Government of the District of Columbia
BOARD OF ZONING ADJUSTMENT

JAN 12 2006

Chairperson
Advisory Neighborhood Commission 6A
Miner Elementary School
601 15th Street, N.E.
P.O. Box 75115
Washington, DC 20013

Re: BZA Appeal No. 17439

Dear Chairperson:

Please be advised that the following appeal, involving property located within your ANC boundaries, is scheduled to be hear by the Board of Zoning Adjustment on Tuesday, April 4, 2006, at 441 4th Street, N.W., Suite 220-S, Washington, D.C., 20001:

Appeal of Advisory Neighborhood Commission 6A, pursuant to 11 DCMR §§ 3100 and 3101, from the administrative decision of the Zoning Administrator, Department of Consumer and Regulatory Affairs (DCRA) to issue Certificate of Occupancy (C of O) Permit No. 102037, dated July 27, 2005, authorizing a 49 seat restaurant use ("Cluck-U-Chicken") Appellant alleges that DCRA erred by issuing the C of O for a fast food restaurant without Board of Zoning Adjustment special exception review under subsection 733. The subject property is located in the HS (H Street Northeast Commercial Overlay)/C-2-A District at premises 1123 H Street, N.E. (Square 982, Lot 823).

This case will be heard between 1:00 p.m. and 6:00 p.m.

If you have any questions or require any additional information, feel free to call the Office of Zoning at (202) 727-6311.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17439
EXHIBIT NO. 15

Sincerely,

JERRILY R. KRESS, FAIA
Director

441 4th Street, N.W., Suite 210-S, Washington, D.C. 20001
(202) 727-6311 • (202) 727-6072 fax
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EXCERPT FROM TITLE 11 DCMR, "ZONING

3115 ADVISORY NEIGHBORHOOD COMMISSIONS

3115.1 The written report of the ANC shall be submitted to the Board at least seven (7) days in advance of the hearing and shall contain the following information:

(a) An identification of the appeal or application;

(b) When the public meeting of the ANC to consider the appeal or application was held;

(c) Whether proper notice of that meeting was given by the ANC;

(d) The number of members of the ANC that constitutes a quorum and the number of members present at the meeting;

(e) The issues and concerns of the ANC about the appeal or application, as related to the standards of the Zoning Regulations against the appeal or application must be judged;

(f) The recommendation, if any, of the ANC as to the disposition of the appeal or application;

(g) The vote on the motion to adopt the report to the Board;

(h) The name of the person who is authorized by the ANC to present the report; and

(i) The signature of the chairperson or vice-chairperson of the ANC.

3115.2 The Board shall give "great weight" to the written report of the ANC, as required by No. 1-261, D.C. Code, 1982 ed.

3115.3 In the event the ANC submits its report on the basis of understandings, agreements, or meetings with the appellant, or applicant which later are modified by appellant or applicant, the designated representative of the ANC may comment orally concerning the specific inconsistencies. No other new matters may be presented orally by the designated representative of the ANC.