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BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

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APPEAL

Notice: See other side of appeal form for 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: Mr. Matthew Le Grant, Acting Zoning Administrator
Name of administrative officer and title

made on September 28, 2007, to the effect that Appeal of the Zoning Administrator's September 28, 2007
Date of decision

Decision to deny a April 17, 2007 building permit application for "Revision To [Building Permit] B468280 [December 9, 2004; "Addition To Single Family House to include new Kitchen, Family Room, Master Suite, Baths, Attic & Basement"] To Reflect New Footer And New (2) Story Structure Replacing Existing" to reconstruct a pre-existing portion of single family house with a Non-conforming side yard that The Zoning Administrator alleges (i) that the previously existing structure had been intentionally destroyed and as a result the non-conforming side yard cannot be restored and does not comply with the Provisions of 11 DCMR § 405.8 and (ii) that the unforeseen termite damage which made the pre-existing single family house structurally unsound does not comply with the provisions of 11 DCMR § 2001.6. The Zoning Administrator's action constitutes a challenge to the application to reconstruct the pre-existing portion of the single family house as well as the original Building Permit No. B468280 [dated December 9, 2004] to construct the addition to the single family house (the "Original Building Permit").

Address(es) of Affected Premises	Square(s)	Lot(s)	Zoning Districts
5013 Belt Road, N.W.	1756	64	R-1-B

Present use of Property: Under construction: Addition to single-family dwelling with non-conforming side yard.

Proposed use of Property: Single-family dwelling with addition with non-conforming side yard

Owner of Property: Stephanie Wallace

Telephone No.:

Address of Owner: 2215 49th Street, N.W., Washington, D.C. 20007

Name, address and telephone number of lessee: N/A

Name, address and telephone number of appellant, if other than owner: N/A

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 1/2" x 11" to respond and attach it to the Form 125 Appeal.

Date: 10-19-2007

Signature:

* 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: John Patrick Brown, Jr. and Stephanie A. Baldwin

Address: Greenstein DeLorme & Luchs, P.C., 1620 L Street, N.W., Suite 900, Washington, D.C. 20036

Phone No.: (202) 452-1400

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

INSTRUCTIONS

Any notice of appeal for an administrative ruling as provided by the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted. *Do not mail this form to the Board of Zoning Adjustment.*

1. All applications shall be made on BZA Form 125. All appeal forms must be completely filled out and be typewritten or printed. All information shall be furnished by the appellant. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11"x 17").
2. Present this form and supporting documents, in person, to the Office of Zoning at 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.
3. At the time of filing an appeal before the Board of Zoning Adjustment, the Appellant shall pay a filing fee of \$800.00 in accordance with the Board of Zoning Adjustment Schedule of Fees (11 DCMR §3180), except as provided in §3180.3 and §3180.4.
4. ***REQUIRED information to be submitted when making an application submission, includes one (1) original and twenty (20) copies of the following:***
 - A. All Appellants are required to submit in specific detail each and every exception they have to the administrative decision. Details should state the allegations of error in the administrative decision – “why it was an error” and reference the relevant Sections of the Title 11 DCMR Zoning Regulations and/or Map. It shall be typewritten or printed and attached to Form 125 Appeal.
 - B. A detailed statement at the time of filing explaining how the appellant intends on proving their case. C. In the case of an area variance, a plat drawn to scale and certified by a DC licensed survey engineer or D.C. Surveyor’s Office showing boundaries and dimensions of the existing and proposed buildings and accessory buildings. Also required are, if any, architectural plans and elevations in sufficient detail to clearly illustrate any proposed building to be erected or altered, proposed landscaping/screens and building materials as they relate to the specifics of the appeal. Submittal of plat and plans shall not exceed 11" x 17" in size. (See Form 130 – Plat, Plan and Elevation Specifications for the required information on these drawings.)

Note: All Appellants are required at the time of filing to serve all parties; including, as appropriate, the Appellee, the Owner of the property, the Lessee, and the Advisory Neighborhood Commission. Also please note, in an appeal only parties can testify or submit information into the record; however, parties may solicit pertinent information from affected persons to include in their submissions into the record.