Law Offices
**STEPHEN N. GELL**
A Professional Corporation

1101 30th St. N.W.
Fifth Floor
Washington, D.C. 20007
Telephone: (202) 625-8311
Facsimile: (703) 522-5503

October 28, 2002

Mr. Geoffrey Griffis, Chairman
Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, DC 20001

**Re: 1326 Park Road, N.W. Square 2843, Lot 35**
**BZA Case No. 16940,**

**Prehearing Statement**

Dear Mr. Griffis:

We herewith resubmit the Statement of Explanations and Reasons Supporting the Application for a Variance to permit the use of the first floor and basement of 1326 Park Road as a restaurant.

Also enclosed is the following:

Application
Zoning Administrator's letter granting a Certificate of Occupancy for one year only
Zoning Administrator's letter urging the Board to look favorably on this application
Petition supporting the restaurant with 33 signatures, and
Resolution from ANC 1A unanimously supporting the restaurant.
Survey plat
Existing certificates of occupancy
Pictures of the subject building

Mr. Arias will be the sole witness.
Please call if there are any questions.

Yours very truly,

Stephen N. Gell

Enclosure
cc: Mauricio Arias

BZA
Case No. 16940
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO.16940
EXHIBIT NO.25

**STATEMENT**

**OF EXPLANATIONS AND REASONS**

**SUPPORTING AN APPLICATION**

**TO THE BOARD OF ZONING ADJUSTMENT**

**OF THE DISTRICT OF COLUMBIA**

**FOR A USE VARIANCE**

**PURSUANT TO SECTIONS 330 and 3103**

**OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS**

**1326 Park Road, N.W.**

(SQUARE 2843, LOT 35)

**BZA Case No. 16940**

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## INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of El Rinconcito Café II, Inc., and its President, Mauricio Arias, (hereinafter "applicant") for a variance from the provisions governing the R-4 Zone District to use the first floor and basement for a restaurant seating 75 persons.

## DESCRIPTION OF THE APPLICANT

For seven years, Mr. Arias has owned and managed the El Rinconcito Restaurant at 11th and M Streets, N.W., a successful Mexican and Salvadoran restaurant. He purchased the building on Park Road in 2001 with the intention of opening a restaurant on the first floor and basement. It was in a terrible state of disrepair when he purchased it.

## THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is located at 1326 Park Road, N.W., Square 2843, Lot 35. It is a row dwelling in which a 50-seat restaurant and pool hall had occupied two floors until six years ago when the building was abandoned. Mr. Arias has reopened the restaurant under a temporary extension of that Certificate of Occupancy. There are three residential units on the second and third floors.

B. Area Surrounding the Property

The Property is on the south side of Park Road midblock between 13th and 14th Streets. The neighborhood is mostly residential. However, across the street is the parking lot for the Giant Food Store being erected behind the Tivoli Theater. A laundry and beauty salon are two doors away.

C. Zoning History and Use History

The area is zoned R-4. Normally restaurants would not be permitted in an R-4 zone. However, a certificate of occupancy issued in 1995 recorded the zone district as C-2-A and noted that the first floor and basement of the premises could be used for a 50-seat restaurant. The application for that C of O also notes that the prior use was a 50-seat restaurant. The building was purchased with a good faith belief that restaurant use was permitted. When Mr. Arias reapplied for a Certificate of Occupancy in February, 2002, he was informed that a mistake had been made on the previous certificates. He was granted a temporary certificate of occupancy which terminates in March of 2003 and was advised to seek relief from the BZA.

D. Operations

Mr. Arias is seeking a 75 seat restaurant in the first floor and basement. It will serve Mexican-Salvadoran food from 10:30 am to Midnight on weekdays; from 10:00 am to 2:00 am on Fridays and Saturdays; and from 10 am to midnight on Sunday.

## REASONS IN SUPPORT OF THE APPLICATION FOR A VARIANCE

A. Compliance with D.C. Zoning Regulations

**Extraordinary or exceptional conditions creating a hardship**

For many years this property was used for a restaurant. When Mr. Arias bought the property he followed proper procedures for due diligence by obtaining the previous certificate of occupancy. But for the District's inadvertent granting of the certificate of occupancy in 1995 (and earlier) for a restaurant, Mr. Arias would not have assumed that he could have restored the property to restaurant use. Clearly the existence of an improper certificate of occupancy and the other neighboring commercial uses make this a unique case.

**Hardship**

DC Zoning Regulations permit a variance from a permitted use when the applicant can show a hardship. On the strength of the 1995 certificate of occupancy granted by the District, and before learning from the Zoning Administrator that there was a mistake in the C of O, Mr. Arias expended considerable capital to rehabilitate the building and prepare the new restaurant for opening. He sought and received a liquor license. The Applicant will have considerable difficulty converting the first floor and basement of this building back to an apartment.

**Discontinuance of use**

Section 2005 of the Zoning Regulations (11 DCMR §2005.1) provides:

> Discontinuance ... of a nonconforming use of a structure ... for a period of more than three (3) years, shall be construed as prima facie evidence of no intention to resume active operation as a nonconforming use. Any subsequent use shall conform to the regulations of the district in which the use is located.

"Prima facie" evidence is not "conclusive" evidence. (Webster's defines "prima facie as "legally sufficient to establish a fact or a case unless disproved") That is to say, prima facie evidence is sufficient to make a finding so long as there is no other persuasive evidence to the contrary. In order to show that the owner intended to discontinue the use of the premises for a restaurant, one must presume that he or she knew the use was non-

conforming. Clearly, the existence of the Certificate of Occupancy mitigated against such awareness and one must assume the opposite, that the owner believed that the restaurant use conformed to applicable zoning and that he or his successor could resume such use at any time. The most reasonable interpretation of the provision quoted above is that the Board has the authority to ignore the lapse of over three years in the restaurant use.

B. No Adverse Affects

The use of this property for a restaurant for many years did not appear to have any negative impact on the block or reduce property values. Moreover, the proximity to other commercial uses, such as the supermarket across the street, will enhance the urban experience of apartment and home owners just as the mixture of commercial and residential uses in Dupont Circle has enhanced the urban experience in that neighborhood. As evidence that the neighbors value the return of a good restaurant in that location, and appreciate Mr. Arias' track record for operating a high quality, neighborhood-sensitive establishment, the Advisory Neighborhood Commission voted overwhelmingly to support the granting of a liquor license.

This small restaurant, seating no more than 75 persons on two floors, will not likely add to the parking and traffic burden of the area, even though there is no parking on the site. This is a neighborhood restaurant largely attracting diners from the immediate neighborhood. In addition, the location is less than a block from Metro.

**COMPLIANCE WITH THE COMPREHENSIVE PLAN**

A. Appropriate Residential Use

Economic development is an important objective in Ward 1 and the enhancement of the Park Road, 14th Street commercial center is a high priority. Section 1200.5 of the Comprehensive Plan for the District of Columbia provides as follows:

> The economic development goal is to retain, expand, and attract new businesses and industries that are compatible with the adjoining residential neighborhoods, create jobs for the ward's residents, and facilitate and develop business ownership and employment advantages for the under-represented in the district's economy. (10 DCMR §1200.5)

Among the recommended actions to implement economic development objectives is the following:

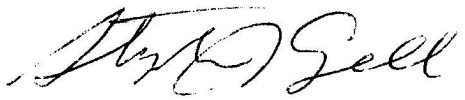
> 1203.1(m) To revitalize and improve the function and appearance of the following areas, with the emphasis on retaining small business:... (7) Park Road and 14th Street. (10 DCMR §1203.1)

1203(v)(8) To encourage the use of minority contractors, suppliers, and other persons by businesses involved in development at 14th and Park Road.

**CONCLUSION**

The Applicant should be granted a variance to allow the use of the first floor and basement for a 75-seat restaurant. Arguably, the previous use for a restaurant had no negative effect on the neighborhood and its reinstatement will, similarly, have no effect. The current plans for revitalization of the neighborhood as a major commercial center will be enhanced by the restaurant. Moreover, such a use will be in harmony with the purpose and intent of the Zoning Regulations. Finally, the approval of a variance in this case will rectify an error by the District many years ago.

Respectfully submitted,



Stephen N. Gell, Esq.

Form 120 – Exhibit 1
(Revised 04/29/02)

Case No._____

# BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

## APPLICATION

*Notice: See other side of application form for instructions*

**Pursuant to Sections §3103.2 - Use Variance, §3103.2 - Area 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 | Sq Ft | Lot No(s). | Zoning District | Relief Being Sought (Area Variance / Use Variance / Special Exception) | Section No(s). |
|---|---|---|---|---|---|
| 1326 PARK RD | 2843 | 35 | R-4 | USE VARIANCE | 330 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Present Use of Property: RESTAURANT - 50 SEATS

Proposed Use of Property: RESTAURANT - 75 SEATS

Owner of Property: EL RINCOLITO CAFE II  Telephone No.: 202-299-1076

Address of Owner: 1439 SPRING RD NW. WASH DC 20010

Describe your proposal briefly stating the relief sought and the reason for the proposed action(s). Attach extra sheet(s) if necessary.

Brief Description: APPLICANT SEEKS A VARIANCE FROM R-4 RESIDENTIAL REQUIREMENTS TO PERMIT CONTINUATION OF RESTAURANT USE MISTAKENLY GRANTED BY THE DISTRICT.

Estimated Construction Cost: $ 20,000  ANC or Neighborhood Commission Single Member District(s): 1A06

Date: AUG 16, 2002  Signature: Stephen Gell  Applicant *

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

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

Name: STEPHEN N. GELL

Address: 5th FL, 1101 30th ST. NW WASH. DC 20007

Phone No.: 202-625-8311  Fax No.: 703-522-5503  E-Mail: SGELL@HIS.COM

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

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**
**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**

**Building and Land Regulation Administration**
**Office of the Zoning Administrator**

March 19, 2002

Mauricio V. Arias
1439 Spring Road, N.W.
Washington, D.C. 20010

**Re: 1326 Park Road, N.W.**
**Square: 2843 Lot(s): 35**
**(Basement and First Floor)**
**Zoned: R-4**

Dear Mr. Arias:

Your certificate of occupancy application #30252 filed to use the subject premises as a "Restaurant - 75 Seats" is disapproved due to the need for Board of Zoning Adjustment approval. The property for purposes of zoning is classified as R-4which does not allow your proposed use. You may, however, request a variance from the use provisions (DCMR Title 11, Section 330.5) of the R-4 Zone. 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:

> "As set forth in D.C. Code, Section 5-424(g)(3), 'Where 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. Code, Sections 5-413 to 5-432 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 the Board of Zoning Adjustment, Room 210, 441 4th Street, N.W., when requesting special approval. If your request is granted, a new certificate of occupancy application must be filed.

Sincerely,

Toye Bello
Zoning Administrator

TB/XM/ee

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Zoning Administrator

October 15, 2002

DC Office of Zoning
Board of Zoning Adjustment
441 - 4th Street, NW - Room 210
Washington, DC 20001
Attn: Geoffrey Graffis, Chairman

Re: 1326 Park Road, NW
Lot 0035 in Square 2843
Washington, DC
BZA Case No. 16940

Dear Mr. Griffis:

BZA case No. 16940 involves the effort of Mr. Mauricio Arias, the owner of El Rinconcito II to obtain a variance for a 75 seat restaurant in an R-4 District.

When Mr. Arias bought the building, presumably to use it for his restaurant, there was a Certificate of Occupancy, issued in 1995, for a 50 seat restaurant. This office believed at the time that the zone district was C-2-A. We later discovered that the district was zoned R-4.

Accordingly, we renewed the existing certificate for one year to give the applicant time to seek a variance from the BZA. We urge the BZA to give favorable consideration the application. We will, of course, be happy to provide any additional information you may require.

Respectfully,

Robert W. Kelly
Zoning Administrator

RWK/er

941 North Capitol Street, N.E., Suite 2000 Washington, DC 20002 Phone: (202) 442-4576 Fax: (202) 442-4871

002

10/16/02 09:11 FAX 2024424871

To the Board of Zoning Adjustment:

We the undersigned support the request for special exception and variance to permit the El Rinconcito Café to continue serving the 14th Street and Park Road neighborhood.

| Name | Address | Phone |
|---|---|---|
| ERIC HEARD | 1322 Kenyon ST NW | 332 4526 |
| Lester Cavaglia | 1322 Kenyon St NW | 332-4526 |
| Darko Pansol | 1322 Kenyon st NW | 319 9329 |
| Guy Heard | 1322 KENYON ST NW | 2713275 |
| Kent Lee | 1314 Kenyon St. NW | 332-0237 |
| Zachary Lee | 1314 KENYON ST. NW | 332-0237 |
| Thomas K. Lee | 1314 Kenyon St. NW | 483-2114 |
| Philip Sobutka | 1314 Kenyon St. NW | 483-2114 |
| Stacey Patmore | 1344 Hamlin St. NE 20017 | 832-5202 |
| Stephanie McNulty | 1438 Meridian Place, NW | 202-483-2504 |
| Laura Updyke | 1411 Kearney NE | 202-635-6060 |
| Joel Kanhai | 3422 13th St NW | 202-3875322 |
| Glenn King | 3422 13th St. NW | 387-5322 |
| Leslie Sargent | 1450 Harvard St., NW #B | 387-2171 |
| Moses Benitez | 1460 Euclid St. NW. #33 | 232-8728 |
| Cristi Benitez | 1460 Euclid St NW #33 | 232-8728 |
| Thomas O'Connor | 1826 Florida Ave, NW | 234-9125 |
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To the Board of Zoning Adjustment:

We the undersigned support the request for special exception and variance to permit the El Rinconcito Café to continue serving the 14th Street and Park Road neighborhood.

| Name | Address | Phone |
|---|---|---|
| KATHERINE BOHRER | 3636 16th St. NW A1239 WASHINGTON, DC 20010 | 248-2670 |
| ETHAN [illegible] | 3636 16th St. NW A-1239 WDC 20010 | 248-2670 |
| Alexa Kuuskraa | 3511 Argyle Terr. NW Washington, D.C. 20011 | 726-1107 |
| Sandra Bergstedt | 3323 Holmead Place, NW Washington DC 20010 | 202-9861172 |
| FEDERICO YEPES | 3323 HOLMEAD PLACE N.W WASHINGTON D.C 20010 | 202-9861172 |
| EDGAR LOPEZ | 1433 COLUMBIA RD NW # WASHINGTON D.C. 20009. | (202) 361 1267 |
| SALVATORE DiCARLO Salvatore DiCarlo | 3562 13TH ST. NW. WASHINGTON D.C. 20010 | (202) 232-2352 |
| WALTER WIEMAN DEANNA YESKO | 2821 B 13th St, NW WDC 20009 | (202) 387 6258 |
| Amy Randahwa Jeremy Hekhuis | 2821A13th St NW DC 20009 | 202-232-0828 |
| JOES Vallodares | 6110 14TH ST NW WASHINGTON DC 20011 | 2027232856 |
| [illegible] | 1445 OAK ST NW #14 Wash DC 20009 | 202-277-8186 |
| Leonel ALVAREZ | 1314-14 St NW #17 Wash DC 20005 | 202 487-8532 |
| Florencia Bravo | 1035 Lamont St. N.W. WDC 20010 | |
| David Vyorst | 1721 21st St NW, WDC 20009 | 202-299-0949 |
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| | | |

# ANC 1A

**3511 14th ST NW #2 WASHINGTON DC 20010 588-7278**

**RESOLUTION RE: BZA APPLICATION # 16940 –**
**EL RINCONCITO II RESTAURANT AT 1326 PARK ROAD NW**

*Whereas*, the subject business at 1326 Park Rd NW is located within the boundaries of ANC 1A, Single Member District 1A04;

*Whereas*, El Rinconcito II Restaurant is a welcome addition to the neighborhood, an attractive full service restaurant in a newly renovated building, one of very few in the area, and ANC 1A has already supported the issuance of an ABRA license for the business;

*Whereas*, a Certificate of Occupancy was issued by DCRA for a restaurant use at the same location in 1996, and the owner purchased the property in good faith expecting to continue that use, and has invested a substantial sum to make a very handsome establishment;

*Whereas*, although the south side of the 1300 block of Park Road is not zoned commercial, this section is directly across the street from the proposed Tivoli Square project, which will include a grocery on Park Road, for which the Zoning was recently changed to C-3-A, and there are other non-residential uses on the block ;

*Therefore,* ANC 1A supports the application for a variance from use restrictions in a residential zone for the El Rinconcito II Restaurant for the duration of its operation.

This resolution was adopted at ANC 1A's October 9, 2002 meeting, for which due notice was given, with 7 commissioners in attendance and a quorum (5 commissioners) present, by a vote of 7 to 0. Commissioner Mack Jones is authorized to present this report.

Elizabeth McIntire
Chair

Josephine Lecraw Nelson
Secretary

# DISTRICT OF COLUMBIA GOVERNME
## OFFICE OF THE SURVEYOR

Washington, D.C., July 24, 2002

Plat for Building Permit of SQUARE 2843 LOT 35

Scale: 1 inch = 20 feet  Recorded in Book Co. 13 Page 22

Receipt No. 009781

Furnished to: STEPHEN GELL

Surveyor, D.C.

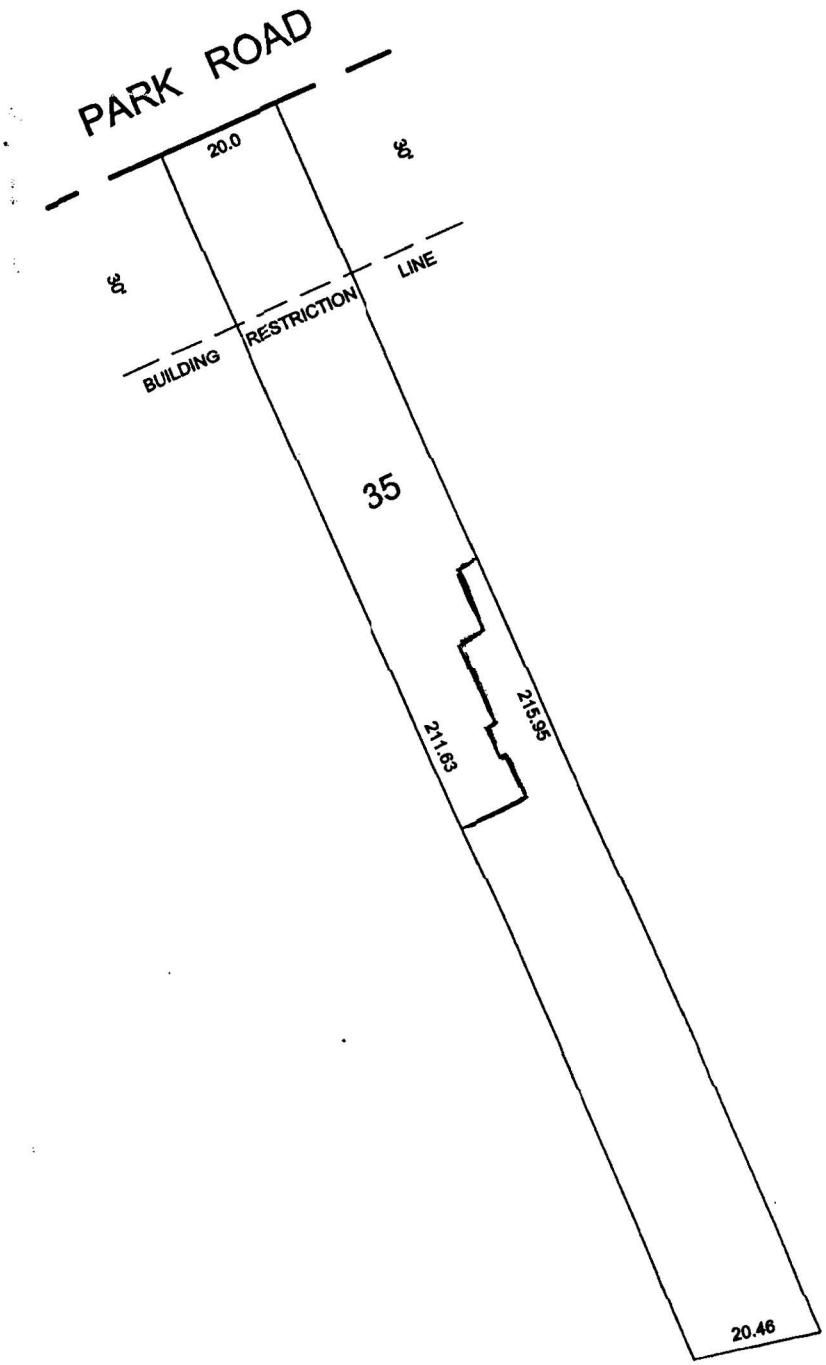
By: L.E.S.

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat;and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: _____

_____
(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.




SO-9781(2002)

# C of O

## CERTIFICATE OF OCCUPANCY

PERMIT NO.
CO 29540

THIS PERMIT IS VALID ONLY FOR THE PREMISES OF THE PROJECT ADDRESS

DATE : 3/11/02

| ADDRESS: | ADDITION: | TAX/LOT: | ODD: | 0035 |
|---|---|---|---|---|
| 1325 PARK RD NW | BASEMENT & 1ST FLOOR | (Square) | | (No) |
| | | WARD: 1 | ZONE: R4 | |

PERMISSION IS HEREBY GRANTED TO:
CORPORATION: EL RINCONCITO CAFE II INC
ID No.: 2402292

TRADING AS:
EL RINCONCITO CAFE

| APPROVED USES: | PREVIOUS USES: |
|---|---|
| RESTAURANT | RESTAURANT |

| TYPE: | OCCUP. LOAD: | EXPIRATION DATE: |
|---|---|---|
| USE CHANGE | 50 | Mar 11, 2003 |

DESCRIPTION OF USE:
RESTAURANT SEATING 50 (EXPIRES 3/11/2003)

CONDITIONS: (IF ANY APPLICABLE)

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. ISSUED INITIALLY, and upon any subsequent alteration, change or conversion in the classification of occupancy or use, or upon change of ownership of the building or structure, or portion thereof, for which this certificate was issued. A new certificate must be obtained.

David A. Clark
DIRECTOR

PERMIT CLERK:

ADDITIONAL SHEETS ATTACHED

Department of Consumer & Regulatory Affairs

Government of the District of Columbia

No. B 172149

District of Columbia Government
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration Zoning Division
P.O. BOX 37200 — Washington, D.C. 20013-7200

BLRA-17
(Rev. 11/91)

# CERTIFICATE OF OCCUPANCY

June 26, 1995
(date)

Permission is hereby granted to 1326 Corporation
to use suite(s) _____ on the Bsmt. and First floor(s)
of the building located on lot(s) 35 square 2843
known as premises 1326 Park Road, N.W. for the following
purpose(s) Restaurant - seating 50 people
Not Sexually Oriented [ su ]

BZA #: _____ EXPIRATION DATE: _____

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

ZONE C-2-A FEE $ 32.00

Aubrey H. Edwards, Director

By: _____
Designee

OFFICE COPY

1317X01.6 06/27/95CRTFIC 35.00

1317X01.6 06/27/95CRTFIC 0

C-7642

SCANNED 7.09.99

Department of Consumer and Regulatory Affairs

# APPLICATION FOR CERTIFICATE OF OCCUPANCY

Date 6-26-95

APPLICATION FEE: $ 25.00 NON-REFUNDABLE

ISSUANCE FEE (see fee schedule)

(22) Receipt # 510219

(23) Trans. # 61697009

**INFORMATION ON PROPOSED BUSINESS**

(1) Address of Business 1326 Park Road, NW. Suite/Room # 1st & Basement

(2) Telephone No. of Business 202-265-2432 Lot 35 Square 2843

(3) Trade Name of Business Restaurante El Chaparrito Guc

(4) Is Business Incorporated? ☐ No ☒ Yes (Attach Letter of Good Standing and complete Line 5)

(5) President Fernando Miranda Vice President — Secretary/Treasurer Lidia Miranda

(6) Is Business a Partnership? ☒ No ☐ Yes

(7) Business Owner 1326 Corp (See instructions) 202-265-2432 Tel. No. (days)

(8) Business Owner's Home Address Zip Code

**INFORMATION ON OCCUPANCY**

(9) ☒ Ownership Change ☐ Partial Occupancy ☐ New Bldg. ☐ Use Change ☐ Load Change BZA No. ☐

(10) Proposed Use of Business Restaurant seating 50

(11) Is Business Sexually Oriented According to D.C. Zoning Regulations? ☒ No ☐ Yes

(12) Proposed Occupancy Load 50 Seats Square Feet Occupied 5,000

(13) Which Floors to be Occupied 1st + Basement Basement? Yes

(14) Prior Use Same

**INFORMATION ON ENTIRE BUILDING**

(15) Building Owner Fernando + Lidia Miranda Tel. No. (days) 301-565-9785

(16) Building Owner's Address 9505 Biltmore Dr., S.S., Md. 20901 Zip Code

(17) Materials of Building Brick + Block

(18) Square Feet Occupied 5000 No. of Floors 3 Basement? Yes

**ATTESTATION AND SIGNATURE**

I certify that all of the statements on this application are true to the best of my knowledge and belief. I agree to comply with all applicable laws and regulations of the District of Columbia.

(19) IF OWNER OF BUSINESS _____ Signature Date

IF AUTHORIZED AGENT FOR OWNER OF BUSINESS (Attach Authorization)

(20) Name of Agent Louis N. Nichols (PRINT CLEARLY) Louis N. Nichols (Signature) 6-26-95 (Date)

(21) Address of Agent 7219 Western Ave, NW. 20015 Zip Code

**OFFICE USE ONLY**

**INFORMATION DESK** 2nd

(24) Premises Condemned ☒ No ☐ Yes Cleared By _____ Date

(25) Building in RLA Zone ☒ No ☐ Yes Cleared By _____ Date

(26) Residential ☒ No ☐ Yes Smoke Det. Info. Given By Candy Hall Date 6/26/95

**LICENSE BRANCH** 1st

(27) Licenses Required Restaurant

(28) _____ Reviewed By [signature] Date 6-26-95

**ZONING OFFICE** 2nd

(29) Zone C-2-A BZA No. _____

(30) Prior Use Restaurant/Deli - 50 seats

(31) Certificate # B172149 Date Issued 6/26/95 BZA No. _____ ☒ Approved ☐ Disapproved Date 6/26/95

(32) Accepted for Filing by [signature] Date

**EXAMINER'S USE**

(33) Prior Use Code _____ Proposed Use Code 6 Date 6/26/95

(34) Use Change ☐ No ☐ Yes Inspect. Required ☐ No ☐ Yes By _____ Date

(35) Inspection Fee $ _____ Issuance Fee $ 30.00

(36) Approved for Issuance by [signature] Date 6/26/95

**INSPECTION BRANCH**

(37) Date of Scheduled C/O Inspections _____

(38) Inspection Status Approved ☐ Disapproved ☐ By _____ Branch _____ Date _____

(39) Inspector's Signature _____ Printed Name _____

(40) Reason for Disapproval _____

**OCCUPANCY PERSONNEL**

(41) ☒ Approved ☐ Denied ☐ Cancelled By Louis N. Nichols

(42) Reason for Cancellation/Denial _____

(43) Certificate of Occupancy No. B172149/1317416 Date of Issuance June 26, 1995

(44) Bldg. _____ Elec. _____ Plumb. _____ Fire _____ Zoning _____

WHITE—CRA CANARY—Fire Department PINK—Applicant

MARK OUTS AND WHITE OUTS ARE NOT ACCEPTABLE.

SCANNED 7. 05 95









1326 Park Rd. N.W.