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111**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**111
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111**APPEAL***Notice: See other side of appeal form for 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:

Name of administrative officer and title

Matthew LeGrant, Zoning Administrator, DCRA

made on

Date of decision

October 14, 2009

, to the effect that

Notice to Revoke Certificate of Occupancy No.

0800124 ("Restaurant 7 Seat - Prepared Food Shop," dated September 11, 2008).

Address(es) of Affected Premises

Square(s)

Lot(s)

Zoning Districts

1211 Potomac Street, N.W.

1207

124

2009 OCT 23 PM 3:17
OFFICE OF ZONING

Present use of Property:

"2-Floor 13-Seat Restaurant (7 seats on 1st Floor & 6 seats on 2nd Floor." Certificate of
Occupancy No. CO 0903354 (September 21, 2009).

Proposed use of Property:

Same

Owner of Property:

Juanita Gray

Telephone No.:

N/A

Address of Owner:

P.O. Box 196, Germantown, MD 20875-0196

Name, address and telephone number of lessee:

Mehmet Kocak/Philly Pizza & Grill, Inc., 1211 Potomac St., N.W.,
Washington, D.C. 20007, (202) 333-3356

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

Same

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).

See attached Statement of Appeal and Request for Stay.

Date:

10/23/2009

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:

John Patrick Brown, Jr. and Kate M. Olson

Address:

Greenstein DeLorme & Luchs, P.C., 1620 L Street, N.W., Suite 900, Washington, D.C. 20036

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jpb@gdllaw.com
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FORM WILL NOT BE ACCEPTED**BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

18027

EXHIBIT NO.

2Board of Zoning Adjustment
District of Columbia
CASE NO. 18027
EXHIBIT NO. 2

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.