

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

Case No.

17745

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:*

DCRA

made on*

08/23/2007

, to the effect that*

DCRA improperly issued the following Permit #100336 for 4849 Wisconsin Ave. NW in violation of applicable regulations including but not limited to the regulations cited in the attached Resolution of ANC3E dated October 11, 2007.

Address(es)* of Affected Premises	Square(s)*	Lot(s)*	Zoning Districts*
4849 Wisconsin Av. NW	1736	57	C2A

Present Use of Property:*

Theatre

Proposed Use of Property:*

Theatre

Owner of Property:*

Donovan Property LLC 1134 Hales Worth
Dr., Rockville, MD (Attn: David Fontana)

Telephone No.:*

(703)891-1100

Name, address and telephone number of lessee:

Commerce Bank 9000 Atrium Way, Building #1 Mount Laurel, NJ 08054 (Kinley Dumas, Att. (202) 715-8572 // Legal Counsel)

Name, address and telephone number of appellant, if other than owner:

ANC3E -- Amy McVey, Chair c/o Lisner Home 5425 Western Ave. NW, Washington DC 20015 (anc3e.org) (202)966-7047

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 1/2" x 11" to respond and attach it to the Form 125 Appeal.

Date:*

10/18/2007

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:*

Amy McVey, Chair, ANC3E

Address:*

4600 Albemarle St. NW

City:*

Washington

State:*

DC

Zip:*

20016

Phone No.:*

(202)966-7047

Fax No.:

(202)966-9276

E-Mail:

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ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM
WILL NOT BE ACCEPTED.BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

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EXHIBIT NO.

1

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Board of Zoning Adjustment
District of Columbia

CASE NO. 17745

EXHIBIT NO. 11

10/17/2007