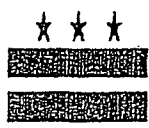


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GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



April 28, 2006

Mr. Russ Williams
Managing Director
Apple Tree Institute for Education Innovation
400 7th Street, S.E.
Washington, D.C. 20003

Re: 138 12th Street, N.E.

Dear Mr. Williams:

The Department of Consumer and Regulatory Affairs (DCRA) has reviewed your Application for Construction Permits on Private Property, regarding 138 12th Street, N.E. (File Job #3758-A), which was received on February 9, 2006.

This letter serves to notify you that the above-referenced application does not meet applicable District of Columbia Zoning Regulations and therefore can not be approved.

More specifically, the proposed use as a public charter school fails to meet the District of Columbia's R-4 residential zone district requirements for:

1. minimum lot area (9,000 square feet required),
2. minimum width of lot (120 feet required), and
3. minimum parking spaces (10 spaces required).

Our decision not to approve the submitted application is based on the District of Columbia Zoning Commission's adoption of an Emergency Text Amendment defining charter schools as public schools, and changing various requirements for public schools to locate in the R-4 Residential District as matter of right on February 13, 2006, and the District of Columbia Zoning Regulations codified at Title 11 of the District of Columbia Municipal Regulations (DCMR). The Zoning Commission's Emergency Text Amendment was effective immediately and applies to all pending applications on the date the text amendment was adopted.

Please be advised that decisions of the Zoning Administrator may be appealed to the Board of Zoning Adjustment, in accordance with DCMR Chapter 31.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Crews".

Bill Crews
Zoning Administrator

941 North Capitol Street, N.E., Suite 2000, Washington, D.C. 20002
Phone: (202) 442-4576 Fax: (202) 442-4871

Board of Zoning Adjustment
District of Columbia
CASE NO.18241
EXHIBIT NO.26B16