

Rescind

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

Posting Date: January 11, 2008
Petition Date: February 25, 2008
Hearing Date: March 12, 2008

License No.: 76925
Licensee: 3287 M, LLC
Trade Name: Modern
License Class: Retailer's Class "C" Tavern
Address: 3287 M Street, NW

WARD 2

ANC 2E

SMD 2E05

Notice is hereby given that this licensee has applied for a substantial change to his license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 7th Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

The licensee requests an Entertainment Endorsement for Entertainment, Dancing, and Cover Charge from 6pm – 2 am, Sunday – Thursday, and Friday and Saturday, 6 pm – 3 am.

****Correction

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

Posting Date: February 8, 2008
Petition Date: March 24, 2008
Hearing Date: April 9, 2008

License No.: 74926
Licensee: Zacks, Inc.
Trade Name: Taverna the Greek Island
License Class: Retailer's Class "R" Restaurant
Address: 305 Pennsylvania Avenue, SE

WARD 6

ANC 6B

SMD 6B01

Notice is hereby given that this licensee has applied for a substantial change to his license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 7th Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

The licensee requests a change of Hours of Operation, Sales, Service, and Consumption of Alcoholic Beverages, and Entertainment Endorsement for Entertainment, Dancing, and Cover Charge.

HOURS OF OPERATIONCurrent Hours

Sunday thru Saturday 11 am – 11:30 pm

Proposed Hours

Sunday 11 am -5 pm; Monday thru Thursday 11 am -2 am;
Friday and Saturday 11 am – 3 am

HOURS OF SALES, SERVICE OR CONSUMPTION OF ALCOHOLIC BEVERAGESCurrent Hours

Sunday thru Saturday 11 am – 11:30 pm

Proposed Hours

Sunday 11 am – 4 pm; Monday thru Thursday 11 am – 2 am;
Friday and Saturday 11 am – 3am

HOURS OF ENTERTAINMENT

****Monday thru Thursday 8 pm – 2 am; Friday and Saturday 8 pm – 3 am

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, APRIL 29, 2008
SECOND FLOOR HEARING ROOM, SUITE 220-S
441 4TH STREET, N.W.
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

**9:30 A.M. TO 12:00 P.M. MORNING SESSION
1:00 P.M. TO 6:00 P.M. AFTERNOON SESSION**

A.M.

WARD TWO

17744 **Application of Taiwo Demuren, pursuant to 11 DCMR § 3103.2,**
ANC-2C **for a variance from the lot area requirements under subsection 401.3,**
to construct a one-family row dwelling in the R-4 District at
premises 515 N Street, N.W. (Square 480, Lot 802).

WARD FIVE

17754 **Application of Mary Lou Bakker, pursuant to 11 DCMR § 3103.2,**
ANC-5C **for a variance from the nonconforming structure provisions under**
subsection 2001.3, and a variance from the accessory structure
provisions under subsection 2300.2(b), to allow the construction of a
free-standing garage serving a one-family dwelling in the R-4
District at premises 84 V Street, N.W. (Square 3117, Lot 807).

WARD FOUR

17784 **Application of Little Rascals Doggie Day Care LLC, pursuant to**
ANC-4B **11 DCMR § 3104.1, for a special exception to establish an animal**
boarding business under section 735, in the C-3-A District at
premises 5917 Georgia Avenue, N.W. (Square 2986, Lot 36).

P.M.

BZA PUBLIC HEARING NOTICE

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WARD THREE

17747 **Appeal of Stephanie Wallace, pursuant to 11 DCMR §§ 3100 and**
ANC-3E **3101, from a September 28, 2007, decision of the Zoning**
 Administrator (“ZA”), to deny the issuance of a building permit
 allowing the reconstruction of a portion of a pre-existing one-family
 dwelling the R-1-B District at premises 5013 Belt Road, N.W.
 (Square 1756, Lot 64).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial.

The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4 of the Regulations, the Board will impose time limits on the testimony of all individuals.

Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board. Individuals and organizations wishing party status in any case before the Board must request that status and should do so in writing not less than fourteen (14) days prior to the date set for the public hearing on the particular application in accordance with Subsection 3106.2. All requests and comments should be submitted to the Board

through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence. FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

RUTHANNE G. MILLER, CHAIRPERSON, MARC D. LOUD, MARY OATES WALKER, SHANE L. DETTMAN, AND A MEMBER OF THE ZONING COMMISSION ----- BOARD OF ZONING ADJUSTMENT, BY JERRILY R. KRESS, FAIA, DIRECTOR.

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Except for the applicant and the ANC, to participate as a party in a proceeding before the Commission, **any affected person shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name and address;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf; and
- (f) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by such person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest such person has in such property, such as owner, tenant, trustee, or mortgagee;
 - (3) The distance between the person's property and the property that is the subject of the application before the Commission;
 - (4) The environmental, economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied;
 - (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The Commission shall determine who will be recognized as a party. In so determining, the Commission shall consider whether the provisions of § 3022.3 have been complied with and whether the specific information presented qualifies the person as a party. The Commission shall grant party status only if the person requesting party status has clearly demonstrated that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public.

Any person wishing to be considered a party should clearly state the request, and should also provide a daytime telephone number should it be necessary for the Office of Zoning to obtain

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additional information or clarification prior to the hearing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusions in the record.

The Zoning Commission hereby gives notice of the following procedures applicable to this case. Any person requesting to appear as a party to this application shall submit the following additional information:

1. A summary of the testimony of each witness.
2. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes of qualifications of the proposed experts.
3. The total amount of time being requested to present the case.

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR § 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited above relating to the hearing procedures. The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

The Zoning Commission gives further notice that it intends to establish time limits for oral presentations of both parties and persons. Accordingly, the following time limits shall apply:

- | | |
|------------------|-------------------------------------------|
| 1. Applicant | 60 minutes collectively |
| 2. Other Parties | 15 minutes each (60 minutes collectively) |
| 3. Organizations | 5 minutes |
| 4. Individuals | 3 minutes |

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points.

Information should be forwarded to the Director, Office of Zoning, Suite 200, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, GREGORY N. JEFFRIES, CURTIS L. ETHERLY, JR., PETER G. MAY, AND MICHAEL G. TURNBULL, ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.