



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF BUILDINGS
OFFICE OF ZONING ADMINISTRATION**

November 7, 2024

VIA ELECTRONIC MAIL

UM 500 Penn Street NE LLC
PO Box 528
Columbia, SC, 29202-0528
CLS-CTWashingtonDCFulfillment@wolterskluwer.com

and

UM 500 Penn Street NE LLC
1221 Main St, STE 1000
Columbia, SC 29201
CLS-CTWashingtonDCFulfillment@wolterskluwer.com
Owner

Songbyrd Music House, L.L.C.
540 Penn St NE
Washington, DC, 20002
jplesquire@gmail.com
Business

CORRECTION ORDER

This is an official notice from the District of Columbia Department of Buildings (“DOB”) to inform you that the violations listed below were found on 540 Penn Street NE (“Property”), which is located in a PDR-1 zone. DOB inspected the Property on October 17, 2024, and observed use beyond the scope of its Certificate of Occupancy number CO2102537 (“C of O”). The Property’s C of O allows it to operate a Restaurant with a maximum occupancy load of 150 persons, consisting of 102 Seats (90 Seats and 137 Max Occupancy Indoors, 12 Seats and 13 Max Occupancy in Summer Garden). During DOB’s October 17, 2024 inspection of the Property, DOB

observed entertainment, assembly, and performing arts uses, which are not allowed as a matter of right in PDR zones and require a Special Exception from the Board of Zoning Adjustment (“BZA”) per 11 DCMR Subtitle U § 802.1(e). You also require two area variances: one for relief from 11 DCMR Subtitle U § 802.1(e)(2) and one for relief from 11 DCMR Subtitle U § 802.1(e)(3). You are hereby ordered to correct these violations within 60 calendar days.

CONDITION NO.	LAW VIOLATED	VIOLATION DESCRIPTION	LOCATION/ REQUIRED CORRECTIVE ACTION
1	11 DCMR Subtitle U § 802.1(e)	Entertainment, assembly, and performing arts uses are permitted in any of the PDR zones only if approved by the BZA as a special exception.	Seek special exception relief from 11 DCMR Subtitle U § 802.1(e) at the BZA.
2	11 DCMR Subtitle U § 802.1(e)(2)	An area variance is required because the Property abuts a residential use or residential zone.	Seek relief from 11 DCMR Subtitle U § 802.1(e)(2) in the form of an area variance from the BZA.
3	11 DCMR Subtitle U § 802.1(e)(3)	An area variance is required because the Property is within the same square as or within a radius of one thousand (1,000 ft.) from another property containing live performance, nightclub or dance venue.	Seek relief from 11 DCMR Subtitle U § 802.1(e)(3) in the form of an area variance from the BZA.

If the BZA grants all the required relief you must next obtain the necessary building permits and a certificate of occupancy (C of O) to execute any approvals issued by the BZA. All building permits and C of O applications must be reviewed and approved by OZA for compliance with all applicable zoning standards for the construction and conformance with the BZA order(s). In addition, all building permits and C of O applications must be approved and issued by DOB.

**THE CITED CORRECTIVE ACTIONS MUST BE COMPLETED AS ORDERED BY
JANUARY 6, 2025.**

RIGHT TO APPEAL



You have the right to appeal against the correction order within 60 days after the date you had notice or knowledge of this decision or should have had notice or knowledge of this decision, whichever is earlier. Your appeal must specify the specific provisions of the Zoning Regulations or the rules legally adopted thereunder that you allege the Zoning Administrator incorrectly interpreted or applied. 12A DCMR § 112.3; D.C. Code § 6-641.07. To appeal, you must file an appeal with the District of Columbia Board of Zoning Adjustment, 441 4th Street, NW, Suite 210 South, Washington, DC 20001 (<http://dcoz.dc.gov>). Any questions about this Notice may be directed to the Office of Zoning Administration at (202) 671-3500 or via email at dob@dc.gov.

Date: 11.6.2024

Kathleen A. Beeton
Kathleen A. Beeton, AICP
Zoning Administrator