AFRICAN COMMUNITY CENTER, INC.

39 NEW YORK AVENUE, N.E., SECOND FLOOR, WASHINGTON, D.C. 20002 (202) 289-8005

November 13, 2001

Board of Zoning Adjustment
District of Columbia Government
Suite 220, Judiciary Square
441 – 4th Street, N.W.
Washington, D.C. 2001

Re: Variance Application of 33 New York Avenue, LLC for 39 New York Avenue, N.E.

Dear Gentlepeople:

On or about August 21, 2001 we submitted an application on behalf of 33 New York Ave., LLC with full authority of the said requesting this honorable Board. ("Board" hereafter) to grant parking variance to African Community Center, Inc of 39 New York Ave. 2nd floor. Thereafter we received a Communication from the board with instructions and guidelines to follow thus including but not limited to contact the Neighborhood Advisory Community located at Ward 6 A.

All efforts and attempts to contact anyone at the telephone number, (202) 547 – 8741 failed. An attempts were made on September 6, 18 and 26 respectfully by leaving messages on the answering machines with our telephone number, yet we received no calls back in response to our messages left.

BZA Case No. 16785 Exhibit No. 28

Board of Zoning Adjustment
District of Columbia
CASE NO.16785
EXHIBIT NO.28

On or about October 10, 2001 we received a letter from Mr. Arthur F. Jackson, Jr. of the District of Columbia Office of Planning asking us to contact him. On or about October 15, 2001 we met with Mr. Jackson and Ms. Deborah L. Crain (Neighborhood Planner for Ward 5) at which time we inspected the building together. It is during said meeting that Mr. Jackson realized that the jurisdiction of our application is within Ward 6A. We were given Ms. Karina Ricks as the representative and to contact her as soon as possible. We were also asked to contact Ms. Loraine Bennett of the Office of Zoning regarding work to be done to obtain occupancy certificate and to contact Mr. Rick Nero of Zoning Board regarding same.

On or about October 18, Mr. Eniola personally met with Ms. Ricks at her office at 801 N. Capitol street, 4th floor, and Mr. Eniola was told by Ms. Ricks that she had little to do with the project but will go along with Mr. Jackson's recommendation. On the same day Mr. Eniola visited Ms. Loraine Bennett at her office at 941 N. Capitol Street 2nd Floor and while discussing this matter, it became evident that Ms. Bennett had not the vivid imagination of the matter except to say that a certificate of occupancy inspection and or process does not start up and until the granting of the Variance from the Board. Hence, she sees no basis for Mr. Jackson's concern.

During Mr. Jackson and Ms. Crain's visit we promised to have two (2) packing spaces available for handicapped parking. The spaces are Public spaces for which permission can be obtained through the Department of Public Works.

On or about November 2, 2001 as a result of telephone call from Lieutenant William F. Cuiffey of the D.C. fire Department we met at the aforesaid building. After a close inspection of the building Mr. Guffey addressed appropriately recommendation of his concern. We gladly express our willingness to conform and has since been corrected. We also promised Lieutenant Guffey that at no time in the future would we allow more than forty-five (45) people to occupy the Hall at a time for our meeting purposes, exhibit # 1 attached hereto and pray to be made a part hereof.

Subsequently, thereafter our conversation with Ms. Ricks and on November 2, 2001 we received a call from Mr. Jackson requesting that we speak with a Mr. Pernell. According to Mr. Jackson, Mr. Pernell represents NAC ward 6a. We immediately contacted Mr. Pernell at (202) 258-1450 at which time we were told by Mr. Pernell that he has recommended a denial of our application as a result of not being able to contact us. That is not so. It is improper for Mr. Pernell to impose such a harsh penalty both procedurally and substantively. Mr. Pernell should/or could have at least attempted to forward us a letter as Mr. Jackson did but failed to as part of his duty. Mr. Pernell failed to exercise a reasonable degree of care of his office and duty and as a result African Community Center should not be punished.

In addition, Mr. Pernell did not visit and or inspect the interior of 39 N.Y. Ave. and has no intention to understand the purpose and activities of the African Community Center and as a result his recommendation to deny our application is unjust and thus disingenuous. Hence, we respectfully ask that the board grant our application.

Purpose of African Community Center

Sierra Leone is a little country located in the West Coast of Africa with a population of about five (5) million people. This little country is being ravaged by ethnic war over the last decades. It will not be fair to this honorable Board for me to go into the detail sufferings of the innocent children and women of my country, yet many on this Board have learned through media as to the extent of devastation said war left behind. The war is still in progress except that a temporary truce is being negotiated by the United Nations with the help of the United States support.

The African Community Center will serve the Community by providing a space for Community events such as wedding, birthdays, meeting to raise money for Community affairs, communicate with all Sierra Leoneans is distress, marriages, deaths in the community etceteras.

39 New York Avenue, N.E.

The address is centrally located for the Sierra Leone Community residing in the entire Washington D.C. metropolitan area which includes but not limited to District of Columbia, all of Northern Virginia and all the suburbs of Maryland including Baltimore.

It is convenient and easily accessible by Bus, the Metrorail system and by individuals driving. The bus stops are within a block of the building and the Metrorail

system stop is not more than four (4) blocks away (Union Station). Clearly, it is conveniently located for all participants and off-Street parking is abundant because the hall will only be used on Weekends after all businesses are closed.

Hardship

Every effort to locate a convenient place in the District of Columbia, Virginia and Maryland has proved abortive up and until now.

In addition, District of Columbia is located in the Center of the Metropolitan thus easily accessible. Other halls are not easily available as a result of overbooking by other African Communities events. Any event by the Sierra Leone community normally will have to be booked eight (8) to nine (9) months a head of time and as a result Sierra Leoneans events suffers tremendously from participation and from being held and further efforts for another location may be futile.

Conclusion

As a result of all this disadvantages, we requested and received the assistance of the Sierra Leone Embassy to submit a letter on our behalf. Said letter is attached as exhibit # 2 and pray to be made a part hereof. Also a letter of recommendation of

approval by Bintu Investment Group, Inc. is enclosed as exhibit # 3. Finally, it is of our opinion and belief that this Board is just and as a result look forward for your assistance to that end.

Respectfully Submitted,

Tao Eniola
Director of Operations.