

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



May 6, 2009

Stephen N. Gell, Esq.
Law Offices of Stephen N. Gell, PC
1101 30th Street, N.W., 5th Floor
Washington, D.C. 20007

Re: BZA Appeal No. 17939 (1251 Bladensburg Road, N.E.) Eddie's
Sandwich Shop

Dear Mr. Gell:

The Office of Zoning received your letter (attached) on May 5, 2009, withdrawing the above-cited appeal. Please be advised that pursuant to subsection 3113.10 of the Zoning Regulations your appeal is hereby **WITHDRAWN**. No further action will be taken on this appeal.

Your request for a refund of the appeal filing fee is being reviewed pursuant to 11 DCMR section 3181. If you have any questions relevant to the foregoing please call me on (202) 727-6311.

SINCERELY,

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17939
EXHIBIT NO. 19



RICHARD S. NERO, JR.
Acting Director, Office of Zoning

Attachment

cc: Jennifer Steingasser, Office of Planning
Chairperson, ANC 5B
Ward Five, Councilmember Harry Thomas, Jr.

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

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Board of Zoning Adjustment
District of Columbia
CASE NO. 17939
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Mr. Mark Loud, Chairman
District of Columbia Board
of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, DC 20001

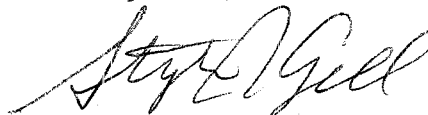
**Re: Withdrawal of Appeal No. 17939 for 1251 Bladensburg Road, N.E.,
Eddie's Sandwich Shop**

Dear Mr. Loud:

Attached please find a letter from Matthew LeGrant, Zoning Administrator, stating that the Certificate of Occupancy which had been rejected earlier was being approved. Further investigation into the history of the use led him to conclude that the refusal, from which we appealed, was in error. That renders our appeal moot and we hereby withdraw it.

The appeal was filed on or about January 15, 2009, to preserve Mr. Lan's rights under the two month deadline in the Zoning Regulations for making such appeals. We would be grateful if the Board could return the \$800.00 filing fee.

Respectfully,


Stephen N. Gell

2009 MAY -5 PM 3:41
OFFICE OF ZONING

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



April 30, 2009

Steven Gell, Esq.
Law Office of Steven Gell
1101 30th Street, N.W.
5th Floor
Washington, D.C. 20007

Re: Lusk Corporation, t/a Eddie's Sandwich Shop at
1251 Bladensburg Rd., N.E., (Square 4074, Lot 127)

Dear Attorney Gell:

On January 15, 2009, the District of Columbia Department of Consumer and Regulatory Affairs ("DCRA") received your client's, Lusk Corporation t/a Eddie's Sandwich Shop, application for a Certificate of Occupancy to operate a Fast Food Establishment at 1251 Bladensburg Rd., N.E. ("Property"), which is located in a C-2-A District.

DCRA reviewed your application and the history of the use. The Zoning Administrator has determined that the continuation of the nonconforming use as a Fast Food Establishment meets the requirement of 11 DCMR § 2000.4 and 11 DCMR § 199.1 of the Zoning Regulations. Therefore, your application for a Certificate of Occupancy for use of the property as a Fast Food Establishment is *approved*.

If you have any questions, please contact my office at (202) 442-4576.

Sincerely,

A handwritten signature in cursive script that reads "Matthew Le Grant".

Matthew Le Grant
Zoning Administrator