



HUNTON & WILLIAMS LLP
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WASHINGTON, D.C. 20037-1701

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JASON O. ZEIGLER, ESQ.
DIRECT DIAL: 202 • 955 • 1912
EMAIL: jzeigler@hunton.com

January 3, 2013

FILE NO: 99997.032339

HAND DELIVERY

Board of Zoning Adjustment
441 4th Street, NW, 2nd Floor
Washington, DC 20001

Re: Case No. 18445, Amendment to Application for Variance/Special Exception for a Child Development Center under Section 205, located at 1353 Tuckerman Street, NW (Sq. 2786, Lot 0106, Zone R-1-B)

Dear Chairman Jordan and Board Members:

On behalf of Ana Maria Lora-Garcia, I hereby request to amend the above-referenced application (the "Application") to obtain a special exception for expansion of Ms. Lora-Garcia's home child development facility from six (6) to eight (8) children, with the additional two (2) children to be under two years of age.

As directed by the Board at the public hearing on Tuesday, November 13, 2012, I offer the enclosed documents, as follows:

1. letter from Ms. Lora-Garcia authorizing the undersigned to act as her designated agent attorney;
2. copies of support letters with addresses included; and
3. a copy of the Neighborhood Cooperation Agreement anticipated to be executed at the next ANC 4A meeting on Tuesday, January 8, 2013. A copy of the executed agreement will be provided upon execution of same.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18445

EXHIBIT NO. 41

RECEIVED
D.C. OFFICE OF ZONING
2013 JAN -3 PM 4:03



Board of Zoning Adjustment

January 3, 2013

Page 2

Please feel free to call me at (202) 955-1912 if you should have any questions or comments

Sincerely,

A handwritten signature in black ink, appearing to read "J-352" or similar, written in a cursive style.

Jason O. Zeigler

cc: Ana Maria Lora-Garcia
Cory Mengual, Child Care Licensing Program Specialist
Dwayne M. Toliver, Esq., Chair, ANC 4A
Marian Bennett, Esq., Commissioner, ANC 4A
Steven Whatley, Commissioner, ANC 4A

Ana Maria Lora-Garcia
1353 Tuckerman Street, NW
Washington, DC 20011
(202) 667-8259

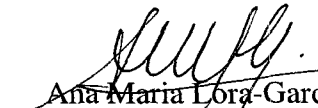
Board of Zoning Adjustment
441 4th Street, NW, 2nd Floor
Washington, DC 20001

Re: Case No. 18445, Application for Variance/Special Exception for a Child Development Center under Section 205, located at 1353 Tuckerman Street, NW (Sq. 2786, Lot 0106, Zone R-1-B)

Dear Chairman Jordan and Board Members:

Please be advised that Jason O. Zeigler, Esq. of Hunton & Williams LLP is my designated agent attorney for processing the above-referenced Application for Variance/Special Exception for the above-referenced property and he has the power to bind me in this case.

Sincerely,


Ana Maria Lora-Garcia

cc: Jason O. Zeigler, Esq.

The Little Green Nest
List of Letters of Support

<u>Name</u>	<u>Address</u>
1. W. Byron Davis	1357 Tuckerman Street NW, Washington, DC 20011
2. Doris Obregon	1404 Tuckerman Street NW, Washington, DC 20011
3. Frank Monroe	1388 Tuckerman Street NW, Washington, DC 20011
4. Meredith L. Gitangu	7122 9th Street NW, Washington, DC 20012
5. Anthony Gitangu	7122 9th Street NW, Washington, DC 20012
6. Naomi Perl	1307 S Street NW, Washington, DC 20009
7. Matt Perl	1307 S Street NW, Washington, DC 20009
8. Jyrita Simmons	1435 Sheridan Street NW, Washington, DC 20011
9. Elvia Montesinos	1423 Sheridan Street NW, Washington, DC 20011
10. Anthony Howard	1431 Somerset Place NW, Washington, DC 20011
11. Brittany Ford	6323 Luzon Street NW, Washington, DC 20011
12. Greg Amagnostopoulos	7118 9th Street NW, Washington, DC 20012
13. Anna Amagnostopoulos	7118 9th Street NW, Washington, DC 20012
14. Nashwa Beach	1304 Rittenhouse Street NW, Washington, DC 20011
15. J. Christopher Haney	1304 Rittenhouse Street NW, Washington, DC 20011
16. Daniel Rudie	1358 Rittenhouse Street NW, Washington, DC 20011
17. Anna Ka	1344 Rittenhouse Street NW, Washington, DC 20011
18. Francisca Medrano	1336 Rittenhouse Street NW, Washington, DC 20011
19. Maria Gonzales	1360 Rittenhouse Street NW, Washington, DC 20011
20. Capitol City Public Charter School	100 Peabody Street NW, Washington, DC 20011
21. Brightwood Community Association	P.O. Box 56685, Washington, DC 20011
22. Carol Fisher	Address not provided.
23. Jerome Smith	Address not provided.
24. Kenisha Cleardle	Address not provided.

November 10, 2012.

TO WHOM IT MAY CONCERN,

I am writing this letter to express my support for the expansion application that la's Bilingual Nest Child Care Home (The Little Green Nest) has requested.

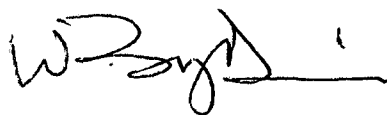
As the closest neighbor, I am able to verify that The Little Green Nest has successfully operated for over a year and I have never had parking problems, as parents typically drop off and pick off their children for short periods of time.

I have observed that Ms. Ana Maria Lora- Garcia and Mr. Jose Antezana have demonstrated the ability to properly manage child care activities in a way that my family has not been interfered by noises. To the contrary the only sounds we have observed are those of children playing happily in the backyard.

Unfortunately our family was unable to enroll my daughter at the Little Green Nest due to the limited amount of infants that they are allowed to take care of.

I highly recommend to support the application to expand this home day care to allow for the care of two more infants, for a total of four toddlers and four infants in the best interest of our community.

Sincerely,



W. Byron Davis

1357 Tuckerman St. NW.

Washington DC, 20011

Dear Neighbors:

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

I have successfully operated out of my home for over a year now, taking care of the neighborhood children with great care in a loving home environment. It has been my pleasure serving this community with my business and I also take great pride in living in Brightwood, the best kept secret in Washington.

I am writing this letter to ask for your help. I would like to expand my home day care to include serving more babies and toddlers because the demand has been so high. As a result I would like your input and signature to verify that this is the right decision for my business and my community.

Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

X Yes, I agree and would like to provide my signature.

 No, I would like to consider this at another time.

Name.....Doris Oregon.....

Address.....1404 Tuckerman St NW.....

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

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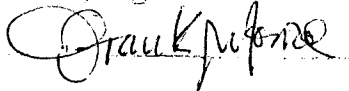
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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

✓

Yes, I agree and would like to provide my signature.



Frank Monroe
1388 Tuckerman Street NW
Washington, DC 20011

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

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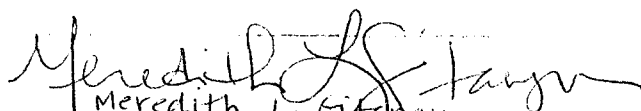
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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest



Yes, I agree and would like to provide my signature.


Meredith L. Gitangu
(202) 491-4762

Meredith L. Gitangu
7122 9th Street NW
Washington, DC 20012

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest



Yes, I agree and would like to provide my signature.



Anthony Gitangu
7122 9th Street NW
Washington, DC 20012

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6

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

✓

Yes, I agree and would like to provide my signature.

Naomi Perl

Naomi Perl
1307 S Street NW
Washington, DC 20009

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

7

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

A handwritten signature in black ink, appearing to read 'Matt Perl', is written over a horizontal line.

Yes, I agree and would like to provide my signature.

Matt Perl
1307 S Street NW
Washington, DC 20009

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

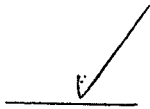
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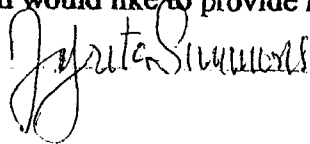
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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest



Yes, I agree and would like to provide my signature.



Jyrita Simmons
1435 Sheridan Street NW
Washington, DC 20011

Dear Neighbors:

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

☒ Yes, I agree and would like to provide my signature.

No, I would like to consider this at another time.

Name Elvia Montesinos

Address 1423 Sheridan St NW

Elvia Montesinos
1423 Sheridan Street NW
Washington, DC 20011

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

Yes, I agree and would like to provide my signature.

Anthony Howard

Anthony Howard
1431 Somerset Place NW
Washington, DC 20011

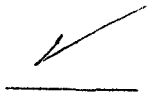
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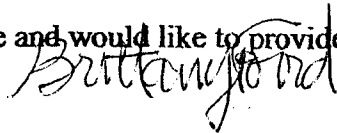
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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest



Yes, I agree and would like to provide my signature.



Brittany Ford
6323 Luzon Street NW
Washington, DC 20011

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

✓

Yes, I agree and would like to provide my signature.

GREG AMAGNOSTOPOULOS

Greg Amagnostopoulos
7118 9th Street NW
Washington, DC 20012

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

13

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

✓

Yes, I agree and would like to provide my signature.

ANNA AMAGNOSTOPOULOS

Anna Amagnostopoulos
7118 9th Street NW
Washington, DC 20012

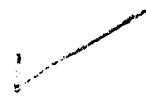
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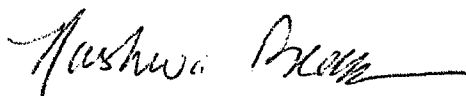
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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest



Yes, I agree and would like to provide my signature.



Nashwa Beach
1304 Rittenhouse Street NW
Washington, DC 20011

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

15

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest


 Yes, I agree and would like to provide my signature.

J. Christopher Haney
1304 Rittenhouse Street NW
Washington, DC 20011

Dear Neighbors:

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

X Yes, I agree and would like to provide my signature.

 No, I would like to consider this at another time.

Name DANIEL RUDIE
Address 1350 RITENHOUSE ST NW 20011

Dear Neighbors:

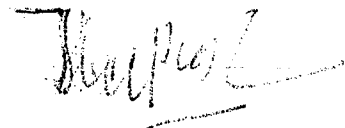
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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest



☒ Yes, I agree and would like to provide my signature.

☐ No, I would like to consider this at another time.

Name..... ANNA KA.....

Address..... 1344 Battenhouse St. NW.....

Dear Neighbors:

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

X Yes, I agree and would like to provide my signature.

 No, I would like to consider this at another time.

Name Francisca Medrano

Address 1336 Rittenhouse Street NW

Francisca Medrano
1336 Rittenhouse Street NW
Washington, DC 20011

Dear Neighbors:

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

I have successfully operated out of my home for over a year now, taking care of the neighborhood children with great care in a loving home environment. It has been my pleasure serving this community with my business and I also take great pride in living in Brightwood, the best kept secret in Washington.

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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

☒

Yes, I agree and would like to provide my signature.

☐

No, I would like to consider this at another time.

Name..... Maria Gonzales

Address..... 1360 Rittenhouse St.

Maria Gonzales
1360 Rittenhouse Street NW
Washington, DC 20011

August 30, 2012

To Whom It May Concern:

It is my pleasure to write this letter of recommendation for Maria Lora. I have had the opportunity to observe Ms. Lora's work with children on many occasions. I bring the perspective of an early childhood professional, as I have been a teacher and school administrator for over 20 years; and the perspective of a parent, as Ms. Lora has cared for my son since November of 2009.

Ms. Lora is a skilled professional. She has extensive knowledge of child development and carefully plans activities to support the growth and development of the children in her care. She effectively communicates information to parents about their children's progress and helps them to better support their children at home.

Ms. Lora is incredibly caring and nurturing. The children adore her and look forward to seeing her each day. From my observations, students are happy and content. Ms. Lora always pays attention to safety and makes the safety and security of the children her top priority.

I searched very hard for the best childcare arrangement for my son and I couldn't be happier with the quality and consistency of care that he has received from Ms. Lora. I know other parents feel the same, and the turnover rate for families is very low. I have been extremely confident leaving my son in Ms. Lora's care and have highly recommended her to other families looking for childcare. Please don't hesitate to contact me if you have questions about Ms. Lora's qualifications or my experience with her as a caregiver. I can be reached by phone at (202) 302-4178 or by e-mail at kdresden@ccpcs.org.

Sincerely,



Karen Dresden, MEd. M.Ed.
Head of School



September 30, 2012
Ana Maria Lora-Garcia
Jose Antezana
Little Green Nest
1353 Tuckerman St.NW
Washington DC 20011

Dear Mrs. Lora-Garcia:

You gave a presentation to the community at the Brightwood Community Association (BCA) meeting on September 11, 2012, explaining the goal of the Little Green Nest (LGN) daycare to expand. As we understand, LGN is filing a permit to apply for an increase in its number of children from six to twelve.

After your presentation, LGN representative answered several questions posed by the community regarding its compliance with the law, its general practice, and its goals. LGN stated that it was meeting a need for home daycare in the community and this expansion would help it do so more. LGN contrasted a home daycare environment with a daycare center, stating that a home daycare has a different feel for the children more similar to home and has less of a revolving door when it comes to the care providers. The same provider would be present for the year or two that the child uses the service, which supports building security and stable relationship, they said.

No neighbors of the LGN site on Tuckerman street were present, but LGN did present a few letters it had received from its neighbors as well as a letter of support from Ms. Karen Dresden, head of the Capital City Public Charter School.

Without objection, the BCA agreed to provide LGN with a letter of support, as LGN has presented its request before the community and satisfactorily answered our questions. Accordingly, please accept this letter of support from the Brightwood Community Association and use it as best as you see fit.

Sincerely,

Anthony M. Briggs, Jr.
BCA President
Brightwood Community Association
PO Box 56685
Washington DC, 20011
c: (703) 946-4685
anthonymbriggs@gmail.com

Dear Neighbors:

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

I have successfully operated out of my home for over a year now, taking care of the neighborhood children with great care in a loving home environment. It has been my pleasure serving this community with my business and I also take great pride in living in Brightwood, the best kept secret in Washington.

I am writing this letter to ask for your help. I would like to expand my home day care to include serving more babies and toddlers because the demand has been so high. As a result I would like your input and signature to verify that this is the right decision for my business and my community.

Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

☒

Yes, I agree and would like to provide my signature.

Carol Fuller

☐

No, I would like to consider this at another time.

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

23

I have successfully operated out of my home for over a year now, taking care of the neighborhood children with great care in a loving home environment. It has been my pleasure serving this community with my business and I also take great pride in living in Brightwood, the best kept secret in Washington.

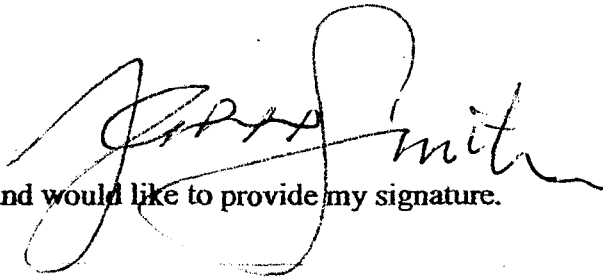
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Respectfully,

Ms. Maria Lora
Owner
The Little Green Nest

✓

Yes, I agree and would like to provide my signature.

A handwritten signature in cursive script, appearing to read "Maria Lora", written over a horizontal line.

My name is Maria Lora and I am the owner of a daycare here in Brightwood that is called The Little Green Nest.

24

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Ms. Maria Lora
Owner
The Little Green Nest

Yes, I agree and would like to provide my signature.

NEIGHBORHOOD COOPERATION AGREEMENT

This NEIGHBORHOOD COOPERATION AGREEMENT, is made effective as of this _____ day of January, 2013 (“Effective Date”), by and between Ana Maria Lora-Garcia, sole proprietor of that certain home-based daycare center currently doing business as The Little Green Nest (“TLGN”), and Advisory Neighborhood Commission 4A of the District of Columbia (“ANC4A”). TLGN and ANC4A are each referred to as a “party” and collectively as “parties”.

WITNESSETH

WHEREAS, TLGN is located at Lot 2786 in Square 106, and more commonly referred to as, and has a business address at, 1353 Tuckerman Street, N.W., Washington, D.C. (the “Property”); and

WHEREAS, TLGN has informed ANC4A and certain nearby residents residing in the neighborhood surrounding the property that TLGN desires to obtain approval from the Board of Zoning Adjustment of the District of Columbia (“BZA”) of TLGN’s application to expand its home day center (“Center”) activities to increase participation/enrollment in such center by two additional children up to twenty-four (24) months of age (“Expansion”), which application is identified as Application No. 18445, as may be amended from time to time (“Application”); and

WHEREAS, ANC4A is located in, and represents the interests of, residents of, and businesses operating in, the area under the jurisdiction of ANC 4A: and

WHEREAS, ANC4A desires to maintain and promote the residential character and quality of the residential areas in geographically close proximity to the Property (“Community”); and

WHEREAS, certain residents living in the Community (“Stakeholders”) have expressed concerns about the impact that the Expansion might have on the quality of life of such residents and vehicular traffic in the Community due to the operation of the Center; and

WHEREAS, TLGN desires to address the concerns raised Stakeholders and ANC4A; and

WHEREAS, TLGN recognizes the importance of conducting its business operations in harmony with the Community, and intends to contribute toward the general improvement of the Community; and

WHEREAS, TLGN intends to operate the Center with due consideration for the quality of life of the Community with respect to vehicular traffic matters and other factors, and to maintain communication with the ANC4A in respect of such matters; and

WHEREAS, TLGN desires to obtain the ANC4A's support, as may be duly authorized and reasonably necessary, of the Application; and

WHEREAS, the parties desire to enter into this Agreement in order to evidence their understandings and agreements to effectuate the foregoing, and attend to such other matters as expressly set forth herein.

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, as further described herein, the mutual receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. TLGN covenants and agrees that is shall fully and faithfully comply with all applicable laws, regulations, orders and rules of the agencies and instrumentalities of the District of Columbia having jurisdiction or authority over the establishment and operation of the Center (each a "Law" and collectively "Laws"), including any order or condition issued by the BZA in connection with the Application.
2. TLGN also covenants and agrees that is shall fully and faithfully comply with the terms of this Agreement.
3. TLGN agrees to use best efforts to cause parents and/or guardians using motor vehicles ("Drivers") to transport children enrolled or participating in activities at the Center ("Children") to faithfully adhere to the following pick-up and drop-off procedures:
 - a. Drivers will not drive through or into any of the Tuckerman Street between 13th and 14th Street NW alleys to either pick up or drop off Children.

- b. TLGN will require all Drivers to display in the windshield of the motor vehicle being operated to transport Children to and from the Center a placard (to be provided by TLGN).
- c. For 30 minutes during morning and evening peak pickup and drop-off periods (now expected to be 8:00 A.M. to 8:30 A.M. and 5:15 P.M. to 5:45 P.M.), TLGN will cause at least one staff person to:
 - i. be posted in front of the Center to direct all Drivers to park legally on Tuckerman Street and walk their youngsters to TLGN;
 - ii. not allow Drivers to park in or obstruct any driveway or garage; and
 - iii. make a written report of each observed or reported violation to TLGN.
- d. TLGN will report to the ANC4A and the ANC Commissioner for the single member district where the Property is located how TLGN handled complaints and will report on the disposition of complaints at least once per calendar quarter.
- e. During peak morning and afternoon activity, and randomly at other times, TLGN management staff will monitor the street parking areas in front of the Center to assure that Drivers follow the pickup and drop-off Rules (hereafter defined).
- f. TLGN will encourage each member of its staff who drives to the Center to share rides/carpool and use public transportation, and to support their use of public transportation.
- g. TLGN will maintain current and up-to-date information on vehicles driven by Drivers and TLGN staff, including the year, make, model, and license plate number of vehicles typically used to transport Children to and from the Center, such information to be on file with TLGN.
- h. TLGN will provide not less than quarterly reminders to Drivers and TLGN staff to adhere to the parking and traffic management restrictions within the local area, particularly the residential permit parking zones.

- i. TLGN will give priority in enrollment of new children in the Program to children residing in Ward 4, assuming such other factors considered by TLGN in enrolling new children are equal.
- j. TLGN will incorporate general rules (approved by the parties and as may be modified, from time to time, by the parties' consent) for drop-off and pickup of Children enrolled or participating in activities at the Center into each agreement with parents and/or guardians of such Children ("Rules").
- k. TLGN shall post the Rules both in a conspicuous location in the Center, and TLGN will frequently communicate the Rules through periodic correspondence with Children's parents and/or guardians.
- l. Violations of the Rules will be handled as follows:
 - i. All complaints of violations of the Rules will be received by TLGN and documented. Such complaints will be communicated as a notice of violation and warning to the parent/guardian of the involved and a reminder will be given to the TLGN community.
 - A. Each such complaint will be documented in the child's file and the parent/guardian will receive a warning.
 - B. The first verified violation (a "verified violation" being a violation of the Rules evidenced by a photograph) of the Rules will result in a \$25 fine.
 - C. The second verified violation of the Rules will result in a \$50 fine and a parent/guardian meeting with TLGN.
 - D. The third verified violation of the Rules will result in a \$100 fine and a parent/guardian meeting with TLGN.

- E. The fourth verified violation of the Rules will result in termination of the family's participation/enrollment at TLGN. Notwithstanding the foregoing to the contrary, before a termination order is effective, the parent/guardian will be permitted to appeal the termination to a committee made up of three people, one from TLGN, and two Commissioners from ANC 4A, which committee shall will have the final authority to decide whether the termination should be implemented. **[To the Committee? Successful appeal doesn't count as a violation?]**
 - F. The parent/guardian will have an opportunity to respond in writing to each notice of violation of the Rules.
 - G. Any fines collected from violators of the Rules will be donated by TLGN to a community-benefit organization to be agreed upon TLGN and ANC4A to be used to directly support community betterment initiatives and/or programs.
- 4. TLGN will meet with ANC4A, or a committee appointed by ANC4A on a regular basis, not less often than once each three months, and more often if circumstances require, to review concerns, hear feedback, and take appropriate action.
- 5. TLGN shall provide ANC4A with the name, telephone number, cell phone, and email address of an authorized representative TLGN who can accept complaints, acknowledge a problem, take appropriate action, and monitor actions taken by others to alleviate reported problems and prevent recurrence of such problems.
- 6. Subject to TLGN's faithful satisfaction of the terms of this Agreement, ANC4A agrees to support the Application, in writing and/or by oral testimony of a duly authorized Advisory Neighborhood Commissioner of ANC4A in any administrative proceedings, applications, and/or actions before the various District of Columbia agencies in order to implement the objectives and intent of this Agreement.
- 7. Notwithstanding anything in this Agreement to the contrary, this Agreement shall be effective and binding only in the event that the BZA approves the Application.

8. It is understood that this Agreement does not limit the ability of any party at any time to enforce existing or future Laws or to seek or oppose any change in any existing Laws.
9. If any provision of this Agreement or any application thereof shall be declared to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions hereof and any other application thereof shall not in any way be affected or impaired, and such remaining provisions shall continue in full force and effect.
10. This Agreement constitutes the entire agreement between the parties with respect to the subject matter described herein.
11. All parts of this Agreement shall be governed by and construed in accordance with applicable laws of the District of Columbia.
12. The provisions of this Agreement are binding on TLGN, its subcontractors, agents, assigns, and other successors in interest; and, subject to the aforesated limitations, on ANC4A.
13. The Parties agree that TLGN and ANC4A will recommend to the BZA that this Agreement be incorporated into the BZA's record pertaining to the Application, and that this Agreement be made a part of the BZA Order regarding same.
14. No change or modification of this Agreement or any waiver of the provisions hereof shall be valid unless same is in writing and signed by a simple majority of a vote of the then then-duly elected and serving Commissioners of ANC4A.
15. Waiver from time to time of any provision or of any default hereunder shall not be deemed to be a full waiver of such provision or waiver of any other provision hereunder or a waiver of any earlier or later default.
16. All notices and communications hereunder shall be in writing and deemed duly given if personally delivered or delivered by facsimile or certified mail, return receipt requested, postage prepaid as follows:

If to ANC4A, to:

Advisory Neighborhood Commission 4A
7600 Georgia Avenue, N.W., Suite 205
Washington, DC 20012
ATTN: Chair
Email: 4A@anc.dc.gov

If to TLGN, to:

The Little Green Nest
1353 Tuckerman Street, N.W.
Washington, DC 20012
ATTN: Ana Maria Lora-Garcia
Email: thelittlegreennest@yahoo.com

Either party may change its address by notifying the other party in writing of its new address by delivering notice as required in this Section.

Notice shall be deemed effective as follows: by personal delivery, upon the day of delivery, with a written receipt therefor; by certified mail, two (2) business days from the date of mailing; and by overnight courier, one (1) business day from the date of deposit of such notice with the courier.

17. Any date specified in this Agreement which is a Saturday, Sunday or legal holiday shall be extended to the first regular business day after such date which is not a Saturday, Sunday or legal holiday observed by the Government of the District of Columbia.
18. Any reference herein to the singular shall include the plural and reference to the male, female, or neuter gender shall include reference to all other genders.
19. Time shall be of the essence with regard to all matters contained within this Agreement.
20. This Agreement may be executed in counterparts, such that all counterparts when read together shall constitute one instrument.

[SIGNATURES FOLLOW]

This Neighborhood Cooperation Agreement is executed and delivered as of the Effective Date.

THE LITTLE GREEN NEST

By: _____
ANA MARIA LORA-GARCIA, sole proprietor

ADVISORY NEIGHBORHOOD COMMISSION 4A

By: _____
DWAYNE M. TOLIVER, Chair