

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



November 5, 2013

Ghenet G. Mihtsun  
607 Chesapeake Street SE  
Washington, District of Columbia 20032

Re: Lot 0106 in Square 6208  
607 Chesapeake Street SE  
(First Floor)  
Zoned C-1

RECEIVED  
D.C. OFFICE OF ZONING  
2013 NOV 27 AM 11:02

Dear Ms. Mihtsun:

Your certificate of occupancy application #CO-1400352 filed to use the subject premises as "Fast food establishment" is disapproved due to the need for Board of Zoning Adjustment approval. The property for purposes of zoning is classified as C-1 which does not allow your proposed use. You may, however, request a variance from the permissible use provisions (DCMR Title 11, Section 701.1). The variance must be obtained through a public hearing before the Board of Zoning Adjustment.

The Board has authority to grant variances under provisions of DCMR Title 11, Section 3107.2 which reads as follows:

"With respect to variances, the Board has the power under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(3)(2001) (formerly codified at D.C. Code § 5-424 (g)(3) (1994 Repl.)), "[ w]here, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Official Code §§ 6-641.01 to 6-651.02 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map."

This letter must be presented to the Office of Zoning which staffs the Board of Zoning Adjustment, in Room 210;441 4th Street, N.W. If your request is granted, a new certificate of occupancy application must be filed.

Note: All applicants must provide the Office of the Zoning Administrator with submission verification, in the form of a formal receipt from the BZA, within thirty (30) days of the date of this memo.

Best regards,

  
Matt LeGrant  
Zoning Administrator

BOARD OF ZONING ADJUSTMENT  
District of Columbia  
CASE NO. 18710  
EXHIBIT NO. 2