



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

April 26, 2022

SENT VIA ELECTRONIC MAIL

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NOTICE TO REVOKE CERTIFICATE OF OCCUPANCY PERMIT [CO2200300](#)

This is official notice (“Notice”) from the Department of Consumer and Regulatory Affairs (“DCRA”) informing you that the violations identified below were found on your Certificate of Occupancy (CO) permit application located at 1720 1st Street NW. You are required to immediately correct the violating conditions within (60) calendar days.

CO Permit No. CO2200300 (the “permit”) was issued on November 30, 2021 to allow for use as “CORNER STORE -- RETAIL GROCERY” at 1720 1st Street NW (“the Property”). The Property is located in the RF-1 zone, which does not allow retail grocery as a matter of right. This establishment was issued this CO permit due to the information provided under building permit #B2103539 which stated that the proposed space was an “Existing Grocery Store” and not a new proposed retail establishment. The Office of the Zoning Administrator (OZA) has determined that the prior use of the establishment was not a grocery retail establishment, and that this permit is in violation of **11 DCMR Subtitle C, § 204.4** which states:

“Discontinue for any reason of a nonconforming use of a structure or of land, except where governmental action impedes access to the premises, for any period of more than three (3) years, shall be constructed as prime facie evidence of no intention to resume active operation as a nonconforming use. Any subsequent use shall conform to regulations of the zone in which the use is located.”

Therefore, CO Permit No. **CO2200300** was issued in error for non-compliance with zoning regulation **11 DCMR Subtitle C § 204.4**. Pursuant to **12A DCMR §111.1 (4)**, the code official may revoke a permit when the code official determines that the permit has been erroneously issued as the result of an administrative error.¹

Accordingly, DCRA shall revoke building permit #**CO2200300**, effective sixty (60) days as of the date of service of this Notice unless the building permit comes into compliance with the zoning regulations. The following information lists the options available to bring the building permit into compliance:

- Apply to the Board of Zoning Adjustment (“BZA”) for relief from regulation **11 DCMR Subtitle C, sec. 204.4**. If granted, apply for a new certificate of occupancy permit for the approved use.

RIGHT TO APPEAL

You have the right to appeal the revocation of your building permit pursuant to 12A DCMR 112.3; 11 DCMR Subtitle Y § 302; and D.C. Official Code § 6-641.07. To appeal, you must file a request for a hearing within sixty (60) days of the date of the service of this notice 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 the Zoning Administrator at (202) 442-4576 or via email at matt.legrant@dc.gov.

Date: 4-26-2022

Matthew Le Grant

Matthew Le Grant
Zoning Administrator

¹ Section 111.1, states: Revocation of a permit. The code official is authorized to revoke in whole or in part any permit issued under the Construction Codes or *the Zoning Regulations* upon service of notice as specified by Section 111.3, for any of the following reasons:

* * *

4. When the code official determines that the permit has been erroneously issued as the result of administrative or clerical error and notifies the permit holder of the error more than five business days after permit issuance.