Form 125 — Exhibit 1
(Revised 03/15/02)

Case No. 17449

BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

APPEAL

Notice: Click Here for Appeal Form Instructions

Pursuant to Section (s) §3100 and §3101 of the Zoning Regulations of the District of Columbia, an appeal is hereby taken

from the administrative decision of:*	the Director of the Department of Consumer and Regulatory Affairs		
made on*	06/09/2005	to the effect that*	

Issuance of Building Permit No. B474628, for modification/projection alteration and repair, specifically including the portion of the permit that - see p.1 allegations

Address(es)* of Affected Premises	Square(s)*	Lot(s)*	Zoning Districts*
1825 Vernon Street, NW	2555	0005	R-5-B

Present Use of Property:*	16 Unit Apt Bldg		
Proposed Use of Property:*	20 Unit Apt Bldg		
Owner of Property:*	1825 Vernon Street, LLC	Telephone No.:*	(202)797-0852
Name, address and telephone number of lessee:			
See Attached List			
Name, address and telephone number of appellant, if other than owner:			
Advisory Neighborhood Commission 1C P.O. Box 21009 Washington, DC 20009			

State specifically manner in which appellant is aggrieved by the administrative decision, the allegations of error in the administrative decision, and the relevant sections of the Zoning Regulations (see reverse for more detailed explanation).

Please use a separate piece of 8 ½" x 11" to respond and attach it to the Form 125 Appeal.

Date:*	10/14/05	Signature:	Alan Roth

*** If appeal is filed by agent of the Appellant, Form 125 Appeal shall be accompanied by a letter signed by the appellant authorizing the agent to act on his behalf in this appeal.**

To be notified of hearing and decision:

(Appellant or Authorized Agent)*

Name:*	Alan J Roth, Chairperson						
Address:*	1845 Vernon St., NW	City:*	Washington	State:*	DC	Zip:*	20009
Phone No.:*	(202)347-3030	Fax No.:	(202)347-3133	E-Mail:	anc1c01@aol.com		

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

RECEIVED
D.C. OFFICE OF ZONING
2005 OCT 14 PM 2:57

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17449
EXHIBIT NO. 2

Board of Zoning Adjustment
District of Columbia
CASE NO. 17449
EXHIBIT NO. 2

APPEAL OF ADVISORY NEIGHBORHOOD COMMISSION 1C
from Issuance of Permit No. B474628 for
1825 Vernon Street, NW (Square 2555, Lot 0005)

Aggrievement:

Advisory Neighborhood Commission 1C (ANC 1C) covers the Adams Morgan neighborhood of Washington, and is the elected body charged by District law with representing the interests and concerns of Adams Morgan residents before District government agencies, boards, and commissions. *See* D.C. Official Code § 1-309.10(a)-(d) (2001). For the reasons set forth below, the issuance by DCRA of Permit No. B474628 violates ANC 1C's statutorily recognized interests in ensuring that District zoning laws and regulations are properly applied and enforced within ANC 1C's boundaries; that construction within those boundaries occurs only pursuant to properly issued building permits that comply with the zoning laws and regulations; and that District Government agencies respect and honor the concerns of ANC 1C residents in the proper application of the zoning laws and regulations to the street and/or building in which they live. Accordingly, pursuant to section 3100 et seq. of the Zoning Regulations, ANC 1C appeals the issuance of the permit as issued in error, and requests that said permit be revoked.

Allegations of Error:

The subject property is a 16-unit apartment building constructed prior to May 12, 1958 and is a non-conforming structure in this R-5-B District. Specifically, its lot occupancy exceeds the 60% maximum allowed under section 403.2 of the Zoning Regulations; its floor area ratio (FAR) exceeds the 1.8 maximum under section 402.4 of the Zoning Regulations; its two open courts measure only 9'4" in width where, given the greater than 50-foot height of this building, at least 16 feet are required; and its rear yard measures only 13'9" in depth where a minimum of 15 feet are required.

Permit No. B474628 purports to authorize the construction of four basement apartment units and the modification of a building projection. ANC 1C alleges that these alterations, taken together, would increase and extend the non-conformity of the structure's FAR, in violation of sections 2001.3 and 402.4 of the Zoning Regulations.

How Appellant Intends to Prove Its Case:

ANC 1C will prove its case by reference to the plans and other materials in the DCRA files on this permit, photographs of the site, and expert and other testimony.

APPEAL OF ADVISORY NEIGHBORHOOD COMMISSION 1C
from Issuance of Permit No. B474628 for
1825 Vernon Street, NW (Square 2555, Lot 0005)

Listing of Lessees:

The following persons are listed as tenants of the subject property in the owner's most recent (Jan. 13, 2005) rent ceiling filing with the Housing Regulation Administration of the Department of Consumer and Regulatory Affairs.

Janet Baker	Apt. 2	1825 Vernon Street, NW	Washington, DC 20009
[Vacant as of 1/1/05]	Apt. 4	1825 Vernon Street, NW	Washington, DC 20009
Kevin Price	Apt. 6	1825 Vernon Street, NW	Washington, DC 20009
[Vacant as of 1/1/05]	Apt. 8	1825 Vernon Street, NW	Washington, DC 20009
Gabriella Baker	Apt. 22	1825 Vernon Street, NW	Washington, DC 20009
Abdur Rashid	Apt. 24	1825 Vernon Street, NW	Washington, DC 20009
Deirdre Lynch	Apt. 26	1825 Vernon Street, NW	Washington, DC 20009
Amy Fields	Apt. 26	1825 Vernon Street, NW	Washington, DC 20009
Kerry Munger	Apt. 28	1825 Vernon Street, NW	Washington, DC 20009
Lauren Thompson	Apt. 28	1825 Vernon Street, NW	Washington, DC 20009
Elsie Brown	Apt. 32	1825 Vernon Street, NW	Washington, DC 20009
Air Ahmed	Apt. 34	1825 Vernon Street, NW	Washington, DC 20009
Helen Medina	Apt. 36	1825 Vernon Street, NW	Washington, DC 20009
Kristen Hassen	Apt. 36	1825 Vernon Street, NW	Washington, DC 20009
Mark Goldberg	Apt. 38	1825 Vernon Street, NW	Washington, DC 20009
Aaron Sokolow	Apt. 38	1825 Vernon Street, NW	Washington, DC 20009
Charles Willison	Apt. 42	1825 Vernon Street, NW	Washington, DC 20009
John McBride	Apt. 42	1825 Vernon Street, NW	Washington, DC 20009
Scott Toland	Apt. 44	1825 Vernon Street, NW	Washington, DC 20009
John Skelton	Apt. 44	1825 Vernon Street, NW	Washington, DC 20009
MaryAnn Medina	Apt. 46	1825 Vernon Street, NW	Washington, DC 20009
Emil Apostolov	Apt. 48	1825 Vernon Street, NW	Washington, DC 20009

★★★ GOVERNMENT OF THE DISTRICT OF COLUMBIA
Form BLRA-15
(Rev. 9/30/91

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. B474628

PERMIT

Date 6/29/05 (Type) MODIFICATION/PROJECTION ALTERATION AND REPAIR

Address of work 1825 VERNON STREET N.W.

Permission is hereby granted to 1825 VERNON STREET, L.L.C. (Owner)

who is authorized to perform the work described herein at the address shown above in strict accordance with the conditions stated on BOTH sides of this permit.

Authorized work and conditions of performance thereof:

PROVIDE FOR NEW WINDOWS IN EXISITNG OPENINGS. PROVIDE FOR A NEW FRONT PROJECTION PER PLANS. PROVIDE FOR THE INTERIOR BUILD-OUT OF UNFINISHED BASEMENT WITH FOUR APARTMENT UNITS. UPGRADE ELECTRIC SERVICE TO BUILDING. PROVIDE NEW WINDOW AND DOOR OPENINGS TO BASEMENT LEVEL IN FRONT OF BUILDING.

Lot 0005 Square 2555

TOTAL PERMIT FEE $

FILING FEE $

NO. DATE

FEE PAYABLE $ 3938.00

FOR INSPECTIONS CALL 727-7562 442-4641

Builder— Value $ No. of Bldgs.

Width of Bldgs. Length Height No. of Stories 4 W/B.

Zone R-5-B To be occupied as 20 UNIT RESIDENTIAL APARTMENT

Height of terrace above grade Projections

Address of owner RENEAU REAL ESTATE 1811 S ST. NW WDC. 20009

Deposit No. Amount $

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

PATRICK CANAVAN
DIRECTOR

Chief, Permit Issuance Branch

By

Permit Clerk

E. KING

Stamped 0000 D.C. GOVERNMENT
Reg# 0 7/05/05 at 11:32 Clk# 11
Reg 1 1 3638 Amount $**3,938.00
EB 20 11 5 BUILD. STRUCTURE & EQUI

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEY

Washington, D.C., February 25, 2004

Plat for Building Permit of SQUARE 2555 LOT 5

Scale: 1 inch = 20 feet Recorded in Book Co.6 Page 115

Receipt No. 09722

Furnished to: STEVE

Surveyor, D.C.

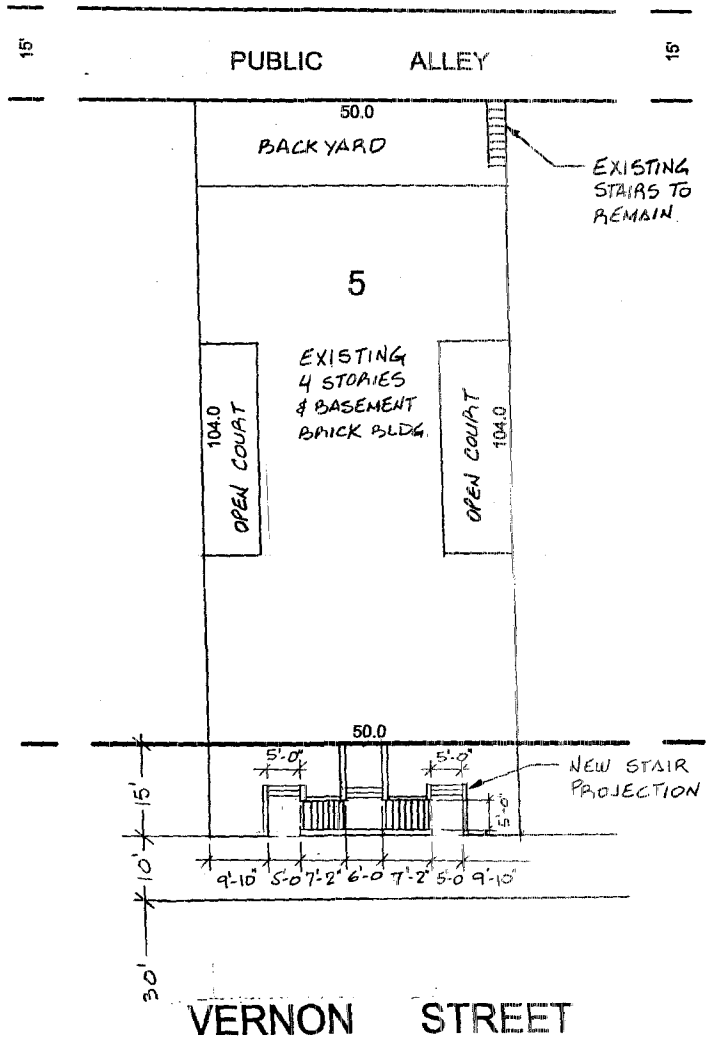
By: L.M.A.

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat,and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: 4-20-04

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



SO-09722(2004)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Appeal was served by United State mail, first-class postage prepaid or by hand delivery, this 14th day of October, 2005, upon the following persons:

Dr. Patrick Canavan, Director, Department of Consumer and Regulatory Affairs, 941 North Capitol Street, NE, Washington, DC 20002,

1825 Vernon Street LLC c/o Mr. Paul Reneau, Reneau Real Estate, 1811 S Street, NW, Washington, DC 20009, and

Janet Baker	Apt. 2	1825 Vernon Street, NW	Washington, DC 20009
Occupant(s)	Apt. 4	1825 Vernon Street, NW	Washington, DC 20009
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Alan J. Roth
Chairperson
Advisory Neighborhood Commission 1C