>
<i>1</i>	2,425	122	40	505	8	3,100
<i>81</i>	4,085	281	52	682	16	5,116
<i>82</i>	2,159	189	23	421	11	2,803
<i>83</i>	2,633	183	31	488	13	3,348
<i>84</i>	1,778	373	29	435	7	2,622
<i>85</i>	2,406	522	22	578	9	3,537
<i>86</i>	1,920	256	30	409	8	2,623
<i>87</i>	2,594	200	33	449	16	3,292
<i>88</i>	1,862	299	23	369	3	2,556
<i>89</i>	2,291	638	29	625	9	3,592
<i>90</i>	1,368	256	14	348	10	1,996
<i>91</i>	3,380	309	48	706	11	4,454
<i>127</i>	3,475	273	61	725	16	4,550
<i>128</i>	1,713	176	21	460	7	2,377
<i>130</i>	709	310	12	248	2	1,281
<i>131</i>	444	71	3	98	4	620
<i>142</i>	1,120	163	11	266	8	1,568
<i>143</i>	1,873	445	25	617	13	2,973
<i>TOTALS</i>	38,235	5,066	507	8,429	171	52,408

D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

PRECINCT STATISTICS

Ward 7

For the Period Ending: April 30, 2009

<i>PRECINCT</i>	<i>DEM</i>	<i>REP</i>	<i>STG</i>	<i>N-P</i>	<i>OTH</i>	<i>TOTALS</i>
<i>80</i>	1,295	56	12	201	6	1,570
<i>92</i>	1,531	57	16	229	9	1,842
<i>93</i>	1,396	49	14	220	6	1,685
<i>94</i>	1,875	73	19	225	2	2,194
<i>95</i>	1,559	53	23	260	2	1,897
<i>96</i>	2,137	74	31	329	3	2,574
<i>97</i>	1,254	47	15	185	4	1,505
<i>98</i>	1,757	55	20	226	8	2,066
<i>99</i>	1,341	47	13	216	7	1,624
<i>100</i>	1,716	51	17	259	2	2,045
<i>101</i>	1,624	45	18	175	5	1,867
<i>102</i>	2,236	65	22	285	7	2,615
<i>103</i>	3,297	103	31	512	13	3,956
<i>104</i>	2,391	71	30	354	8	2,854
<i>105</i>	2,005	68	26	283	5	2,387
<i>106</i>	2,949	93	27	408	5	3,482
<i>107</i>	1,604	58	19	246	2	1,929
<i>108</i>	1,151	45	7	123	2	1,328
<i>109</i>	1,002	38	5	99	1	1,145
<i>110</i>	3,834	137	40	456	12	4,479
<i>111</i>	2,096	56	29	358	7	2,546
<i>112</i>	1,889	62	16	247	4	2,218
<i>113</i>	2,095	61	12	262	6	2,436
<i>132</i>	1,924	77	16	302	1	2,320
<i>TOTALS</i>	45,958	1,541	478	6,460	127	54,564

D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

PRECINCT STATISTICS

Ward 8

For Period Ending: April 30, 2009

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
114	2,750	104	38	474	22	3,388
115	2,480	89	30	543	6	3,148
116	3,389	124	47	565	12	4,137
117	1,367	52	11	229	4	1,663
118	2,326	90	38	356	4	2,814
119	2,396	127	48	455	8	3,034
120	1,419	43	13	282	4	1,761
121	2,909	99	46	495	6	3,555
122	1,671	42	25	256	4	1,998
123	2,109	131	34	397	6	2,677
124	2,306	65	29	339	4	2,743
125	3,803	125	43	572	15	4,558
126	3,318	150	36	609	19	4,132
133	1,340	44	12	174	6	1,576
134	2,009	61	32	264	7	2,373
140	1,835	64	21	269	7	2,196
TOTALS	37,427	1,410	503	6,279	134	45,753

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) Design and build out to improve 4000 sq ft unfurnished office space.

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

Lauran Greene

(202) 589-0202

CITY COLLEGIATE PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSAL****Special Education Services**

City Collegiate Public Charter School is accepting bids for special education services including, but not limited to: psychological counseling, speech/language services, occupational and physical therapy, evaluations, specialized instruction, compliance support, and staff training.

The procurement process is open to proposals from qualified vendors. Bid opening day is May 15, 2009. Proposals will be accepted until noon on Friday, June 5. This will be a sealed bid, and late proposals will not be accepted.

Proposals should be submitted in one of the following ways:

- 1) By mail to:
City Collegiate Public Charter School
Attn: Julia Westfall
2001 S St. NW
2nd Floor
Washington, DC 20009
- 2) By e-mail to jwestfall@citycollegiatepcs.org
- 3) By fax with cover page to Julia Westfall at 202-339-9784

Requirements

- 1) Providers must be able to provide documentation that they are qualified to provide special education services in the District of Columbia
- 2) Providers must be trained in and prepared to use EasyIEP for service tracking and IEP development by September 2009

Proposal Contents

- 1) Name of business and contact information
- 2) Background information about business
- 3) Detailed information about proposed services including scheduling, personnel, service tracking, and staff development options
- 4) Multi-year renewal option for up to four additional years
- 5) At least three client references

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2009

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE) located at 51 N Street, NE., Washington, D.C., intends to issue a permit to install and operate one (1) 750 kW diesel emergency generator at the Verizon Wireless site located 1325 Good Hope Road, S.E. Washington, D.C. 20020.

The application to construct/operate the generator and the draft permit are all available for public inspection at AQD and copies may be made between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments should be addressed to:

Stephen S. Ours
Chief, Permitting and Enforcement Branch
Air Quality Division
District Department of the Environment
51 N Street, NE
Washington D.C. 20002

No written comments postmarked after June 15, 2009 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

EXECUTIVE OFFICE OF THE MAYOR

**SERVE DC- THE MAYOR'S OFFICE ON VOLUNTEERISM
DC COMMISSION ON NATIONAL AND
COMMUNITY SERVICE**

PUBLIC MEETING

The mission of Serve DC- The Mayor's Office on Volunteerism is to promote the District of Columbia's spirit of service through national service, partnerships and volunteerism.

The DC Commission on National and Community Service (Serve DC) is pleased to announce its next Commission meeting on:

Wednesday, May 27, 2009, 5 P.M. – 7 P.M.
One Judiciary Square
441 4th Street, NW – Room 1107
Washington, D.C.

All meetings are open to the public. Meeting minutes can be obtained from 441 4th Street NW, Suite 1140N, Washington, DC 20001.

For additional information or to request a copy of the minutes, please call 202-727-7925.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**REVISED NOTICE OF FUNDING AVAILABILITY**

Leila Finucane Edmonds, Director, Department of Housing and Community Development (DHCD), announces a Notice of Funding Availability (NOFA) under the Federal Low Income Housing Tax Credit Program (9% Competitive Credits) administered by DHCD. Also available under this NOFA are Department of Mental Health funds administered by DHCD in amount of up to \$2 million.

The District is interested in financing projects that focus on the following categories:

1) elderly housing; 2) special needs housing; 3) housing for chronically homeless individuals and families in mixed-income buildings with supportive services; 4) preservation of housing affected by expiring federal subsidies; 5) new/substantial rehabilitation of housing (5 or more units); 6) new construction and preservation of affordable housing units; and 7) permanent supportive housing units for the exclusive use of DMH consumers.

The competitive Request for Proposals (RFP) was released on April 10, 2009. The RFP package, including all application materials and the reference guidebook, is available in CD format and can be obtained at DHCD, 1800 Martin Luther King Jr. Avenue, S.E., Washington, D.C. 20020, first floor reception desk. This material is also available from the DHCD website, www.dhcd.dc.gov. The reference guidebook contains technical information on the LIHTC program, as well as other information that may be useful in completing the application. The Qualified Allocation Plan for the Low Income Housing Tax Credit Program will be available on the CD and on the DHCD website. For additional information, contact DHCD's Development Finance Division at (202) 442-7280.

Completed applications must be delivered on or before 4:00 p.m., Eastern Daylight Time, Monday, June 1, 2009, to DHCD, Development Finance Division, 1800 Martin Luther King Jr. Avenue, S.E., Second Floor Reception Desk, Washington, D.C., 20020.

NO APPLICATIONS WILL BE ACCEPTED AFTER THE SUBMISSION DEADLINE.

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA**APPOINTMENTS OF NOTARIES PUBLIC**

Notice is hereby given that the following named persons have been newly appointed as Notaries Public in and for the District of Columbia, effective on or after June 1, 2009.

Comments on these appointments should be submitted, in writing, to Naomi Shelton, Administrator, Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on May 22, 2008. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: June 1, 2009
Page 2

Ahlers	Fritz	Washington, Consular Services, Inc. 4625 MacArthur Boulevard, NW, #B	20007
Ahmed	Tonya R.	USDA-Risk Management Agency Compliance Office-Appeals and Litigation 1400 Independence Avenue, SW, Room 6603 SB	20250
Allen	Nina F.	Transit Employees Federal Credit Union 2000 Bladensburg Road, NE	20018
Alleyne	Silma	Fortney & Scott, LLC 1750 K Street, NW, Suite 325	20006
Ashby	Melissa	Chevy Chase Bank 1717 Pennsylvania Avenue, NW	20006
Bagnasco	Christine	Curtis, Mallet-Prevost, Colt & Mosie 1200 New Hampshire, NW, Suite 430	20036
Baker	David	Treasury Department Federal Credit Union 1300 Pennsylvania Avenue, NW	20229
Barb	Barbara	American Clean Skies Foundation 750 1st Street, NE, Suite 1100	20002
Barnes	Anne M.	NDU/MESA 300 5th Street, SE	20319
Belinsky	Natalia	Agricultural Federal Credit Union 1400 Independence Avenue, SE, Room SM-2	20250
Benedick	Donald T.	Self 1301 20th Street, NW, Suite 617	20036
Berkowitz	Lois	Self 3339 Legation Street, NW	20015
Blair	Matthew Z.	Department of Homeland Security, US Citizenship and Immigration Services 111 Massachusetts Avenue, NW	20529

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: June 1, 2009
Page 3

Blankers	Debra	ProEx Delivery 5185 Mac Arthur Boulevard, NW #710	20016
Blatteis	Samantha	Executive Office of the Mayor 1350 Pennsylvania Avenue, NW, Suite 302	20004
Branham	Stacie S.	HALT, Inc 1612 F Street, NW	20006
Brooks	Ericka N.	Transit Employees Federal Credit Union 2000 Bladensburg Road, NE	20018
Bryan	Paul B.	PNC Bank 1201 Wisconsin Avenue, NW	20007
Burleson	Lileen	Arnold & Porter LLP 555 12th Street, NW	20004
Butler	Shelley A.	Buchanan Ingersoll & Rooney, PC 1700 K Street, NW, Suite 300	20006
Carian	Lauren Pauline	Reed Elsevier, Inc. 1150 18th Street, NW	20036
Carver	Annette	Self 726 Somerset Place, NW	20011
Castle	Phyllis	Equal Employment Opportunity Commission 131 M Street, NE	20507
Colmenares	Luis R.	Hotel Monaco 700 F Street, NW	20004
Counts	Nicole K.	Ballard Spahr Andrews & Ingersoll LLP 601 13th Street, NW, Suite 1000	20005
de Seve	Alice M.	Motorola, Inc. 1455 Pennsylvania Avenue, NW, #900	20004
Decker	J. Dianne	US Senate Disbursing Office Hart Senate Office Building, Room SH-127	20510

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: June 1, 2009
Page 4

DeHaven	Rebekah	Human Rights Campaign 1640 Rhode Island Avenue, NW	20036
Duffy	Aimee E.	Bracewell & Giuliani, LLP 2000 K Street, NW, Suite 500	20006
Easton	Jonell	Self 3900 B Watson Place, NW	20016
Elberry	Ashraf	Carquest 4900 Georgia Avenue, NW	20011
Elder	Christopher Lee	Wachovia Bank 1447 P Street, NW	20005
Ellison	Cheron H.	Crowell & Moring, LLP 1001 Pennsylvania Avenue, NW	20004
Evans	Chyla Dibble	Answer Construction Management Services 10 G Street, NE, Suite 410	20002
Fairley	Kathryn A.	DC Board of Election and Ethics 441 4th Street, NW, Suite 270N	20001
Farr	William	Metropolitan Police Department 300 Indiana Avenue, NW	20001
Ferris	Jason	Rodmans Drug 5100 Wisconsin Avenue, NW	20016
Foley	Crystal Lynn	Mautner Project 1875 Connecticut Avenue, NW, Suite 710	20009
Foster	Manazerine	Brookfield Properties 750 9th Street, NW, Suite 700	20001
Gant	Brittini A.	The UPS Store 1220 L Street, NW	20005
Garcia	Karla D.	DC Board of Election and Ethics 441 4th Street, NW, Suite 270N	20001

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: June 1, 2009
Page 5

Glaser	Elizabeth Ann	US Department of the Treasury 1500 Pennsylvania Avenue, NW	20220
Green	Doris M.	Public Company Accounting Oversight Board 1666 K Street, NW, Suite 800	20006
Guay	Jessica	Paul Strauss & Associates, PC 1020 16th Street, NW, 8th Floor	20036
Hanlon	Tracy	Export-Import Bank of the United States 811 Vermont Avenue, NW	20571
Haro	Cheryl	Oceana 1350 Connecticut Avenue, NW	20036
Hermoso	Gerardo Badillo	Transnational Legal Resources LLC 1202 Maryland Avenue, NE	20002
Heyer	Elizabeth A.	US Small Business Administration 740 15th Street, NW, 3rd Floor	20005
Hill	Shanan A.	Wachovia Bank 3200 Pennsylvania Avenue, SE	20020
Hong	Chul	DCLB 2101 Martin Luther King Jr Avenue, SE	20020
Ibrahim	Toka A.	Washington Scholarship Fund 1100 17th Street, NW, Suite 330	20036
Jackson	Jean	Greenberg Traurig, LLP 2101 L Street, NW, Suite 1000	20037
Johnson	Omni	TD Bank 901 7th Street, NW	20001
Johnson	Renee F.	Ivins, Phillips & Barker 1700 Pennsylvania Avenue, NW, Suite 600	20006
Jones	Darlene	Paladin Capital Group 2001 Pennsylvania Avenue, NW, Suite 400	20006

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: June 1, 2009
Page 6

Jones	Nicole RS	Schiff Hardin LLP 1666 K Street, NW, Suite 300	20006
Kayne	Richard	US Department of Housing Development 451 7th Street, SW	20410
Kirley	Kathleen A.	Atlantic Trust 575 7th Street, NW, Suite 450	20004
Knudsen	Sara M.	Tri-State Commercial Closings, Inc. 1150 18th Street, NW, Suite 575	20036
Lassiter	Joanne J.	PNC Realty Investors 1601 K Street, NW, Suite 1100	20006
Lee	Kia A.	PNC Bank 1201 Wisconsin Avenue, NW	20007
Loeser	Christine L.	MAR Reporting Group, LLC 1629 K Street, NW, Suite 300	20006
Mack	Cornelia	Self 4451 Ponds Street, NE	20019
Maharjan	Rajkrishna	Wachovia Bank 5201 MacArthur Boulevard, NW	20016
Marks	Stephanie M.	LAD Reporting Company 1325 G Street, NW, Suite 200	20005
Martin	Janice V,	Williams & Connolly, LLP 725 12th Street, NW	20005
McAtee	Catherine	DC Court Reporters, LLC 1922 Newton Street, NE	20018
McNair	Lakendra C.	TD Bank 901 7th Street, NW	20001
Mize	Carol A.	Littler Mendelson, PC 1150 17th Street, NW, Suite 900	20036

**D.C. Office of the Secretary
Appointments of Notaries Public**

**Effective: June 1, 2009
Page 7**

Peppers	Annie D.	Self 3981 Alabama Avenue, SE	20020
Phillimore	Willard J.	Sorg and Associates, P.C. 918 U Street, NW	20001
Pitts, Jr.	Yancey	Self 14 Underwood Street, NW	20012
Proctor	Hailey Elizabeth	The Sperduto Law Firm, PLC 1133 Twentieth Street, NW, Second Floor	20036
Pruitt	Elaine	Silverberg Electric, Co., Inc. 2210 Channing Street, NE	20017
Purohit	Sandra	Defenders of Wildlife 1130 17th Street, NW	20036
Robinson	Endia	Transit Employees Federal Credit Union 2000 Bladensburg Road, NE	20018
Salas	Andrew G.	EJF Real Estate Services, Inc 2639 Connecticut Avenue, NW, Suite 113	20008
Schwartz	Bernard A.	Washington Scholarship Fund 1100 17th Street, NW, Suite 330	20036
Scott	Kellie	Capital Reporting Company 1821 Jefferson Place, NW, 3rd Floor	20036
Scott	Terricita L.S.	U.S. Department of Justice/Antitrust Division 450 5th Street, NW	20530
Shaffer	Judy A.	FORM Architects 3333 K Street, NW, Suite 60	20007
Smith	Vena A.	Smith, Currie & Hancock LLP 1901 Pennsylvania Avenue, NW, Suite 601	20006
Smith	Gordon	The Networth Financial Group 1930 18th Street, NW	20009

**D.C. Office of the Secretary
Appointments of Notaries Public****Effective: June 1, 2009
Page 8**

Spaulding	Jessica A.	Edward Jones 1150 17th Street, NW, Suite 307	20036
Stein, Jr.	Thomas J.	Metropolitan Police Department 300 Indiana Avenue, NW	20013
Steuer	Bridget	Psychiatric Institute of Washington 4228 Wisconsin Avenue, NW	20016
Sumpter	Pamela R.	CitiBank, NA 3917 Minnesota Avenue, NE	20019
Tabb	Shirley Linda	Our Children Our Community 200 K Street, NW	20001
Trexler	Rebecca	M.A.R. Reporting Group 1629 K Street, NW, Suite 300	20006
Valentin	Brisa	Neighborhood Legal Services Program 680 Rhode Island Avenue, NE	20002
Viana	Susan S.	The Wellness Community 919 18th Street, NW, Suite LL54	20006
Walker	Hazel A.	Arnold & Porter LLP 555 12th Street, NW	20004
Waller	Gretchen R.	Heller, Huron, Chertkof, Lerner, Simon & Salzman, PLLC 1730 M Street, NW, Suite 412	20036
Ward	Teresa	Department of Corrections 1901 D Street, SE	20003
Ware	Tammy Terrell	Nuclear Threat Initiative 1747 Pennsylvania Avenue, NW, 7th Floor	20006
Washington	Carrie L.	Self 5407 5th Street, NW	20011
Weber	Ronna Sable	Alstom, Inc. 801 Pennsylvania Avenue, NW, Suite 855	20004

**D.C. Office of the Secretary
Appointments of Notaries Public****Effective: June 1, 2009****Page 9**

Webster	Robyn	Long & Foster Real Estate and Mortgages 721 D Street, SE	20003
Whiteside	Michael L.	Metropolitan Police Department 1215 3rd Street, NE	20013
Williams	Desiree A.	Transit Employees Federal Credit Union 2000 Bladensburg Road, NE	20018
Wilson	Maria Amelia Espiritu	Maryn Consulting, Inc. 1000 Vermont Avenue, NW, Suite 810	20005
Wilson	Kerry L.	Carmen Group, Incorporated 1919 Pennsylvania Avenue, NW, 5th Floor	20006
Winslow	Arvette L.	Spriggs & Hollingsworth 1350 I Street, NW	20005
Young	Julia S.	National Park Service - National Capital Region 1100 Ohio Drive, SW, Room 206	20242

DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT**NOTICE OF FUNDING AVAILABILITY****Business Improvement District (BID) Litter Cleanup Assistance Program**

The Department of Small and Local Business Development (DSLBD) is soliciting applications for the Business Improvement District (BID) Litter Cleanup Assistance Program. Eligible non-profits comprise the DC Main Streets organizations that were formally established in 2008. The funding source, for this initiative, represents the balance of the non-lapsing \$1,300,000 allocation, from the FY 2008 Budget Support Act, for the Business Improvement District (BID) Litter Cleanup Assistance Program.

The Business Improvement District (BID) Litter Cleanup Assistance Program is defined in the Business Improvement District (BID) Litter Cleanup Assistance Fund Establishment Act of 2007 authorized under the Budget Support Act Resolution, Subtitle J, Section 6091, and funded through the Department of Public Works (DPW) fiscal year 2008 budget. The BID Litter Cleanup Assistance Program is designed to provide grants to enhance the litter clean-up effort of qualified corporations, and help create healthy, vibrant, and safe commercial corridors. This Program aims to complement existing DPW trash collecting and recycling, street cleaning, and graffiti removal services.

As established in the BID Litter Cleanup Assistance Program, “qualified corporation” means: a) A “BID corporation,” as that term is defined in section 3(4) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(4), that has an annual budget of less than \$1 million; or b) A Main Street organization duly incorporated with a current letter of agreement with the Department of Small and Local Business Development. Through this solicitation, the Program will provide seed funding for the permanent establishment of locally operated and financially sustained clean teams in the eligible commercial corridors, which comprise the DC Main Streets organizations designated in 2008.

Applications will be released and available on the DSLBD website (www.dslbd.dc.gov) beginning June 5, 2009. Organizations may also pick-up the application at the Department of Small and Local Business Development, 441 4th Street, NW, Suite 970N, Washington, DC 20001, or contact the Department at (202) 727-3900. Applications shall be submitted to the Office of Commercial Revitalization, Department of Small and Local Business Development, 441 4th Street, NW, Suite 970N, Washington, DC 20001, by 4:00 PM on Tuesday, June 30, 2009. An application is considered complete if all questions are answered in the allotted space, all signatures are affixed, all requested attachments are included, and the original UNBOUND application and six (6) copies are submitted by the deadline.

For more information, contact Phyllis R. Love, Assistant Director, Office of Commercial Revitalization, Department of Small and Local Business Development at (202) 727-3900.

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

Application No. 17904 of Robert Holland et al., pursuant to 11 DCMR § 3104.1, for a special exception to establish an accessory parking lot under section 214 and for location of parking spaces under section 2116.5 in the R-2 District at premises 3820-26 McKinley Street, N.W. (Square 1859, Lots 49, 50, 51, and part of Lot 92).¹

HEARING DATE: April 7, 2009

DECISION DATE: May 5, 2009

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief. (Exhibit 4)

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) 3G and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3G, which is automatically a party to this application. ANC 3/4G filed a report dated January 16, 2009, indicating that it had voted at its regularly scheduled meeting of January 12, 2009, at which a quorum was present, to support the application subject to conditions. (Exhibit 19) The ANC submitted a second letter of support, dated April 15, 2009, indicating that it had voted unanimously at its regularly scheduled April 13, 2009, at which a quorum was present, to support the Applicant's landscaping plan submitted with a contract for soil preparation and planting as well as a maintenance contract for the planting area.² (Exhibits 28 and 30) The Office of Planning (OP) submitted a report and a supplemental report in support, as conditioned, of the requested special exceptions (Exhibits 23 and 29).

¹ The application was amended at the public hearing on April 7, 2009, to seek relief under section 214 for accessory parking spaces and subsection 2116.5 for location of parking spaces. The application was prompted by the expiration of the 2003 Order on July 26, 2008, at the end of the term period of five years. The application again seeks to establish the accessory parking spaces so as to reapply for a Certificate of Occupancy.

² At the hearing on April 7, 2009, the Board requested that the Applicant submit a Landscape Plan that included the location and types of trees and other vegetation. The Board also provided the Applicant the opportunity to provide supplemental information addressing the provisions under section 214 and 2116.5 and a written statement outlining how the landscaping contract would be revised to include the design changes. The Applicant submitted a landscaping plan with a contract for soil preparation and planting and a maintenance contract. *See*, Exhibit 27.

BZA APPLICATION NO. 17904

PAGE NO. 2

Two petitions in support of the application were submitted for the record (Exhibits 22 and 25).

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 214 and subsection 2116.5. 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 OP reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 214, and 2116.5, 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 Exhibits 24 and 27 – Parking Lot and Lawn Maintenance and Landscaping Contracts and Plans) be **GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Approval shall be for **FIVE (5) YEARS**.
2. No trash dumpsters shall be located on the portion of the lot zoned residential.
3. The parking lot landscaping shall be planted within six months of the date of final BZA action and prior to the issuance of the Certificate of Occupancy for the parking lot use.
4. Snow and ice shall be promptly removed from the parking lot.
5. Representatives of the owners of the subject property shall establish and maintain a liaison with Advisory Neighborhood Commission 3G to discuss problems that might arise in connection with the operation of the parking lot to ensure that it continues to have no objectionable impact on the immediate area.

VOTE: **3-0-2** (Shane L. Dettman, Marc D. Loud, Michael G. Turnbull, to APPROVE. Mary Oates Walker, and the third Mayoral (vacant) appointee not participating, not voting.)

BZA APPLICATION NO. 17904

PAGE NO. 3

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

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: MAY 7, 2009

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 § 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.

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 § 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 ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT.

BZA APPLICATION NO. 17904

PAGE NO. 4

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. 17921 of Robert C. Jenkins and John J. Fahey, pursuant to 11 DCMR § 3104.1, for a special exception to allow an addition to an existing one-family dwelling under section 223, not meeting the lot occupancy (section 403), rear yard (section 404) and side yard (section 405) requirements, in the R-1-B District at premises 3127 Newark Street, N.W. (Square 2073, Lot 805).

HEARING DATE: May 5, 2009
DECISION DATE: May 5, 2009 (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 mail to Advisory Neighborhood Commission (ANC) 3C and to owners of property within 200 feet of the site. However, notice of this hearing was not published in the D.C. Register. As a preliminary matter at the hearing and pursuant to the waiver provision of 11 DCMR § 3100.5, the Board waived the publication requirement of § 3113.13(b), concluding that the other forms of notification were adequate in this case, and therefore, the waiver would not prejudice the rights of any party.

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 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 section 223 (§§ 403, 304 and 405). 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

BZA APPLICATION NO. 17921**PAGE NO. 2**

of law. It is therefore **ORDERED** that this application be **GRANTED**, per Exhibit No. 7, Plans.

VOTE: **3-0-2** (Marc D. Loud, Peter G. May, Shane L. Dettman to grant; Mary Oates Walker not participating; no other Board Member participating or voting)

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

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: MAY 7, 2009

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 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. 17833 of Timothy Lawrence, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under § 403, and a variance from the alley setback requirements under subsection 2300.4, to construct a private garage on an alley lot in the R-4 District at premises 1665 Harvard Street, N.W. (Square 2588, Lot 827).

HEARING DATE: October 28, 2008
DECISION DATE: December 2, 2008

DECISION AND ORDER

This application was filed on May 25, 2008, by Mr. Timothy Lawrence (“Applicant”), the owner of the property that is the subject of the application (“subject property”). The self-certified application requested two variances in order to permit the construction of a garage on an alley lot located at the rear of the lot adjacent to the Applicant’s lot.

The Board held a hearing on the application on October 28, 2008. The hearing was completed on October 28th and a date of December 2, 2008 was set for decision. The Board held the record open for certain further submissions which were duly received, and on December 2, 2008, the Board deliberated on the application and denied it by a vote of 4-1-0.

PRELIMINARY MATTERS

Notice of Application and Notice of Hearing. By memoranda dated May 30, 2008, the Office of Zoning (“OZ”) sent notice of the filing of the application to the D.C. Office of Planning (“OP”), the D.C. Department of Transportation, Advisory Neighborhood Commission (“ANC”) 1D, the ANC within which the subject property is located, the member for Single Member District 1D06, and the Councilmember for Ward 1. Pursuant to 11 DCMR § 3113.13, notice of the hearing was published in the *D.C. Register*, and such notice was sent to the Applicant, ANC 1D, and all owners of property within 200 feet of the subject property.

Request for Party Status. The neighbor immediately to the west of the subject property was granted party status. The proposed garage would be behind this neighbor’s dwelling, but located on a small, legally separate lot that abuts the rear alley and belongs to the Applicant. The garage would be approximately 17 feet from the rear wall of the neighbor’s dwelling and the Board determined that he would be more significantly impacted by its presence than other members of the public.

Applicant’s Case. The Applicant, his wife, and their architect testified in support of the application. The Applicant and his wife explained why they needed the two-vehicle garage proposed. The architect discussed the construction and addressed the variance test for both variances requested.

BZA APPLICATION NO. 17833**PAGE NO. 2**

Government Reports. The Office of Planning filed a report with the Board on October 21, 2008, recommending approval of both requested variances. OP opined that the subject property is encumbered with a combination of exceptional factors, leading to practical difficulties in complying with the Zoning Regulations. OP also stated that the variance relief could be granted without detriment to the public good or impairment of the intent of the Zoning Regulations. OP further explained that a garage was a matter-of-right use for the property and that it was more practical to construct a two-vehicle, rather than a one-vehicle, garage.

ANC Report. ANC 1D filed two reports with the Board, both recommending denial of the application. The first recommendation of denial, filed on October 18, 2008, was based largely on the fact that the adjacent neighbor to the west, behind whose dwelling the proposed garage would be located, opposed the construction. The second recommendation of denial, filed on November 24, 2008, after the hearing, reiterated that the construction would have “adverse effects” on the neighbor, and elaborated that, in the ANC’s opinion, it would also result in a “substantial detriment to the public good.”

FINDINGS OF FACTThe subject property and its surroundings

1. The subject property is a small, roughly square-shaped lot of 557 square feet in area, with an average lot width of 22.1 feet, located in an R-4 zone district.
2. The subject lot, Lot number 827, is situated in the rear of larger lot number 826, which is not owned by the Applicant, but by the neighbor who is opposing this application.
3. Because Lot 827 is situated behind Lot 826, owned by the neighbor, the proposed garage would be constructed behind the neighbor’s dwelling, and would appear to be in his rear yard.
4. Lot 826 fronts onto Harvard Street, N.W., as does the lot on which the Applicant’s own dwelling is situated, Lot 1028. Between these two lots, however, runs a public walkway of approximately 7.5 feet in width.
5. On its north side, lot number 827 abuts a 15-foot wide public alley which runs parallel to Harvard Street, N.W. The eastern side of Lot 827 abuts the public walkway and Lot 827’s western and southern sides abut Lot 826.
6. Applicant’s dwelling is the end unit of a line of row dwellings ending at the eastern edge of the public walkway and the neighbor’s dwelling situated on Lot 826 is the end unit of a line of row dwellings ending at the western edge of the public walkway.
7. Because the public walkway runs between the Applicant’s dwelling and Lots 826 and 827, he cannot combine Lot 827 with the lot on which his own dwelling is situated.

BZA APPLICATION NO. 17833**PAGE NO. 3**

8. Lot 827 appears as a carve-out in the northeast corner of Lot 826, but, the 1925 Baist Map shows Lot 827 as existing in its current shape at that time, while Lot 826 did not yet exist.
9. In current computer records, Lot 827 shows up as a tax lot for which the Applicant pays separate property taxes, therefore it is recorded in the records of the Office of Tax and Revenue.
10. Lot 827 existed as a tax lot and was “recorded” on the Baist Map at least as of 1925, and therefore before November 1, 1957, making the proposed private garage a matter-of-right use, subject to the area provisions of the Zoning Regulations, and specifically subject to the provisions of Chapter 23 of the Regulations. *See*, 11 DCMR § 201.1(i). *See also*, 11 DCMR §§ 330.5(a), 320.3(a), and 300.3(a).

The proposed project

11. The Applicant proposes to construct a two-vehicle garage on Lot 827 in which to house his vehicles.
12. The proposed garage will be 10 feet, 6 inches in height, and the south side of the proposed garage, the side closest to the opponent’s dwelling, will be approximately 17 feet from that dwelling’s rear wall.
13. The proposed garage will occupy 100% of Lot 827, necessitating an area variance from § 403.2, which mandates a maximum lot occupancy of 40% for this type of structure. 11 DCMR § 403.2.
14. The proposed garage will have a length along the alley of 20 feet, leaving a length of 16 feet along the alley to Lot 826.
15. The wall of the garage facing the alley will abut the southern edge of the alley and will therefore be set back from the centerline of the alley only 7 feet, 6 inches, less than the 12-foot setback required by 11 DCMR § 2300.2(b), necessitating a second area variance.

The variance test*Exceptional condition*

16. Lot 827 is an exceptionally small alley lot.
17. Lot 827 sits in the rear of a larger lot with different ownership and there are no other similarly situated lots in the neighborhood.
18. The use proposed is a matter-of right (*see*, Finding of Fact No. 9) and it appears that storage and/or parking are the only practicable uses for the subject lot. *See*, 11 DCMR §§ 2507.1, 2507.5, 2507.6, and 333.

**BZA APPLICATION NO. 17833
PAGE NO. 4***Practical difficulty*

19. The Applicant's dwelling is a contributing structure to the Mount Vernon Historic District and has no parking requirement. See, 11 DCMR § 2100.5.
20. Lot 827 is paved and currently used by the Applicant as a parking pad for two vehicles.
21. Until recently, Lot 827 was enclosed by a wooden fence, approximately six feet high, with a gate facing the alley, in order to secure the two vehicles stored there.
22. At some point in the recent past, the Applicant removed the gate side of the fence, leaving the parking pad area open to the alley.
23. The Applicant proposes to construct the garage in order to ensure the security of his vehicles, which have been vandalized in the past.
24. Although not clear from the record, it appears that the incidents of criminal activity against the Applicant's vehicles occurred after the removal of the gate along the alley.
25. Due to considerations of cost and aesthetics, the Applicant did not seriously consider alternatives to securing his vehicles other than the proposed garage.

Substantial detriment to the public good

26. On the lot line between the southern side of Lot 827 and the rear yard of Lot 826 is a six-foot high fence. The proposed garage will stand four and one-half feet over this fence and over the rear yard of the opponent's dwelling.
27. Due to the slope of the rear yard on Lot 826, the floor of the proposed garage will be 3 feet, 6 inches higher than the patio behind the opponent's dwelling, making the garage actually stand 13 feet, 6 inches above the patio.
28. The location of the proposed garage will block the view of the alley and could block light and air to the rear yard and rear windows of the dwelling on Lot 826.
29. The eastern wall of the proposed garage will abut the western edge of the public walkway, blocking the view of a person walking along the walkway, causing potential safety concerns.

CONCLUSIONS OF LAW

The Board is authorized to grant variances from the strict application of the Zoning Regulations to relieve difficulties or hardship where "by reason of exceptional narrowness, shallowness, or shape of a specific piece of property ... or by reason of exceptional topographical conditions or

BZA APPLICATION NO. 17833**PAGE NO. 5**

other extraordinary or exceptional situation or condition” of the property, the strict application of the Zoning Regulations would “result in particular and exceptional practical difficulties to or exceptional or undue hardship upon the owner of the property....” D.C. Official Code § 6-641.07(g)(3) (2001), 11 DCMR § 3103.2. Relief can be granted only “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.” D.C. Official Code § 6-641.07(g)(3), 11 DCMR § 3103.2.

A showing of “practical difficulties” must be made for an area variance, while the more difficult showing of “undue hardship,” must be made for a use variance. *Palmer v. D.C. Board of Zoning Adjustment*, 287 A.2d 535, 541 (D.C. 1972). The Applicant in this case is requesting area variances, therefore, it had to demonstrate an exceptional situation or condition of the property, that such exceptional condition *results in* “practical difficulties” to the owner, and that the granting of the variances will not impair the public good or the intent or integrity of the Zone Plan and Regulations. All three showings must be made in order to obtain variance relief.

The subject property is beset with several exceptional conditions. It is very small – almost certainly too small to construct an artist’s studio on. *See*, 11 DCMR § 2507.5. Other than this use, the only other uses permitted on this alley lot are storage and parking.¹ *See*, 11 DCMR § 2507.6. The subject lot is also exceptional in that it is located behind a dwelling with a different ownership and anything constructed on it would appear as if it were in the rear yard of this dwelling.

The application meets the first prong of the variance test, but fails on the second prong. The Applicant’s dwelling does not have a parking requirement, therefore there is no legal requirement that the Applicant provide off-street parking for his vehicles. The proposed garage use, therefore, although a matter-of-right, is not required by the Zoning Regulations, but is a matter of convenience to the Applicant. Inconvenience to an Applicant may be considered by the Board in a variance analysis, but is insufficient to rise to the level of “peculiar and exceptional practical difficulties.” *See, e.g., Barbour v. D.C. Bd. of Zoning Adjustment*, 358 A.2d 326 (D.C. 1976).

The Applicant currently parks both his vehicles on the parking pad which is now on the subject lot, and there was no showing of practical difficulties in parking on the lot. The practical difficulty asserted by the Applicant was the need to provide greater security, but the Board is not convinced that this need rises to the level of “peculiar and exceptional practical difficulties.” *See, e.g., Board Order No. 15695 of Jared Fuchs* (1992). Moreover, the claimed practical difficulty does not arise out of the exceptional condition of the small size of the lot or its location behind someone else’s dwelling. There also may be ways of providing this security without necessitating variance relief.

¹Although § 2507.1 permits a one-family dwelling on an alley lot, such lot must abut an alley at least 30 feet wide, therefore no one-family dwelling can be built on the Applicant’s alley lot. *See*, § 2507.2.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING**

and

Z.C. ORDER NO. 03-10A

Z.C. Case No. 03-10A

(Text Amendment – 11 DCMR)

(Technical Correction to Zoning Commission Order No. 03-10)

January 26, 2009

The full text of this Zoning Commission Order is published in the "Final Rulemaking" section of this edition of the *D.C. Register*.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
Z.C. ORDER NO. 08-09
Z.C. Case No. 08-09
(Text and Map Amendments - 11 DCMR)
(Sixteenth Street Heights Overlay Expansion)
April 27, 2009**

The full text of this Zoning Commission Order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.

**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 2008 CONSTRUCTION CODES SUPPLEMENT (pub. JANUARY 2009)	\$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 (JANUARY 2009)	\$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)

OTHER PUBLICATIONS

2000 – 2005 Indices	\$40.00 + \$10.00 postage
1994 - 1996 Indices.....	\$52.00 + \$10.00 postage
1997 - 1998 Indices.....	\$52.00 + \$10.00 postage
Complete Set of <i>D.C. Municipal Regulations</i>	\$665.00
D.C. Register (Single Copy)	\$16.00
Rulemaking Handbook & Publications Style Manual (1983).....	\$5.00
D.C. Comprehensive Plan Maps	\$5.00
D.C. Comprehensive Plan CDs	\$10.00
*Supplements to D.C. Municipal Regulations.....	\$5.00

MAIL ORDERS: Send exact amount in check or money order made payable to the D.C. Treasurer. Specify title and subject. Send to: D.C. Office of Documents and Administrative Issuances, Room 520, One Judiciary Square, 441 - 4th St., N.W., Washington, D.C. 20001. Phone: 727-5090

OVER THE COUNTER SALES: Come to Rm. 520, One Judiciary Square., Bring check or money order.

All sales final. A charge of \$65.00 will be added for any dishonored check (D.C. Law 4-16)