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November 5, 2014

DC Office of Zoning
441 4th Street, NW, Suite 200 S.
Washington, DC 20001

Re. **Application for approval of Special Exception in a C-2-A-Zone
Lot 0049 in Square 3259**
SONG QUAN LIU, INC. t/a Kenny's
5427 Fifth Street, NW, Washington, DC 20011 (First Floor)
Tel: (202) 545-8890

RECEIVED
D.C. OFFICE OF ZONING
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Dear Sir or Madam:

This is to apply for BZA relief. This is my second visit. Last month I visited your office and was received by Mr. Clifford W. Moy, who kindly made a number of excellent suggestions. With his suggestions I re-submit this application in hope that you approve it without delay.

I am a CPA in Washington, DC. Authorized by Song Quan Liu, Inc. with specific authority to obtain a special exception under the provisions of DCMR Title 11, Section 733 to establish the store's use in the C-2-A Zone (see ATTACHMENT 1), enclosed is a check of \$1,560.00 in meeting the requirement of submission of Form 120.

The applicant, Song Quan Liu Inc., is a new corporate entity in Washington, DC. With Lot 0049 in Square 3259 and with address: 5427 Fifth Street, NW, Washington, DC 20011 (First Floor), this shop known as "Kenny's" offers prepared food in a convenience neighborhood business center consisting of three stores. The trade name of "Kenny's" was approved by DC Department of Consumer and Regulatory Affairs; this trade name had been used at least 10 years or longer by previous owners.

Submitted herewith is one original whose content follows:

1. **A memorandum from the Zoning Administrator at DCRA.**
2. **Form 120**
3. **Easting establishment questionnaire as per 11DCMR Section 3202.2(b)(3)**
4. **Labels for the neighborhood**
5. **A plat, drawn to scale and certified by a DC licensed survey engineer of the DC Office of the Surveyor, showing boundaries and dimensions of the existing and proposed structures and accessory building and structures.**

Board of Zoning Adjustment
District of Columbia
CASE NO.18922
EXHIBIT NO.1

6. A site plan with explanation

7. Color images showing pertinent features of the structure and the property involved

ALSO INCLUDED ARE STATEMENTS AND DOCUMENTS IN SUPPORT OF THIS APPLICATION:

1) Detailed statement of existing and intended use of the structure.

For over ten years, the structure had been under the trade name of “Kenny’s” in use for serving prepared food (or fast food) inside a convenience neighborhood business center between 5th Street and Kennedy Street, Northwest. The center consists of three units—a store in the northern side known only as “Checks Cash” offering check cashing service, ATM, and selling liquors appears to be the anchor store of the center, a store the southern side is similar to 7-Eleven grocery store offering products such as meat, grocery and ATM. “Kenny’s” is located in the middle of the center, Kenny offers Chinese prepared food. Opposite the 5th Street in the west side is a store called “Target Food,” offering variety of food. Opposite Kennedy Street and facing the south is a Chinese carryout (known as “Johnny’s; ”); next to “Johnny” in the east side is again a liquors store. In short, this is not a residential area; this is a business area.

In front of the three convenience business center (hereunder “the center”) there is a sizable area serving and offering customer parking of over ten vehicles. Immediately behind the center, there is an alley where trash containers for the three stores there which can be easily reached by trash collection truck.

“Kenny’s” has been established at this location for many years, perhaps since the beginning of this center. Song Quan Liu Inc. leased that premises last year in hope to offer prepared food whose menu is not distinguishable from that which offered by the previous owner. There is no use change to be involved. **The only change is ownership change.**

2) A detailed statement explaining how this application meets the specific tests identified in the Zoning Registrations for variance.

Strong reasons allow me to justify this application having met the specific tests identified in the Zoning Registrations for variance. (1) It is within a business center (2) It is not immediately adjacent to residential homes. (3) It has plenty of parking spaces to accommodate customers. (4) There is an alley right behind the center where trash collection truck can easily drive in and drive out. At the end of the alley it is where the trash containers for all three stores are located. (5) The shop now trading as “Kenney’s” has been offering prepared food for perhaps from the beginning of the center’s construction.

That the application herein is to offer menu undistinguishable from the last owner suggests convincingly it meets the specific tests identified in the Zoning Registrations for variance. Since same business had been approved, for the sake of convenience, stability and continuity, we urge you to approve this application.

- 3) The name and mailing address of any individual who has a lessee with owner for all or part of any structure located on the property involved in this application.**

The lessee's name and its mailing address is listed below.

Song Quan Liu
5427 5th Street, NW
Washington, DC 20011

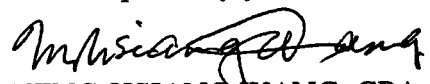
- 4) Documentation or a copy of the Certificate of Occupancy showing the current authorized use. In case where a change from a conforming use to a non-conforming use is requested, provide a copy of the past authorized uses.**

A copy of last Certificate of Occupancy is enclosed. This certificate issued in 2003 indicates the shop being for serving deli food. Also enclosed is a copy of Application for Certificate of Occupancy. With a purpose to assist the owner in obtaining a Certificate of Occupancy, last year I visited DC Department of Consumer and Regulatory Affairs at 1001 Fourth Street, SW. Mr. David Vollin responded by saying that I had to seek your special approval of issuing a temporary CO before a hearing is scheduled to make a final ruling. So I visited your office immediately and was told to reach Mr. Vollin back again in hope to obtain a referral memo. A number of further e-mail correspondences to him met inactive responses. This year I tried all over again. Fortunately, I was able to obtain a referral memo which is attached herein

I do not know how complete the information in your instruction paper is needed for this application to be approved. It is hoped that above documents and explanation will be sufficient for you to offer a temporary CO and final ruling. In case further information is needed, kindly reach my firm at (202) 479-0744 by phone or (202) 479-4218 by fax Or write to:

WANG & ASSOCIATES
606 7th Street, SW
Washington, DC 20024
Attn: Neng-Hsiang Wang, CPA

Most respectfully yours,


NENG-HSIANG WANG, CPA
CPA License: DC CPA #5277

Enclosure: (1) Form 120
(2) Check #1083
(3) Statements and documents in support of this application

Cc: Song Quan Liu Inc.