



January 11, 2022

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6B@anc.dc.gov

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Mr. Frederick Hill, Chairperson
Board of Zoning Adjustment
District of Columbia Office of Zoning
441 4th Street NW, Suite 200/210-S
Washington, DC 20001

VIA: Interactive Zoning Information System Filing - IZIS

RE: BZA 18701E: 1247 E Street SE; Modification of Significance from the use provisions, to operate a restaurant on the first floor and cellar, of BZA Order No. 18701-A to include general retail, service, and office uses in addition to the restaurant use within an existing, semi-detached, two-story with cellar, apartment house the RF-1 zone.

Dear Chairperson Hill:

At a regularly scheduled, properly noticed, meeting on January 11, 2022, with a quorum of at least six commissioners present, Advisory Neighborhood Commission (ANC) 6B voted 10-0-0 in support of the above-referenced request subject to the following conditions:

- 1) The modification to allow service and retail use is term limited to 12 years. This period is to ensure the applicant has enough time for a 10-year lease with two years to acquire a tenant and build out the space.
- 2) To the extent permissible by regulation, the Board should approve the identified premises for the previously approved restaurant use as well as any general retail, service, or office use, with the exception that the following uses be specifically prohibited:

Businesses whose principal activity consists of:

- *Appliance Repair
- *Parcel Delivery/Copier services or sales
- *Distribution
- *Appliance Sale
- *Sale of House Paints (but not excluding an arts supply store)
- *The sale of guns or ammunition
- *Drug store
- *Phone store
- *Sale of medical marijuana or CBD or tobacco
- *Check-cashing service

3) The conditions in the original order in case 18701 are included in this order as would apply to restaurant, service, and retail uses. Specifically, those conditions are

- A) Operating times shall not exceed 7:30 a.m. to 8:00 p.m., Monday through Friday, and 9:00 a.m. to 8:00 p.m., Saturday and Sunday.
- B) Subject to any conditions imposed by the Public Space Committee and Historic Preservation Review Board, trash cans shall be concealed and not visible from the street.
- C) Deliveries shall only be allowed between 8:30 a.m. to 5:00 p.m., Monday through Friday, and 9:30 a.m. to 2:00 p.m., Saturdays only.
- D) Outdoor seating shall be permitted if approved by the Public Space Committee.
- E) Outdoor seating is not permitted between the entry door on E Street and the fence line of 1245 E Street, S.E.
- F) No outdoor music shall be allowed.
- G) Subject to any conditions imposed by the Historic Preservation Office, the boarded-up door facing 13th Street shall be reopened.

Please contact Commissioner Corey Holman, ANC Chair, at 301-664-4132 or 6b06@anc.dc.gov if you have questions or need further information.

Sincerely,



Corey Holman
Chair, ANC 6B

Attachment: Form 129

Applicant/Attorney: Hatem Hatem/Martin Sullivan
SMD Commissioner: Corey Holman



**BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**



FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to §§ 3012.5 and 3115.1 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:		Case Name:	
Address or Square/Lot(s) of Property:			
Relief Requested:			

ANC MEETING INFORMATION

Date of ANC Public Meeting:	D	D	/	M	M	/	Y	Y	Was proper notice given?:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Description of how notice was given:													
Number of members that constitutes a quorum:					Number of members present at the meeting:								

MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (*a separate sheet of paper may be used*):

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (*a separate sheet of paper may be used*):

AUTHORIZATION

ANC		Recorded vote on the motion to adopt the report (i.e. 4-1-1):	
Name of the person authorized by the ANC to present the report:			
Name of the Chairperson or Vice-Chairperson authorized to sign the report:			
Signature of Chairperson/ Vice-Chairperson:	<i>Corey Holman</i>	Date:	

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO 11 DCMR §§ 3012 AND 3115.

INSTRUCTIONS

Pursuant to 11 DCMR §§ 3012.6 and 3115.2, the Zoning Commission and Board of Zoning Adjustment shall give “*great weight*” to the written report of the affected Advisory Neighborhood Commission (ANC), as required by the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000.

1. All ANC reports shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. Present this form and supporting documents to the Office of Zoning at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001.
3. Submission deadlines are as follows:

For Zoning Commission:

- a. ANCs must file this form at least seven (7) calendar days in advance of the hearing, if they wish to participate in a contested case under § 3022.
- b. ANCs may file this form as long as the case record is open, if they wish to participate in a rulemaking case under § 3021.

For Board of Zoning Adjustment:

- a. ANCs must file this form at least seven (7) calendar days in advance of the hearing.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete a Form 155 - Request for Reasonable Accommodation.