

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

September 1, 2011



VIA EMAILED PDF

Gary Nusinov
9 Maymont Court
Timonium, MD 21093

RE: 3525 V Street, NE, Parcel 173, Lot 93

Dear Mr. Nusinov:

This letter confirms my office's review of your proposed medical marijuana cultivation center to be located at 3525 V Street, NE in Washington, D.C. ("the Property"). My analysis included applying the zoning regulations set forth in Title 11 of the District of Columbia Municipal Regulations (DCMR) and the medical marijuana regulations set forth in Title 22, Subtitle C of the DCMR (these regulations were adopted, on emergency basis, by the Mayor on August 10, 2011 and were published in the *D.C. Register* on August 12, 2011 (58 D.C.R. 7207)).

After reviewing the District's zoning map and the Office of Zoning's Certification (attached), I find that the Property is zoned C-M-1. Under the D.C. zoning regulations, specifically 11 DCMR § 801.7(j), a property zoned C-M-1 permits "any light manufacturing" uses. As the Zoning Administrator, I interpret the zoning regulations on a case-by-case basis. As such, I have determined that a medical marijuana cultivation center is permitted in a C-M-1 zone.

Under 22C DCMR §§ 5201.1 and 5403.2, a medical marijuana cultivation center shall not be located "within three hundred feet (300 ft) of a preschool, primary or secondary school, or recreation center." Based on the information you provided to my office [attached], the Property complies with these distance requirements. My office independently researched the District's Geographic Information System and found no identified preschools, primary or secondary schools, or recreation centers within a 300-foot radius of the Property's lot lines.

Therefore, based on the medical marijuana regulations, the zoning regulations, your representations, and my office's independent research, I conclude that your proposed medical marijuana cultivation center at the Property is allowed as a matter of right use. As you are aware, this use is subject to the licensing requirements of the D.C. Department of Health, which administers and regulates the medical marijuana program.

Please feel free to contact me at matthew.legrant@dc.gov if you have any questions.

Sincerely, 
Matthew Le Grant

Attachments

File: Det Let re 3525 V St NE to Nusinov 9-1-2011

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



December 20, 2010

I certify and attest that the official records of the Zoning Commission for the District of Columbia indicates that, Lot 93 in Parcel 113 is zoned C-M-1 with boundary lines as shown on the attached plat.



JAMISON L. WEINBAUM
Director
Office of Zoning

District of Columbia, ss

Signed and sworn to before me this 20th day of December 2010.



SHARON S. SCHELLIN
Notary Public, DC

My Commission expires on JANUARY 1, 2014

Proximity Report for 3525 V Street NE, Parcel 173/93

The subject property is located at 3525 V Street NE, Parcel 175/93 in a largely industrial area neighboring Metro Police and food warehouses. The following are the closest entities listed in the emergency amendment to Title 22 of the District of Columbia Municipal Regulations (DCMR), new subtitle C entitled "Medical Marijuana, specifically subsection 5404.1 (d) "A certified surveyor's report setting forth the proximity of the cultivation center of dispensary to the nearest public or private, preschool, primary or secondary school or recreation center and the name of the school or recreation center." The following are listed from closest to furthest:

Dakota Playground at the intersection of Adams Street NE and 33rd Street NE - 1440 feet.

Theodore Hagans Cultural Center 31st Street Place NE - 1440 feet.

Thurgood Marshall Elementary School – 2955 feet.

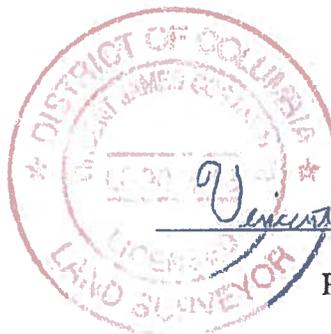
Arboretum Recreation Center 2412 Rand Place NE – 3910 feet.

Wash Math Science Tech 1920 Bladensburg Road NE – 4303 feet.

Friendship Public Charter School 2959 Carlton Avenue NE – 4586 feet.

Tree of Life Community PCS 2513 18th Place NE – 5533 feet.

Langdon Elementary School 1900 Evarts Street NE – 5552 feet.



Vincent J. Costanzi

Vincent James Costanzi
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