

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

<b>In the Matter of:</b>	)	
	)	
The Berliner Group, LLC	)	
t/a Lapis	)	
	)	
Applicant for a New	)	Case No. 10-PRO-00129
Retailer's Class CR License	)	License No. 85260
at premises	)	Order No. 2010-537
1032 Wisconsin Avenue, N.W.	)	
Washington, D.C. 20007	)	
	)	

The Berliner Group, LLC, t/a Lapis ("Applicant")

Ron Lewis, Chairperson, Advisory Neighborhood Commission (ANC) 2E

Judi Cochran

**BEFORE:** Charles Brodsky, Chairperson  
Mital M. Gandhi, Member  
Nick Alberti, Member  
Donald Brooks, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member

**ORDER DENYING REQUEST FOR REINSTATEMENT**

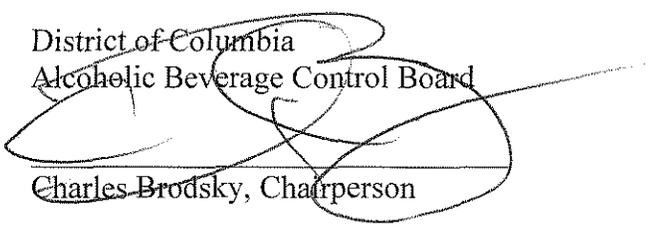
The Application filed by The Berliner Group, LLC, t/a Lapis, for a new Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on October 18, 2010, in accordance with D.C. Official Code § 25-601 (2001).

On October 18, 2010, pursuant to Title 23 of the District of Columbia Municipal Regulations ("23 DCMR") § 1602.3 (2004), the Board dismissed the Protest of Judi Cochran because, according to her, there is a townhouse separating her property from the establishment, which is not considered an abutting property. Judi Cochran filed a request for reinstatement with the Board. Upon consideration of this request to reinstate Judi Cochran, the Board finds that Judi Cochran is not an abutting property owner pursuant to D.C. Official Code § 25-601.

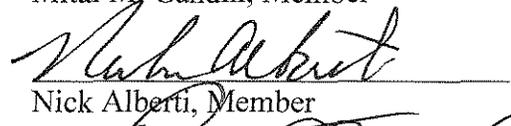
The Berliner Group, LLC  
t/a Lapis  
Case No. 10-PRO-00129  
License No. 85260  
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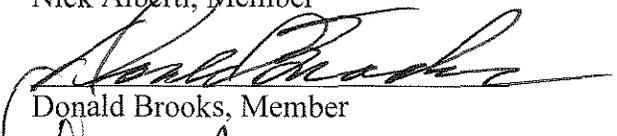
**ORDER**

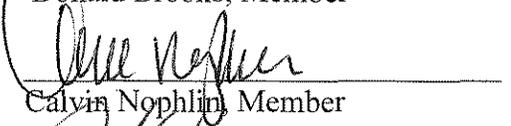
For these reasons, the Board does hereby, this 27<sup>th</sup> day of October, 2010, **DENY** the reinstatement of Judi Cochran. Copies of this Order shall be sent to the Applicant, ANC 2E, and Judi Cochran.

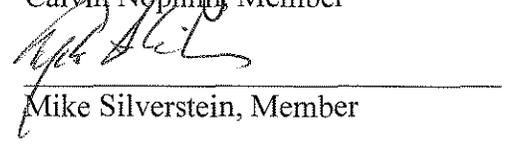
District of Columbia  
Alcoholic Beverage Control Board  
  
Charles Brodsky, Chairperson

\_\_\_\_\_  
Mital M. Gandhi, Member

  
Nick Alberti, Member

  
Donald Brooks, Member

  
Calvin Nophlin, Member

  
Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 1250 U Street, N.W., 3<sup>rd</sup> Floor, Washington, D.C. 20009.

To whom it may concern,

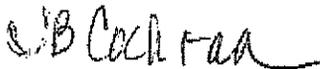
October 18 2010

Today I was dismissed as a protestant for case The Berliner Group, LLC t/a 1032-1034 Wisconsin Avenue NW, Case No 10-PRO-00129 because I am not an abutting property. I request that you reconsider for the following reasons.

- 1) There are 4 tiny (12 foot wide) townhouses set up high off the Wisconsin Avenue street, connected to the street by 2 sets of stairs for the four properties. All four owners have, for years, joined together in concern and finances, in maintaining the joined property in landscaping, vermin control, and tree maintenance of an old Spring blossoming tree.
- 2) My property is completely residential, while the property inbetween the referenced property and mine is occupied by a small office concern which closes business at 5 p.m.
- 3) I feel that I represent the concerns of the residents on Cherry Hill Lane, the small cobblestone alley street directly behind these 4 townhouses which front off of Wisconsin Ave, but end right on Cherry Hill Lane, a completely residential street.

I appreciate you taking the time to reconsider and grant me standing for this case.

Respectfully,



Judi Cochran, owner of 1028 Wisconsin Avenue since 1978.