

Law Offices
STEPHEN N. GELL
A Professional Corporation

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Washington, D.C. 20007
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March 31, 2009

Ms. Ruthanne Miller, Chairperson
District of Columbia
Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, DC 20001

Re: 1179 Third Street, N.E., Sq. 773, Lot 277
BZA Case No. 17902

Dear Ms. Miller:

On behalf of Mr. Joseph Park, I am submitting herewith letters from Jane A. West and Tarez White of 1171 3rd Street, N.E. stating that they had purchased goods at Oasis Liquors during 2006. In addition, credit card activity in December, 2007 and January, 2008 show that business activity was taking place at the store. Most of his business was on a cash basis so there was little credit card activity during this period.

Mr. Park maintained his liquor license during this period. However, in March 2008, circumstances forced him to put the license in safe-keeping. These facts and Mr. Park's testimony show that he did not intend to abandon the business. Moreover, there was technically no abandonment since he ran the store on a periodic basis.

Finally, it is not insignificant that a building permit issued in July, 2008 enabled Mr. Park to make renovations to the building in anticipation of a lessee. Moreover, having undertaken the renovations at considerable cost, Mr. Park is entitled to show that the government's action was barred by equitable estoppel. Acting in good faith, he made expensive repairs after DCRA issued him a permit. He had no reason to know that he had done anything wrong. His decision to operate on a reduced schedule was dictated by his age and illness. Admittedly, there were periods when he could not open

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17902
EXHIBIT NO. 14

the store. However, he continuously looked for a buyer or lessee of the business, again showing intent to maintain, not abandon his business.

Mr. Park will testify at the hearing.

Yours very truly,



Stephen N. Gell



Merchant Financial Activity Statement

American Express
PO Box 53852
Phoenix, AZ 85072-3852

Establishment
Services

Settlement Period 12/12/07 through 01/11/08 Page 1 of 3
For questions concerning your account please call 1-800-528-5200

Service Establishment Name	Service Establishment Number
OASIS LIQUOR AND GR	408 002 862 4

SUMMARY FOR SETTLEMENT PERIOD

Totals & Submissions	Trans Count	Sales Amount	Credit Amount	Discount Amount	Fees & Incentives	Settlement Amount
Opening Debit Balance		5.95-				5.95-
Total Adjustments	1	5.95				5.95
Period Total	1					0.00

Report continues on following page...

OASIS LIQUOR AND GR
1179 3RD ST NE
WASHINGTON DC 20002-3405

Receive this report online by enrolling in Online Merchant Services(OMS).
Go to www.americanexpress.com/merchantservices.

9233 Kristin Ln.
 Fairfax, VA 22032
 Tel 202)213-0866/703)655-4846
 Fax 703)426-0879

Date	Invoice #
6/14/06	

Bill To	Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
Quantity	Item Code	Description			Price Each	Amount
2	SLH-6400	90 DAYS LIMITED WARRANTY ON PHONE BATTERY & CHARGER EXCLUDES DAMAGE PHONE AIRTIME WILL EXPIRE IN 180 DAYS			31.95	63.90
2	no card				16.50	33.00
Total					\$ 96.90	

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

*late keeping
NO licence issued!
ZAC*

\$2,600 on 3/24/08 ZAC

OFFICE OF FINANCE AND TREASURY
Date: 3/24/2008 12:17 PM
Office: 2470000 Term: 04/01/08
Batch: 2094 Batch Date: 02/23/08
Cashier: NCEP18
Trans #: 67
PCRB: 00012657

INSTRUCTIONS AND BILL FOR 3RD YEAR PAYMENT FOR ALCOHOLIC BEVERAGE CONTROL RETAILER LICENSE CLASS "A" \$2,600.00

PLEASE NOTE CHANGE IN PROCEDURE

MAIL-IN PAYMENTS: You may now mail in your payment for the 3rd year annual license fee along with the fee for an approved tasting permit. Answer items 1 – 7 below. Print your name and title, sign your name, and date the form. Indicate the trade name of your establishment and the license number on your check or money order. The completed form and the check or money order must be placed in the envelope provided to you and mailed to the Alcoholic Beverage Regulation Administration, PO Box 92300, WDC 20090.

FEE: Payments for the Retailer's Class A license must be **POSTMARKED** by March 31, 2008. All mail-in payments can be made in the form of a cashier's check, certified check, business check, attorney's check, personal check, or money order, payable to the DC Treasurer. **CREDIT CARD PAYMENTS WILL NOT BE ACCEPTED THROUGH THE MAIL. DO NOT SEND CASH.** Please be advised that if the postmarked date is after March 31, 2008, you will be notified of the late fee and you will not receive your license until the late fee has been paid. Licenses will be mailed to the licensees by April 15, 2008. Licenses must be posted immediately in a conspicuous manner.

LATE FEES: Beginning April 1, 2008, a late fee may be imposed by the Board pursuant to Title 23, D.C. Municipal Regulation § 208.2 (2004): "The Board may impose late fee upon a licensee for failure to timely remit the second or third year fee, or the renewal fee, in the amount of \$50.00 for each day after the due date of payment. The total amount of late fee to be paid to ABRA shall not exceed the annual cost of the license. The Board may suspend a license until the licensee pays the second or third year fee and any additional fee imposed by the Board for late payment. A licensee who has not renewed timely shall not be permitted to sell or serve alcoholic beverages with an expired license". This late fee may be imposed if your payment is not postmarked by March 31, 2008.

CANCELLATION OF LICENSE: On April 15, 2008, information will be sent to the ABC Board to suspend your license. If payment has not been postmarked by March 31, 2008, the District Wholesalers and the Metropolitan Police Department will also be notified that you cannot sell any alcoholic beverages. For additional information, do not hesitate to contact the Licensing Renewal Division at 202-442-4423 Monday through Friday from 8:30 a.m. – 4:00 p.m. Your continued compliance is appreciated.

1. License #: 8711	2. Check amount of Payment for License Fee: ☒ 3 rd yr. \$2,600	3. Check Amount of Payment for an Approved Tasting Permit ☐ 3 rd yr. \$130	4. TOTAL PAYMENT: BILL CODES 60017/20100/3017/9010/6017 Enter Sections 2 and 3 \$2,600
5. Trade Name: OASIS LIQUORS			
6. Address: 1179 3RD ST, NE WASH, DC 20110			
7. In what language do you need vital documents translated? English			

JOSEPH M. PARK OWNER *Joseph M. Park* **3/24/08**
Name and Title (print) Signature Date

DO NOT COMPLETE ANY INFORMATION BELOW.

The Alcoholic Beverage Regulation Administration (ABRA) has completed the 3rd year payment process for the license period of 04/1/2008-03/31/2009. The current license was mailed on _____

SPECIAL NOTICE

The District of Columbia will provide the appropriate services and auxiliary aids, including sign language interpreters, whenever necessary to ensure effective communication with members of the public who are deaf, hearing impaired or who have other disabilities affecting communications. Requests for services and auxiliary aids should be made at least ten (10) days prior to any scheduled hearing. Please notify the ADA Coordinator at (202) 442-4423.

Office of Finance
and Treasury

Date: 3/24/2008 12:17 PM
Office: 941NCap Term:D6JPOLB1
Batch: 20 Batch Date:03/24/08
Cashier:ncap18
Trans #:67

DCRA

Rept: 00233657

Comment/Document:

Payment Total: \$2,600.00

Payment Distribution:

9999 MISC \$2,600.00
VS Tendered: \$2,600.00

Thank you for your payment.
Have a nice day!

SALES DRAFT

DC GOVT CUSTOMER/REG
941 N CAPITOL ST
WASHINGTON, DC 20542
TERMINAL 0555844

901165399999
03/24/2008 11:12:01

VS XXXXXXXXXXXX2408
AUTH. TRANS. ID. 00000456518937
INVOICE 30014 R02
AUTH. CODE 11422/E

SALE TOTAL \$2600.00

CUSTOMER COPY

Nov. 13, 2008

To Whom It May Concern:

It is my recollection and testimony that I had purchased some of merchandises such as Lignori Beer, wine and beverages around April 2006 since I reside the same block to the store.

I might add that I support the establishment without any objections or reservations in my mind because we need them.

I has been very convenient for us in the past

Sincerely,

James A West

1171 3RD ST NE

WASHINGTON DC

Phone* (202) 547 5347

11/13/08

To Whom It Concerns:

I Tarez White purchased soft disk
at Oasis liquor store about sometime March 2006.

At my testimony that I purchased
Oasis liquor. We need that store because
it is my conviction.

I like to come back that store
for business opportunity.

Respectfully,
TAREZ White


1176 3rd St. N.E.

BZA Case No. 17922

[illegible]

To the Board of Zoning Adjustment:

BZA Case No. 17922

We, the undersigned neighbors of the Oasis Liquor Store at 1179 3rd Street, N.E. support the application for a variance to allow the store to continue operating as it has for more than 20 years.

Name (Write)	(Print)	Address	Date
Linda Donaldson	LINDA DONALDSON	1153 Abbey Pl NE	3-18-09
Dawn Walker	DAWN WALKER	1117 Abbey Pl NE	3-18-09
James Braxton	JAMES BRAXTON	1168 - ABBEY PL	3/18/09
Dahnia R. Proctor	Dahnia Proctor	1129 Abbey Pl, NE.	3/18/09
Diane Proctor	Diane Proctor	1129 Abbey Pl, NE.	3/18/09
Tyrone Johnson		1139 Abbey Pl	3/18/09
Michael Stewart		1177 Abbey Pl	3/18/09
Debra Thompson		1124 Abbey Pl WDC-20002	3-18-09
Billie Robinson		1115 3rd St NE	3/18/09
Charlie Robinson	Charlie Robinson	1166 - Abbey Place NE	3-18-09
Ronald Wills	Ronald Wills	#637-L-ST, NE.	3-22-09
Jim Tapel	Jim Tapel	1175 3rd St NE	3-22-09
Calvin Alston	CALVIN ALSTON	1175 3rd St NE.	3-22-09
Lawrence White	LAWRENCE WHITE	1173 3rd St, N.E.	3-22-09
Rodney Murphy	Rodney Murphy	1143 Abbey Pl, N.E.	3-22-09

To the Board of Zoning Adjustment:

BZA Case No. 17922

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Name (Write)	(Print)	Address	Date
Merrilee Ather	Merrilee Ather	1113 3rd St NE	3/22/09
John Rolfe	Garry Rolfe	1111 5rd St NE	3/22/09
Andre Ervin	Andre Ervin	1116 3rd St N.E.	3/22/09
A. Young		1114-3rd St N.E.	3/22/09
Morgan Thomas	Morgan Thomas	1136 5th St NE	3/22/09
Linda Hillard	Linda Hillard	1140 Abbey Pl. N.E.	3/22/09
Gloria Murphy	Gloria Murphy	1142 Abbey Pl. NE	3/22/09
Hampton Murphy	Hampton Murphy	1142 Abbey Pl. N.E.	3-22-09
Leri Murphy	G. Murphy	1143 Abbey Pl, NE	3-22-09
Clyde Murphy	C. Murphy	1143 Abbey Pl NE	3-22-09
Charles Ballard	Charles Ballard	1125 Abbey Pl	3-22-09
John A. Ballard	John A. Ballard	1137 Abbey Pl	3-22-09
Monica H. Page	Monica H. Page	1151 Abbey Pl	3/22/09
Maxine Mackall	Maxine Mackall	1155 Abbey Pl NE	3-22-09

BZA Case No. 17922

[illegible]

BZA Case No. 17922

[illegible]

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March 31, 2009

Ms. Ruthanne Miller, Chairperson
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Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, DC 20001

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17902
EXHIBIT NO. 14 *PA**

Re: 1179 Third Street, N.E., Sq. 773, Lot 277
BZA Case No. 17902

Dear Ms. Miller:

On behalf of Mr. Joseph Park, I am submitting herewith letters from Jane A. West and Tarez White of 1171 3rd Street, N.E. stating that they had purchased goods at Oasis Liquors during 2006. In addition, credit card activity in December, 2007 and January, 2008 show that business activity was taking place at the store. Most of his business was on a cash basis so there was little credit card activity during this period.

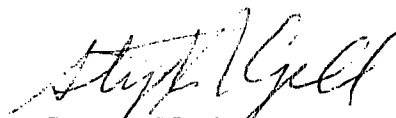
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Finally, it is not insignificant that a building permit issued in July, 2008 enabled Mr. Park to make renovations to the building in anticipation of a lessee. Moreover, having undertaken the renovations at considerable cost, Mr. Park is entitled to show that the government's action was barred by equitable estoppel. Acting in good faith, he made expensive repairs after DCRA issued him a permit. He had no reason to know that he had done anything wrong. His decision to operate on a reduced schedule was dictated by his age and illness. Admittedly, there were periods when he could not open

the store. However, he continuously looked for a buyer or lessee of the business, again showing intent to maintain, not abandon his business.

Mr. Park will testify at the hearing.

Yours very truly,



Stephen N. Gell

NOV-17-2008 07:14

P.014/014

9233 Kristin Ln.
Fairfax, VA 22032
Tel 202)213-0866/703)655-4846
Fax 703)426-0879

Date	Invoice #
6/14/06	

Bill To	Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
Quantity	Item Code	Description			Price Each	Amount
2	SLH-6400				31.95	63.90
2	no card				16.50	33.00
90 DAYS LIMITED WARRANTY ON PHONE BATTERY & CHARGER EXCLUDES DAMAGE						
PHONE AIRTIME WILL EXPIRE IN 180 DAYS						
Total					\$ 96.90	

NOV-17-2008 07:03

P.006/014



Merchant Financial Activity Statement

American Express
PO Box 53852
Phoenix, AZ 85072-3852

Establishment
Services

Settlement Period 12/12/07 through 01/11/08 Page 1 of 3
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1179 3RD ST NE
WASHINGTON DC 20002-3405

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11/13/08

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At my testimony that I purchased
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it is my conscience.

I like to come back that store
for business opportunity.

Respectfully,
TAREZ White



1176 3rd St. N.E.

Mon. 13, 2008
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I have been very convenient for us in the past.

Sincerely,

James A. West

1171 3rd ST NE

WASHINGTON DC

Phone* (202) 547 5347

20081118 01 10 16 05

Office of Finance and Treasury

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Trans #: 67

DCRA

Rept: 00233657

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9999 MISC \$2,600.00
VS Tendered: \$2,600.00

Thank you for your payment.
Have a nice day!

SALES DRAFT

DC GOVT DEPARTMENT/REG
541 N CAPITAL ST
WASHINGTON, DC 20002
TERMINAL 0555844

901165396944
03/24/2008 11:12:01

VS XXXXXXXXXXXXXXX400
AUTH. TRANS. ID. 0080846651853/
INVOICE 30014 H02
AUTH. CODE 11422/E

SALE TOTAL \$2500.00

CUSTOMER COPY