



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



July 16, 2007

Mr. Clifford Moy
Secretary
Board of Zoning Adjustment
441 Fourth Street, NW, Suite 210
Washington, DC 20001

Re: Letter of BZA Appeal Authorization for 1016 H St NE

Dear Mr. Moy,

At the regularly scheduled and properly noticed meeting on July 12th, 2007, Advisory Neighborhood Commission 6A voted 8-0 (with 5 Commissioners required for a quorum) to appeal the administrative decision of the Department of Consumer and Regulatory Affairs Zoning Administrator to approve Building Permit #105469 at 1016 H St NE.

Please be advised that Terres (Drew) Ronneberg is authorized to act on behalf of ANC 6A for the purposes of this appeal. Dr. Ronneberg can be reached at ronneberg6a02@gmail.com or (202) 431-4305.

On behalf of the Commission,

A handwritten signature in cursive script, appearing to read 'David Holmes'.

David Holmes
Vice Chair, Advisory Neighborhood Commission 6A

Form 125 — Exhibit 1
(Revised 03/15/02)

Case No.



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



APPEAL

Notice: [Click Here for Appeal Form Instructions](#)

Pursuant to Section (s) §3100 and §3101 of the Zoning Regulations of the District of Columbia, an appeal is hereby taken

from the administrative decision of:*	Building permit #105469
made on* 07/16/2007	, to the effect that*

The Zoning Administrator erred when issuing building permit #105469 because a fast food restaurant is only permitted by special exception in a C-2-A zone (Section 733.1) and the H Street Neighborhood Commercial Overlay District (Section 1320.4(a)). To date, a special exception has not been granted for this use at this property address.

Address(es)* of Affected Premises	Square(s)*	Lot(s)*	Zoning Districts*
1016 H St NE	0958	0807	C-2-A

Present Use of Property:*	Vacant		
Proposed Use of Property:*	Fast Food Restaurant		
Owner of Property:*	John C. Formant	Telephone No.:*	(202)544-3900 ext. 111

Name, address and telephone number of lessee:
Tchaka Sapp 725 Florida Ave NW Washington, DC 20001 (202) 437-0047

Name, address and telephone number of appellant, if other than owner:
Terres (Drew) Ronneberg -- Representing ANC 6A, where the property is located 646 11th St NE Washington, DC 20002 (202) 431-4305

State specifically manner in which appellant is aggrieved by the administrative decision, the allegations of error in the administrative decision, and the relevant sections of the Zoning Regulations (see reverse for more detailed explanation).

Please use a separate piece of 8 1/2" x 11" to respond and attach it to the Form 125 Appeal.

Date:* 07/16/07	Signature:		
-----------------	------------	--	--

* If appeal is filed by agent of the Appellant, Form 125 Appeal shall be accompanied by a letter signed by the appellant authorizing the agent to act on his behalf in this appeal.

**To be notified of hearing and decision.
(Appellant or Authorized Agent)***

Name:*	Terres Ronneberg						
Address:*	646 11th St NE	City:*	Washington	State:*	DC	Zip:*	20002
Phone No.:*	(202)431-4305	Fax No.:		E-Mail:	ronneberg6a02@gmail.com		

**ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM
WILL NOT BE ACCEPTED.**

Before the

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

APPEAL OF:)
Advisory Neighborhood Commission 6A for the)
Administrative Decision of DCRA on)
Building Permit #105469

Statement of the Applicant

Advisory Neighborhood Commission 6A (ANC 6A) hereby requests that the Board of Zoning Adjustment GRANT the Appeal from the administrative decision of the Department of Consumer and Regulatory Affairs Building and Land Use Regulation Administration approval of the Building Permit #105469 at 1016 H St NE and in support of its appeal states:

SUMMARY OF APPEAL

The Department of Consumer and Regulatory Affairs (DCRA) erred in its decision to grant Building Permit #105469. The property that is subject to this appeal is located at 1016 H St. NE, zoned C-2-A and located within the boundaries of the H Street NE Neighborhood Commercial Overlay District and ANC 6A. The requested reason is because DCRA approved the building permit in violation of 11 DCMR Section 733.1 and 1320.4(a) where a fast food restaurant is only permitted by special exception.

DISCUSSION

Building Permit #105469 states that the applicant is permitted “to renovate existing building to accommodate a fast food restaurant.” However, a fast food restaurant is only permitted by special exception in a C-2-A zone and within the boundaries of the H St NC Overlay. To date, no special exception has been granted to operate a fast food restaurant at this location and no application for a special exception has been filed.

REQUEST FOR RELIEF

The appellant requests that the Board ORDER the Department of Consumer and Regulatory Affairs to revoke Building Permit #105469, because DCRA inappropriately granted a permit to renovate a building for use as a fast food restaurant in violation of Section 733.1 and 1320.4(a).