

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



November 16, 2007

Ms. Rufina Pineda
4530 Georgia Avenue N. W.
Washington, DC 20011

Re: Lot 807 in Square 2918
4530-4532 Georgia Avenue N. W.
(1st Floor)
Zoned R-4

Dear: Ms.Pineda,

Your issued certificate of occupancy #132881 contained a condition that requires BZA review and approval. To use the subject premises as a "Retail Bakery and Delicatessen" will require Board of Adjustment approval. The property for purposes of zoning is classified as R-4 which 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 the authority to grant variances under provisions of DCMR Title 11, Section 3103.2 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.'"

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17801

EXHIBIT NO. 5

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This letter must be presented to the Office of the Board of Zoning Adjustment, Room 210S, 441 4th Street, N.W., when requesting special approval. If your request is granted, a new certificate of occupancy application must be filed.

Best Regards,

A handwritten signature in black ink, appearing to read "Matt LeGrant", written in a cursive style.

Matthew LeGrant
Zoning Administrator