

April 2, 2015

**VIA FIRST CLASS MAIL**

ANC 3F  
4401-A Connecticut Avenue, N.W. Box 244  
Washington, D.C. 20008-2322

**Re: BB&H Joint Venture, on behalf of Potomac Foods Company - II, Inc., Use of a Parking Lot Accessory to an Existing Burger King Restaurant at 4422 Connecticut Avenue, N.W. (Square 1971, Lot 822)**

Dear ANC 3F:

This letter serves as an annual report regarding the use of the parking lot accessory to the existing Burger King Restaurant located at 4422 Connecticut Avenue, N.W. by BB&H Joint Venture, on behalf of Potomac Foods Company – II, Inc. (“Potomac”). By Order No. 18741 dated July 16, 2014 (the “Order”), the Board of Zoning Adjustment (the “Board”) approved the continued use of the site as a parking lot for a period of three (3) years, subject to certain conditions, including the distribution of an annual report regarding compliance with the Order.

Potomac reports as follows regarding compliance with the conditions in the Order:

1. Condition 1: Approval shall be for a period of three (3) years beginning on the date upon which the order becomes final.

**Update:** The accessory parking lot is in compliance with this condition as the final date of the Order is less than three (3) years old.

2. Condition 2: There shall be no dumpsters in the accessory parking lot.

**Update:** There are currently no dumpsters in the accessory parking lot.

3. Condition 3: At no time shall delivery, vendor, or trash trucks be permitted to enter the accessory parking lot.

**Update:** There is no need for delivery, vendor, or trash trucks to enter the accessory parking lot, and Potomac is not aware of any delivery, vendor, or trash trucks entering the accessory parking lot.

4. Condition 4: Two trash cans shall be maintained on the parking lot and emptied at least once per day, or more often if they are overflowing with trash.

**Update:** There are two trash cans on the accessory parking lot that are emptied at least once per day.

5. Condition 5: The parking space and fence along the western boundary of the site shall be maintained in good condition at all times. All parts of the lot shall be kept free of refuse

and debris. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance, and the trees located on the property shall be pruned as necessary.

**Update:** The parking space and fence along the western boundary of the site are maintained in good condition. The parking lot is serviced by two trash cans and kept free of refuse and debris. Landscaping is regularly maintained and the trees located on the property are pruned as necessary.

6. Condition 6: An exterminator shall perform extermination services once a month, or as necessary, to control any rodents.

**Update:** Potomac has placed bait stations along the western border of the accessory parking lot to control any rodents and extermination services are performed as necessary.

7. Condition 7: The Applicant shall appoint a neighborhood and ANC liaison. The Applicant shall notify the ANC and all residences within 200 feet of the property of the name, telephone number, and e-mail address of the appointed liaison. When that individual is no longer designated to act as the liaison, the Applicant shall use the same procedure to notify the neighborhood of his or her successor.

**Update:** The existing neighborhood and ANC liaisons have not been changed and continue to be Brian Timmons and Mark James. Mr. Timmons can be reached at (301) 721-2900 or by e-mail at [briant@potomacfoodsgroup.com](mailto:briant@potomacfoodsgroup.com). Mr. James can be reached at (703) 615-9543 or by e-mail at [markj@potomacfoodsgroup.com](mailto:markj@potomacfoodsgroup.com).

8. Condition 8: The Applicant shall provide to the ANC and the residences within 200 feet, an annual report summarizing its compliance with the conditions.

**Update:** Potomac is providing this letter to comply with Condition 8.

9. Condition 9: Existing wheel stops, signage, guardrail, parking space striping, and direction signage painted on the pavement shall be properly maintained.

**Update:** Existing wheel stops, signage, guardrail, parking space striping, and direction signage painted on the pavement are visible and have been maintained.

10. Condition 10: The Applicant shall, as necessary, repaint and maintain the entrance and exit directional arrows on the surface of the parking lot.

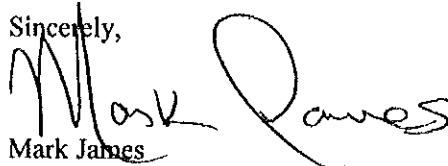
**Update:** Entrance and exit directional arrows on the surface of the parking lot are visible and have been maintained.

11. Condition 11: The Applicant shall maintain a barrier along the north side of the accessory parking lot so as to limit ingress and egress into the accessory parking lot along its northern border.

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**Update:** There is a barrier along the north side of the accessory parking lot.

Sincerely,

A handwritten signature in black ink that reads "Mark James". The signature is written in a cursive style with a large, looping "M" and "J".

Mark James  
Potomac Foods Company – II, Inc.

cc: ANC 3F Residents (see attached list) – by first class mail  
Brian Timmons, Potomac Foods Company – II, Inc. – by e-mail  
Richard M. Pollak, Troutman Sanders LLP – by e-mail  
Karina L. Sigar, Troutman Sanders LLP – by e-mail

**NAMES AND ADDRESS OF PROPERTY OWNERS WITHIN 200 FEET OF SQUARE**  
**1971, LOT 822**

**Square 1971, Lot 820**

Lot Address: 3424 Albermarle St, NW, Washington, DC

Owner: Donnie V. Hinton

Owner's Address: 4432 Connecticut Avenue, NW, Washington, DC 20008-2301

**Square 1971, Lot 24**

Lot Address: 4435 35<sup>th</sup> St, NW, Washington, DC

Owner: Michael Lopez

Owner's Address: 4435 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 23**

Lot Address: 4433 35<sup>th</sup> St, NW, Washington, DC

Owner: Arianne E. Brown

Owner's Address: 4433 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 22**

Lot Address: 4431 35<sup>th</sup> St, NW, Washington, DC

Owner: John Gardiner

Owner's Address: 4431 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 21**

Lot Address: 4429 35<sup>th</sup> St, NW, Washington, DC

Owner: Anya Kamara

Owner's Address: 4429 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 20**

Lot Address: 4427 35<sup>th</sup> St, NW, Washington, DC

Owner: Jocelyn Linde-Colella

Owner's Address: 4427 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 19**

Lot Address: 4425 35<sup>th</sup> St, NW, Washington, DC

Owner: Corinne Guttman Trustee

Owner's Address: 4425 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 18**

Lot Address: 4423 35<sup>th</sup> St, NW, Washington, DC

Owner: Timothy Gardiner

Owner's Address: 4423 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 17**

Lot Address: 4421 35<sup>th</sup> St, NW, Washington, DC

Owner: Luke Diamond

Owner's Address: 4421 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 16**

Lot Address: 4419 35<sup>th</sup> St, NW, Washington, DC

Owner: I V Hewawasam

Owner's Address: 4419 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 837**

Lot Address: 4415 35<sup>th</sup> St, NW, Washington, DC

Owner: Jiyan N Wei

Owner's Address: 4415 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 13**

Lot Address: 4413 35<sup>th</sup> St, NW, Washington, DC

Owner: Robert Wei

Owner's Address: 3382 Hollister Rd, Cleveland Heights, Ohio 44118-1326

**Square 1971, Lot 12**

Lot Address: 4411 35<sup>th</sup> St, NW, Washington, DC

Owner: Sasha M Samberg-Champion

Owner's Address: 4411 35<sup>th</sup> St, NW, Washington, DC 20008-4203

**Square 1971, Lot 832**

Lot Address: 4435 35<sup>th</sup> St, NW, Washington, DC

Owner: 4434 Connecticut Avenue, LLC, Alvin L Aubinoe Inc.

Owner's Address: 7507 Arlington Rd, Bethesda, Maryland 20814-6101

**Square 1971, Lot 831**

Lot Address: 4434 35<sup>th</sup> St, NW, Washington, DC

Owner: 4434 Connecticut Avenue, LLC, Alvin L Aubinoe Inc.

Owner's Address: 7507 Arlington Rd, Bethesda, Maryland 20814-6101

**Square 1971, Lot 823**

Lot Address: 4427 35<sup>th</sup> St, NW, Washington, DC

Owner: L L Hinton

Owner's Address: 9723 Avenel Farm Dr, Potomac, Maryland 20854-5413

**Square 1971, Lot 825**

Lot Address:

Owner: John R Kelin II

Owner's Address: 117 Grafton St, Chevy Chase, Maryland 20815-3425

**Square 1971, Lot 26**

Lot Address: 3415 Yuma St, NW, Washington, DC

Owner: Van Ness LP

Owner's Address: 6404 Ivy Ln, Ste 720, Greenbelt, Maryland 20770-1425

**Square 1971, Lot 27**

Lot Address: 3427-3435 Yuma St, NW, Washington, DC

Owner: Yuma LLC Gables Residential

Owner's Address: 225 Ne Mizner Blvd, Ste 400, Boca Raton, Florida 33432-4092

**Square 1971, Lot 804**

Lot Address: 4434 Connecticut Avenue, NW, Washington, DC

Owner: Mid-Cities LLC Aubinoe Mgt

Owner's Address: 7507 Arlington Rd, Bethesda, Maryland 20814-6101

**Square 1971, Lot 817**

Lot Address: 4432 Connecticut Avenue, NW, Washington, DC

Owner: L L Hinton

Owner's Address: 9723 Avenel Farm Dr, Potomac, Maryland 20854-5413

**Square 1971, Lot 815**

Lot Address: 4418-4420 Connecticut Avenue, NW, Washington, DC

Owner: John R Klein

Owner's Address: 117 Grafton St, Chevy Chase, Maryland 20815-3425

**Square 1971, Lot 836**

Lot Address: 4400 Connecticut Avenue, NW, Washington, DC

Owner: Thomas Mott Trustees

Owner's Address: 6404 Ivy Ln, Ste 720, Greenbelt, Maryland 20770-1425

**Square 1971, Lot 835**

Lot Address: Connecticut Avenue, NW, Washington, DC

Owner: Thomas Mott Trustees & L Costello Trustees

Owner's Address: 6404 Ivy Ln, Ste 720, Greenbelt, Maryland 20770-1425