



**Advisory Neighborhood Commission 6A**  
P.O. Box 75115  
Washington, DC 20013



**Advisory Neighborhood Commission 6C**  
P.O. Box 77876  
Washington, DC 20013-7787

July 15, 2005

Dr. Patrick J. Canavan, Director  
District of Columbia  
Department of Consumer and Regulatory Affairs  
941 North Capitol Street, NE, Room 2200  
Washington, DC 20002

Jerrily R. Kress, Director  
District of Columbia  
Office of Zoning  
441 4th Street, NW  
Suite 210 South  
Washington, DC 20001

Re: Special Exceptions for fast food establishments in C-2-A zone on H Street, NE

Dr. Canavan and Ms. Kress:

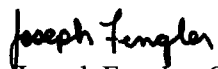
At the July public meetings of Advisory Neighborhood Commissions 6A and 6C, held respectively on July 13 and July 14, 2005, and with a quorum present for each Commission, both Commissions voted to seek your immediate assistance with enforcing BZA Order 17214 on H Street, NE.

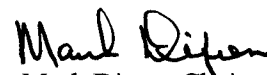
Specifically, we are formally calling for the Department of Consumer and Regulatory Affairs *not* to issue Certificates of Occupancy for any fast food restaurants on C-2-A zoned portions of H Street, NE without the required Board of Zoning Adjustment Hearing. As clearly outlined in BZA Order 17214, fast food establishments in the C-2-A zone require a special exception. Please find the BZA Order enclosed for your immediate review.

Since the date of this order, one fast food establishment, Taste of Jamaica, opened on the corner of 6<sup>th</sup> and H Streets, NE and another is poised to do so at 1123 H Street, NE, Cluck-U-Chicken. We further apply for an immediate review of how the Certificate of Occupancy was issued to the Taste of Jamaica and what steps both departments will undertake to ensure that a Certificate of Occupancy is not issued to Cluck-U-Chicken without the required Board of Zoning Hearing.

Finally, we note that even the business at issue in the BZA case 17214 itself – Chans Food, Inc – continues to operate Blimpie's / Noble Roman Pizza, located at 721 H Street, NE, despite the lack of a valid certificate of occupancy. Absent a stay of the BZA order, which we believe remains fully effective, the Zoning Administrator should take prompt action to prevent any further illegal operation of this fast food restaurant.

On behalf of both Commissions,

  
Joseph Fengler, Chair  
ANC 6A

  
Mark Dixon, Chair  
ANC 6C