IN THE MATTER OF
DAVID D. BERKOWITZ
APPLICATION FOR A CERTIFICATE OF OCCUPANCY
FOR
301 12TH ST,SE
UNIT 1
WASHINGTON, DC 20003
LOT 25
SQUARE 991

RECEIVED
D.C. OFFICE OF ZONING
2007 DEC 10 PM 3:51

AFFIDAVIT OF SCOTT R. GILLIS

SCOTT R. GILLIS, being duly sworn, deposes and says:

1. I have personal knowledge of the facts set forth in this affidavit, and I am competent to testify thereto.

2. That I live at 1331 E St, SE, Washington, DC 20003.

3. That I am the owner of the property located at 301 12th St, SE, Washington, DC, 20003, Lot 25, Square 991.

4. When I purchased the property, a certificate of occupancy authorizing the use of the ground floor as a grocery store was in force and effect. See Certificates of Occupancy Nos. B110535 and B93185 issued on September 18, 1978 and April 8, 1975 attached hereto as Exhibit "A".

BZA
Case No. 16980
Exhibit No. 7

Board of Zoning Adjustment
District of Columbia
CASE NO. 16980
EXHIBIT NO. 7

5. To the best of my knowledge, the property had been used prior to my ownership as a grocery store. When I bought the property, the ground floor contained a walk-in freezer, meat slicers, smaller refrigerators for cooling beverages, and similar equipment relevant to the operation of the grocery store.

6. It was always my intention to rent the ground floor as a grocery store or for another commercial use and I had no intention to discontinue any rights I had to continue a non-conforming use.

7. That I advertised the ground floor space in the Washington City Paper, (Vol. 19 No. 49, December 10-16, 1999 Edition, p. 165 – attached as Exhibit B) as commercial space, consistent with my intent.

8. Further the affiant sayeth not.

Dated this 19 day of Jan "01", 2001

Scott R. Gillis

District of Columbia

The foregoing instrument was acknowledged before me this 29 day of January, ~~2001~~ 2002

[AFFIX SEAL]

Deloris L. Moore
Notary Public

My commission expires

Delonte L. Moore
Notary Public, District of Columbia
My Commission Expires 5-31-04

EXHIBIT A

Form 69-1-001 **CERTIFICATE OF OCCUPANCY** No. B110535

Washington, D.C., 9-18, 19 78

Permission is hereby granted to Sylvester Arthur Scott

to use the 1st floor(s) of the building located on Lot 25 Square 991

known as premises 301 12th St SE for the following

purpose(s): Store - Pre Pkg. , Tobbacco- Pat. Med. Pro S(REtail)
(-Food)

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.

GOVT. OF ECONOMIC DEVELOPMENT, GOVT. OF DIST. OF COL.

OFFICE COPY

ZONE C-2-A

FEE $ 20.00

Chief, Permit Branch

By [signature] Permit Clerk

Form ED-9-601

CERTIFICATE OF OCCUPANCY

No. B 93185

Washington, D.C., April 8, 19 75

Permission is hereby granted to William Hughes

to use the first floor(s) of the building located on Lot 25 Square 991

known as premises 301 Twelfth Street, Southeast for the following

purpose(s): Pre-packaged Grocery Store

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.

DEPT. OF ECONOMIC DEVELOPMENT, GOVT. OF DIST. OF COL.

ZONE R-4

FEE $ 16.00

Chief, Permit Branch

By E. E. Kent
Permit Clerk

OFFICE COPY

12th STREET SE SQUARE 891

891

D—DWELLING F—FENCE SM—STORE MAT.
R—REPAIRS B—BOILER SS—STORAGE SHED
G—GARAGE EX—EXCAVATE EPG—EST. PUB. GAR.
M—MOTOR ST—STORE EGS—EST. GAS. STA.
W—WAREHOUSE HE—HOIST ENG. OFF—OFFICE BLDG.

LOT	HOUSE NUMBER	TYPE	DATE	PERMIT
25	301 groceries-meats		Mar. 6-24	1249
	grocery			
25	301		11/15/28	22358
25	301 grocery		6/8/33	41922
25	301 grocery		11/7/34	47620
25	301 grocery		5/17/35	49648
	301 grocery			97730
	301 grocery			105380
25	301 Grocery store		12/18/46	108291
	301 Grocery		8/30/49	127628
1st	301 Grocery(Non-conforming)			A-32390

EXHIBIT B

Commercial Space

CAPITOL HILL, 301 12th St. SE, 1200sq.ft. space, CAC, exposed brick, shower BA, refrigerator, industrial sink, lots of light, live-in welcome. Available Jan. 1. $1000/mo. + gas, water. Ask for Scott, 202/546-8190.