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

Date: January 7, 2002

Government of the District of Columbia
Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210-S
Washington D.C. 20001

RE: Application of 33 New York Avenue, N.E. for variance with DC Board of Zoning Application No. BZA-16785

Dear Gentlepeople:

At the November 13, 2001 hearing regarding the above referenced application we were submitted a list of conditions to be met for the approval of our application for parking variance.

After our letter dated December 4, 2001 to the chairperson, Ms. Ivette Basterrechea, a sub-committee meeting was held on the application on December 12, 2001 at 900 G. Street, N.E. at which time the application was approved unopposed. We were requested to appear for the full committee meeting on or about January 3, 2002 and for full approval.

Unfortunately, for reasons beyond our control the committee failed to meet because of lack of space reservation for the meeting by the committee. However, we were told to expect a letter of full approval by Commissioner Gregory J. Ferrell, chair Z & L Committee the following day of January 4, 2002. Said letter has yet to be received up and until this report is prepared. Accordingly, all reports regarding our application is due January 7, 2002 thus our report is prepared. Should we receive any letter before the hearing we hope that this Board will allow its submission.

BZA
Case No. 16785
Exhibit No. 33

Board of Zoning Adjustment
District of Columbia
CASE NO.16785
EXHIBIT NO.33

Secondly, we were required to obtain a letter stating our hardship from 33 New York Avenue LLC, our landlord. Enclosed as exhibit A herein is said letter.

It should be noted that the basis of our variance application is parking. The African Community Center, Inc. has entered into a mutual agreement whereby it will lease for week ends usage the parking lot located at 33 New York Avenue presently used by Skylark Lounge of 1943 New York Avenue N.E. The above is the tenant at 33 New York Avenue, NE and utilizes the space for its administrative business and not as a lounge. Accordingly, the administrative offices is closed on the week-ends during which time African Community Center can make use of the parking spaces. Enclosed here with is exhibit B.

We committed ourself to the Fire Department to make all repair suggested at our meeting. Said repairs is being done and completed. In addition, at Mr. Arthur F. Jackson, Jr. of the office of Planning request we met with Mr. Robert Chen at the office at 941 North Capitol Street for the purposes of this hearing. According to Mr. Chen his office can do no inspection up and until application for Certificate of Occupancy is filed. Mr. Chen can be reached at (202) 442 – 4678.

Respectfully Submitted.



Tao Eniola, Director of Operations
African Community Center.

Exhibit A

December 4, 2001

D.C. BOARD OF ZONING ADJUSTMENT
441 FOURTH STREET, N.W.
SUITE 210 – S.
WASHINGTON, D.C. 20001.

RE: 39 NEW YORK AVENUE, N.E. VARIANCE.

This letter is being forwarded to the Zoning Board Adjustment of the District of Columbia as a result of the hearing of November 13, 2001, requesting the hardship and relief request of this Zoning Board Adjustment (hereafter "Board") from us as the properly owner.

We have in the past hard problems regarding interested renters unwilling to submit application for parking variance relief because of lack of cooperation from the government. As a result our building remained vacant for several years with a loss of income while taxes are paid.

Mr. Bundu and the African Community Center, Inc. is the only company willing to gamble in an attempt to obtain occupancy certificate for their intentional use which according to knowledge and belief is not against the law. In addition, the usage is for good cause to benefit the African Communities as a whole. Thus by the granting of the parking variance would relief us of lack of renter and revenue to the said building.

Hence, we are respectfully requesting this Honorable Board to grant our application for parking variance as a result of the hardship described above.

Very truly yours,

Jerry H. Shuff – Managing Partner.

Exhibit B



1943 New York Ave.
NE Washington DC 20002

December 10, 2001

DC Board of Zoning Adjustment
Suite 210-S
441 4th. Street N.W.
Washington DC. 2001

RE: Parking Variance Application of the
33 New York Ave, LLC.

This is to certify that our company and African Community Center, Inc. of 39 New York Ave. N.E. entered into a mutual agreement whereby the said will utilize our parkings only on the weekends from 5.00p.m. Fridays through 12.00 a.m. Mondays. Our company do not conduct business during that period.

It is mutually understood that African Community Center will use said parkings for the purposes of their meeting to promote cultural events. As a result of the said understanding a separate key has been issued to Mr. Franceis Bundu, the president of the company.

Should your office need additional information please do not hesitate to contact me at 202-832-7490

Sincerely,

Bobby Bell
President

CC: Francis Bundu
African Community Center, Inc.

Jerry H. Shuff
Managing Partner
33 New York Ave, LLC.