

	ADVISORY NEIGHBORHOOD COMMISSION 3C GOVERNMENT OF THE DISTRICT OF COLUMBIA CATHEDRAL HEIGHTS • CLEVELAND PARK • MASSACHUSETTS AVE. HEIGHTS MCLEAN GARDENS • WOODLEY PARK
Single Member District Commissioners 01-Dia Black; 02-Gloria Day; 03-Stephanie Zobay 04-Avram Fechter; 05-Bruce Beckner; 06-Trudy Reeves 07-Richard Rothblum; 08-Catherine May; 09-Nancy MacWood	2737 DEVONSHIRE PLACE, NW WASHINGTON, DC 20008 TEL 202/232-2232 • FAX 202/232-0667 Website http://www.anc3c.org

May 30, 2007

Ms. Ruthanne Miller
Chairman, Board of Zoning Adjustment
441 4th Street, NW
Suite 210 South
Washington, DC 20001

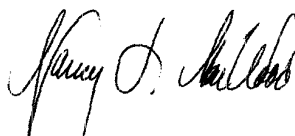
Re: BZA Case No. 17649 pertaining to Cosi's appeal

Dear Chairman Miller:

At the regularly scheduled public meeting of ANC 3C on May 21, 2007, the commissioners passed a resolution opposing Cosi's appeal in case #17649. The vote was 5-0. A quorum (a minimum of 5 of 9 commissioners) was present.

Thank you for giving great weight to the position of ANC 3C on this matter. If you have any questions, please feel free to contact me at (202) 966-5333 or nmacwood@aol.com.

Best regards,



Nancy J. MacWood
 Chair, ANC 3C

Enclosures

CC: Sara Benjamin Bardin

BOARD OF ZONING ADJUSTMENT
 District of Columbia

CASE NO. 17649

EXHIBIT NO. 12

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Board of Zoning Adjustment
 District of Columbia
 CASE NO. 17649
 EXHIBIT NO. 12

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ANC3C RESOLUTION NO. 2007-025

Resolution Opposing BZA Appeal #17649

WHEREAS Cosi Inc. applied for a certificate of occupancy for an eating establishment at 3519 Connecticut Avenue, NW; and

WHEREAS 3519 Connecticut Avenue falls within the Cleveland Park Commercial Overlay District; and

WHEREAS the Neighborhood Commercial Overlay District for Cleveland Park is intended to ensure a balance of neighborhood-serving retail and service establishments and, in particular, to restrict restaurants and bars; and

WHEREAS no more than 25% of the street frontage of the Cleveland Park Commercial Overlay District is permitted for eating establishment uses; and

WHEREAS more than 25% of the street frontage of the Cleveland Park Commercial Overlay District is currently utilized for eating establishments; and

WHEREAS the Zoning Administrator denied Cosi's application for a certificate of occupancy due to the fact that it would violate the Commercial Overlay District; and

WHEREAS Cosi is appealing the Zoning Administrator's decision to the Board of Zoning Adjustment; and

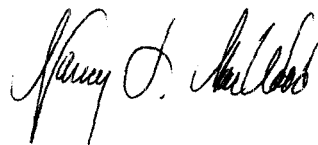
WHEREAS Cosi's basis of appeal is to state that 3519 Connecticut Avenue does not fall within the Overlay District because it fronts on a parking lot instead of directly on Connecticut Avenue:

NOW THEREFORE BE IT RESOLVED that ANC3C strongly supports the Zoning Administrator's decision to deny Cosi a matter of right Certificate of Occupancy;

BE IT FURTHER RESOLVED that ANC3C strongly opposes Cosi's appeal in case #17649 to the Board of Zoning Adjustment;

BE IT FURTHER RESOLVED that ANC3C authorizes Commissioners Fechter and MacWood or their designees to represent the ANC in this manner.

Attested by



Nancy J. MacWood

Chair, on May 30, 2007

This resolution was approved by a vote of 5-0 on May 21, 2007 at a public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.