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January 17, 2003

Mr. Geoffrey Griffis, Chairman
Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210
Washington, DC 20001

Re: Most Worshipful Grand Lodge of Washington DC BZA case # 16938

Dear Mr. Griffis:

Please find enclosed drawings of the proposed plan in support of the application for case no. 16938. These drawings illustrate the specific parameters enumerated in our Second Amended State of Existing and Intended Use in Support of Application, that shows our compliance with the law.

Sincerely,

Jimmy A. Bell, Esq.
Attorney At Law

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BZA
Case No. 16938
Exhibit No. 37

Board of Zoning Adjustment
District of Columbia
CASE NO.16938
EXHIBIT NO.37

Docket No. 16938

SECOND AMENDED STATE OF EXISTING AND INTENDED USE IN SUPPORT OF APPLICATION

Comes now the Petitioner through their agent, Jimmy A. Bell, Esq. for the Most Worshipful Prince Hall Grand Lodge of the District of Columbia, which was founded in 1848. **We are writing to amend the application in Case # 16938 to exclude Lot # 824 and #825 from the application.** The only lot we are making an application for is defined as Lot #827 in square 333, which is located at 1906 Vermont Avenue, N.W. Washington D.C. 20001. Lot 827 in Square 333 Contains 5226 square feet. One third of this area must be in landscaping or 1,742 square feet. The proposed site development plan contains 2,180 square feet of landscaping. A contract to perform the required landscaping has been entered into with The Behnke Nursery Company. The plan has been presented showing a 21-car parking lot; there have been no changes pursuant to the last approval for the Use & Occupancy. We have identified spaces 1, 2, 3, as parking for persons with disabilities, these spaces are van accessible. Pursuant to District of Columbia Municipal Regulation 214.3 all the accessory parking spaces are located entirely within the area previously approved by the board.

The Most Worshipful Prince Hall Grand Lodge has added a masonry wall separating the parking lot from the neighboring 1015 T Street, NW residence (owned by Prince Hall Grand Trusties), as identified in the zoning letter. This wall will be 42 inches high, 12 inches wide and 78 feet long. The Trustees also own lots 824 & 825, which are vacant, and the planning/development for the lots has not been determined therefore, the same separation wall between 824 & 825 has not been added. When the development for these lots is determined, the established direction will be followed. Pursuant to District of Columbia Municipal Regulation 214.4, this premises is separated from the Most Worshipful Prince Hall Grand Lodge of the District of Columbia at 1000 U Street, NW, only by a paved public alley. The parking lot is separated from the Masonic Temple by the same alley used for egress from the parking lot. Additionally the premise is accessible via a public street. Ingress and egress are the same for the parking lot as approved in 1985. Vermont Avenue is the main entrance and exiting location. We also have an exiting location via an existing gate to the alley.

A boundary survey of the parking lot has been completed. The survey shows some encroachment into public space by the asphalt paving which the landscape contractor will remove. The survey also shows a section of paving along T Street where the paving can be extended to the property line. This adjustment will also be made. The subject premises is currently in an R-4 Zone. The premises of 1902 Vermont Avenue, NW has been used for accessory parking to 1000 U Street, N.W. since 1974.

In 1974, we petitioned the District of Columbia for an exemption to the zoning law to permit parking on the lot we have owned and that petition was granted. This property has been used for accessory parking via an open paved public ally and a public street, 1000 U Street, N.W., since 1974. We have continuously used this property (which we own) as a parking lot since 1974. The only thing that has changed is the demographics of the neighborhood.

The Board of Zoning Adjustment last granted the very exception requested in the instant

case in a decision dated March 3, 1982. This decision was delivered based on evidence presented at a hearing on February 17, 1982. In most pertinent part the findings of fact where:

FINDING OF FACTS:

1. The subject property is located on the northwest corner of the intersection of Vermont Avenue and T Street, N.W., and is known as premises 1902 Vermont Avenue, N.W. It is located in an R-4 District.

2. By Order No. 12215, dated November 8, 1976, the Board approved the continuation of this parking lot for five years.

3. The subject lot is approximately 5,226 square feet in area and provides twenty-one parking spaces.

4. The parking lot is used by the members of the Most Worshipful Prince Hall Grand Lodge and tenants of that building which is located to the north of the site at 1000 U Street, N.W. It is not available for general public parking.

5. The hours of operation of the subject parking lot are from 8:00 A.M. to 12 Midnight. There is a guard on duty during hours of operation and the lot is secured at midnight by a locked gate.

6. The applicant testified that the lot complied with al the conditions of BZA Order No. 12215. The Board so finds.

7. The subject lot is well maintained and the representative of the applicant testified that he has never received any complaints in reference to the subject lot. There is a sign on the attendant's shelter advising of the ownership of the lot.

8. The record was left open at the end of the public hearing for referral of the application to the D.C. Department of Transportation and the submission of the DOT report.

9. By memorandum dated March 2, 1982, the Department of Transportation advised the Board that it had identified no adverse traffic impact on the surrounding street system and had no objection to the continued use of this parking lot.

The Board of Zoning Adjustment last granted very exception requested in the instant case in a decision dated March 3, 1982. This decision was delivered based on evidence presented at a hearing on February 17, 1982. In most pertinent part the conclusions of law where:

CONCLUSIONS OF LAW

A. Approval shall be for a period of Five years from the date of expiration of the previous certificate of occupancy, which may be renewed at the discretion of the Board upon the filing of a proper application.

B. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

C. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

D. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

E. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

F. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.

G. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting be confined to the surface of the parking lot.

Since the time of the March 3, 1982 decision nothing has changed except the addition of improvements to the lot.

Since 1974, the parking lot has been designed and maintained so as not to be knowingly objectionable or cause any adverse effect to neighboring property. We have never received any complaints regarding undesirable activities on the lot. We have membership of more than 5000 men and women, a majority of which are over 50 years old and live in the District of Columbia. On most evenings, 1000 U Street, N.W. is visited by more than 150 of its members, many elderly or disabled. The hours of operation are 8:00am until 12:00 midnight on weekdays and 8:00am until 2:00am on weekends. A locked gate will secure the subject site when not in use and with a guard on duty during evening hours.

Although the site is located in a demographically changing commercial area, the surrounding neighborhood is rapidly reverting to its former place of historical and cultural prominence. A literal renaissance of entertainment venues, businesses, and

dining facilities is well underway. The recently dedicated Black Civil War Memorial is adjacent to 1000 U Street and the Bohemian Caverns Restaurant rests on the same block. The completion of the multi-unit housing complex at the intersection of 11th and U streets, along with the aforementioned sites, are just a few examples of the vast influx of business and commerce in the area. This growth has created a tremendous demand for off street parking without making provisions for such. Again the site has been designed and maintained so as not to be knowingly objectionable or cause any adverse effect to neighboring property.

As you my be aware, the origin of this Grand Lodge may rightfully be traced back more than 200 years to the organization and establishment of the first Lodge of black Masons in Boston, Massachusetts during the late 1700's. That Lodge was founded by Prince Hall who, along with fourteen other men of color, were made Master Masons in a Military Lodge. On June 6, 1848 a Master Lodge, Social Lodge No. 7 (now Social Lodge No. 1), was established in the District of Columbia and constituted the first Lodge below the Mason-Dixon Line. The origin of the Most Worshipful Prince Hall Grand Lodge of the District of Columbia dates back more than a century and a half ago. During 1945-1946, the name of the Grand Lodge was changed and incorporated under the laws of the District of Columbia as the Most Worshipful Prince Hall Grand Lodge, F. & A.M., Inc. of the District of Columbia.

Freemasonry is an age-old organization whose goal is to make good men better men. The Grand Lodge adopted a public school located near its Temple and Grand Lodge members serve as consultants, tutors, monitors, readers, guides, etc. as needed at the school. The Grand Lodge also conducts a computer-training program for young people from across the city. Many Prince Hall Subordinate Lodges in this area operate programs independently of the Grand Lodge. These programs include clothing drives, family-adoption programs, and traditional activities such as distributing baskets of food and clothing during the Thanksgiving and Christmas seasons.

The Grand Lodge makes a contribution to the National Negro College Fund (NNCF) during the annual NNCF Telethon. These contributions range between $2000-$3000 each year.

The Grand Lodge also administers its own scholarship program for students who reside in the metropolitan area. Each year 50 or more high school seniors are given scholastic aid totaling upwards of $75,000. Since 1957 we have contributed approximately $1.5 million in scholarship aid to Washington, DC students.

One of the most unique projects sponsored by the Prince Hall Grand Lodge of the District of Columbia is the Woodlawn project. Woodlawn Cemetery is steeped in black history and is the final resting place for many notables of the past. Since 1987 the Prince Hall Grand Lodge has supported the restoration of the cemetery, and much has been done

to restore it to its earlier prominence.

The Prince Hall Grand Lodge can boast of a rich history and numerous accomplished members dating back to the establishment of the organization. Listed below are a few notable Prince Hall Masons:

10. Benjamin Banneker - Designed the nations capital/Inventor/Astronomer
11. W.E.B. DuBois - Educator/Author/Historian
12. Booker T. Washington - Educator/Founder of Tuskegee Institute
13. A. Phillip Randolph - Founder/President of International Brotherhood of Sleeping Car Porters
14. Nathaniel "Nat King" Cole - Singer
15. Al Green - Singer
16. Edward Kennedy "Duke" Ellington - Orchestra Leader/Composer
17. Lionel Hampton - Orchestra Leader/Composer
18. William "Count" Basie - Orchestra Leader/Composer
19. Louis "Louie" Armstrong - Jazz Musician
20. Ossie Daivs - Actor/Director/Playwright
21. Alex Haley-Author
22. John H. Johnson - Publisher/EBONY and JET magazine
23. Richard Pryor - Actor/Comedian
24. Don King - Boxing Promoter
25. Jack Johnson - First Black heavyweight boxing champion in U.S.
26. Benjamin L. Hooks - Former Executive Director of the N.A.A.C.P
27. Kweisi Mfume - President and CEO of the N.A.A.C.P
28. Bishop Desmond Tutu - Former Secretary General, South Africa of Churches
29. L. Douglass Wilder - The first Black elected Governor of Virginia.
30. Andrew Young - Former Mayor of Atlanta and U.N Ambassador
31. Charles B. Rangel - U.S. Congressman, NY
32. Thurgood Marshall - Associate Justice, U.S. Supreme Court
33. Rev. Al Sharpton - Civil Rights Advocate
34. Medgar Wiley Evers - Civil Rights Leader
35. Rev. Jesse Jackson - Civil Rights Leader/Founder of the Rainbow Coalition and Operation Rush
36. Marion Barry - Former Mayor of Washington DC.
37. Anthony Williams - Mayor of Washington DC.
38. Jimmy A. Bell, Esquire - Filed and resolved the first Anthrax case in the history of America which involved the death of a postal worker from the Brentwood Postal facility in Washington, DC

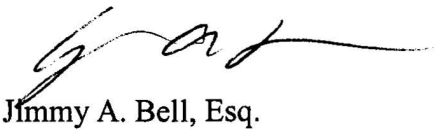
These notable Prince Hall Masons are some of the stepping-stones of this organization, from the past to the present. They have paved the way for future members and Prince Hall Masons will continue to help the community and their fellow man to excel and strive for their beliefs and rights. Please help us to continue to our goal to make good men better men.

It is our understanding that the ANC is to be afforded considerable weight in this matter.

We believe in light of the clear bias demonstrated by the ANC-1B representative that this weight is diminished. The ANC representative was cautioned about the inappropriate nature of the following statement by Chairperson Griffis at the November 26, 2002 hearing. "Would you please inform the applicant that the ANC-1B will meet on December 4th. We would like the information before then, and we **will vote unanimously in opposition at that time**." This statement demonstrates the position of the ANC is static and any amendment or new information that we provide will be summarily disregarded.

Many organizations including the Washington DC Branch of the NAACP support our position. We also have Support from Councilman Vincent Orange.

Respectfully Submitted,



Jimmy A. Bell, Esq.
Agent for the Most Worshipful
Prince Hall Grand Lodge for the
District of Columbia