



BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA



FORM 120 - APPLICATION FOR VARIANCE/SPECIAL EXCEPTION

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated. All information must be completely filled out.

Pursuant to §3103.2 - Area/Use Variance and/or §3104.1 - Special Exception of Title 11 DCMR- Zoning Regulations,
an application is hereby made, the details of which are as follows:

Address(es)	Square	Lot No(s).	Zone District(s)	Type of Relief Being Sought	
				Area Variance Use Variance Special Exception	Section(s) of Title 11 DCMR - Zoning Regulations from which relief is being sought
2233 Wisconsin Ave. NW, Ste. 101	1299	1006	NO/C-2A	Special Exception	§ 733

Present use(s) of Property: Retail, Office

Proposed use(s) of Property: Fast Food Restaurant

Owner of Property: Einstein and Noah Corp.

Telephone No:

303.568.8029

Address of Owner: 555 Zang Street, Ste. 300, Lakewood, CO 80228

Single-Member Advisory Neighborhood Commission District(s): 3B02

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice:

Special Exception to permit fast food restaurant in the NO/C-2-A District on ground floor of premises 2233 Wisconsin Avenue, N.W.

EXPEDITED REVIEW REQUEST (If interested, please select the appropriate category)

I waive my right to a hearing, agree to the terms in Form 128 - Waiver of Hearing for Expedited Review, and hereby request that this case be placed on the Expedited Review Calendar, pursuant to §3118.2 (CHOOSE ONE):

- ☐ A park, playground, swimming pool, or athletic field pursuant to §209.1, or
☐ An addition to a one-family dwelling or flat or new or enlarged accessory structures pursuant to §223

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22 2405)

Date:

3/1/2013

Signature*:

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

Name:

Kinley R. Bray, Esq., Arent Fox LLP

E-Mail:

kinley.bray@arentfox.com

Address:

1717 K St NW, Washington, DC 20036

Phone No(s):

202 857 6000

Fax No.:

202 857 6395

* To be signed by the Owner of the Property for which this application is filed or his/her authorized agent. In the event an authorized agent files this application on behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany this application.

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

FOR OFFICIAL USE ONLY

Exhibit No. 1

Case No. 18559