PERMITS

Date [1]	Permit No [1]	Description of Work [2]	Zoning Approval by
11/07/03	B456618	Revise 1-3rd floors and garage	DN
09/03/03	B454064	Alter repair existing model rooms per plans	Xoan Mac
08/25/02	B454315	Revise permit #B435464 per drawings on 7th floor	"N/A" [3]
08/19/03	B454523	Revised permit #B435464[4] of new bldg per drawings 6th floor only	Xoan Mac
08/13/02	B454596	Revision to exist permit #B435464 as per attached drawing	Xoan Mac
07/15/03	B453159	Two traction 7'0"x5'0" steel elevator for passengers	Xoan Mac
(Revisions to:			
B435464	03/08/01	New construction, 7-story Community Residence Facility	
B442149	01/08/02	Revision of elevator penthouse to include elevator only per plans)	

BZA
Case No. 17127
Exhibit No. 2

[1] Note that chronological order and Permit numerical order do not match.

[2] Permit materials provided to us by DCRA for these permits, as of Dec. 31, 2003, do not fully match the description of work, are incomplete and/or are ambiguous.

[3] DCRA APPROVALS, Section C.3. Zoning by is listed as "N/A" and the Date is blank.

[4] No floor plans included in this 6th Floor revision permit. The "6th FLOOR PLAN" has not been revised in any permit..

Board of Zoning Adjustment
District of Columbia
CASE NO. 17127
EXHIBIT NO. 2

ZONING REGULATION VIOLATIONS ALLEGED IN THE APPEAL

Zoning Districts

(a) The applicable zoning district for Lot 162, square 1989 at the time of Permit B435464 (1/7/01) was R-2 and R-5-D.
(b) Applicable zoning district at the time of issuance of Permit B442149 and the current series of appealed permits was R-2 and R-5-B.
© Sunrise and its partners were on notice of the potential district change well before they submitted the first building permit application (submitted by Louis and Sunny Reyes, et al) and before Sunrise purchased all the subject property.
(d) Permits B435464 and B454323 cite R-5-E as the zoning district.

Required Yards:

§404.1 A rear yard shall be provided for each structure... Minimum depth of rear yard in an R-5-B, C, and D District shall be 4 inches per foot of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall.

2502.1 Except for the projections and encroachments specified in this section, and the exceptions set forth in §2503, every part of a required yard or court or other required open space shall be open and unobstructed to the sky.

2503.1 Except for the structures specified, and the exceptions set forth in this section, every part of a yard required under the provisions of this title shall be open and unobstructed to the sky from the ground up.

Description of noncompliances (code section):
The building footprint extends into the required rear yard (Wall Test Report dated 5-27-03, p. 5; revised Garage Plan, p. 6) by about 8 to twelve feet both to the left and to the right of the garage entrance (§404.1) and includes a room about 10 feet in height that has been added to the left of the garage entrance in Permit B456618 (photo, p. 7). An open porch about 12 feet high from adjacent grade (photo of rear of building, at grade, p. 7) extends into the required yard on the right (§§404.1, 2502.1). Behind the building, an electric room, about 6 feet high, is also constructed in the rear yard (B456618, Garage Plan, p. 6) (§2503.1). Permit B456618 (11/7/03) Garage Plan includes substantial revisions of the original Garage Plan submitted for Permit B435464, (p. 8).

FAR

§402.4 Except as provided in other provisions of this chapter and in §411, the maximum permitted floor area ratio in a Residence district shall be as set forth in the following table:

ZONING DISTRICT	FLOOR AREA RATIO
R.5.B	1.8
R.5.D	3.5.

Description of noncompliances:
The "ZONING COMPUTATION SHEET - RESIDENCE USE" (pp. 9-10) provided by the Acting Zoning Administrator for Permit B435464 showed a *provided* Gross Floor Area of 80,870.0 ft. and a *maximum permitted* Gross Floor Area (FAR of 3.5 x 23,107.51 sq. ft) of 80,876.28. Less than 7 sq. ft additional floor space remained for development.

The additions to the building at the garage level (revised Garage Plan, p. 6) bring the FAR over 3.5 allowed in an R-5-D District or 1.8 in an R-5-B District. In addition, the change in grade adjacent to these additions (lowered compared to original plans, see Grading Plan, p. 11) further increases FAR into noncompliance by increasing the proportion of the garage-level which is basement and decreasing cellar (using the perimeter). The original garage footprint used in the FAR calculation (p. 12) showed the garage perimeter with basement as only 78 feet of an approximate 655 foot perimeter. The new perimeter approximately doubles the feet of basement perimeter and provides additional gross floor space to the Garage-level, increasing FAR well above regulation (§402.4).

Roof Structures

§400.7 If housing for mechanical equipment, a stairway or elevator penthouse is provided on the roof of a building or structure, it shall be erected or enlarged as follows: (a) It shall meet the requirements of §411; (b) It shall be set back from all exterior walls a distance at least equal to its height above the roof upon which it is ocated.

§411.5 Enclosing walls from roof level shall be of equal height, and shall rise vertically to a roof...

§411.10 Before taking final action on a roof structure plan, the Zoning Administrator shall have submitted the plan to the Director of the Office of Planning for review and report. The report shall be returned within fifteen (15) days of the date of submission unless a different period has been provided by mutual agreement of all parties involved.

The elevator and south stairwell penthouses were revised (Roof Plan, p. 13). As both

penthouses are taller than 4 feet, they are not exempted from roof penthouse requirements. (Comparison with the previous roof plan (p. 14) shows that changes were made in the roof plan.) The south stair penthouse has no setback. The elevator penthouse is not setback by a distance equal to its total height (§411.5), which is 15 ft. above the *roof on which it sits.* The 15 ft. calculation includes the *sloped roof located on it and over it.* The two penthouses (elevator and stairwell-machine room) are separate and are incompletely surrounded and enclosed in a roof structure. This roof does not comply with requirements of a "curtain wall" (perpendicular, setback, §411.5). It is required by §411.3[4] that roof penthouses on each level be enclosed in a single structure. In addition, the revised roof plan was not submitted to the Office of Planning (§411.10).

Building Height:

§400.1 Except as specified in this chapter and in chapters 20 through 25, the height of buildings or structures in a Residence district shall not exceed that given in the following table:

DISTRICT	HEIGHT (feet)
R-5-B	60
R-5-D	90.

The building height is the vertical distance measured from the level of the curb opposite the middle of the front of the building to the highest point of the roof or parapet (§199.1). Street Datum: 302.50 (#B435464, GRADING PLAN, p. 11).

The height of the building cannot be precisely specified by the revision plans[5] because no first floor elevation is provided in these plans.[6] However, the height from the street datum (front curb) to the first floor is approximately 2 feet (PHOTO, p. 15). The building height from the first floor to the top of the main roof can be determined from plans in the revision permits:

HEIGHT CALCULATION

1st-7th flrs: 75.67 (#B453159, DWG No. M-6005828-0, SHEET 3 -- p.16)
Main Roof : 15.00 (#B454315 Sheet A108, J14 TYP. ROOF TRUSS SECTIONS, p.

---

[4] §411.3 All penthouses and mechanical equipment shall be placed in one (1) enclosure..

[5] The elevations provided in the initial permit were inaccurate and ambiguous (Appeal No. 16716, incorporated by reference).

[6] The elevations provided in the initial permit were inaccurate and ambiguous (Appeal No. 16716, incorporated by reference).

13)
Height, first floor-roof 90.35. With the height between the street datum and first floor of approximately 2 feet, the building height will be over 92 feet. The revised Grading Plan (not provided to the Appellants) showing actual1st floor elevation should determine the actual height.

Note that the height over 7th floor turret apartments, excluding embellishments are at least 95 (8th floor and roof, #B454315 Sheet A108, J10 (scaled) and added to 1st-7th floors; p. 13)

USE OF BUILDINGS AND PREMISES IN AN R-2 DISTRICT:

§ 300.2 Except as provided in chapters 21 through 25 of this title, in an R-2 district, no building or premises shall be used and no building shall be erected or altered that is arranged, intended, or designed to be used except for one (1) or more of the uses listed in §§301 through 319 of this chapter.

§303.8 In the case of a community residence facility, the Board may approve a facility for more than fifteen (15) persons, not including resident supervisors or staff and their families, only if the Board finds that the program goals and objectives of the District cannot be achieved by a facility of a smaller size at the subject location and if there is no other reasonable alternative to meet the program needs of that area of the District of Columbia.

§304.1 Health care facilities for nine (9) to three hundred (300) persons, not including resident supervisors or staff and their families, shall be permitted in an R-2 district if approved by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of this section.

§§ 303.5, 304.5 The proposed facility shall meet all applicable code and licensing requirements.

§§ 303.6, 304.6 *The facility shall not have an adverse impact on the neighborhood* because of traffic, noise, operations, or the number of similar facilities in the area.

A variance allowing a facility for 130 residents in the R-2 District (Wall Test Report at garage level, p. 17 – shows building footprint extends into R-2 District;, 1st Floor Plan, p. 18 indicates uses of the premises in the R-2 District) has not been approved by the BZA (§§303.8, 404.1). This facility has substantial negative impact on the neighborhood. It does not meet all code and licensing requirements for a community residence facility (§§ 303.5, 304.5) nor for a health care facility (§§ 303.6, 304.6) (3rd floor is a secure ward for dementia patients). Title 22 Health and Medicine noncompliances are presented in Appeal No. 16716, public record incorporated by reference.

PARKING AND SERVICE/DELIVERY

§2101.1 On and after May 12, 1958, all buildings of structures shall be provided with parking spaces as specified in the following table:

USES	No. Parking Spaces Req.
Community based residential facility (all residential districts16 or more persons housed	As Determined by the BZA
Apartment house of multiple dwelling	
R-5-B	1 for each 2 dwelling units
R-5-D	1 for each 3 dwelling units

The building includes up to 102 private apartments or suites for elderly/handicapped residents. The apartments are private with independent heating/air conditioning, kitchen facilities (refrigerator and sink); cooking (microwave, toaster) may be provided by the resident. Thus the building qualifies as a multiple dwelling (§199.1[7]) requiring 1 parking space per 3 dwellings. The building also qualifies as a community residence facility serving the handicapped and as a health care facility (intermediate nursing facility serving dementia patients in a secure ward). While 33 are shown in the Garage Plan (p. 6), **the Zoning Administrator determined that only spaces for a rooming house were required** (8/3/2001 BZA Public Hearing, transcript pp 175-176). This is an error. The actual use as an "assisted living facility," frequently referenced in the revision permits, and multiple dwelling (§199.1) which this facility qualifies as, needs to be reevaluated in the revision permits. The additional 11 spaces (33 minus 22) could be converted to other uses or rented commercially. The appropriate number of spaces need to be required (§2101.1). Because parking is a chronic problem in this residential neighborhood., appropriate parking must be required, not optional. The Zoning Commission has determined that the regulation number of parking spaces must be *required* (not solely provided) spaces.

Delivery and loading/service spaces

§2201.1 On or after May 21, 1958, all buildings or structures shall be provided with loading berths, loading platforms and service/delivery loading spaces as provided in the following table...

Apartment house or multiple dwelling with 50 or more dwelling units in all Districts

Loading Berth	Loading Platform	Service/Delivery Space
1 @ 55 feet deep	1 @ 200 ft.[2]	1@20 feet deep...

[7] §199.1 Dwelling, multiple - a building containing three (3) or more dwelling units, or rooming units or any combination of these units totaling three (3) or more.

§2201.5 All required service/delivery loading spaces shall be a minimum of ten feet (10 ft.) wide and shall have a minimum vertical clearance of ten feet (10 ft). Each service/delivery loading space shall be clearly marked "For Service and Delivery Vehicles Only" and be used exclusively for such vehicles.

2204.7 Detailed plans shall be submitted to the District of Columbia Department of Public Works for approval of all curb cuts and driveway openings, to ensure that compliance with these regulations does not conflict with the responsibility of the Department of Public Works to protect safety in the public space.

The new Garage Plan shows one Loading Berth @30 ft with adjacent loading space (§2101.1). The revised Garage Plan (p. 6, compare with original Garage Plan, p. 7) covers part of the former Service/Delivery Space with an addition to the rear of the building. Between the addition and the alley is labeled "VAN." This would be for the facility van that provides transportation to residents, a service provided at all Sunrise facilities. The required service/delivery is not provided. Furthermore, traffic plans (§2204.7 --(related to use of the alley, and access to the required delivery/loading facilities and the garage) were requested by Ken Laden, formerly of the Department of Public Works. No plans were ever provided (§2101.5).

RELEVANT BACKGROUND OF THE APPEAL

The Nebraska Ave. Neighborhood Assn ("NANA") and ANC3G (the "ANC") appealed *construction noncompliant with zoning* in Appeal No. 17010. The record of Appeal 17010 is incorporated by reference. The BZA determined that this appeal was "premature." At the time of that appeal, construction was noncompliant with permits but *no revision permits had been applied for* (except B442149–elevator penthouse). The Board determined that this was a *compliance issue* requiring enforcement by DCRA, not a zoning issue. Such construction, according to the BZA determination, could only be appealed *after a Certificate of Occupancy was issued.*

Subsequently, Sunrise submitted *a series of interdependent revision permit applications* that addressed the ongoing construction that differed from the previously approved and permitted plans in Permits B435464 and B442149. In general, the revision permits were submitted floor by floor (sometimes including more than one floor) in the series of permits. The series of permits included plans for the several noncompliances alleged in Appeal No. 17070 (which the BZA would not consider, as previously described).

The series of permit applications were approved by DCRA with the most recent issued on Nov. 7, 2003. In addition to **5 interrelated revision permits** submitted in August and September, 2003, Sunrise submitted a permit application for an **elevator that had**

a footprint and penthouse inconsistent with currently approved floor and penthouse plans (Permits B435464 and B442149).

Use of the building without required Certificate of Occupancy:
In July, 2003, Sunrise also obtained a public space permit to provide a walkway to first floor model apartments (Permit B B453330, 7/21/03). Sunrise opened these apartments for public viewing shortly thereafter. Sunrise further conducted a "VIP" open house event in the facility, hosting several hundred people with extensive food service provided on the premises (p. 11). These activities were conducted without first obtaining a partial use or temporary Certificate of Occupancy (as confirmed by DCRA). Although we are unaware of any residents having moved into the building, Sunrise continues to use the facility for various events and activities (not construction-related) without a Certificate of Occupancy.[8]

The process of nearly completing construction before applying for required revision permits as well as using the building without required Certificate of Occupancy has aided the developer in circumventing the zoning as well as building and life-safety regulations.[9] The incomplete, ambiguous and misleading applications submitted for initial (B435464) and revision permits have also provided substantial hardship to neighbors' and ANC 3G's appeal of noncompliance with zoning and other D.C. regulations, including substantial excess expense and wasted time.

Piecemeal revision permits:
The revision permits listed in this appeal are interrelated; the structural and architectural integrity of the building in permit applications was not complete until the final permit[10] (B445618, 11.07.03) was issued. For example, the elevator footprint revision, as provided in the elevator permit (B453159) was not completely revised for all floors, basement through 7th floors, and roof penthouse until issuance of Permit B445618. Similarly, the south side of the building, deletion of a set of stacked porches with a roof over the porches and south stairwell roof penthouse, were changed floor-by-floor in separate permits. This system was not architecturally and structurally intact until issuance of the final permit. Since the building was already constructed, this piecemeal permit revision process served mainly to circumvent D.C. zoning and building regulations. In this sense, the permits are interdependent, not complete until the final

---

[8] DCRA (Ms. Saunders) responded by phone on 12/18/2003 to a request for copy of any Certificate of Occupancy issued for 5111 Connecticut Ave., N.W. saying there were none.

[9] In particular, the 7th floor is not provided with a second appropriate means of egress for residents (documented in Appeal No. 16716, public record incorporated by reference). This is noncompliant with Building Code and Life-Safety requirements.

[10] The permitting process may not be complete. There is no revision permit for the 6th Floor Plan – which is necessary to complete the elevator shaft, removal of south porches, etc.

permit was issued. While the most recent permit, No. B456618 (11/7/03), is pertinent to several zoning requirements, including the building footprint, rear yard, FAR, use, delivery, we respectfully request that the Board allow appeal of all permits as a group: B453159 (7/15/03), B454586 (8/13/93), B454323 (8/19/02), B454315 (8/25/03), B454064 (9/9/03), B456618 (11/7/03). The revised 4th Floor and 7th Floor Plans (pp. 19-20) are provided to further demonstrate the piecemeal revision permit applications.

Limited access to Building Permit Application Materials:
The permits were not provided to the Appellants by DCRA in a timely way. Incomplete plans for some permits were provided to Dr. Chiapella in September, 2003. Additional plans, including those in Permits Nos. B454064 (9/3/03) and B445618 (11/7/03) were not provided until 12/17/03. Furthermore; DCRA has not yet responded to the BZA's request for permit information.

Timeliness of filing appeal of the full set of permits:
Multiple interrelated building permits based on applications that were often incomplete, inaccurate, or misleading as well as the lack of timely provision of permit materials by DCRA have substantially impaired neighbors' and ANC 3G's ability to appeal and were outside our control. Because of the cumulative, piecemeal nature of the permit applications, the full extent of the construction was not permitted before Nov. 7, 2003 (and may still not be). Appeal of the most recent permit, B445618, is within 60 days of issuance. The Appellants, respectfully request that the BZA accept this appeal as timely for the full set of interrelated permits.

The D.C. Court of Appeals supported the BZA in determining that potential appellants were not put on notice until all permits determining the scope of work have been issued (*Sisson v. District of Columbia BZA*. 805 A.2d 964,974 (D.C. 2002); that group seeking to halt construction was not "chargeable with notice" of approval of revised building permits until specific revised permits were approved, not the date on which original permit was issued (Mendelson v. Board of Zoning Adjustment, 645 A2d 1090,1095 (D.C. App. 1994).

The strategy of this development project relates to *Sisson v. D.C. BZA*, supra--providing *exceptional circumstances substantially impairing the ability of an aggrieved party to appeal.* The approach to development is directly analogous to that in Sisson v D.C. BZA, supra.: "Plans submitted by [the developer] as part of [its] application for the first permit did not reflect all of the construction work that [it] planned to perform at the site. [The] project was developed in a piecemeal manner and the various applications were often incomplete or otherwise misleading in that they did not always reflect [the developer's] plans ... consistently and accurately." In the present case, the developer provided piecemeal applications, construction occurred before issuance of all required permits; construction went beyond the scope of approved permits. The appellants were further impaired in their ability to appeal by Sunrise's *highly ambiguous and self-contradictory plans* submitted in permits, misrepresentations made to city officials

(including the BZA[11]), and the **extraordinary difficulties presented by the piecemeal application and permitting process**. An ongoing pattern of inaccuracies, ambiguous plans and misrepresentations by this developer has hampered our efforts.

Previous to this appeal (Appeals Nos. 16716 and 16879), the Appellants were hampered in developing their case by actions of the developer and DCRA review, including:

> (a) materials submitted by the developer in support of permit applications (Nos. B435464 and B442149) were substantively inaccurate and ambiguous in many details[12] (Record of Appeal 16716, incorporated by reference).

---

[11] For example, at the June 18, 2002 BZA Public Hearing, Sunrise testified that Permit B42149 did not include an elevator (BZA 6/8/02 Public Hearing , transcript p. 103: "'Revised elevator penthouse only." No other changes were approved...Those are the only changes approved by the city. So there's no other changes to the building other than the elevator penthouse."). This erroneous and misleading testimony helped Sunrise in its efforts to have Appeal 16879 dismissed. Sunrise contradicted this testimony in a letter to the Board of appeals and Review in August, 2002. Sunrise stated to the Board of Appeals and Review that Permit B442149 **included an elevator** (pp. 23-25) This contradictory statement supported Sunrises' arguments before the Board of Appeals and Review, but contradicted its testimony before the BZA.

[12] For example, what is now a 12-foot high "open porch" was interpreted by the Zoning Administrator as a "retaining wall, not part of the building", the top of which provided adjacent grade to the building (BZA Public Hearing, Aug 3, 2001, transcript pp. 185-6). On the original plan, this structure was drawn ambiguously. Under Title 11:

> 2303.1. Except for structures and exceptions specified in this section, every part of a yard required under this title shall be open and unobstructed to the sky from the ground up.
> §2303.2. A structure, no part of which if more than four feet (4 ft.) above grade at any point may occupy a required yard under the provisions of this title.
> 2303.3. A fence or retaining wall constructed in accordance with the provisions of the D.C. Building Code may occupy any yard required under the provisions of this title.
>
> Note that neither an executive nor the main architect for the builder, both present at the hearing, did not dispute or correct this interpretation.

(b) the Acting Zoning Administrator from DCRA, in presenting his position before the BZA, assumed and defended the most compliant interpretations of the ambiguous or unclear plan designs. For example, what is now presented as a one-story high "open porch" (Permit B456618, 11/07/03) was interpreted by the Zoning Administrator as a "retaining wall, not part of the building" in Permit B435464.

HEARING:

Issuance of revision permits that have substantive changes and are noncompliant with zoning, are appealable at this time. We respectfully request a Public Hearing of this appeal, as provided by law: 11 DCMR §3112.8, in order to fully present our case before the Board.

CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2004 a copy of this appeal was mailed first class postage prepaid to the following:

Paul Klaassen
Chairman and CEO
Sunrise Senior Living/Sunrise Development
7902 Westpark Dr.
McLean, VA 22102

Acting Zoning Administrator
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration
941 North Capital street, NE, Suite 2000
Washington, DC 20002

A P Chapella
(Signed)

1-6-04
(Date)

APPENDIX

APPENDIX Table of Contents
(with notations)

Page(s)	Item
1-4	Copies of revision permits
5	Wall Test Report, dated 1-27-03 Building extends into required rear yard, as circled
6	Revised Garage Plan, A100, (B456618, 11/7/03) Building extends into required rear yard (compare with original plan, p. 8)
7	Photo of rear building additions The rear open porch (a) and (b) room addition both extend into the required rear yard.
8	Original Garage Plan (Permit B435464) (For comparison)
9-10	Zoning Calculation Sheet – Residential District (Less than 7 sq. ft. difference between provided and allowed gross floor space in original application, Permit B435464)
11	Original Grading Plan (Permit B435464) The adjacent grade in the revisions is substantially lower than that from the original Grading Plan. (No revised Grading Plan was submitted. Lowering adjacent grade increases basement perimeter, decreases cellar, and increases Gross Floor and FAR.)
12	Garage Zoning Calculations -- square feet and perimeter For comparison, only 78 feet was caller basement perimeter in original zoning calculations.
13	Revised Roof Plan Revisions to roof and penthouses at rear stair and elevator.
14	Previous Roof Plan For comparison.
15	Photo of front elevation of building. Showing first floor is elevated, approximately 2 ft. from curb, (not shown). These estimates are presented because Sunrise has not provided the final elevations.
16	Elevator shaft diagram

Accurately shows height of the building from first floor to horizontal roof over the 7th floor–75.67 ft. Combined with 15 ft. roof and additional height between curb and first floor, the building exceeds 92 feet.

17 Wall Test Report – (Garage level), dated 1-27-03
Building garage-level footprint extends into R-2 District ~ 1 ft.

18 Revised 1st Floor Plan
Premises of facility in R-2 District includes a required means of egress, handicapped ramp, kitchen delivery, and resident garden.

19 Original 1st Floor Plan
For comparison

20 Revised ~~4th~~ 3rd Floor Plan
Example of piecemeal revisions

21 Original 7th Floor Plan
For comparison

22 Revised 7st Floor Plan
Example of piecemeal revisions

23-25 Letter from Sunrise to Board of Appeals and Review
Example of misrepresentations before this Board

PERMITS

Date [1]	Permit No [1]	Description of Work [2]	Zoning Approval by
11/07/03	B456618	Revise 1-3rd floors and garage	DN
09/03/03	B454064	Alter repair existing model rooms per plans[2]	Xoan Mac
08/25/02	B454315	Revise permit #B435464 per drawings on 7th floor[2]	"N/A" [3]
08/19/03	B454523	Revised permit #B435464[4] of new bldg per drawings 6th floor only[2]	Xoan Mac
08/13/02	B454596	Revision to exist permit #B435464 as per attached drawing[2]	Xoan Mac
07/15/03	B453159	Two traction 7'0"x5'0" steel elevator for passengers[2]	Xoan Mac
(Revisions to:			
B435464	03/08/01	New construction, 7-story Community Residence Facility[2]	
B442149	01/08/02	Revision of elevator penthouse to include elevator only per plans[2]	

[1] Note that chronological order and Permit numerical order do not match.

[2] Permit materials provided to us by DCRA for these permits, as of Dec. 31, 2003, do not fully match the description of work, are incomplete and/or are ambiguous.

[3] DCRA APPROVALS, Section C.3. Zoning by is listed as "N/A" and the Date is blank.

[4] No floor plans included in this 6th Floor revision permit. The "6th FLOOR PLAN" has not been revised in any permit..

15

EXHIBIT 15

Building Front Entrance



First floor elevation is top of wooden stairs.

MAX CAR & CWT BRACKET SPACING
12'-2" w/ ZERO (0) INTER TIE BRACKETS
14'-1" w/ ONE (1) INTER TIE BRACKET
16'-0" w/ TWO (2) INTER TIE BRACKETS

℄ BRACKET DENOTES ℄ CAR & CWT BRACKETS
* CWT TIE BRACKETS DO NOT ATTACH TO BUILDING STRUCTURE

BRACKET HEIGHT	BRACKET TYPE	QUANTITY	BRACKET SUPPORT TYPE
7 3/4"	CAR	10	STEEL
9 3/4"	CWT	10	INSERTS
14"	COMBO	10	INSERTS
37"B.B.	CWT TIE	1	N/A
RAIL SIZE	QTY. 16' SECTIONS	QTY. 8' SECTIONS	FILLER RAIL SIZE
15# CAR	10	0	8'-2 1/2"
8# CWT	10	0	8'-2 1/2"

1st - 7th floor 6'-5 3/4"
7th - roof 10'-4"
751 8

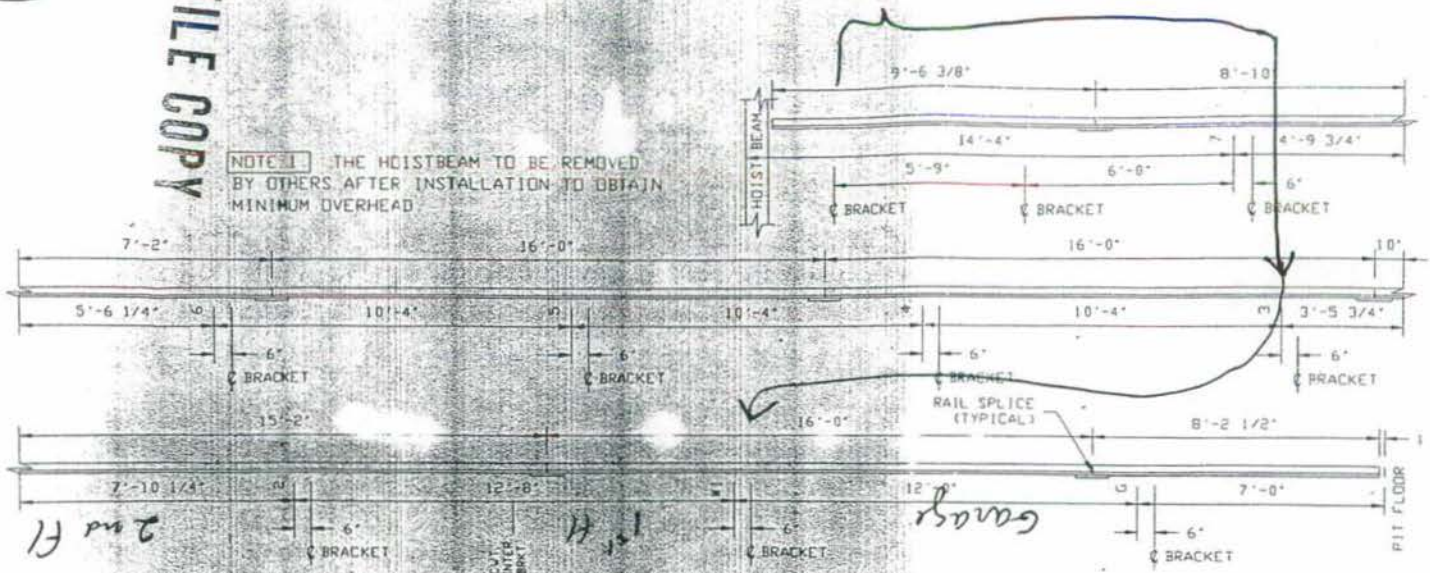
BRACKET HEIGHT	BRACKET TYPE	QUANTITY	BRACKET SUPPORT TYPE
7 3/4"	CAR	10	STEEL
9 3/4"	CWT	10	INSERTS
14"	COMBO	10	INSERTS
37"B.B.	CWT TIE	1	N/A
RAIL SIZE	QTY. 16' SECTIONS	QTY. 8' SECTIONS	FILLER RAIL SIZE
15# CAR	10	0	8'-2 1/2"
8# CWT	10	0	8'-2 1/2"

6	5		1
5	4		1
4	3		1
3	2		1
2	*1		1
1	G		1

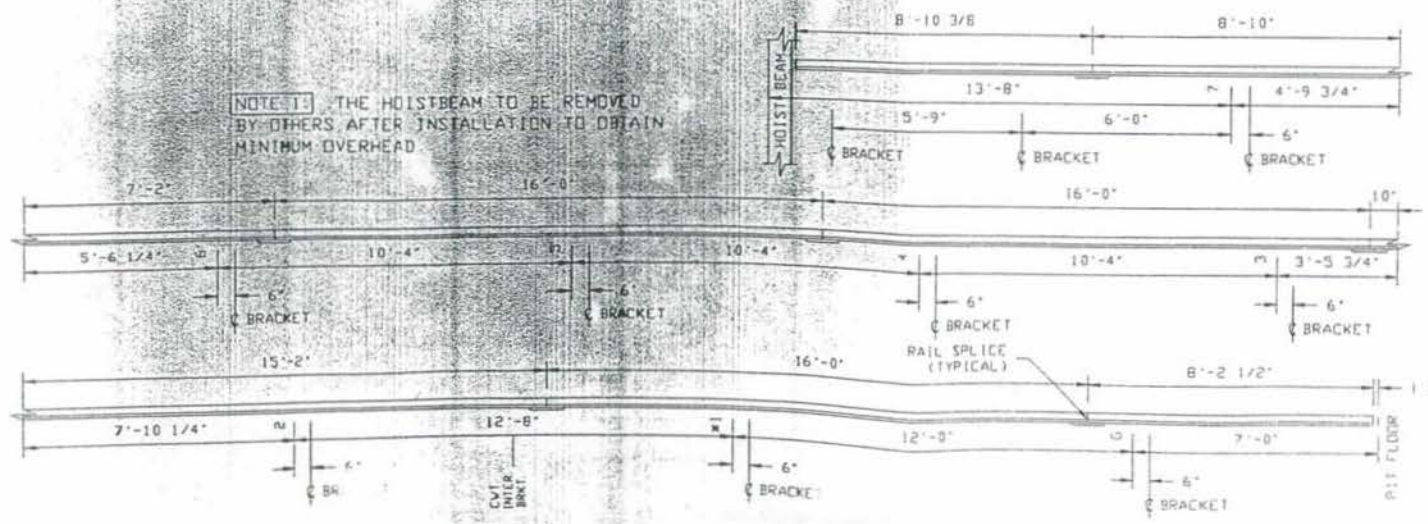
(16)

FILE COPY

NOTE #1 THE HOISTBEAM TO BE REMOVED BY OTHERS AFTER INSTALLATION TO OBTAIN MINIMUM OVERHEAD



NOTE #1 THE HOISTBEAM TO BE REMOVED BY OTHERS AFTER INSTALLATION TO OBTAIN MINIMUM OVERHEAD



APPROVED BY
EHLERT/BRYAN, INC.
08/29/02

APPROVAL SPACE

PROJECT: SUNRISE OF CONNECT AVE

LOCATION: 5111 CONNECTICUT WASHINGTON, DC 20015

ENG./ARCH.: BERRY RIO & ASS

CONTRACTOR: GLEN CONSTRUCTI COMPANY GAITHERSBURG, MD

ITEM NO	UNIT NO	EQUIP

REVISIONS	DATE	NO	BY	DESCRIP
	10/28/02	2	DH	FINA
	09/14/02	1	NIN	RCV PREL
	07/08/02	0	WE	PRELIMI

THIS INFORMATION IS CONFIDE AND REMAINS THE PROPERTY OF INC ITS USE, REPRODUCTION DISSEMINATION WITHOUT THE E PERMISSION OF KONE INC IS PROHIBITED

KONE

DRAWN NIN | DATE: 08/14/0
SCALE AS NOTED
DWG NO
M-6005828-020

AUTO-CAD ANSI C

M.J.B. (17)
1-07-03

INCOMPLETE

DISTRICT OF COLUMBIA GOVERNMENT

Office of the Surveyor

Wall Report for SQUARE 1989 LOT 162

Scale: 1 inch = 40 ' feet Recorded in Book 194 Page 37

S.O. SEAL S.O. Receipt No. S-02534

Received by _____
Surveyor, D.C.

Date: January 8, 2002

REGISTERED LAND SURVEYOR'S CERTIFICATION

I certify that the wall locations shown hereon have been determined by me, or under my direction, in accordance with Chapter 28, of Title 10 DCMR, and that I have not engaged in the construction layout on this site.

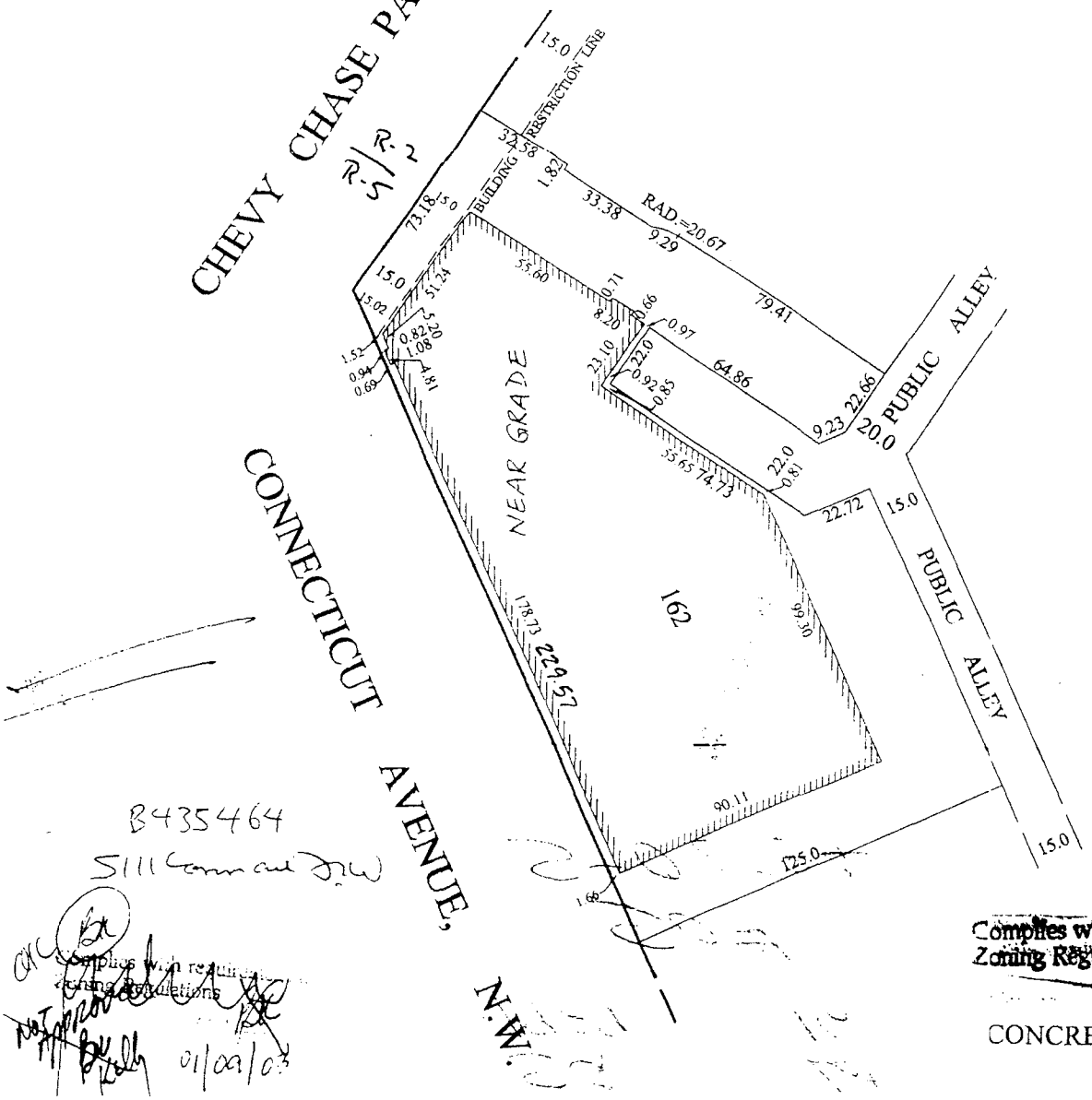
RLS SEAL

Signature

1-7-03
Date

DISTRICT OF COLUMBIA
MICHAEL J. BAZIS
No. 96-9
REGISTERED
LAND SURVEYOR

WALL TEST REPORT



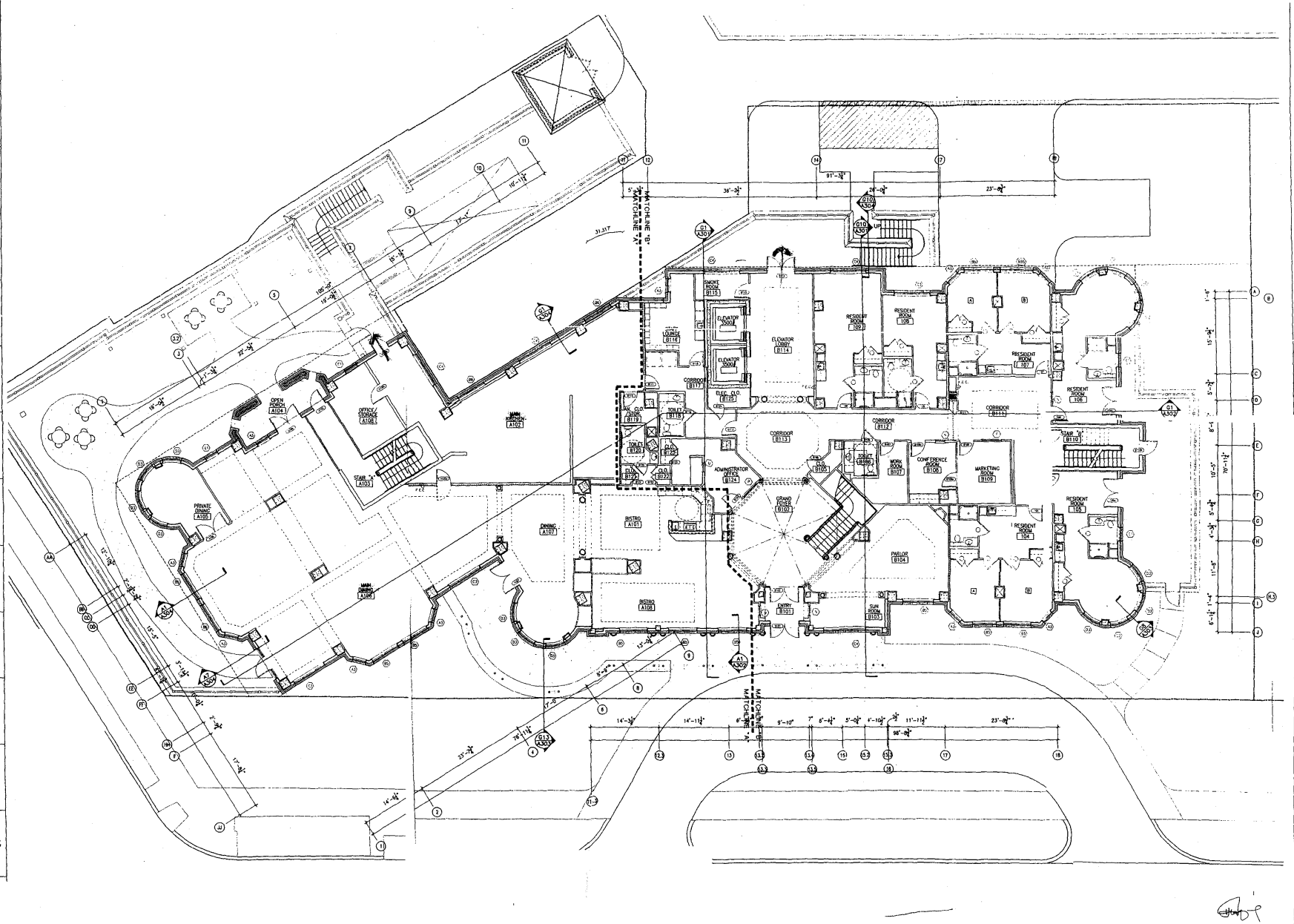
Building footprint crosses R-2 District line.

B435464
5111 Connecticut Ave NW

Complies with requirement of Zoning Regulations
Initial BK 01/10/03

Complies with requirement of Zoning Regulations
01/09/03

CONCRETE WALLS LOCATED



P O N M L K J H G F E D C

GENERAL NOTES

Key Plan



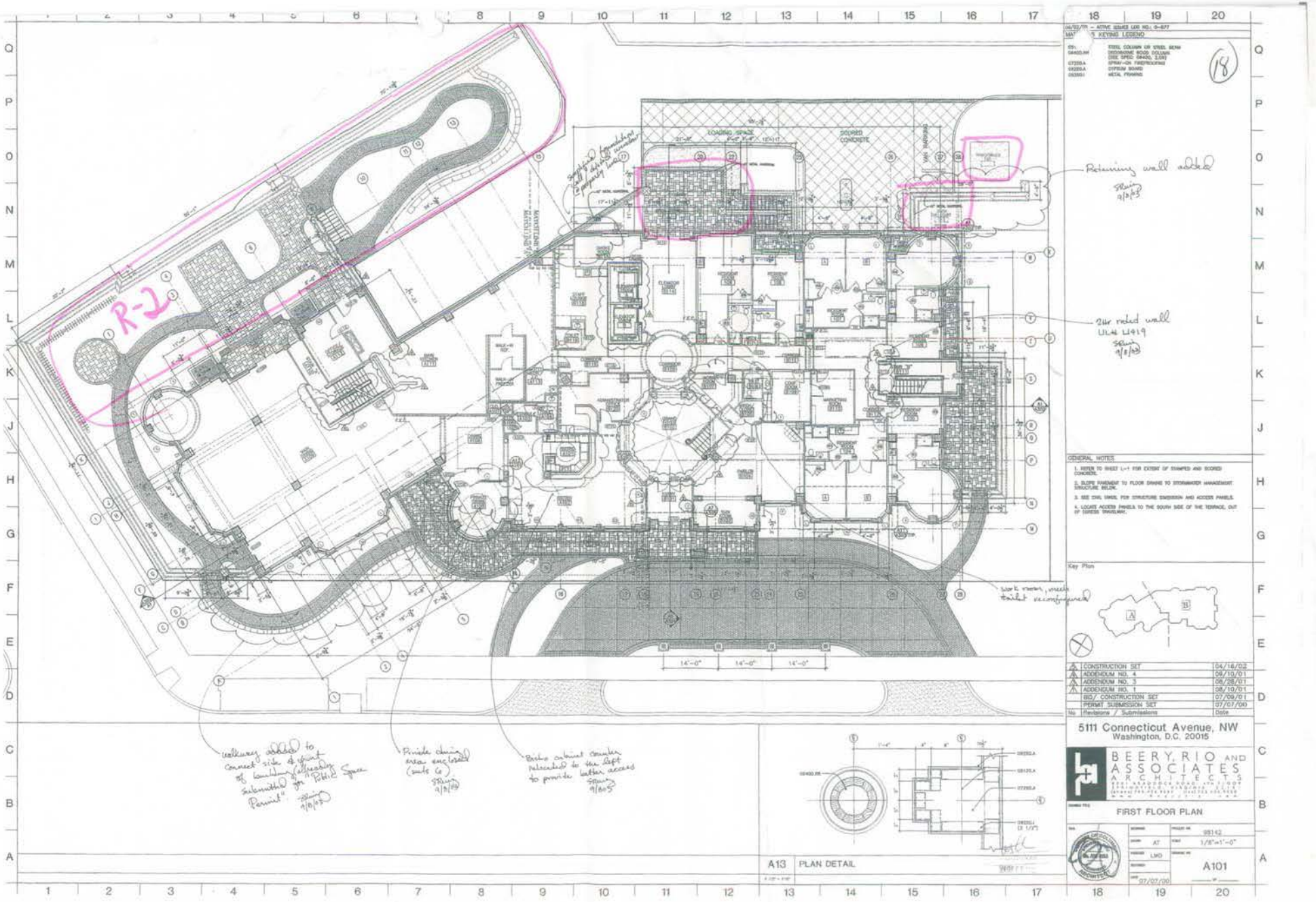
No	Revisions / Submissions	Date
1	PERMIT SUBMISSION SET	07/0

5111 Connecticut Avenue, NW
Washington, D.C. 20015

BEERY, RIO & ASSOCIATES
ARCHITECTS
8201 SADDOCK ROAD, 4TH FLOOR
SPRINGFIELD, VIRGINIA 22151
(phone) 703 426 9037 (fax) 703 426 9275
www.beeryrio.com

Drawing Title: FIRST FLOOR PLAN

DESIGNED		PROJECT NO	98142
DRAWN	AT	SCALE	1/8"=1'-0"
CHECKED		DRAWING NO	



(18)

GENERAL NOTES

1. REFER TO SHEET L-1 FOR EXTENT OF STAMPED AND SCORED CONCRETE.
2. SLOPE PAVEMENT TO FLOOR DRAINS TO STORMWATER MANAGEMENT STRUCTURE BELOW.
3. SEE CIVIL SHEET FOR STRUCTURE SUBDIVISION AND ACCESS PANELS.
4. LOCATE ACCESS PANELS TO THE SOUTH SIDE OF THE TERRACE, OUT OF EGRESS TRAVELWAY.

Key Plan

No	Revisions / Submissions	Date
1	CONSTRUCTION SET	04/16/02
1	ADDENDUM NO. 4	09/10/01
1	ADDENDUM NO. 3	08/28/01
1	ADDENDUM NO. 1	08/10/01
	BID / CONSTRUCTION SET	07/09/01
	PERMIT SUBMISSION SET	07/07/00

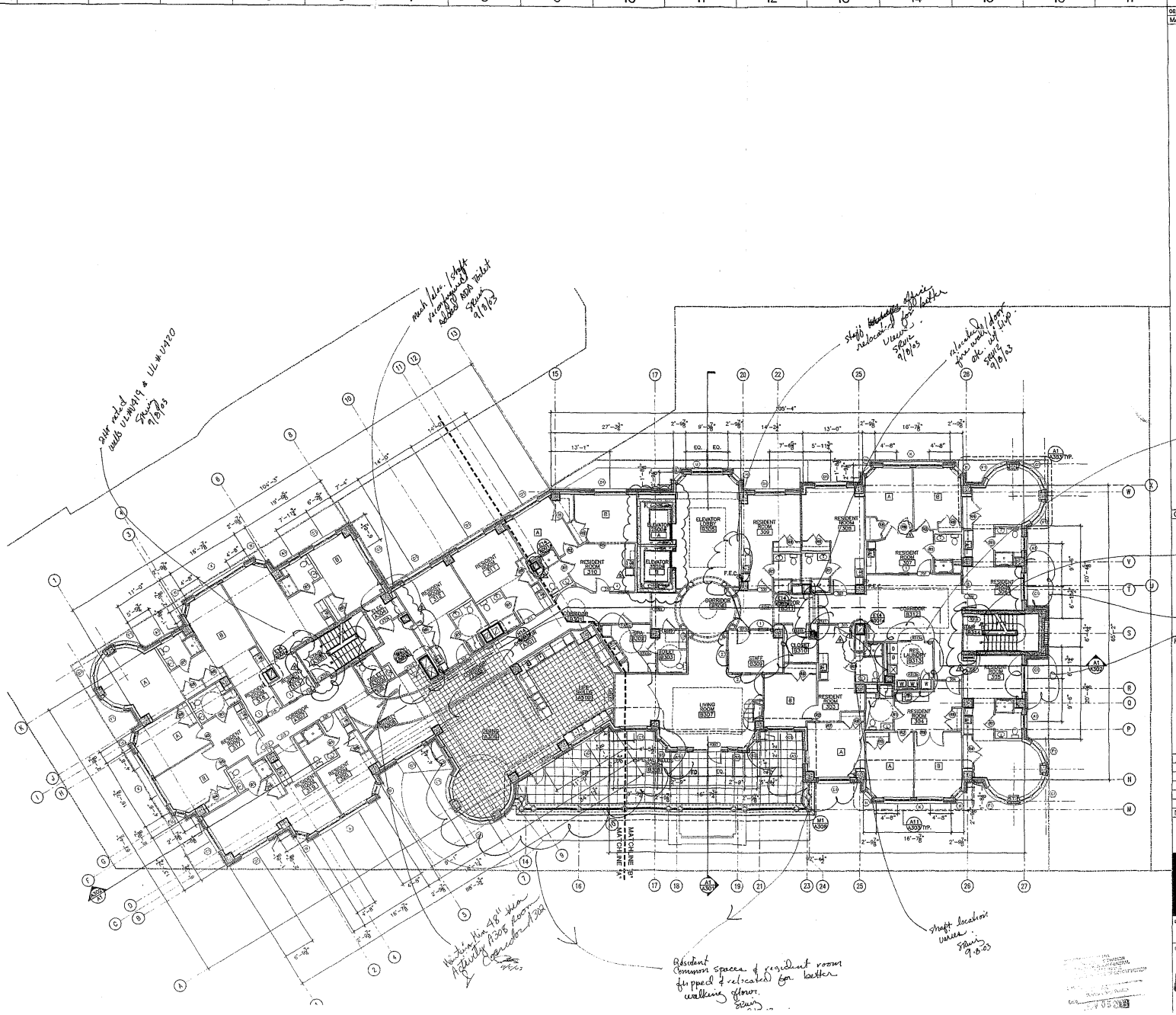
5111 Connecticut Avenue, NW
Washington, D.C. 20015

BEERY, RIO AND ASSOCIATES
ARCHITECTS

FIRST FLOOR PLAN

DRAWN	AT
CHECKED	LMO
DATE	07/07/00
PROJECT NO.	9814.2
SCALE	1/8"=1'-0"
DRAWING NO.	A101

A13 PLAN DETAIL



08/02/00 – ACTIVE ISSUES LOG NO.: 0-877

MATERIALS KEYING LEGEND

20

GENERAL NOTES

3	CONSTRUCTION SET	04/16/02
2	ADDENDUM NO. 4	09/10/01
1	ADDENDUM NO. 3	08/28/01
	ADDENDUM NO. 1	08/10/01
	BID/ CONSTRUCTION SET	07/09/01
	PERMIT SUBMISSION SET	07/07/00
No.	Revisions / Submissions	Date

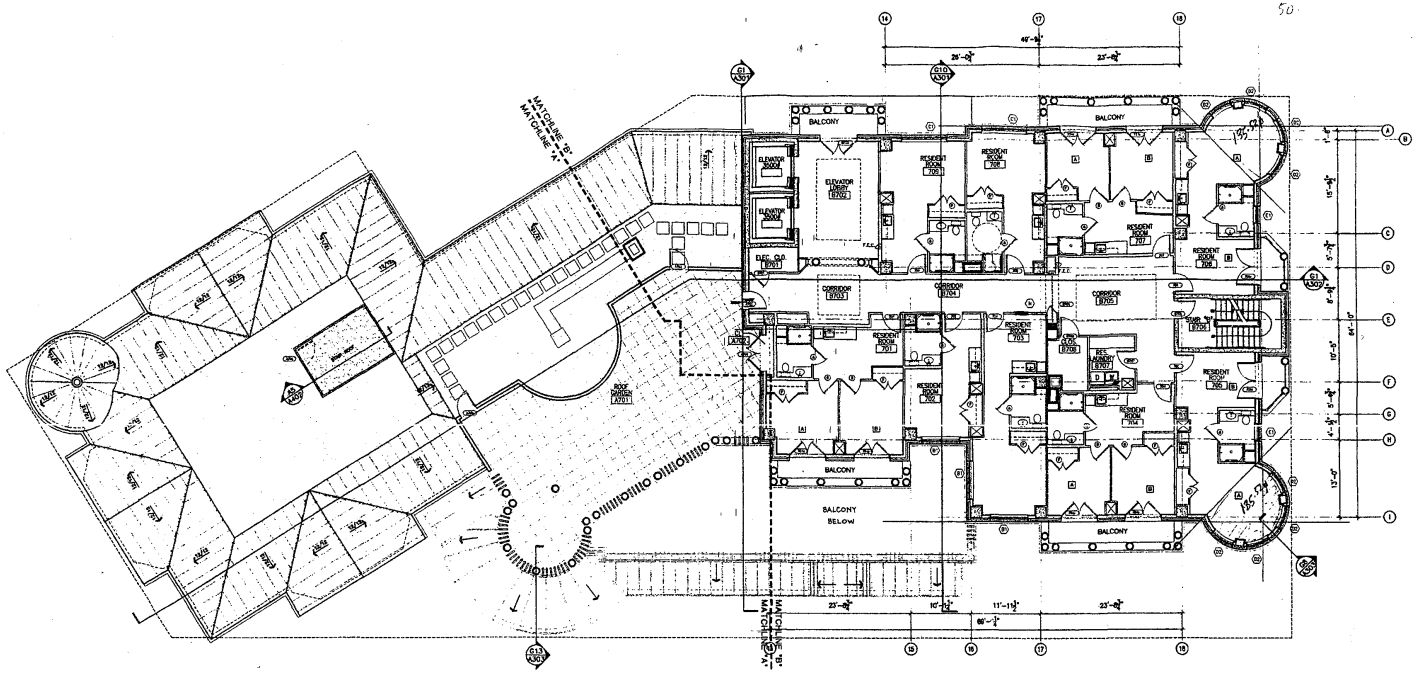
5111 Connecticut Avenue, NW
Washington, D.C. 20015

BEERY, RIO AND ASSOCIATES ARCHITECTS
800 SLADDOCK ROAD, 4TH FLOOR
FAIRFAX, VIRGINIA 22030
(phone) 703.426.9037 (fax) 703.426.7280
www.beeryrio.com

DRAWING TITLE

THIRD FLOOR PLAN

SEAL	DESIGNED	PROJECT NO	98142
	DRAWN AT	SCALE	1/8"=1'-0"
	CHECKED LMD	DRAWING NO	A103
	REVIEWED		
	DATE 07/07/00		



These Architectural and Structural Plans have been reviewed for compliance with the applicable provisions of the D.C. Construction Codes and are approved.
Date _____ Signature _____
Structural Engineering Section
FEB 17 2001

NOTED FIRE-LIFE-SAFETY
FPB ✓

50

(21)

GENERAL NOTES

Key Plan



No	Revisions / Submissions	Date
1	PERMIT SUBMISSION SET	07/07/00

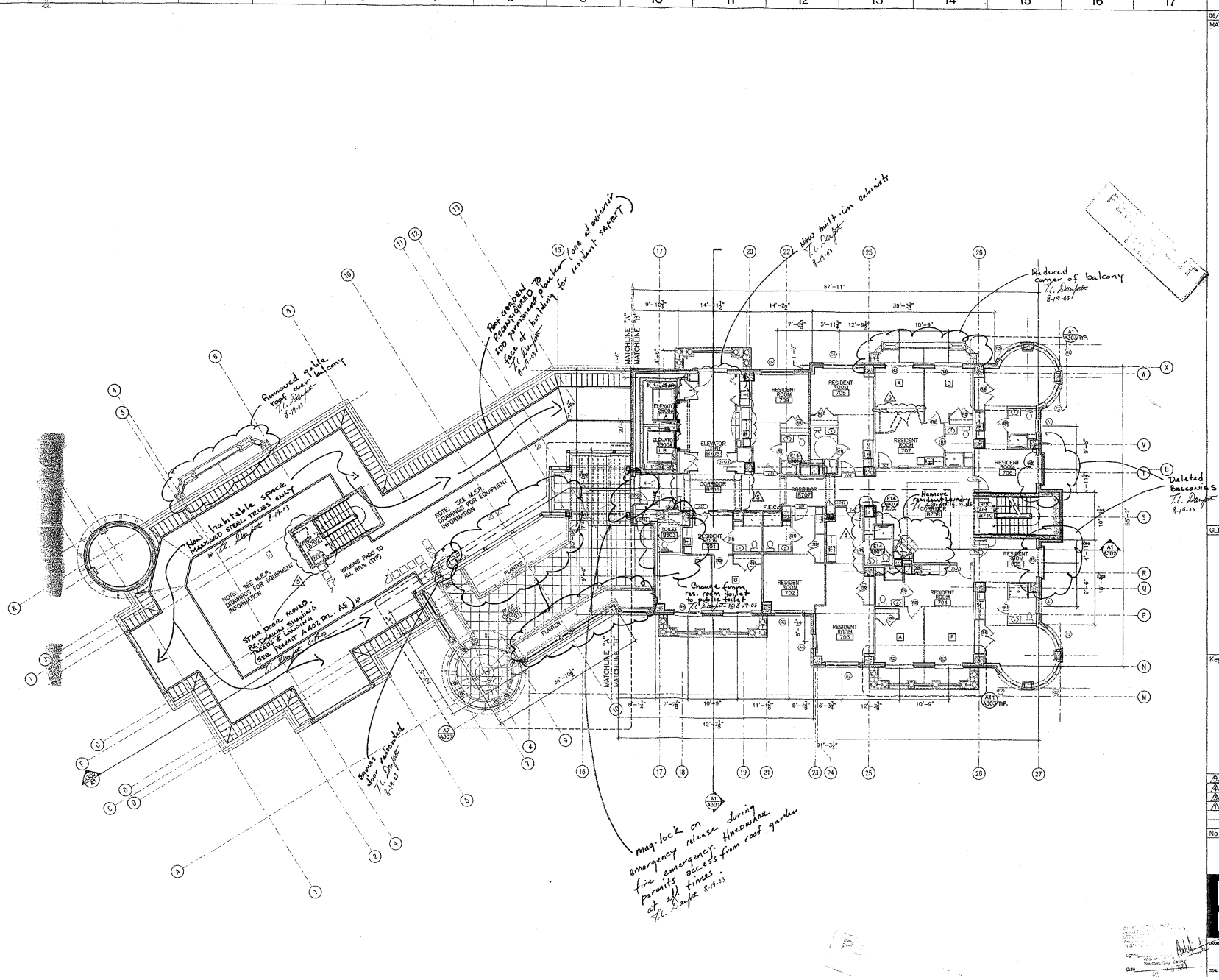
5111 Connecticut Avenue, NW
Washington, D.C. 20015

BEERY, RIO AND ASSOCIATES ARCHITECTS
500 BRADDOCK ROAD, 4TH FLOOR
SPRINGFIELD, VIRGINIA 22151
(phone) 703.426.9057 (fax) 703.426.9280
www.beeryrio.com

SEVENTH FLOOR PLAN

DESIGNED
DRAWN AT/RA
CHECKED LMD
REVIEWED
DATE 07/07/00
PROJECT NO 98142
SCALE 1/8"=1'-0"
DRAWING NO A107

06/02/00 – ACTIVE ISSUES LOG NO.: 0-877



08/02/00 – ACTIVE ISSUES LOG NO.: 0-877

MATERIALS KEYING LEGEND

22

GENERAL NOTES

Key Plan



No	Revisions / Submissions	Date
5	CONSTRUCTION SET	04/16/02
4	ADDENDUM NO. 4	09/10/01
3	ADDENDUM NO. 3	08/28/01
2	ADDENDUM NO. 1	08/10/01
	BID/ CONSTRUCTION SET	07/09/01
	PERMIT SUBMISSION SET	07/07/00

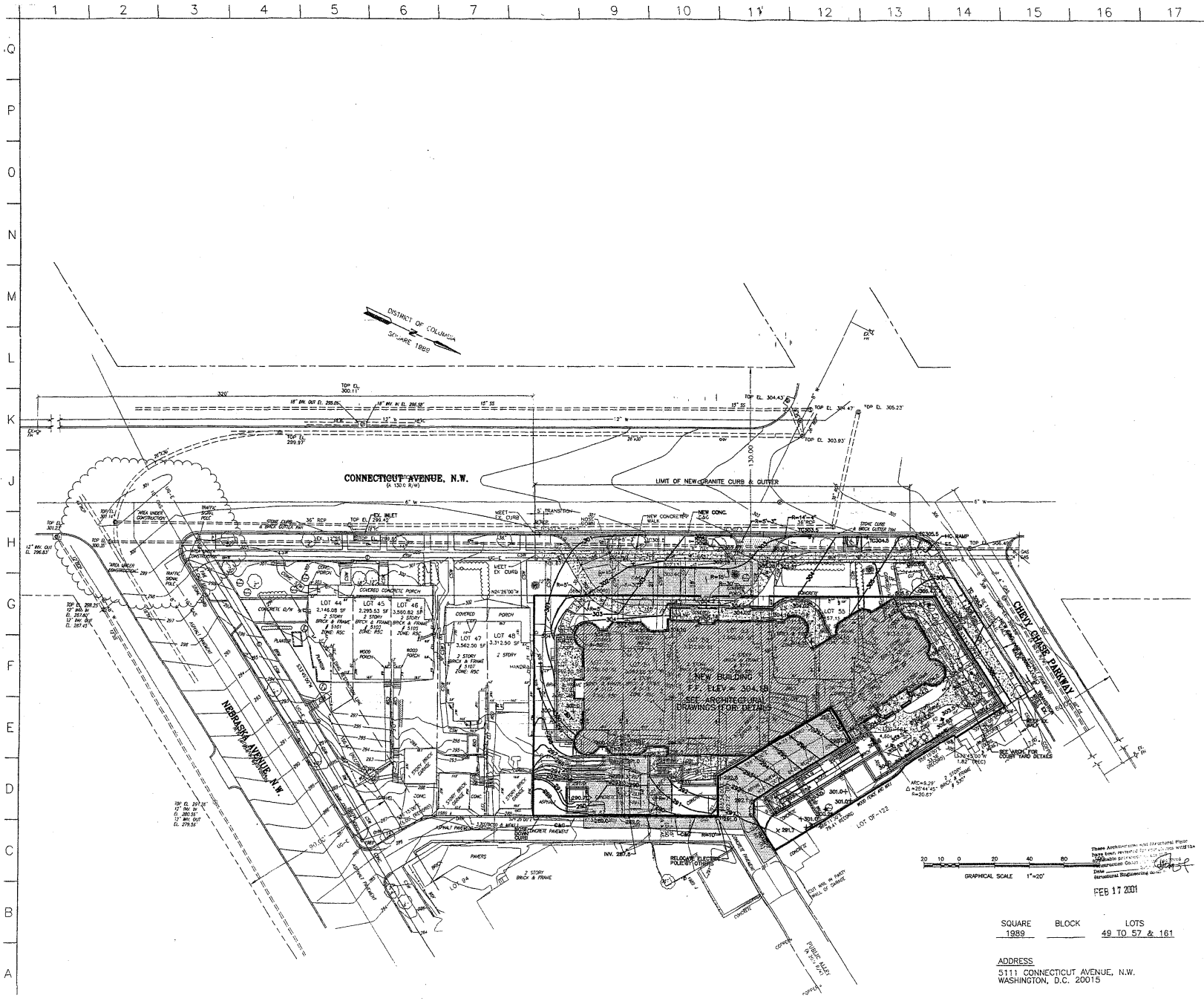
5111 Connecticut Avenue, NW
Washington, D.C. 20015

BEERY, RIO AND ASSOCIATES
ARCHITECTS
8601 BRADDOCK ROAD, 4TH FLOOR
SPRINGFIELD, VIRGINIA 22151
(phone) 703.426.9057 (fax) 703.426.9328
www.beeryrio.com

DRAWING TITLE

SEVENTH FLOOR PLAN

SEAL | DRAWN | DESIGNED | PROJECT NO. 98142



MATERIALS KEYING LEGEND

A. MORTON THOMAS AND ASSOCIATES, INC.
CONSULTING ENGINEERS
12750 TRINIDAD PARKWAY, SUITE 200, ROCKVILLE MD 20852
TEL. (301) 881-0545 FAX (301) 881-0814
E-MAIL AMTENGR@MTX.NET

GENERAL NOTES

Key Plan

No	Revisions / Submissions	Date
	PERMIT SUBMISSION SET	07/07/00

5111 Connecticut Avenue, N.W.
Washington, D.C. 20015

BEERY RIOAND ASSOCIATES ARCHITECTS
8001 BRADDOCK ROAD, 6TH FLOOR
SPRINGFIELD, VIRGINIA 22151
(phone) 703.426.8057 (fax) 703.426.9280
www.beeryrio.com

Those Architectural and Structural Plans have been prepared in accordance with the applicable professional standards of care for Architectural Design and Structural Engineering design in the District of Columbia at the time of preparation.

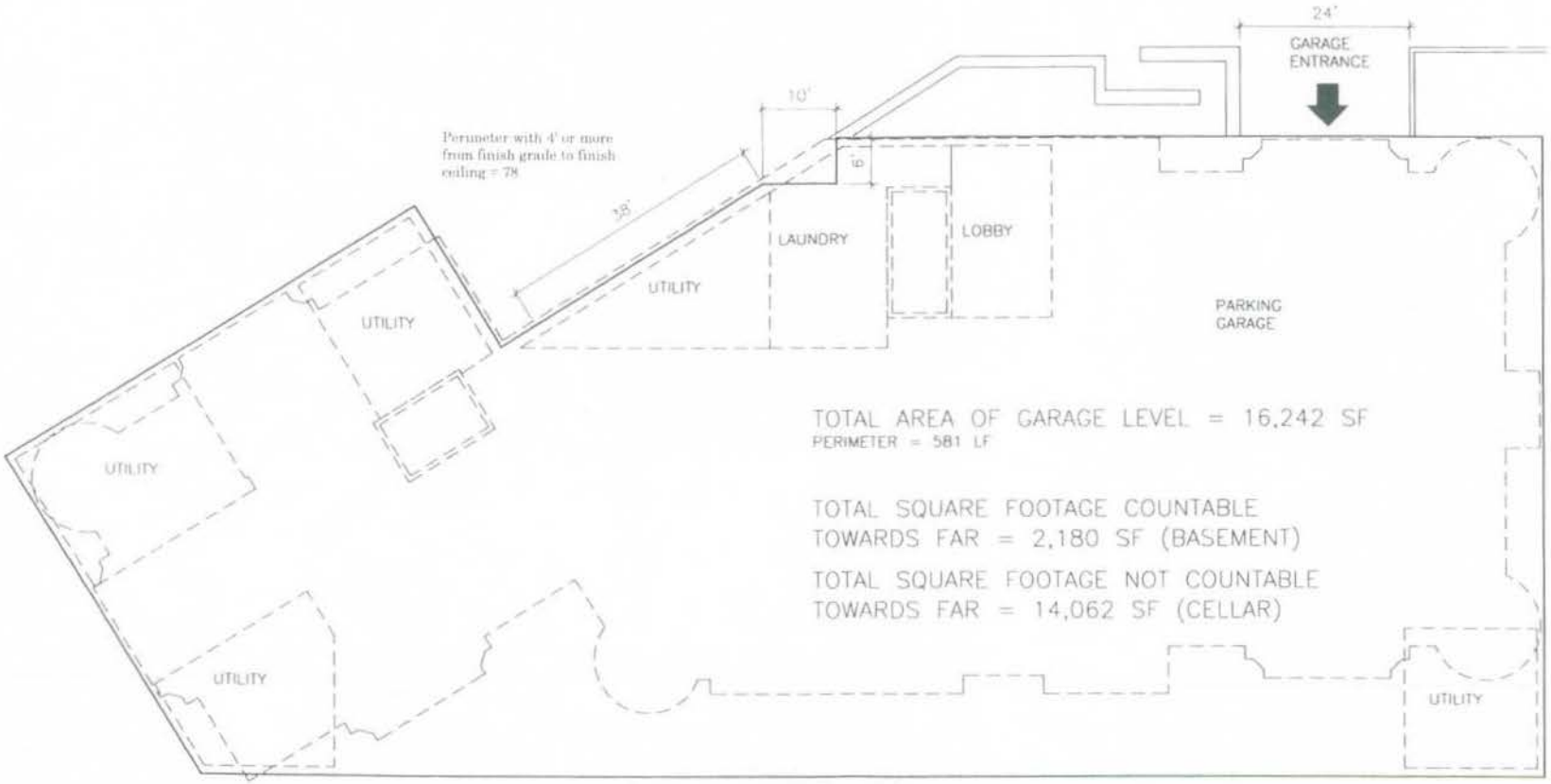
FEB 17 2001

SQUARE 1989 BLOCK LOTS 49 TO 57 & 161

ADDRESS
5111 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20015

GRADING PLAN

DESIGNED	PROJECT NO	98142
DRAWN	SCALE	
CHECKED	DRAWING NO	C-3
REVIEWED		



78 L.F. / 655 L.F. = 11.9%
16,242 SF x 0.119 = 1,933 SF

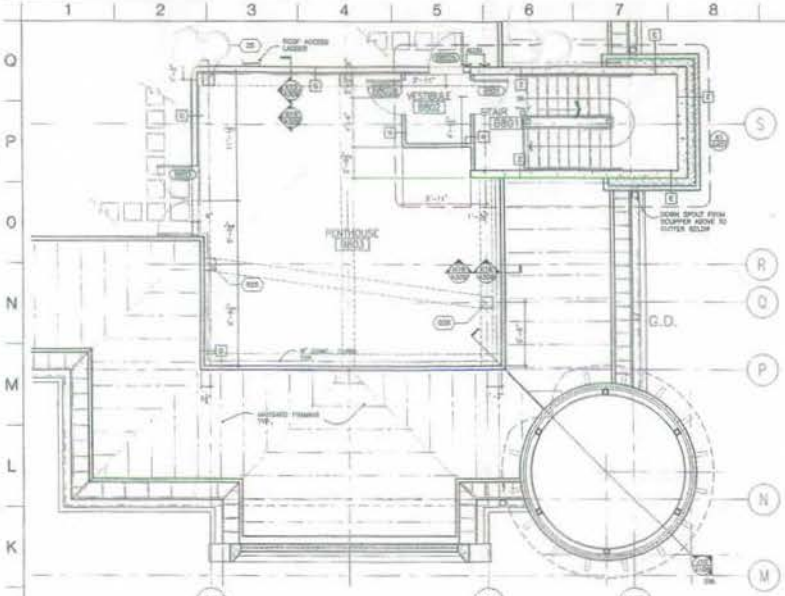
5111 CONNECTICUT AVENUE

GARAGE LEVEL PLAN

SUNRISE
CONNECTICUT AVENUE, WASHINGTON, DC

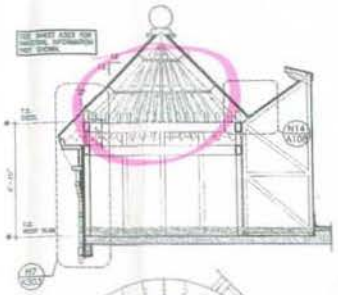
1/8"=1'-0"

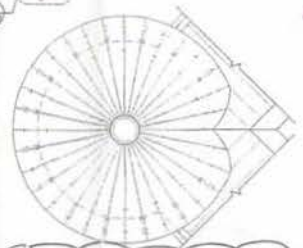
BERRY, RIO AND ASSOCIATES



J1 PENTHOUSE PLAN

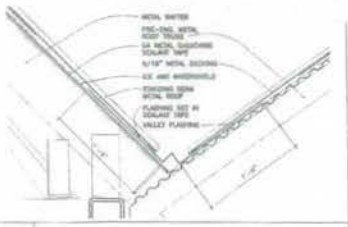
Plan slid up the sheet for clarity and show turret at larger scale





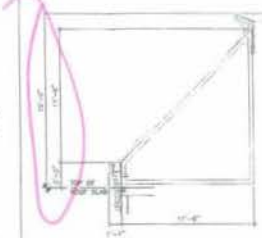
Machine room plan relocated to A402 Detail K-15/Equipment Set

J10 TURRET MANSARD CONNECTION



N14 VALLEY FLASHING DETAIL

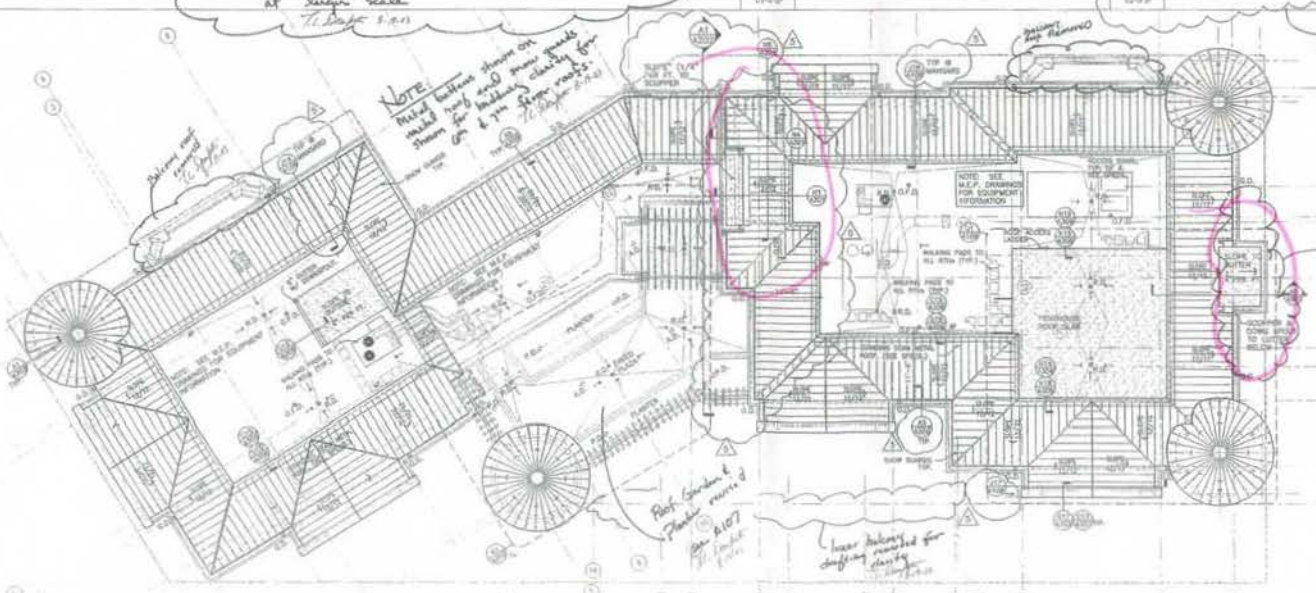
(13)



J14 TYP. ROOF TRUSS SECTIONS



J17 ROOF TRUSS SECTION @ GABLES



A1 ROOF PLAN

No	Revisions / Submissions	Date
	CONSTRUCTION SET	04/16/02
	ADDENDUM NO. 4	09/13/01
	ADDENDUM NO. 3	08/29/01
	ADDENDUM NO. 1	08/10/01
	BID/ CONSTRUCTION SET	07/09/01
	PERMIT SUBMISSION SET	07/07/00

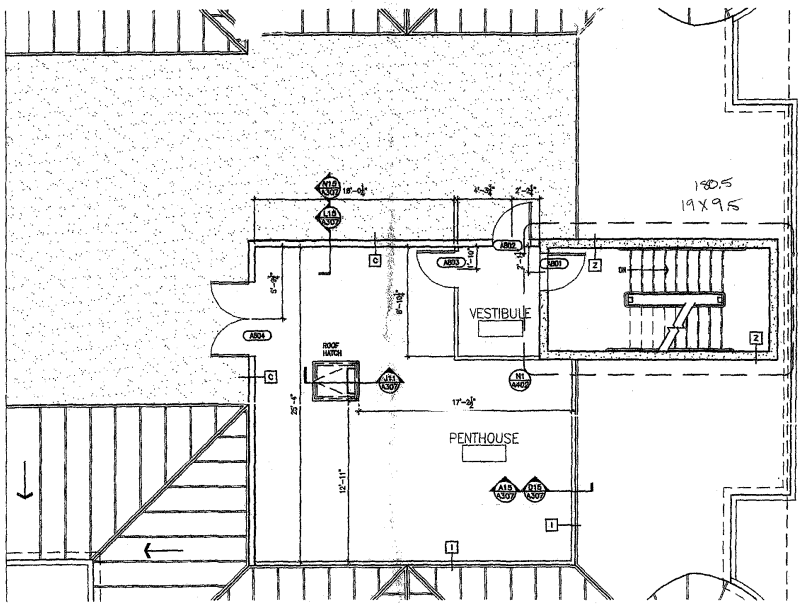
5111 Connecticut Avenue, NW
Washington, D.C. 20015

BEERY, RIO AND ASSOCIATES ARCHITECTS

ROOF PLAN

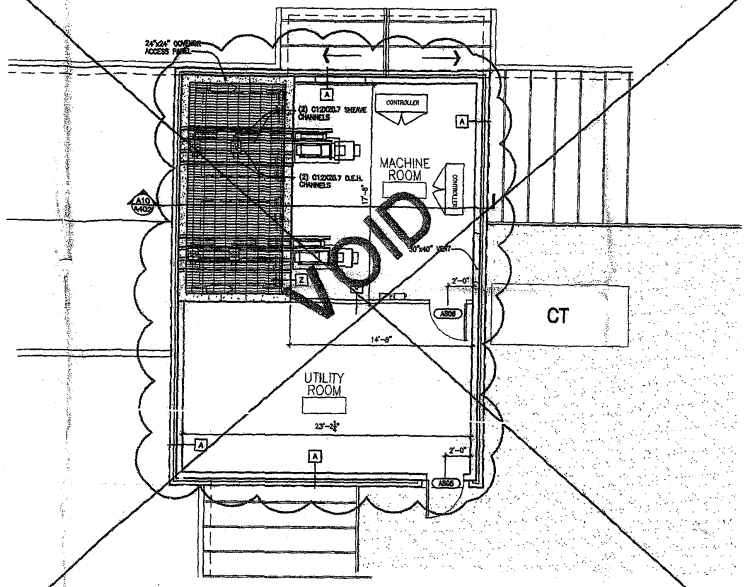
HWA/DK | 1/8"-1'-0" | 09.12 | HWA/BL | 11/07/00

A108



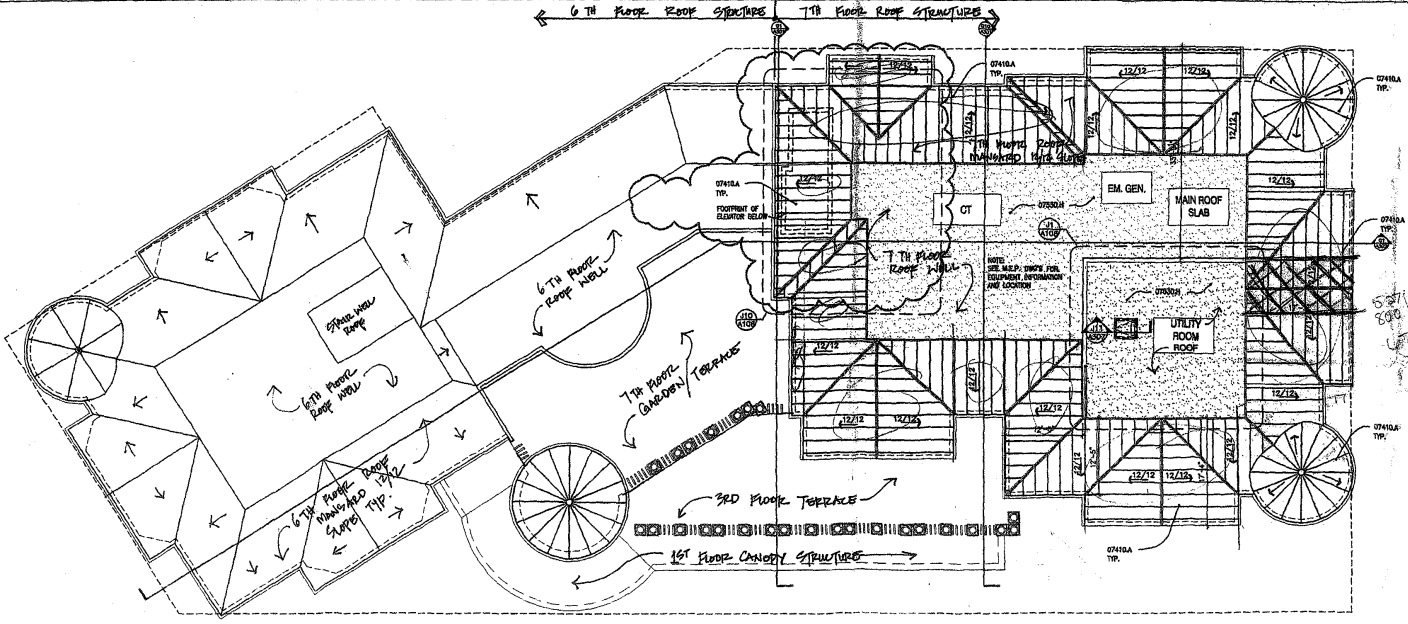
J1 UTITITY ROOM PLAN

1/4"=1'-0" A1/A108



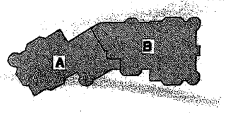
J10 MACHINE ROOM PLAN

1/4"=1'-0" A1/A108



GENERAL NOTES

Key Plan



No	Revisions / Submissions	Date
	PERMIT SUBMISSION SET	07/09/00
1	ELEVATOR REVISION	11/29/01

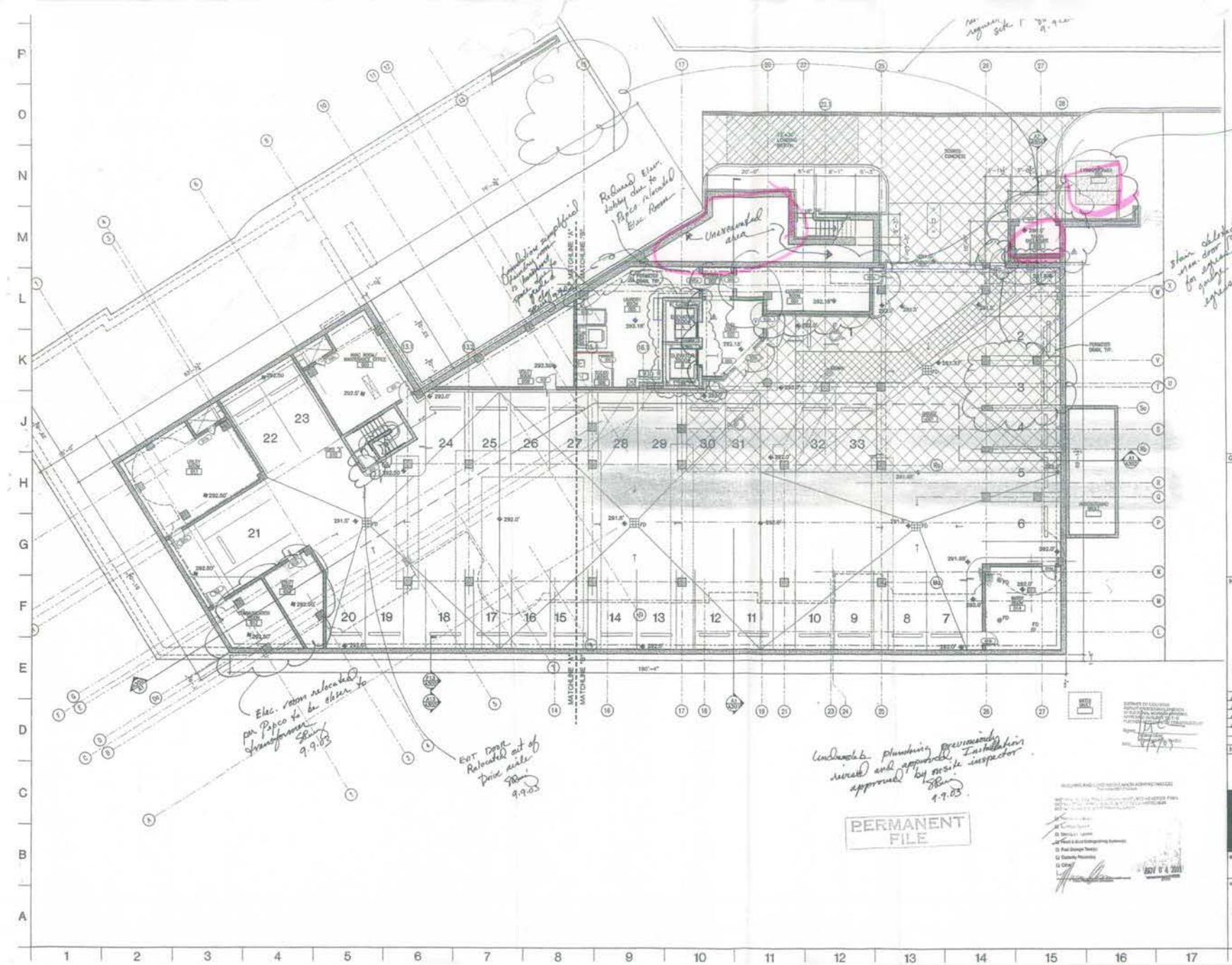
5111 Connecticut Avenue, NW
Washington, D.C. 20015

BEERY, RIO AND ASSOCIATES ARCHITECTS
8001 ARNDOCK ROAD, 4TH FLOOR
SPRINGFIELD, VIRGINIA 22153
(phone) 703.426.9037 (fax) 703.426.9268
www.beeryrio.com

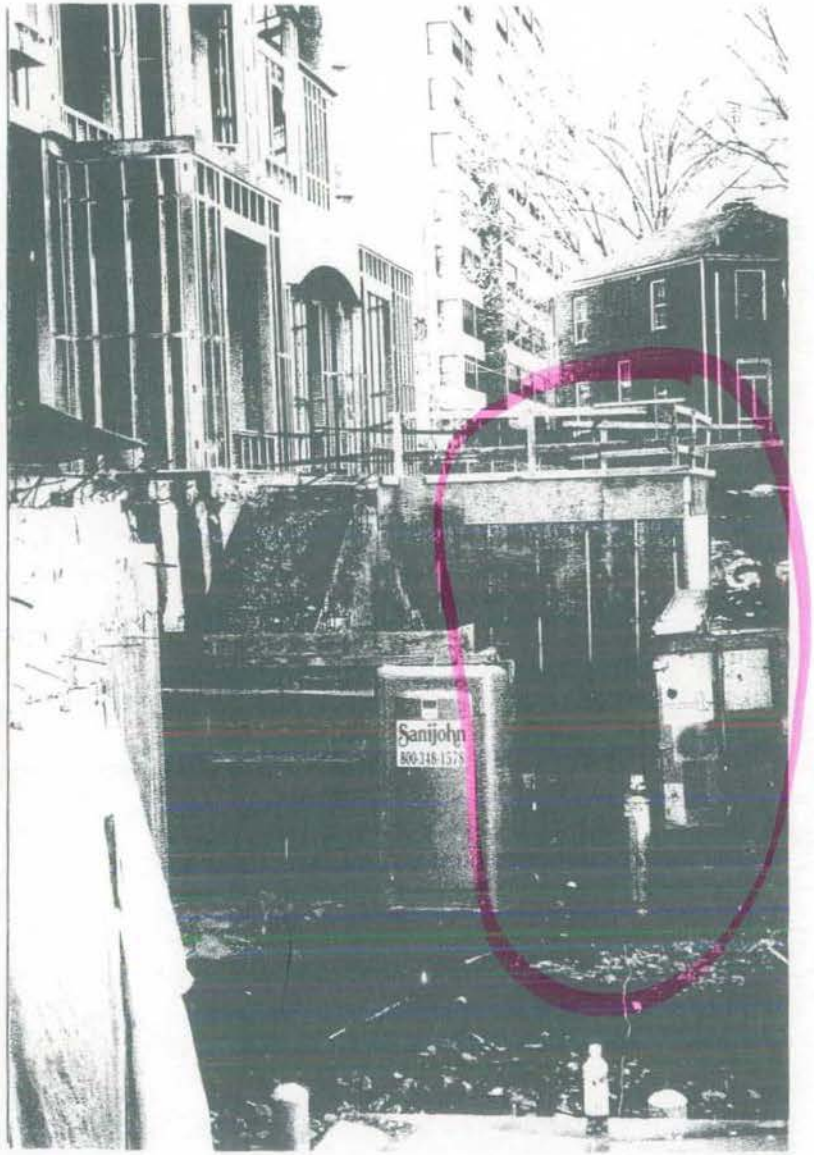
ROOF PLAN

DESIGNED	
DRAWN	RA
CHECKED	LMD
PROJECT NO	98142
SCALE	1/8"=1'-0"
DRAWING NO	A108

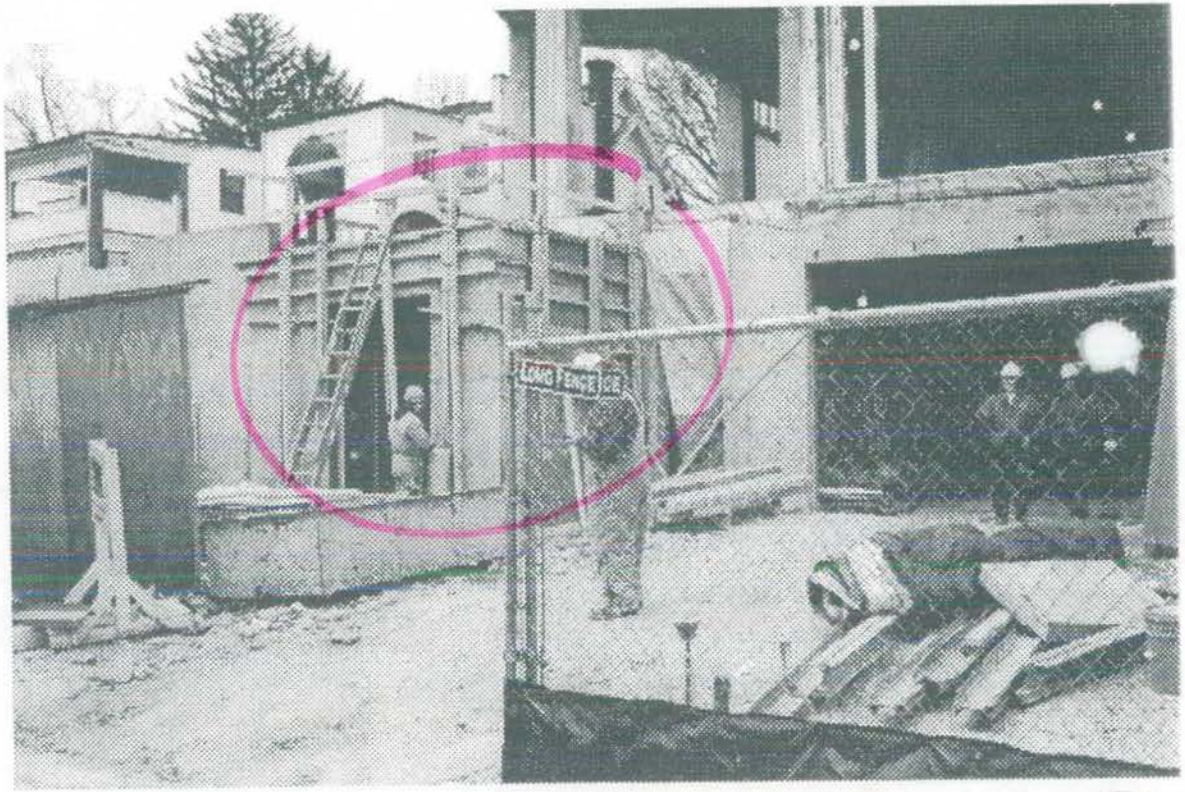
PROPERTY OF BEERY, RIO AND ASSOCIATES ARCHITECTS

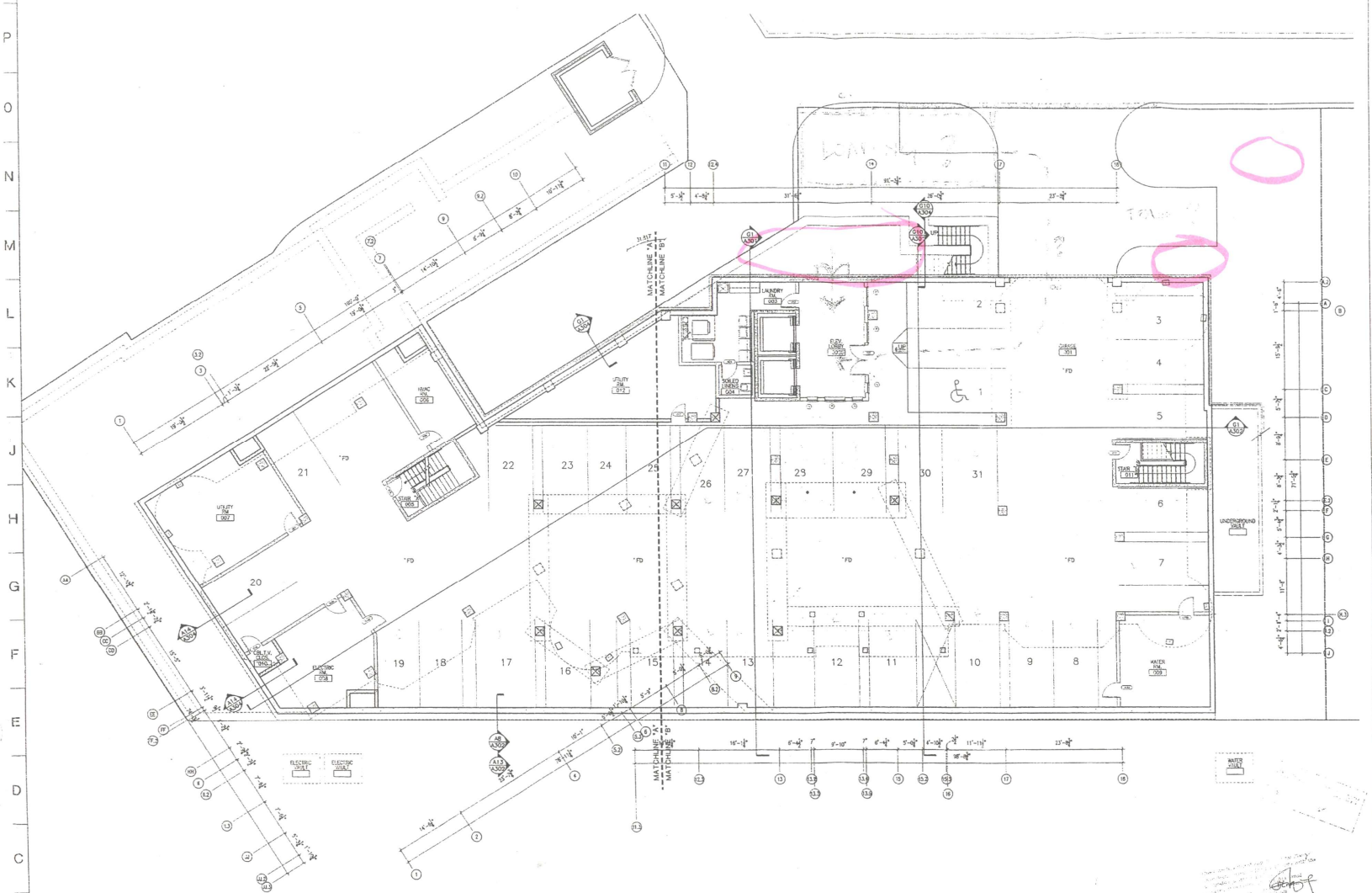

6
Pepco relocated transformer and elec. room per Verde/Isley plan sheet and approved.
9.9.03
Revised Elec. lobby due to Pepco relocated Elec. Room
Unenclosed area
Condition simplified. Opening now to be at existing grade & storefront
Stair added at new door for egress from garage & direct access to upper floor & grade above.
9.9.03
Elec. room relocated per Pepco to be closer to transformer
9.9.03
EXT Door Relocated out of Drive aisle
9.9.03
Underslab plumbing previously inspected and approved. Installation approved by onsite inspector
9.9.03
PERMANENT FILE
PERMANENT FILE
GENERAL NOTES
Key Plan
A
B
CONSTRUCTION SET 04/16/02
ADDENDUM NO. 4 09/10/01
ADDENDUM NO. 3 08/28/01
ADDENDUM NO. 1 08/10/01
BID/ CONSTRUCTION SET 07/06/01
PERMIT SUBMISSION SET 07/07/00
No Revisions / Submissions Date
5111 Connecticut Avenue, NW
Washington, D.C. 20015
BEERY, RIO AND ASSOCIATES ARCHITECTS
GARAGE PLAN
RA
98142
1/8"=1'-0"
A100
07/07/00

Rear Open Porch



Addition Extending into the Rear Yard





No	Revisions / Submissions	Date
1	PERMIT SUBMISSION SET	07/07/00

5111 Connecticut Avenue, NW
Washington, D.C. 20015

BEERY, RIO AND ASSOCIATES ARCHITECTS

GARAGE PLAN

DESIGNED	
DRAWN	AT/RA
CHECKED	LMD
REVIEWED	
DATE	07/07/00
PROJECT NO	98142
SCALE	1/8"=1'-0"
DRAWING NO	A100

06/02/00 — ACTIVE ISSUES LOG NO.: 0-972

EXHIBIT ZA-90-AA-200 (9)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND ZONING REGULATION ADMINISTRATION
ZONING REGULATION DIVISION

ZONING COMPUTATION SHEET - RESIDENCE USE

1. Owner	2. Location	3. Square
SUNNY & LOUIS REYES ET AL	5111 CONNECTICUT AVE NW	1985

4. Lot	5. Zone	6. Use of Bldg. or Structure	7. New / Existing to -- / Alter existing --	8. Type of Conforming / Nonconforming
SITE PER SUB	R5D/R2	CRF/housing for Handicapped pursuant to FHA		

9. Use of Structure	10. Width of Streets	11. Width of Adjacent Alleys	12. Width of Restrictions
Conforming = / Nonconforming =	Conn Ave = 130' / Chevy Chase Pkwy = 60'	15' & 20'	15' partial

13. Application of Act of June 1, 1958	14. Type of Lot	15. Number of Dwelling Units	16. Number of Spaces
Height of Bldg. — 90' max / Excess Height —	Corner — ✓ Through — / Triangle — Alley — / Interior —	102 units / Residents	Required 17 / Provided 31

17. Location of Parking Spaces	18. Number of Loading Berths	19. Lot Area	20. Lot Width
Same Lot — ✓ / Separate Lot — / Open Area — / Within Bldg. — ✓	Required — 1 @ 30'-berth / Provided — 1 @ 20'-service day / Open Area — / Within Bldg. — 1 @ 200 p platform provided	Min. Allowed — N/P / Provided — 27,712	Min. Allowed — N/P / Provided — 22' Conn

21. Lot Occupancy	22. Gross Floor Area	23. Cellar Area	24. Floor Area Ratio	25. Height of Building
Allowed — 75% / 17,330.63 ft / Provided — 56% / 13,103.0 ft	Total — 80,870.0 ft	Total — 11,882 ft	Allowed — 3.5 / Provided — 3.49	Curb; to first floor = / to high point of roof = / Grade; to first floor = / to ceiling; top story = 8 / to high point of roof =

26. Number of Stories	27.	Required	Provided	28. Accessory Building
Allowed — N/L / Provided — 7 / Basement — partial / Cellar — partial	Rear Yard, depth —	34'	34'	Location — / Height — N/A / Area —
	Side Yard, width —	N/P	N/A 21.1'	
	Open Court, width —	28.5	29.08'	
	Closed Court, width —	/	/	
	Closed Court, area —	/	/	

REMARKS

FAR allowed

Penthouse allowed = .37 x 23,107.51 = 8549.77 ft

Gross Floor Area Provided:

Penthouse provided = 1838.625 ft

FAR provided = 0.07

EXHIBIT

Allowable Floor Area Ratio = 3.5 (R5D only)

Maximum Permitted Gross Floor Area = 3.5 x 23,107.51 = 80,876.28 ☐
(FAR x Lot Area)

Gross Floor Area Table:

FLR	Gross Floor Area (FAR)	Total Square Ft of Building FAR & NON FAR
Cellar		11,882 ☐
Basmt	2180 ☐	2180 ☐
FIRST	13,103 ☐	13,103 ☐
2nd	12,391	12,391 ☐
3RD - 6TH	11,314 x 4 = 47,656 ☐	47,656 ☐
7☐	5540 ☐	5540 ☐
ALL FLRS	80,870 ☐	92,752 ☐

Floor Area Ratio provided = 80,870 / 23,107.51 = 3.49