

STEPHEN R. BRUCE LAW OFFICES
805 FIFTEENTH ST., NW, SUITE 210
WASHINGTON, D.C. 20005
202-371-8013
FAX: 202-371-0121

June 23, 2009

By Messenger

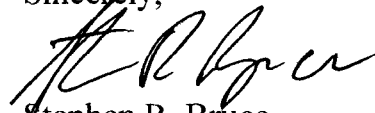
Richard S. Nero, Jr.
Acting Director, Office of Zoning
441 4th St., NW, Suite 200/210-S
Washington, DC 20001

Re: BZA Appeal No. 17966 (2709 31st St., NW) Stephen Bruce

Dear Mr. Nero:

In response to your email (attached), I am enclosing 20 copies of the letter and documents that I sent you on June 16, 2009, with the architect/engineer's plans reduced to 11 x 17. Copies of this submission are also being mailed to the Maryam Mashayekhi Trust, the owner of 2709 31st St., NW whose construction is the subject of this appeal, and Catherine May, the ANC Commissioner for ANC District 3C08. Please call if you have any questions or need more information.

Sincerely,



Stephen R. Bruce

Enclosures

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17966

EXHIBIT NO. 13

Board of Zoning Adjustment
District of Columbia
CASE NO. 17966
EXHIBIT NO. 13

Washington, D.C., February 6, 2009

Scale: 1 inch = 20 feet

Recorded in Book A & T Page 3269 - B

Receipt No. 01245

Furnished to: KAZEM ALAVI

I hereby certify that the 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" approximately 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.)

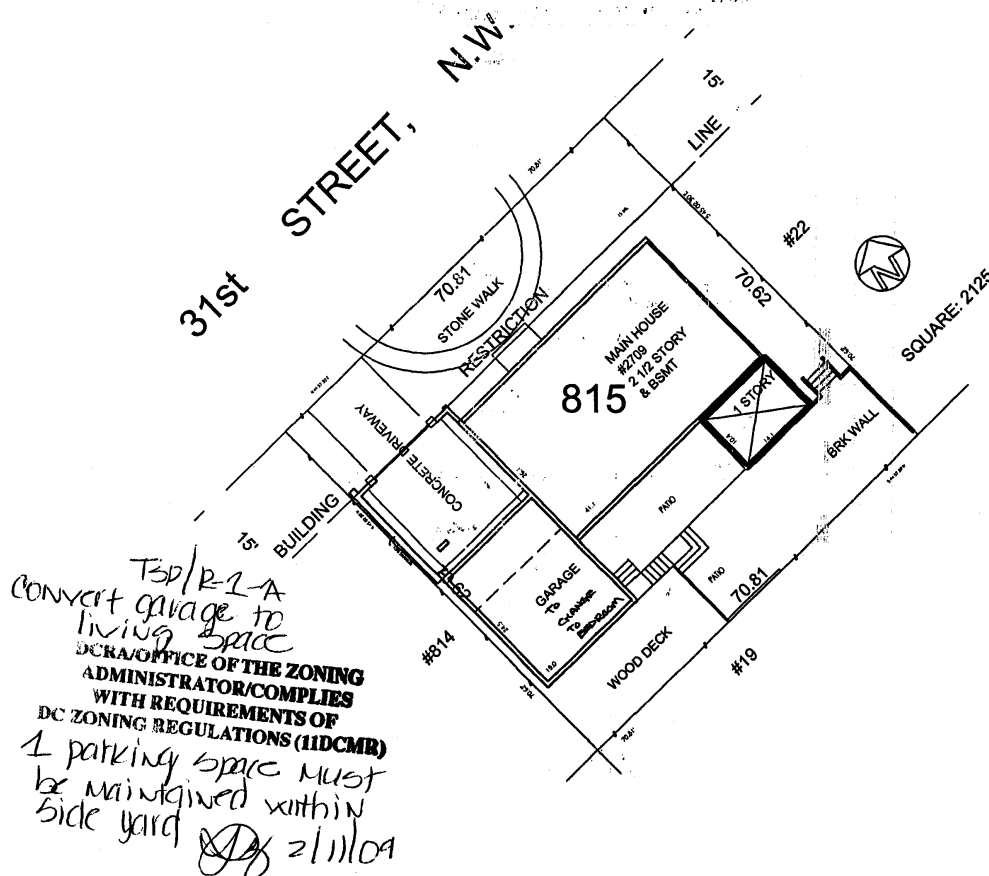
Date: 2/9/09

For Surveyor, D.C.

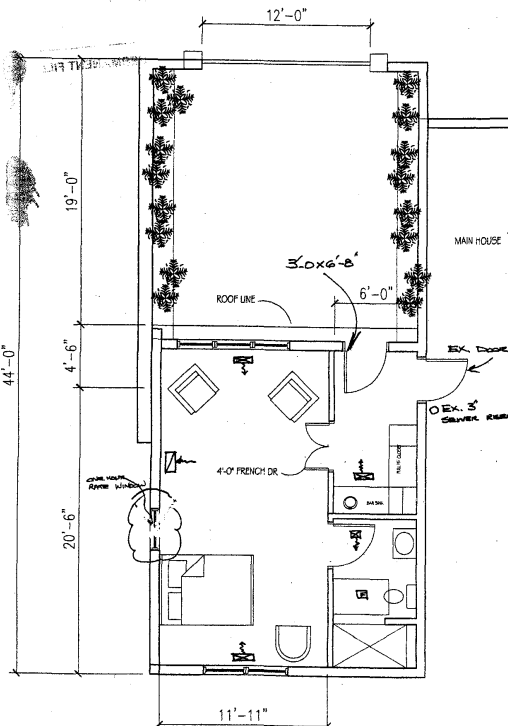
By: A.S. *BM*

(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.



PERMANENT FILE



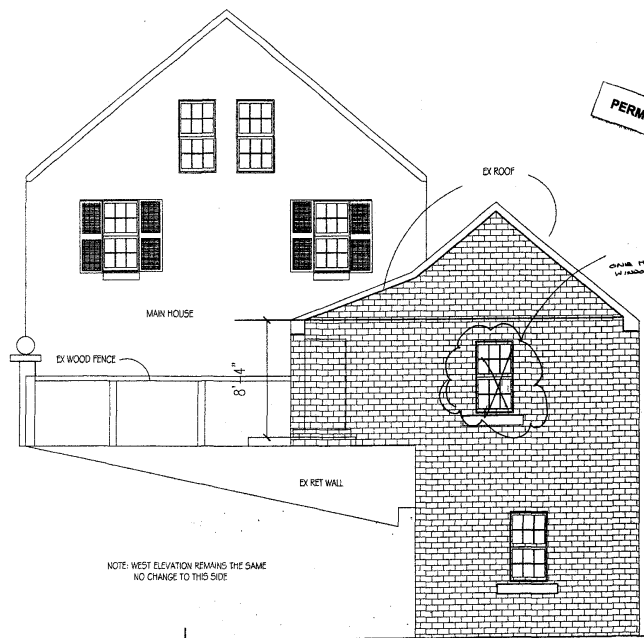
1 FLOOR PLAN
SCALE 1/4"=1'-0"

PERMANENT FILE

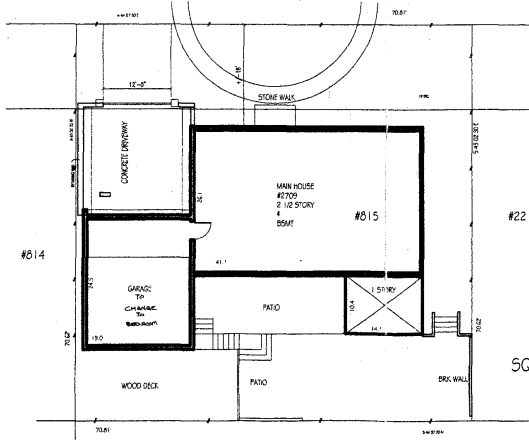
1. Place 2x6 PT & 1/2" OC. For Floor Joists.
 2. Place 2x4 @ 16" OC. Studs for Walls & Ceilings.
 3. Place 2x8 @ 16" OC. For Ceiling, R/O for 1st & 2nd.
 4. One window shall meet the requirements of the zoning regulations (100%).
- Handwritten notes:*
TSP/R-1-A
2/11/09
2/11/09



2 WEST ELEV
SCALE 1/4"=1'-0"



3 SOUTH ELEV
SCALE 1/4"=1'-0"



4 SITE PLAN
SCALE 1"=10'

DISTRICT OF COLUMBIA
PERMITTING DIVISION
STRUCTURAL WORK IS GENERAL APPROVED
SUBJECT TO THE EXISTING
APPROVAL OF CONSTRUCTION

GENERAL NOTES:

DESIGN CRITERIA

1. BUILDING CODES AND BUILDING TYPE:

1.1 CODES

2003 INTERNATIONAL BUILDING CODE

2. FUTURE CONSTRUCTION None

3. FOUNDATION: NOT APPLICABLE

USE GROUP R-1

CONSTRUCTION TYPE 3B

EXTERIOR & INTERIOR BEARING WALLS

ROOF AND FLOOR NON RATED

4. DESIGN LOADS:

4.1 WIND

MAIN WIND RESISTING MEMBERS

BASIC WIND SPEED

IMPORTANCE FACTOR

EXPOSURE COEFFICIENT

Basic Velocity Pressure

4.2 GRAVITY LOADS:

ROOF SNOW LOAD

GENERAL CONSTRUCTION NOTES:

5. TIMBER

5.1 WOOD FRAMING

5.1.1 ALL LUMBER SHALL COMPLY WITH THE REQUIREMENTS OF AMERICAN

INSTITUTE OF TIMBER CONSTRUCTION AND THE AMERICAN FOREST &

PAPER ASSOCIATION'S (APFA) NATIONAL DESIGN SPECIFICATION

FOR WOOD CONSTRUCTION.

ALL MECHANICAL EQUIPMENT AND/OR APPLIANCES SHALL BE BEARING THE LABEL OF AN APPROVED AGENCY SHALL BE APPROVED FOR THE PROPOSED USE AND LOCATION AND SHALL BE IN ACCORDANCE WITH THE ROOF AND FLOOR NON RATED.

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THE GENERAL LAYOUT OF THE MECHANICAL SYSTEMS AND/OR THE MECHANICAL EQUIPMENT SHOWN ON THESE DRAWINGS HAS BEEN REVIEWED FOR COMPLIANCE WITH THE APPLICABLE PROVISIONS OF THE D.C. CONSTRUCTION CODES AND APPROVED.

SECTION WILL BE REVIEWED BY A MECHANICAL ENGINEER IN THE FIELD OF THE PROJECT.

1.2 ALL STRUCT. WOOD MEMBERS SHALL BE #2 HEM FIR OR EQUIVALENT WITH THE FOLLOWING COMBINATIONS OF UNIT STRESSES, UNLESS NOTED OTHERWISE ON THE DRAWINGS:

EXTREME FIBER STRESSES IN BENDING: 800 PSI

COMPRESSION PARALLEL TO GRAIN: 1,200 PSI

MODULUS OF ELASTICITY: 1,300,000 PSI

SHEAR STRESS: 75 PSI

1.5 WOOD JOISTS SHALL NOT BE CUT OR DRILLED UNLESS SO AUTHORIZED BY THE PROJECT STRUCTURAL ENGINEER.

1.6 ALL MULTIPLE STUD COLUMNS SHALL BE NAILED TO EACH OTHER WITH TWO ROWS OF 100 NAILS AT 8 INCH MAXIMUM SPACING FULL HEIGHT.

6. NEW WORK IN CONJUNCTION WITH EXISTING CONSTRUCTION:

6.1 VERIFICATION: THE CONTRACTOR SHALL VERIFY, BY FIELD CHECK, ALL SIZES, DIMENSIONS, ELEVATIONS, LOCATIONS, ETC. OF ELEMENTS OF THE EXISTING CONSTRUCTION WHICH ARE RELATIVE TO THE NEW CONSTRUCTION.

6.2 NOTIFICATION: THE CONTRACTOR SHALL NOTIFY THE ARCHITECT/ENGINEER IMMEDIATELY OF ANY DISCREPANCIES BETWEEN CONSTRUCTION DOCUMENTS AND ACTUAL FIELD CONDITIONS.

6.3 PROTECTION: BEFORE PROCEEDING WITH ANY WORK WITHIN OR ADJACENT TO THE EXISTING STRUCTURE, THE CONTRACTOR SHALL BECOME FAMILIAR WITH EXISTING CONDITIONS. DURING THE PROCESS OF CONSTRUCTION IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN THE INTEGRITY OF THE EXISTING STRUCTURE WHERE THE EXISTING STRUCTURE IS MODIFIED TO ACCOMMODATE NEW CONSTRUCTION AND TO PROTECT FROM DAMAGE THOSE PORTIONS OF THE EXISTING STRUCTURE WHICH ARE TO REMAIN.

SHEET NO
A-01

PERMANENT FILE

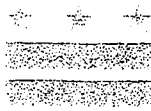
RENOVATION AT 2709 31ST STREET
WASHINGTON, DC

FLOOR PLAN & ELEVATION

PERMANENT FILE

EASTA
EASTA ARCHITECTS & CONSTRUCTORS
1000 15TH STREET, NW
WASHINGTON, DC 20005
TEL: 202-546-1100
FAX: 202-546-1101

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment**



Stephen Bruce
2701 31st Street, N.W.
Washington, D.C. 20008

April 28, 2009

Re: BZA Appeal No. 17966 (2709 31st Street, N.W.) Stephen Bruce

Dear Mr. Bruce:

The Office of Zoning received the above-cited appeal on April 28, 2009. Your appeal challenges the Office of the Zoning Administrator's decision to allow the conversion of a garage located within an existing one-family semi-detached dwelling into a one bedroom apartment. The appeal alleges violations of several R-1-A District area requirements including the side yard provisions.

To assist with the Board of Zoning Adjustment's understanding of your case please supplement your filing with the following information:

1. A copy of the DCRA building permit(s) you are appealing.
2. A dimensioned surveyor's plat and or architectural plans to graphically explain the alleged zoning violations.
3. Color photographs.

Please call me on (202) 727-6311, if you have any questions about the foregoing.

SINCERELY,



RICHARD S. NERO, JR.
Acting Director, Office of Zoning

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcz@dc.gov

Web Site: www.dco.dc.gov

Department of Consumer and Regulatory Affairs

Permit Operations Division

941 North Capitol Street NE Room 2100

Washington DC 20002

Tel. (202) 442 - 4589 Fax (202) 442 - 4862

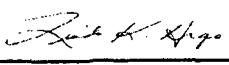
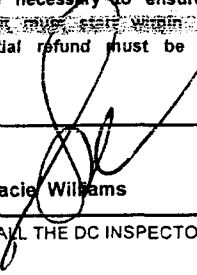
TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442 9557

B**BUILDING PERMIT**THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK
UNTIL WORK IS COMPLETED AND APPROVED

Issue Date: 02/11/2009

PERMIT NO. B0903245

Expiration Date: 02/11/2010

Address of Project: 2709 31ST ST NW		Zone:	Ward: 3	Square: 2125	Suffix:	Lot: 0815
Description Of Work: CHANGE THE GARAGE TO ONE BEDROOM						
Permission Is Hereby Granted To: Maryam Mashayekhi Trustee		Owner Address: 2709 31ST ST NW WASHINGTON, DC 20008-3522			PERMIT FEE: \$669.00	
Permit Type: Alteration and Repair	Existing Use: Single Family Dwelling - R-3		Proposed Use: Single Family Dwelling - R-3		Plans: Yes	
Agent Name: Kazem Alavi	Agent Address: 6105 SHADY OAK LANE	Existing Dwell Units: 1	Proposed Dwell Units: 1	No. of Stories: 2 + A	Floor(s) Involved:	
Conditions/ Restrictions: This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund must be made within six months of the date appearing on this permit.						
Director: Linda K. Argo 		Permit Clerk  Stacie Williams				
TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1639 FOR CONSTRUCTION INSPECTION INQUIRIES CALL (202) 442-9557 TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442-9557.						

PRE-FILE NUMBERS		ZONING DISTRICT	FILE NUMBER	PERMIT NUMBER	
N.C.P.C. No:	O.G. No:	TSP/R-1-A		B0903245	By:
H.P.A. No:	S.L. No:	Ward No: 3	Receipt No:	Date:	Receipt No:



DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Tel 202-442-4589 Fax 202-442-4862

BLRA-33
(Rev. 2/04)

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY (PRINT IN INK OR TYPE, DO NOT WRITE IN SHADED AREAS OR ON PAGE 4)

CLEARANCE TO FILE

By _____ Date _____

ERASING, CROSSING OUT, WHITING OUT, OR OTHERWISE ALTERING ANY ENTERED INFORMATION WILL VOID THIS APPLICATION

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 27

1 Address of Proposed Work: 2709 31st STREET, NW	Suite No. -	2. Lot 8/5	3. Square 2125	4. Application Date 2/4/09
5 Owner of Building or Property MARYAM MASHAYEKHI	6 Address (include Zip Code) 2709 31st ST, NW, WASH, DC			7 Phone 202-364-9555
8 Agent for Owner: (if applicable) KAZEM ALAVI	9. Address (include Zip Code) 20817			10. Phone 301-760-7330

11. Type of Proposed Work (check all applicable boxes)

- | | | |
|---|---|--|
| ☐ New Building | ☐ Retaining Wall | ☐ Garage |
| ☐ Addition | ☐ Fence | ☐ Sign |
| ☒ Alteration and Repair | ☐ Shed | ☐ Projection |
| ☐ Raze Building | ☐ Awning | ☐ Other (Specify) _____ |

12. Description of Proposed Work

CHANGE THE GARAGE TO ONE BEDROOM

13 Existing Use(s) of Building or Property SINGLE FAMILY	14 Ex. No of Stories of Bldg 2 + ATTIC	15 Ex No of Dwelling Units ONE	Official Use Only Miscellaneous FEE \$	
16 Proposed Use(s) of Building or Property SINGLE FAMILY	17 Prop No of Stories of Bldg 2 + ATTIC	18 Prop. No of Dwelling Units ONE	By:	Date:

19 Starting Date MARCH 2009	20 Completion Date of work APRIL 2009	21 Method of Removing Construction Debris ☒ Pick-up Truck ☐ Dumpster ☐ Other (specify)	22 Does the proposed work involve disturbing the earth or razing a building? ☐ Yes, answer q. 23 ☒ No, SKIP q. 23-27	
23. Is the area of disturbed earth more than 50 sq. ft? ☐ Yes, answer q. 24-25 ☐ No, SKIP q. 24-25	24. Soil Erosion Control Methods	25. Area of Offsite Drainage sq. ft	26. No of Footings or Columns	27 Size of Footings or Columns

ALWAYS SIGN THE APPLICATION ON PAGE 3 (SECTION I)

Complete Section B if the proposed work is **new building, addition or alteration.** (Page 2)
Complete Section C if the proposed work is **razing a building.** (Page 2)
Complete Section D if the proposed work is a **retaining wall.** (Page 2)
Complete Section E if the proposed work is a **fence.** (Page 3)
Complete Section F if the proposed work is a **shed/garage.** (Page 3)
Complete Section G if the proposed work is an **awning.** (Page 3)
Complete Section H if the proposed work is a **sign.** (Page 3)

OFFICIAL USE ONLY

	R	P	H	A	
M					
P					
E					W ☐ Yes ☐ No
F					PLANS
S					☐ No ☐ Sm ☐ Lg

(B) NEW BUILDING, ADDITION, & ALTERATION (COMPLETE ITEMS 28 THRU 60)

28.. Architect's Name:		29. D.C. Lic. No.:		30. Architect's Address: (include Zip Code)		31. Phone:	
32. Engineer's Name: KAREN ALAYI		33. D.C. Lic. No.:		34. Engineer's Address: (include Zip Code) 6105 SHADY OAK LN, BETH, MD 20817		35. Phone: 301-760-7330	
36. Building Contractor's Name:		36A D.C. Lic. No.		37. Contractor's Address		38. Phone:	
39. Type of Construction		40. Fire Suppression:		41. Booster Pump		42. Total Lot Area	
☐ Masonry ☐ Steel ☒ Wood ☐ Other ☐ Concrete		☐ Fully Sprinklered ☐ Standpipe System ☐ Partially Sprinklered ☒ None ☐ Other _____		☐ New ☐ Existing ☒ None		sq. ft. 5001 43. Breakdown of Lot Area (= 100 %) a. building 24 % b. paved area 26 % c. greenery 50 %	
44. Present Gross Floor Area of Bldg. + 1000 BSMT 3280 sq. ft.		45. Proposed Gross Floor Area of Bldg. 3600 sq. ft.		46. Floors involved in this permit ☐ All ☒ Floors 1st Garage		47. Projection beyond building line? ☐ Yes, Answer q. 48-52 ☒ No. SKIP q. 48-52	
48. Number and type of projection:		49. Distance of projection:		50. Width of projection:		51. Width of building frontage ft.	
						52. Signature of Owner (projection only):	
53. Water or Sewer Excavation? ☐ Yes ☒ No		54. Driveway Construction? ☐ Yes ☒ No		55. Sheet piling/Shoring Necessary? ☐ Yes ☒ No		56. Elevators Involved? ☐ Yes, answer q. 57 ☒ No	
						57. No and type of elevator	
						58. Plans Certified by Engineer? ☒ Yes, cert attached ☐ No	
59. Estimated Cost of Work		OFFICIAL USE ONLY					
(a) New/Add.: \$ 30,000		Alter/Repair FEE		New Const. FEE		Filing Fee	
(b) All/Repair \$ _____		s 630.⁰⁰ 39.⁰⁰		s _____		s _____	
Total \$ 30,000		By: MA Date: 02/11/09		By: _____ Date: _____		By: _____ Date: _____	
60. Volume of New Bldg. or Addition cubic ft		By: MA Date: 02/11/09		By: _____ Date: _____		By: MA Date: 02/11/09	

(C) RAZING A BUILDING (COMPLETE ITEMS 61 THRU 83)

61. Raze Contractor's Name:			62. Contractor's Address: (include Zip Code)			63. Phone:								
64 Insurance Company			65 Policy or Cert. Number		66. Expiration Date		67 Raze Method							
68 Building Material		69 Raze Entire Building? ☐ Yes ☐ No	70. Building Condemned? ☐ Yes ☐ No	70A. Building Vacant? ☐ Yes ☐ No	71. Public Space Vault? ☐ Yes ☐ No		72. Disconnect Water and/or Sewer? ☐ Yes ☐ No	73. Size of Water Connection in.						
74 Plumber's Name:			75. D.C. Lic. No	76. Length ft.	77 Width ft.	78 Height ft.	79. Volume ft.	80. Party Wall? ☐ Yes ☐ No						
81 Asbestos in the Building? ☐ No ☐ Yes, location _____			82 Raze Contractor Signature			OFFICIAL USE ONLY <table border="1"> <tr> <td>FEE</td> <td>By:</td> <td>Date:</td> </tr> <tr> <td>\$</td> <td></td> <td></td> </tr> </table>			FEE	By:	Date:	\$		
FEE	By:	Date:												
\$														
			83 Owner's Signature											

(D) RETAINING WALL (COMPLETE ITEMS 84 THRU 93) The retaining wall will not obstruct any accessible parking required by D.C. Zoning Regulations

84. Cost of Work \$	85. Material:	86. Height	87. Color	88. Location: ☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land *
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* If party wall, the owner of the adjoining property must agree to the erection of the retaining wall and this application

89. Signature of Adjoining Owner:	90. Phone: Home Work		OFFICIAL USE ONLY		
91. Address of Adjoining Owner:	92. Lot:	93. Square:	\$ FEE	By:	Date:

(E) FENCE (COMPLETE ITEMS 94 THRU 102) The fence will not obstruct any accessible parking required by D.C. Zoning Regulations

94. Material and type:	95. Height ft.	96. Color:	97. Location: ☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land *
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* If party fence, the owner of the adjoining property must agree to the erection of the fence and this application

98. Signature of Adjoining Owner:	99. Phone: Work Home	OFFICIAL USE ONLY	
100. Address of Adjoining Owner:	101. Lot	102. Square	FEE \$
			By: _____ Date: _____

(F) SHED OR GARAGE (COMPLETE ITEMS 103 THRU 113)

103. Number	104. Length: ft.	105. Width ft.	106. Area: sq.ft	107. Height ft.	108. Volume cu.ft	109. Est. Cost of Work \$	OFFICIAL USE ONLY
							FEE
110. Material of Roof	111. Material of Sides	112. Wall Thickness: ☐ External () inches ☐ Party () inches				113. Color	\$
							By: _____ Date: _____

(G) AWNING (COMPLETE ITEMS 114 THRU 123)

114. Number:	115. Color	116. Type: ☐ Folding ☐ Fixed	117. Projections: Beyond bldg. line _____ in. Beyond pt of attachm _____ in	118. Height of Lowest Part of awning	OFFICIAL USE ONLY
					FEE
119. Material of Frame	120. Material of Covering	121. Lettering on awning? ☐ Yes ☐ No	122. Fixed Posts? ☐ Yes ☐ No	123. Over Side- walk café? ☐ Yes ☐ No	\$
					By: _____ Date: _____

(H) SIGN (COMPLETE ITEMS 124 THRU 144)

124. Number	125. Electric Signs? ☐ Yes, answer q. 126-132 ☐ No. SKIP q. 126-132	126. Type: ☐ Incandes. ☐ Fluoresc. ☐ Neon	127. Power _____ VA	128. Electrical Contractor License Number: _____																			
129. Address of Electrical Contractor (include Zip)		130. Signature of Licensed Electrician		131. Phone No.	132. License No.																		
133. Height relative to building and ground (a) _____ ft _____ in above sidewalk (b) _____ ft _____ in above roof (c) _____ ft _____ in is building height (d) _____ ft _____ in above projection of window (e) _____ ft _____ in from roof to sign's bottom		134. Material of Sign		135. Type of Sign	136. Color																		
		137. Width ft.	138. Length ft.	139. Area of Sign sq. ft	140. Wide of Business frontage ft.																		
141. C of O No for Bldg.	142. Sign Contractor: License No.		OFFICIAL USE ONLY																				
143. Sign Contractor's Address:		144. Phone:		<table border="1"> <tr> <td colspan="2">Sign FEE</td> <td colspan="2">Elect. FEE</td> <td colspan="2">Total FEE</td> </tr> <tr> <td>\$</td> <td></td> <td>\$</td> <td></td> <td>\$</td> <td></td> </tr> <tr> <td>By: _____</td> <td>Date: _____</td> <td>By: _____</td> <td>Date: _____</td> <td>By: _____</td> <td>Date: _____</td> </tr> </table>		Sign FEE		Elect. FEE		Total FEE		\$		\$		\$		By: _____	Date: _____	By: _____	Date: _____	By: _____	Date: _____
Sign FEE		Elect. FEE		Total FEE																			
\$		\$		\$																			
By: _____	Date: _____	By: _____	Date: _____	By: _____	Date: _____																		

(I) APPLICANT'S SIGNATURE

A. OWNER: I hereby certify that I am the owner of the property, that the application and plans are complete and correct to the best of my knowledge, that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Owner _____ Address _____ Date _____

B. AGENT: I hereby certify that I have the authority of the owner to make this application. I declare that the application and plans are complete and correct to the best of my knowledge. The owner has assured me that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia

Signature of Agent [Signature] Address 6105 SHADY OAK LN Date 2/4/09

BETH, MD 20817

(J) APPROVALS (DO NOT WRITE ON THIS PAGE; OFFICIAL USE ONLY):**A. PERMIT CONTROL**

- ☐ 1. Fine Arts by: _____ Date: _____
- ☐ 2. Historic by: _____ Date: _____
- ☐ 3. Cap. Gateway by: _____ Date: _____
- ☐ 4. NCPC: _____ Date: _____
- ☐ 5. W.H./Obs. Precinct by: _____ Date: _____
- ☐ 6. Flood Control by: _____ Date: _____
- ☐ 7. WMATA by: _____ Date: _____
- ☐ 8. Condem. by: _____ Date: _____
- ☐ 9. Rental Accom. by: _____ Date: _____
- ☐ 10. Chinatown Distr. by: _____ Date: _____
- ☐ 11. Utility Clearance by: _____ Date: _____
- ☐ 12. General Liability Ins. Policy
Clearance by: _____ Date: _____

B. CLEARANCE TO FILE PLANS

- ☐ 1. Zoning by: _____ Date: _____
- ☐ 2. DDOT - Permit and Records Division
Access to Parking Street ☐ Street ☐ Alley
Cleared by: _____ Date: _____
- ☐ 3. DDOT - Consumer Engineer
Cleared by: _____ Date: _____
- ☐ 4. ERA - Erosion Control
Cleared by: _____ Date: _____

Restrictions of the Permit:

1 - parking space
must be maintained within
side yard. *2/11/09*

TO REPORT WASTE, FRAUD,
OR ABUSE BY ANY D.C. GOVERNMENT
OFFICIAL, CALL THE D.C. INSPECTOR
GENERAL AT 1-800-521-1639

C. PLANS AND APPLICATION APPROVAL

- ☐ 1. Information Counter by: _____ Date: *2-6-09*
- ☐ 2. Information Center by: _____ Date: _____
- ☐ (a) ABRA by: _____ Date: _____
- ☐ (b) Noise Control by: _____ Date: _____
- ☐ (c) Industrial Safety by: _____ Date: _____
- ☐ (d) Vector Control by: _____ Date: _____
- ☐ (e) D.C. Animal by: _____ Date: _____
- ☐ (f) Police Dept. by: _____ Date: _____
- ☒ 3. Zoning by: *2/11/09* Date: *2/11/09*
Zoning Update by: _____ Date: _____
Zoning Overlay approval by: _____ Date: _____
- ☐ 4. DDOT - Permit and Records Division/Deposit #
Sidewalk Deposit \$ _____ Driveway Deposit \$ _____
by _____ Date: _____
- ☐ 5. Water/Sewer Design Branch
Consumer Eng. by: _____ Date: _____
- ☐ 6. Environmental Regulation Administration
☐ Environmental Policy Review
Control No. _____ Date: _____
by _____ Date: _____
☐ Erosion Control by: _____ Date: _____
☐ Storm Water Mgmt. by: _____ Date: _____
Plan No _____
- ☐ Air Quality by: _____ Date: _____
- ☐ Underground Storage by: _____ Date: _____
- ☒ 7. Mechanical Eng. Review by: *HS* Date: *2/11/09*
- ☒ 8. Plumbing Eng. Review by: *HS* Date: *2/11/09*
- ☒ 9. Electrical Eng. Review by: _____ Date: _____
- ☐ 10. Health Plan Review
☐ (a) Food Plan Review by: _____ Date: _____
☐ (b) Medical X-Ray Plan Rev.
by: _____ Date: _____
- ☐ 11. Fire Protection Plan Review
by: _____ Date: _____
- ☐ 12. D.C. Fire Dept. (Fire Prevention Plan Review Section)
by: _____ Date: _____
- ☐ 13. Elevator Plan Rev. Sec. by: _____ Date: _____
- ☐ 14. Plumbing Insp Rev. by: _____ Date: _____
- ☐ 15. Construction Insp. Branch (Field Check)
by: _____ Date: _____
- ☐ 16. Historic Pres. Div. by: _____ Date: _____
- ☐ 17. EISF: _____ Date: _____
- ☒ 18. Structural Eng. by: *HS* Date: *2/11/09*
- ☐ 19. Permit and Certificate Issuance Counter
by: _____ Date: _____
- ☒ 20. QC By: *HS* Date: *2/11/09*

ZONING

C of O Number _____ Date _____

Existing Use(s) *SFR*Proposed Use *SFR*

convert garage to living
space.

- ☐ New Bldg
- ☐ P.O.D.
- ☐ File in
room 2124

DDOT - PUBLIC SPACE

Street Name: _____

Street Width: _____

Road Width: _____

Sidewalk Width: _____

Parking: _____

Restrictions: _____

Job No. _____

BZA Case No _____

PUD Order No. _____

Building Permit ID: B0903245

A notice was added to this record on 2008-06-26.
Condition: ZO Severity: NOTICE

[View notice](#)



Cancel



Help

Go To

Workflow History (3)

Task	Due Date	Assigned Date
Structural Review	02/07/2009	02/06/2009
Assigned to Department	Assigned to	Status
STRUCTURAL REVIEW		Structural Review - HFC
Action by Department	Action By	Status Date
STRUCTURAL REVIEW	Benjamin Johnson	02/06/2009
Start Time	End Time	Hours Spent
		Time Tracking Start Date
Billable	Comments	
Y	Provide plat and get ZONING approval.	
Est. Completion Date	In Possession Time (hrs)	

A notice was added to this record on 2008-06-26.
Condition: ZO Severity: NOTICE

[View notice](#)

+ Go To

Task	Due Date
Zoning Review	02/07/2009
Assigned to Department	Assigned to
ZONING REVIEW	
Action by Department	Action By
ZONING REVIEW	Dianna Reed
Start Time	End Time
Billable	Comments
Y	surveyors plan dimensioned
Est. Completion Date	In Possession

Assigned Date
02/06/2009
Status
Zoning Review - HFC
Status Date
02/06/2009
Hours Spent
Time Tracking Start Date

CONTRACT AGREEMENT

Name of Contractor/Owner Maryam Mashayekhi Contractor's License No. _____

Address of Contractor/ Owner 2709 31st Street, N.W Date: 2/6/09

ADDRESS OF PROPOSED WORK		LOT: SQUARE <u>2125</u>
OWNER OF BUILDING OR BUSINESS: <u>Maryam Mashayekhi</u>		PHONE No: <u>202-364-9538</u>
DESCRIPTION OF PROPOSED WORK: <u>Changing Garage into living Space</u>		
CONSTRUCTION COST ESTIMATE		
CONSTRUCTION e.g drywall, ceilings, framing, carpentry etc	\$ <u>25, -30,000</u>	
ELECTRICAL	\$ <u> </u>	
MECHANICAL	\$ <u> </u>	
PLUMBING	\$ <u> </u>	
FIRE PROTECTION e.g sprinkler system, fire alarm system, generator etc.	\$ <u>—</u>	
DEMOLITION	\$ <u>—</u>	
MISC/OTHER (please specify)	\$ <u> </u>	
TOTAL	\$ <u>25-30,000</u>	
The labor and material costs of counter tops, kitchen cabinets, floor coverings, tile work, caulking, patching and plaster repair, painting other than fire retardant paint, gutters and downspouts, not more than 160 square feet of gypsum board shall not be included in the cost estimate for permitting purposes. The entire list can be seen in the 1999 D.C Building Supplement Chapter 1 Section 107.3.		
The foregoing terms, specifications and conditions are satisfactory and hereby agreed to. You are authorized to work as specified and payment will be made in the amount as outlined. Upon signing this agreement, the owner represents and warrants that he or she is the owner or the authorized agent of the owner of the aforesaid premises and that he or she has read this agreement.		
CONTRACTOR		Date: _____
 Signature & print		
OWNER OF BUILDING/BUSINESS		Date: <u>2/6/09</u>
 Signature & print		
Upon signing this document, the owner and contractor declare that the cost of construction as specified above for the referenced project is true and correct to the best of their knowledge		

Please fill out this agreement form in accordance with D.C Construction Code Supplement 1999, Chapter 1 Section 112.1.

Environmental Intake Form

Owner & Contact Information

Complete address of proposed work

Square	Suffix (if any)	Lot	Application date (4 numbers for year)
2125			02062009

Number	Ext	Official street name	Quadrant	Unit/Suite
2709		31st Street NW	NW	

Project name	Filed Job Application number (if applicable)	Project Description
		Change of use - Garage to living Space

6. Owner	7. Complete mailing address (include zip)	8. Phone	9. Email, if you prefer e-notice
Maryam Mashayekhi	2709 31st Street NW Wash DC 20008	202-364-9555	
10. Agent for owner, if applicable	11. Complete mailing address (include zip)	12. Phone	13. Email, if you prefer e-notice
Kazem Alavi	605 Shady Oak Ln Beth, MD 20817	301-760-7330	Kma@east-inc.com

Project Scope

Scope (Check all that this project involves.)	No	Yes	If You Answer "Yes"
1. Is this project a residential structure within R-1 through R-5-A zoning districts?		☒	Skip to the signature line.
2. Is this project a single-family structure <i>not</i> built in conjunction with 2 or more units?			
3. Is this project an accessory structure, such as a garage, patio, pool, or fence?			
4. Is this project only an interior renovation with no building use or capacity change?			
5. Is this project in an Economic Development Zone, as defined in DC Official Code § 5-1401 et seq (DC Law 7-177)?			
6. Is this project in the Central Employment Area, defined in DC Zoning Regulations?			Attach a site plan. If there is no plan, attach a written explanation.
7. Does the project involve <i>only</i> operation, repair, maintenance, or minor alteration of public structures, facilities, mechanical equipment, or topographical features, with <i>negligible</i> or <i>no</i> expansion of use beyond its current use?			
8. Does the owner of this site own adjacent or abutting property?			
9. Do you plan to develop adjacent/abutting property in next 3 years?			See EIS Coordinator in Permit Center.
10. Do you plan more development that requires permit(s) on any site in this square in next 3 years?			
11. Is this project a solid waste facility?			If you answer yes, attach the EIS or equivalent.
12. Have you prepared an Environmental Impact Statement (EIS) or a functional equivalent, as required by the National Environmental Policy Act of 1969 (NEPA)?			
13. Are you claiming an exemption, other than those listed in this form, from the requirement to submit an Environmental Screening Form, under Title 20 § 7202.			Attach an explanation; cite relevant section of regulations.
14. Is the total project cost more than \$1.51 million, including site preparation and construction?			
15. Is the total project cost \$1.51 million or less? Check all that apply: ☐ Contains threatened or endangered plant or animal species. ☐ Is within 100 feet of a pond, stream, lake, spring, or wetland. ☐ Project will produce emission of odorous or other air pollutants (from any source, including VOCs). ☐ Project produce, use, or dispose of hazardous substances, as defined in 20 DCMR 7299. ☐ Will be built on land where the water table depth is less than 3 feet. ☐ Will require blasting. ☐ Will generate medical, infectious, radioactive, or hazardous waste.			If you check any item, attach EISF or equivalent.

I certify that all statements on this application are true and complete to the best of my knowledge and belief. I agree to comply with all applicable DC laws and regulations. The making of false statements on this application is punishable by criminal penalties. (DC Code Sec. 22-2614)

Signature of Owner/Authorized Agent

Date 2/6/09

OFFICIAL USE ONLY

Environmental Impact Screening Form Required

☐ Yes. Referred to EIS Coordinator ☐ No

DCRA Reviewer

Date

NOTE: Building permit approval is not the same as approval of an action or entire project under the Environmental Policy Act of 1989. If you build on the same, adjacent, or abutting property, or expand on work covered by this Environmental Intake Form within 3 years, you may be required to file an EISF for the whole project, including the part covered by this application and permit approval. If the action violates any federal or DC environmental laws, an EISF can be required.

To report waste, fraud, or abuse by any DC government office or official, call the Inspector General: 1-800-521-1639

**DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH ADMINISTRATION
LEAD HAZARD CONTROL PERMIT QUESTIONNAIRE AND EXEMPTION FORM**

Project Address: 2709 31st Street N.W.

Name of Owner(s): Maryam Madhaye Khil Name of Contractor: TRA

Phone Number: 202-364-9555 Square #: 2125 Lot #: 85 Ward #: _____

Project Start Date: March 09 Project End Date: April 09

Building Type: Commercial -

Office ☐
Mixed Use (Explain) _____

Residential -

Multi-family ☐
Single-Family ☒
Elderly or handicapped ☐

Government -

Federal ☐
District ☐

Institutional -

Hospital ☐
Museum ☐
School/Child Development ☐

1. Is the project planned in response to a child being identified as lead poisoned? YES ☐ NO ☒
2. Is the project designed to eliminate or reduce lead-based paint hazards in a pre-1978 building or structure? YES ☐ NO ☒

If you answer "YES", contact the Lead Division at 51 N Street, N.E., 3rd Floor (202) 535-2637 for a lead-based paint control permit application and notification form, unless an exemption listed below applies. If you answer "NO", a permit is not required, but you are required to answer the following questions:

1. Is the project disturbing deteriorated lead based paint on surfaces totaling more than 2 square feet per room, or 20 square feet on exterior surfaces, or 10% of a building component with a small surface (such as a small painted window frame) involving the following:		
A. Removal and replacement of lead-based paint components, e.g. windows, doors and baseboards?	No	
B. Onsite stripping and removal of lead-based paint?	No	
C. Partial demolition or gutting of building?	No	
2. Does the project involve the removal and covering of lead-contaminated soil?	No	

EXEMPTIONS

Please indicate the applicable exemption from the following list:

- ☐ Individuals who perform lead-based paint activities at residences which they own, unless the residence is occupied by a person or persons other than the owner or the owner's immediate family, unless any child under the age of 8 years resides, is expected to reside in, or regularly visits such housing.
- ☐ Housing for the elderly or persons with disabilities; unless any child under the age of 8 years resides, is expected to reside in, or regularly visits such housing.
- ☐ Any (0)-bedroom unit, such as an efficiency apartment.

AFFIDAVIT

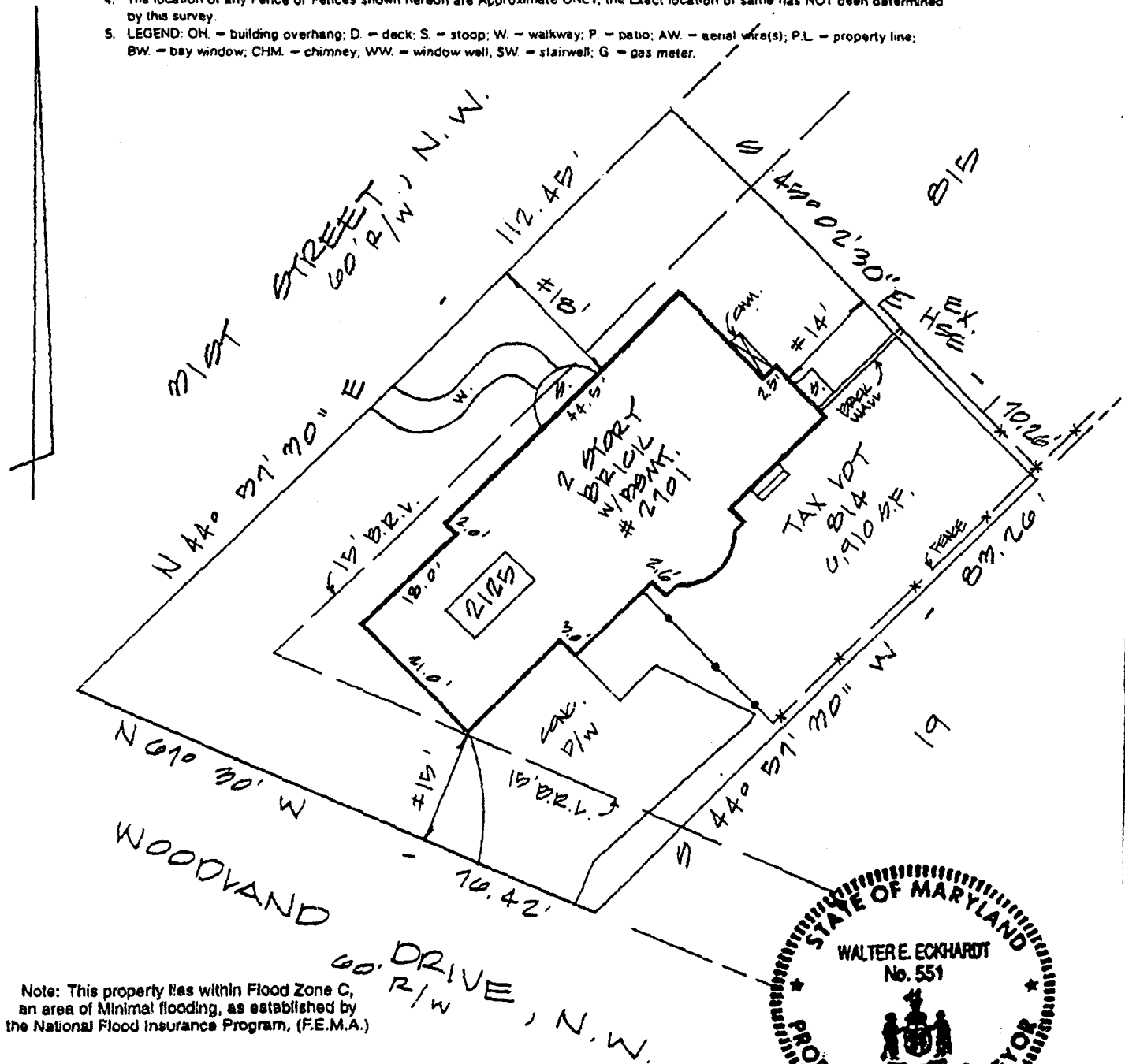
I declare that the information provided is accurate, true and complete to the best of my knowledge and belief, and/or I have the authority to represent the owner of the property to answer this application and sign on behalf of the company and/or persons listed as owners. I understand that if such information contained in this application is false, I am subject to the penalty provisions of D.C. Law 11-221. Any fraud or misrepresentation on an application shall be grounds for automatic rejection and/or civil administrative penalties. I understand that failure to provide full disclosure of any of the requested or required information may result in rejection of this application for approval.

[Signature]
SIGNATURE
Bazem Abu
PRINT NAME

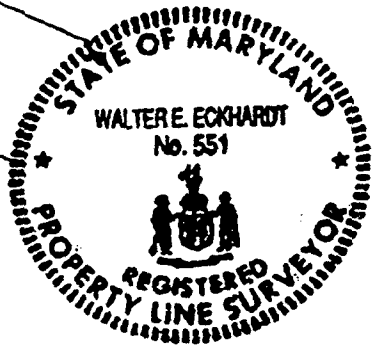
2/26/09
DATE

NOTES:

1. This is NOT a Property Line/Boundary Survey and is NOT to be used for the erection of fences or other improvement; this Survey is for Title Purposes ONLY; Title Report was not furnished.
2. This survey was prepared in accordance with the building offsets and property line information from the Office of the Surveyor of the District of Columbia
3. This property shown hereon is subject to easements and right-of-way(s) of record.
4. The location of any Fence or Fences shown hereon are Approximate ONLY, the Exact location of same has NOT been determined by this survey.
5. LEGEND: OH. - building overhang; D. - deck; S. - stoop; W. - walkway; P. - patio; AW. - aerial wire(s); P.L. - property line; BW. - bay window; CHM. - chimney; WW. - window well; SW. - stairwell; G. - gas meter.



Note: This property lies within Flood Zone C, an area of Minimal flooding, as established by the National Flood Insurance Program, (F.E.M.A.)



(LOT 20 & PT. LOT 21; S.B. 115, pg. 81)

HOUSE LOCATION DRAWING

#2101 MIST STREET, N.W.

TAX 814

LOT _____, SQUARE 2129

Subdivision Book _____, Page _____

County Book _____, Page _____

Assessment & Taxation Plat No. 7209.0

District of Columbia

O.P. No. 110001 0020 B
EFF. DATE: NOV. 15, 1985

CERTIFICATION:

I certify, to the best of my knowledge and belief, that the existing visible improvements shown hereon have been established by accepted land surveying practices and that unless otherwise shown there are no visible encroachments.

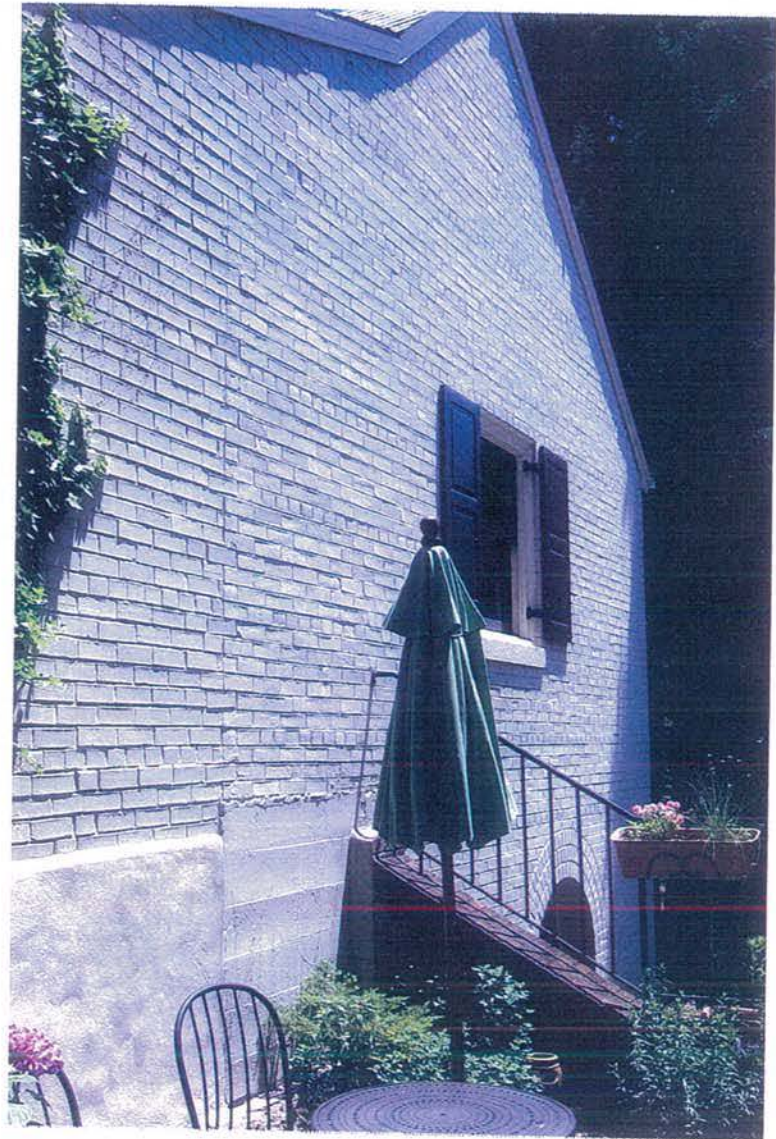
Walter E. Eckhardt
Walter E. Eckhardt
Property Line Surveyor, Md. Reg. No. 551

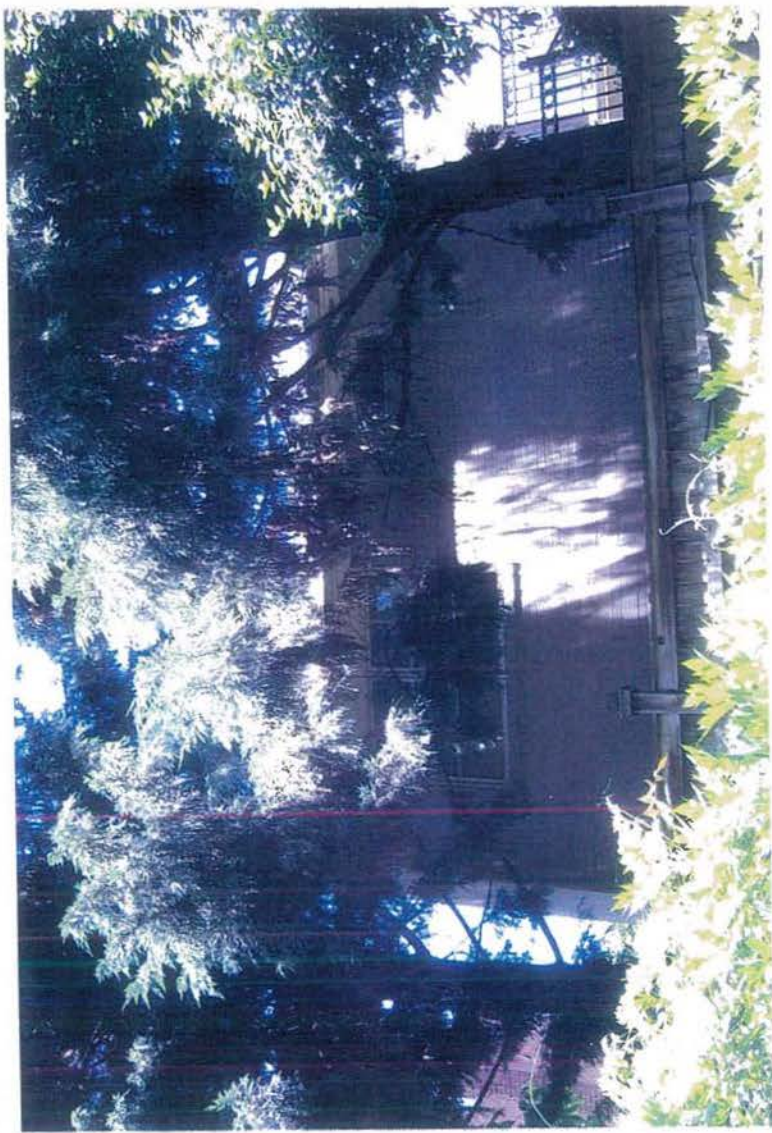
MSI METROPOLITAN SURVEYS, INC.

11262 Georgia Ave. • Suite 102
Wheaton, MD 20902
(301) 929-8195
FAX: (301) 929-8197

Case: 291.00.000 File: 0.001.91 Ck: 415 Dm: 10 Scale: 1" = 20' Date: 6-12-97







Subject: BZA Appeal No. 17966 (2709 31st St., N.W.) Stephen Bruce
From: "Nero, Richard (DCOZ)" <richard.nero@dc.gov>
Date: Mon, 22 Jun 2009 08:31:57 -0400
To: <stephen.bruce@prodigy.net>
CC: "Booth, Elaine (DCOZ)" <elaine.booth@dc.gov>, "Moy, Clifford (DCOZ)" <clifford.moy@dc.gov>

Dear Mr. Bruce,

The Office of Zoning received your letter and supporting attachments on June 16, 2009. I have made the corrections to the case description cited in your letter. Please reduced the size of the plans/plats you submitted to no larger than 11"X17" and submit 20 copies of each pursuant to BZA Appeal Form 125 Instruction 4.

Regards,
Rick Nero

Richard S. Nero, Jr.
Acting Director
Government of the District of Columbia
Office of Zoning
441 4th Street, N.W., Suite 200-S
Washington, D.C. 20001

Tel:(202) 727-6311
Fax: (202) 727-6072
richard.nero@dc.gov
www.dcoz.dc.gov

STEPHEN R. BRUCE LAW OFFICES

805 FIFTEENTH ST., NW, SUITE 210
WASHINGTON, D.C. 20005
202-371-8013
FAX: 202-371-0121

June 16, 2009

By Messenger

Richard S. Nero, Jr.
Acting Director, Office of Zoning
441 4th St., NW, Suite 200/210-S
Washington, DC 20001

Re: BZA Appeal No. 17966 (2709 31st St., NW) Stephen Bruce

Dear Mr. Nero:

This is in response to your April 28, 2009 letter (attached). Your letter asks for: (1) a copy of the DCRA permit I am appealing, (2a) a dimensioned surveyor's plat and/or (2b) architectural plans to explain the zoning violations, and (3) color photographs. I apologize for the delay in responding, but I did not receive the permit, plat and plans from the Office of the Zoning Administrator in response to my request until June 2, 2009 and was out of town the rest of that week and the following one.

1. The building permit and application are enclosed. As stated in my appeal (on page 2), the building permit is for construction in an "R-3" zoning district in which "row dwellings" with no side yards are permitted uses. As shown by the portion of the application completed by DCRA, 2709 31st Street is in an "R-1-A" District. The building permit also restricts or conditions the construction to work performed "according to the current building codes and zoning regulations." The current zoning regulations for an R-1-A District do not allow a dwelling or an accessory structure within 8 feet of the side lot line.

2.a. The surveyor's plats for 2709 31st St. and for my house at 2701 31st St. are also enclosed. Those plats show that the garage at 2709 31st St. is on the side lot line with 2701 31st St. The permit application inaccurately represents (in Section "B") that the lot occupancy percentage is only 24%. The Zoning Administrator has recognized, however, that "there may be some additional lot coverage" beyond the 40% limit. See Exhibit 5 to my appeal. Any review of the dimensioned surveyor's plats confirms that the lot occupancy percentage is over 40% when the garage and the raised "patio" at the back of the house are included. The structure shown on the plat as a "patio" beside the "one-story" addition at the back is actually a raised balcony with a covered walkway beneath it

that is protected and enclosed in the front by three porticos. When the "wood deck" behind the garage is included the lot occupancy is nearly 48%. The surveyor's plat also inaccurately certifies that the existing garage is 24.5 feet in length. Prior to this construction, the garage was 20 feet in length and the front of the garage ended approximately 4.5 feet farther from the street than the surveyor's plat shows. The plat only indirectly indicates the proposed alteration by the dotted line partway back from the front of the garage. My understanding is that the surveyor should be certifying that "existing improvements" are correctly platted and dimensioned, i.e., the surveyor's plat should show the existing garage on February 6, 2009, not as it might be altered and extended if the building permit was issued.

2.b. The architect/engineer's plans prepared by the builder from Easta Inc. Design and Construction are also enclosed. These plans were obtained from the Office of the Zoning Administrator. They show that the proposed converted garage will have a full bath, a kitchen area with a "bar sink," an exterior door connecting the main house and the apartment, and an exterior door opening to an enclosed driveway/courtyard in front of the apartment facing 31st Street. The plans show a large window beside the proposed exterior door facing 31st Street; however, the builder has actually installed exterior French doors there. The plans again indicate only by a single line (like the dotted line in the surveyor's plat) and a measurement of 4'-6" that the front wall of the garage is being moved forward to expand the floor area of the garage space and to have the exterior door from the kitchen of the main house open into the converted garage/one-bedroom apartment rather than the outside.

3. Two color photographs were included with the appeal (one of which is a real estate sales photo from 2000 that shows the house and garage as they existed then). I am enclosing six more color photographs that further show how the garage is distinct from the dwelling and how the garage appears from our house, which is the red brick house to the right of the first photo. The patio and plants shown in two of the photographs are on our property immediately beside our kitchen door. The photo of the side of the garage with another story beneath is from our backyard. When my wife and I moved into our house in 1997, the structure underneath the garage was an open garden room with a concrete floor, two large unenclosed portico openings and an unenclosed window-like opening looking toward the back. It was enclosed by a previous owner as a "media room." The photo looking up through some trees at two new windows at the back of the garage is from the backyard of our neighbor, Jan Evans Houser, who lives at 3033 Woodland Dr. She also opposes the conversion of this garage into a one-bedroom apartment only 12 feet from the rear lot line adjoining her property. The last photo is from the third floor of our house. It shows how the roof of the garage at 2709 31st Street is

distinct from the roof of the main house.

If I may offer two corrections to your letter: It says my appeal challenges the Zoning Administrator's decision "to allow the conversion of a garage located within an existing one-family semi-detached dwelling into a one bedroom apartment." The existing dwelling at 2709 31st St. is actually a one-family detached dwelling, which is the only permitted use in an R-1-A District. In addition, the garage was not located "within" that dwelling but was a nonconforming accessory garage adjacent to the main house but with a separate foundation, concrete floor, brick walls, beams, rafters and roof and no connecting door or other means of interior ingress or egress to the main house before this construction.

Please call if you have any questions or need more information. I am only enclosing two copies of the above, primarily because of the expense of copying the engineer's plans. If you would like additional copies, please let me know.

Thank you in advance for your consideration. I understand that the appeal has now been docketed before the BZA for October 20, 2009.

Sincerely,



Stephen R. Bruce

Enclosures