Form 125 — Exhibit 1
(Revised 03/15/02)

Case No.

BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

APPEAL

Notice: Click Here for Appeal Form Instructions

Pursuant to Section (s) §3100 and §3101 of the Zoning Regulations of the District of Columbia, an appeal is hereby taken

from the administrative decision of:*	Zoning Administrator		
made on*	08/19/2004	, to the effect that*	

Coggins Sandwich Corporation, a tenant of George Washington University, may operate a commercial restaurant in an R-5-D zone. The certificate of occupancy issued on August 19, 2004 allows a commercial restaurant. It allows the use the public space for an outdoor cafe at 616 23d Street in violation of the laws governing use of public space, ZC Order 958 Case No. 01-21CP/16553, 11 DCMR secs. 350-354, and granted permits for that construction without approval for the use of the public space by the Public Space Committee. In addition, no certificate of Occupancy should have issued on August 19, 2004 because there is no bathroom in the restaurant. See attached sheet.

Address(es)* of Affected Premises	Square(s)*	Lot(s)*	Zoning Districts*
616 23d St NW	43	26	R-5-D

Present Use of Property:*	dormitory		
Proposed Use of Property:*	restaurant (including outdoor cafe)		
Owner of Property:*	George Washington University	Telephone No.:*	(202)994-1000
Name, address and telephone number of lessee:			
Coggins Sandwich Corporation 616 23d St NW Washington, DC			
Name, address and telephone number of appellant, if other than owner:			

Dorothy Miller, Commissioner ANC 2A05 2440 Virginia Ave., NW Washington, D.C. 20037 ANC 2A will vote on this appeal on October 20, 2004

State specifically manner in which appellant is aggrieved by the administrative decision, the allegations of error in the administrative decision, and the relevant sections of the Zoning Regulations (see reverse for more detailed explanation).

Please use a separate piece of 8 ½" x 11" to respond and attach it to the Form 125 Appeal.

Date:*	09/28/2004	Signature:	

* If appeal is filed by agent of the Appellant, Form 125 Appeal shall be accompanied by a letter signed by the appellant authorizing the agent to act on his behalf in this appeal.

To be notified of hearing and decision:
(Appellant or Authorized Agent)*

Name:*	Dorothy Miller						
Address:*	2440 Virginia Ave., NW	City:*	Washington	State:*	DC	Zip:*	20037
Phone No.:*	(202)331-0191	Fax No.:	(202)331-0947	E-Mail:	dorothymiller5@aol.com		

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Attachment: (1) Certificate of Occupancy Permit No. 81956

BZA
Case No. 17249
Exhibit No. 2

Board of Zoning Adjustment
District of Columbia
CASE NO.17249
EXHIBIT NO.22

INSTRUCTIONS

Any notice of appeal for an administrative ruling as provided by the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted. ***Do not mail this form to the Board of Zoning Adjustment.***

1. All applications shall be made on BZA Form 125. All appeal forms must be completely filled out and be typewritten or printed. All information shall be furnished by the appellant. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11"x 17").

2. Present this form and supporting documents, in person, to the Office of Zoning at 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

3. At the time of filing an appeal before the Board of Zoning Adjustment, the Appellant shall pay a filing fee of $800.00 in accordance with the Board of Zoning Adjustment Schedule of Fees (11 DCMR §3180), except as provided in §3180.3 and §3180.4.

4. ***REQUIRED information to be submitted when making an application submission, includes one (1) original and twenty (20) copies of the following:***

   A. All Appellants are required to submit in specific detail each and every exception they have to the administrative decision. Details should state the allegations of error in the administrative decision – "why it was an error" and reference the relevant Sections of the Title 11 DCMR Zoning Regulations and/or Map. It shall be typewritten or printed and attached to Form 125 Appeal.

   B. A detailed statement at the time of filing explaining how the appellant intends on proving their case.

   C. In the case of an area variance, a plat drawn to scale and certified by a DC licensed survey engineer or D.C. Surveyor's Office showing boundaries and dimensions of the existing and proposed buildings and accessory buildings. Also required are, if any, architectural plans and elevations in sufficient detail to clearly illustrate any proposed building to be erected or altered, proposed landscaping/screens and building materials as they relate to the specifics of the appeal. Submittal of plat and plans shall not exceed 11" x 17" in size. (See Form 130 – Plat, Plan and Elevation Specifications for the required information on these drawings.)

Note: **All Appellants are required at the time of filing to serve all parties; including, as appropriate, the Appellee, the Owner of the property, the Lessee, and the Advisory Neighborhood Commission. Also please note, in an appeal only parties can testify or submit information into the record; however, parties may solicit pertinent information from affected persons to include in their submissions into the record.**