

**DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**
441 4th Street, N.W.
Washington D.C. 20001

RECEIVED
D.C. OFFICE OF ZONING
2009 SEP 28 AM 10:04

In re:)
Appeal of Georgina and Outerbridge Horsey,)
Appellants.) BZA Appeal No. 17971
)
)
)
)
)

**APPELLEE'S STATEMENT IN OPPOSITION TO
THE APPEAL OF GEORGINA AND OUTERBRIDGE HORSEY**

Appellee, the District of Columbia Department of Consumer and Regulatory Affairs, ("District"), by and through undersigned counsel, respectfully files with this Board of Zoning Adjustment ("Board") its Statement in Opposition to the Appeal of Georgina and Outerbridge Horsey. As a basis for the District's Statement, the District submits that the Appellants will be unable to prove, under current District law, that the landing and rooftop deck were additions to the existing nonconforming use.

I. FACTUAL BACKGROUND

1. The existing structure at 3046 N Street, N.W. (S 1209 L 0854) (the "Property") is located in an R-3 zoned district. See Exhibit A. According to 11 DCMR § 403.2, the maximum lot occupancy for a row house in an R-3 district is 60%.

2. The lot occupancy of the existing structure, before the improvements at issue were made, was calculated at 69.8% by a zoning technician in the Office of the Zoning Administrator. See Exhibit B.

3. Both parties agree that the Property was in existence prior to the enactment of the Zoning Regulations, and does not require a special exception for its "nonconforming use"¹ so long as such use is not enlarged, expanded, extended, or used as

¹ A "nonconforming use" is defined as "any use of land or of a structure, or of a structure and land in combination, lawfully in existence at the time this title or any amendment to this title became effective, that does not conform to the use provisions for the district in which the use is located. A use lawfully in existence at the time of adoption or amendment of this title that would thereafter require special exception approval from the Board of Zoning Adjustment shall not be deemed a nonconforming use. That

BOARD OF ZONING ADJUSTMENT
District of Columbia
Board of Zoning Adjustment
District of Columbia
CASE NO. 17971
EXHIBIT NO. 133

a basis for adding other structures that are otherwise prohibited. See, 11 DCMR § 2000.4.

4. On December 19, 2008, the owner of the Property, Michael Rankin, submitted an Application for Construction Permits on Private Property. The description of the work was as follows:

Exterior work on rear of building, landing and stair (replace existing stair). New roof, roof deck, doors, windows and wood panels as noted on set. New material for roof deck.

See Exhibit C.

5. As a result, the District issued Building Permit No. B0902028. The description of the work listed on the Permit No. B0902028 reads as follows:

Exterior work on rear of building. New landing and Stair. New roof, roof deck, doors, windows, and wood panels as noted on set.

See Exhibit A.

6. After work began at the Property, the District received a complaint regarding the construction being performed there. In response, the Zoning Administrator met with Mr. Rankin to discuss the project.

7. As a result of this meeting, the District issued a revised permit, Building Permit No. B0905289. The description of work listed on Building Permit No. B0905289 was as follows:

Permit revision to remove part of stair landing at the rear of building.

See Exhibits D and E .

8. As of the date this appeal was filed, the renovations at the Property have been completed.

9. On May 15, 2009, Georgina and Outerbridge Horsey, the owners of property located at 1249 31st NW, filed an appeal with this Board alleging that the Zoning Administrator erred in issuing Building Permits Nos. B0902028 and B0905289. The Appellants contend that (1) the stairs and landing are an addition that increases the lot occupancy of the nonconforming structure, and (2) the roof deck also increases the lot occupancy of the nonconforming structure.

nonconforming use shall be considered a conforming use, subject to the further provisions of §§ 3104.2 and 3104.3." See, 11 DCMR § 199.

II. LEGAL ARGUMENT

According to 11 DCMR § 403.2, no structure, including its accessory building, shall occupy its lot in excess of the percentage of lot occupancy. An exception exists for nonconforming uses of structures that existed prior to the enactment of the Zoning Regulations. See 11 DCMR § 2000.4. Such nonconforming uses may be continued, operated, occupied and maintained, but may not be enlarged, expanded or extended or used as a basis for adding other structures. See 11 DCMR § 2000.2.

In the present case, the Property is a row house located in an R-3 zoned district. The maximum lot occupancy for a row house in an R-3 district is 60%. See 11 DCMR § 2000.4. Upon review of the application for the building permit, the Office of the Zoning Administrator determined that the lot occupancy of the structure on the Property, prior to improvements, was 69.8%. However, it is undisputed that the structure on the Property was in existence prior to enactment of the Zoning Regulations and is therefore a nonconforming use. While the nonconforming use cannot be expanded or enlarged, the Zoning Administrator determined that the addition of the rear landing and roof deck would not impermissibly expand or enlarge the existing nonconforming use. Therefore, the construction at the Property is in compliance with the Zoning Regulations and this Board must grant the District's Motion for Summary Judgment.

A. The Landing Is Not an Addition and Did Not Expand the Non-Conforming Lot Occupancy of the Property

Under 11 DCMR § 2503.4:

Stairs leading to the ground from a door located on the story in which the principal entrance of a building is located may occupy any yard required under provisions of this title. The stairs shall include any railing required by the provisions of the D.C. Building Code.

Additionally, this Board has previously recognized that a landing area, which connects the access door and the exterior stairs leading to grade level, is a component of a stairway pursuant to § 2503.4. See BZA Appeal No. 17476 (2006). Therefore, the “landing area is not calculated to percentage lot occupancy.” Id.

Prior to the renovations at issue in this case, the Property had a spiral stair case that led up to the second story of the structure. In the Application for Construction Permits on Private Property, the owner of the property, Mr. Rankin, stated that he intended to construct a “new landing and stair- replacing existing stair.” However, after meeting with the Zoning Administrator, Mr. Rankin agreed to revise the landing by removing “part of the stair landing.” According to the plat and plans submitted along with the application, the new wood landing area connected to new wood windows and French doors leading to the first floor. See Exhibit C. Consistent with 11 DCMR § 2503.4 and BZA Appeal No. 17476, because the landing area, which connects the access door and the exterior stairs to grade level, is a component of the stairway it is not calculated to percentage of lot occupancy. Therefore, Appellants’ assertion, that the stairs and landing at issue are an “addition” that increases the lot occupancy of the nonconforming structure, is unfounded.

Accordingly, the appeal should be denied as there is no violation of Zoning Regulation § 2503.4.

B. The Roof Deck Did Not Expand the Non-Conforming Lot Occupancy of the Property

In the Application for a Building Permit, the owner of the Property also proposed to construct a roof deck. The deck is situated on the third floor at the rear of the Property on top of an existing second story roof. According to the plans submitted with the Application, the deck and deck railing would not be higher than the existing structure.

The Appellants contend that the third story deck addition “also increases the nonconforming aspect of the structure as extends to within 19ft. approx of the rear property line thus exceeding the 60% lot occupancy limit by 10% (or 6ft.).” (See Appellants’ Appeal, Error No. 2) This statement is not supported by any factual data. Moreover, upon review of the plans by the Zoning Administrator, he determined that the open deck would not add any additional floor area to the Property (increase the floor area ratio). The new deck would be built on top of an existing second story roof. Furthermore, given that the deck would be an open deck, there would be no new enclosed area. Therefore, the renovation to include the new roof deck does not increase the percentage of lot occupancy or the gross floor area of the property. See e.g. BZA Order No. 13207 (1980) and BZA Order No. 13021 (1979). The new roof deck does not violate DCMR § 11-2000.2 by enlarging, expanding or extending the nonconforming use of the Property. Based on the foregoing, the appeal should be denied as Appellant has failed to provide any evidence that the new roof deck increased the lot occupancy of the nonconforming use of the Property.

CONCLUSION

In the instant case, the Zoning Administrator reasonably determined that the construction of a landing and roof deck did not expand the nonconforming use of the Property or increase the lot occupancy of the Property. The Zoning Administrator’s determination was: (1) reasonable in view of the “nonconforming use” definition found in relevant case law, (2) consistent with the definition that controls under 11 DCMR §199(g), and (3) clearly correct pursuant to the standard of review established by the D.C. Court of Appeals. For the foregoing reasons, the Appellants have failed to meet their

burden of proving that the Zoning Administrator erred in issuing Building Permit Nos.
B0902028 and B0905289.

Respectfully Submitted,

PETER J. NICKLES
Attorney General for the District of Columbia
OFFICE OF THE ATTORNEY GENERAL

BENNETT RUSHKOFF
Acting General Counsel

MELINDA BOLLING
Acting Deputy General Counsel



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D.C. Bar No. 985774
Assistant Attorney General
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(202) 442-8199 (office)
(202) 442-9447 (fax)
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Counsel for Appellee



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tgail.maddox-levine@dc.gov

CERTIFICATE OF SERVICE

I certify that on September 28, 2009, a copy of the District's Statement in Opposition to the Appeal of Georgina and Outerbridge Horsey, which was filed by Appellee's Counsel, was sent to the Appellant via first class mail to Georgina and Outerbridge Horsey, 1249 31st Street, N.W., Washington, D.C. 20007.

Robert A. Renjel

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., December 12, 2008

Plat for Building Permit of: SQUARE 1209 LOT 854

Scale: 1 inch = 10 feet Recorded in Book A & T Page 1190

Receipt No. 00685

Furnished to: PRIMO BAUTISTA

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: 3 MARCH 2009

[Signature]
For Surveyor, D.C.

By: A.S. *[Signature]*

(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.

NOTES IN RED BY OUTERBRIDGE WORTX, AIA

AREA CALCULATIONS:

LOT AREA:

$$19.96 \times 62.84 = 1,254.3 \text{ SF N STREET, N.W.}$$

ALLOWABLE LOT OCCUPANCY (60%)

$$1,254.3 \times .60 = 752.6 \text{ SF}$$

EXISTING LOT OCCUPANCY

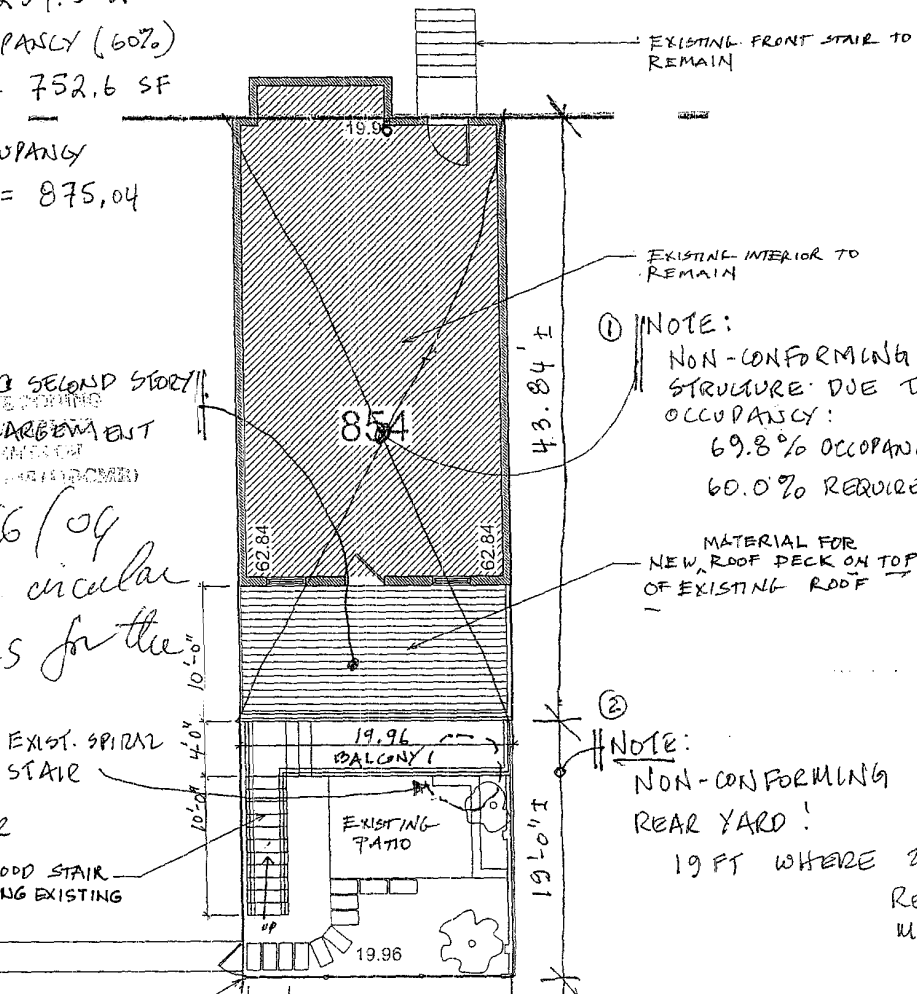
$$19.96 \times 43.84 = 875.04$$

(OR 69.76%)

- ④ PROPOSED ROOF DECK & SECOND STORY
- 200 SF. ADDITION/ENLARGEMENT

Handwritten: 3/16/09
(Replacing exist. circular to straight stairs for the owner)

- ③ NOTE:
- EXISTING SPIRAL STAIR
23 SF LOT
NEW WOOD STAIR
COVERING REPLACING EXISTING STAIR
- PROPOSED BALCONY AND STAIR
110 SF. LOT



3046 N Street, NW

Washington, DC 20007

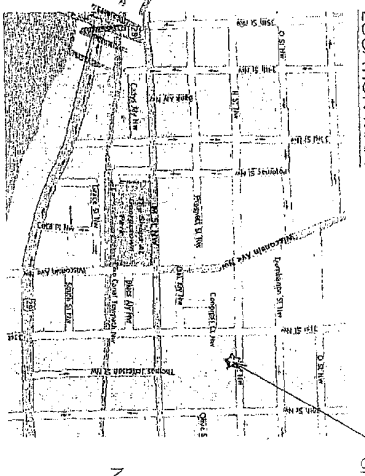
RICH MARKUS ARCHITECTS
2601 P STREET SECOND FLOOR WASHINGTON DC 20007

F.A. PERMIT REVIEW 29 DECEMBER 2008
EXTERIOR WORK ON REAR OF BUILDING ONLY

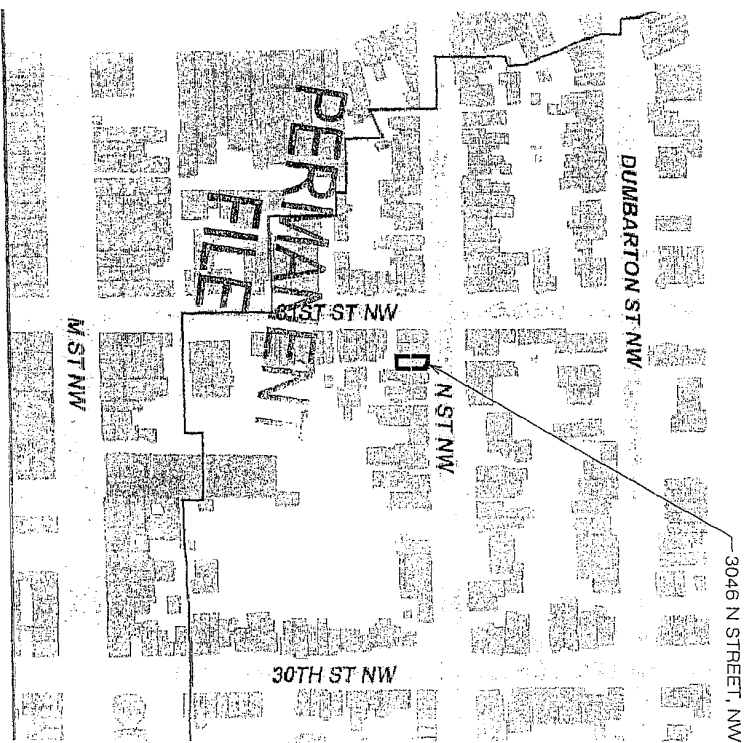
LOT 0854 SQUARE 1209

PERMANENT
FILE

LOCATION MAP:



PERMANENT
FILE



DISTRICT OF COLUMBIA
PERMIT PROCESSING DIVISION
STRUCTURAL WORK IN GENERAL APPROVED
SUBJECT TO THE FURTHER
APPROVAL OF CONSTRUCTION

MAP DATE: 10/1/08

STRUCTURAL SECTION

DRAWING INDEX	
ARCHITECTURAL	
A000	COVER
A001	PHOTOS
A002	PHOTOS
A200	REAR YARD PLANS - CELLAR FLOOR
A201	REAR YARD PLANS - FIRST FLOOR
A202	REAR YARD PLANS - SECOND FLOOR
A300	REAR ELEVATIONS
S200	FOUNDATION AND FRAMING PLAN
S201	FRAMING PLANS
S202	LANDING, ROOF AND DECK DETAILS
S203	STAIR AND LANDING DETAILS

APPROVED
Commission of the
District of Columbia
12/1/08

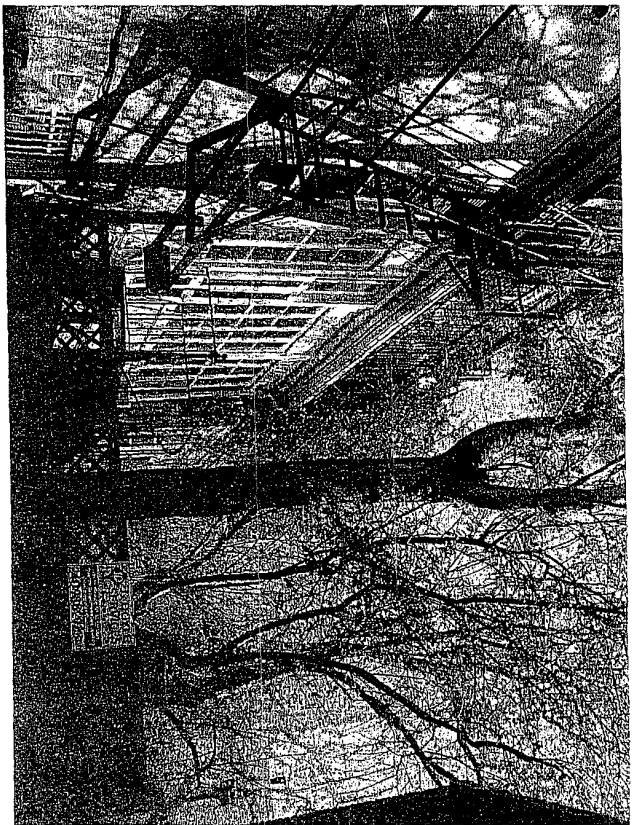
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0609-052
SUPPLEMENTAL
COMMISSION OF FINEA

0609-052

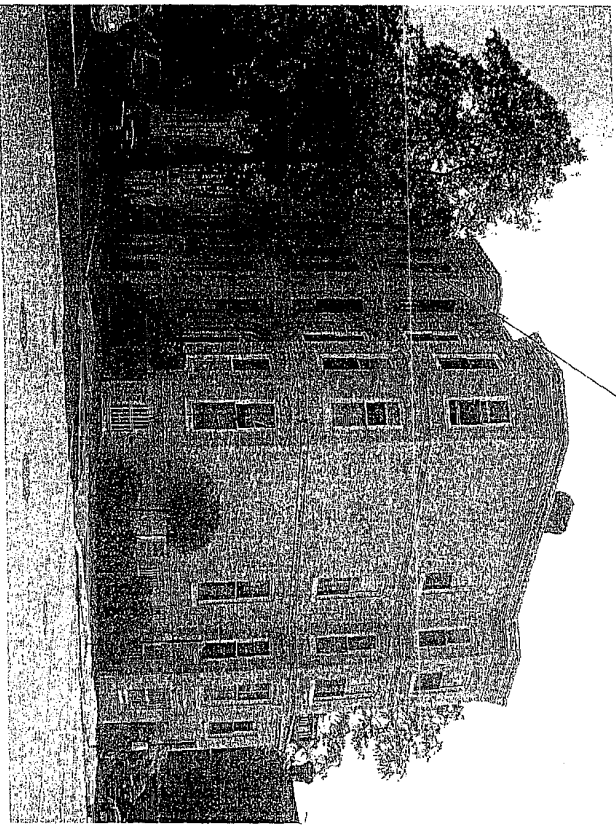
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COMMISSION OF FINEA



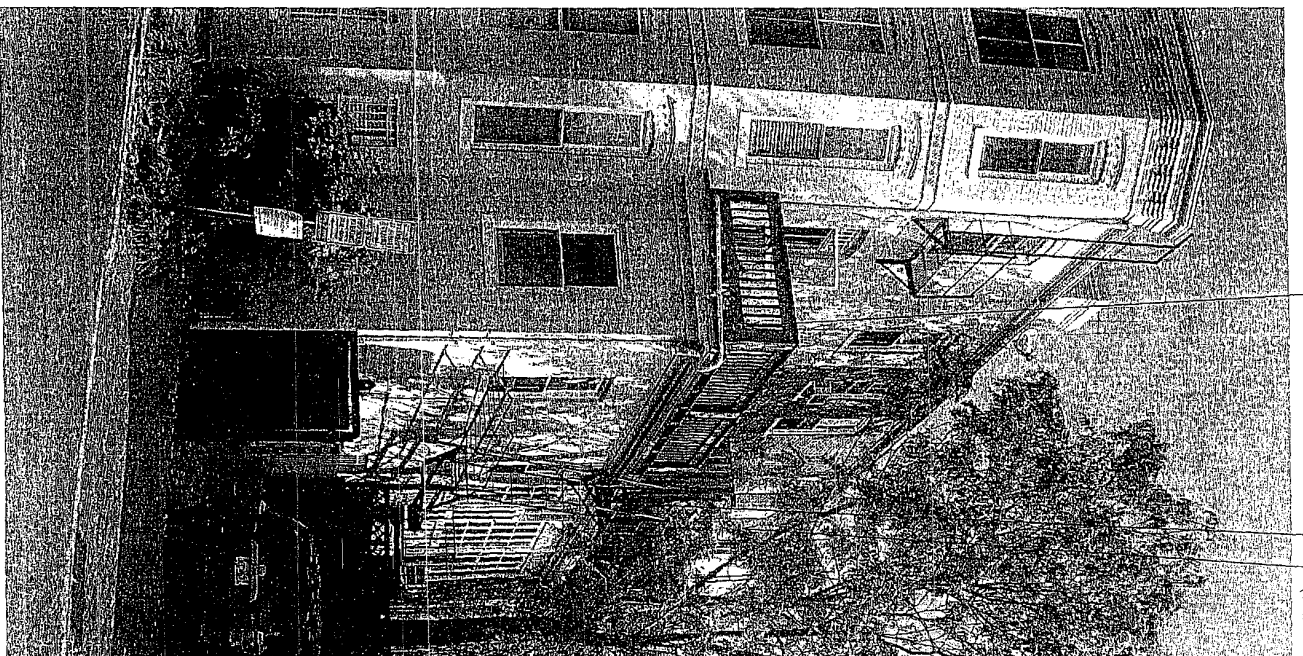
1 VICINITY PLAN
NTS



EXISTING BALCONY 3050 N STREET

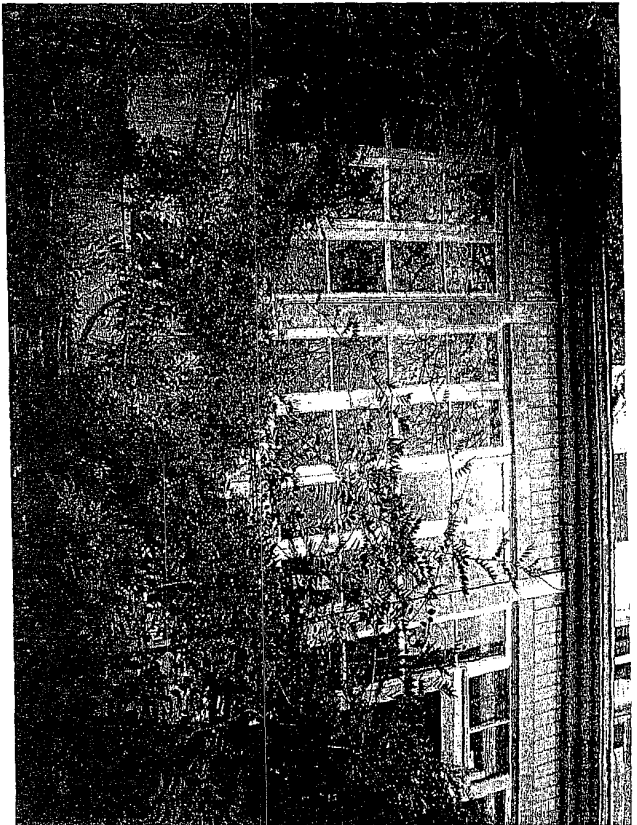


3046 N STREET



EXISTING
3046 N
(3RD HC)

VIEW FROM 31ST STREET



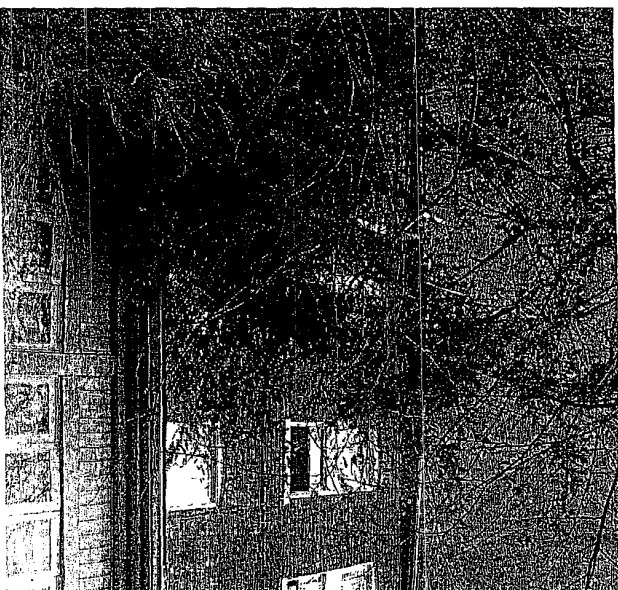
FIRST FLOOR



ALUMINUM SIDING AND TRIM DETAIL



CELLAR FLOOR



SECOND AND THIRD FLOOR

01/01/2009

EXISTING FENCE
TO REMAIN

EXISTING PATIO AREA

NEW WOOD LANDING
AND RAIL.

EXISTING HOUSE TO
REMAIN

NEW WOOD ROOF DECK ON TOP
OF EXISTING ROOF WITH RAIL.

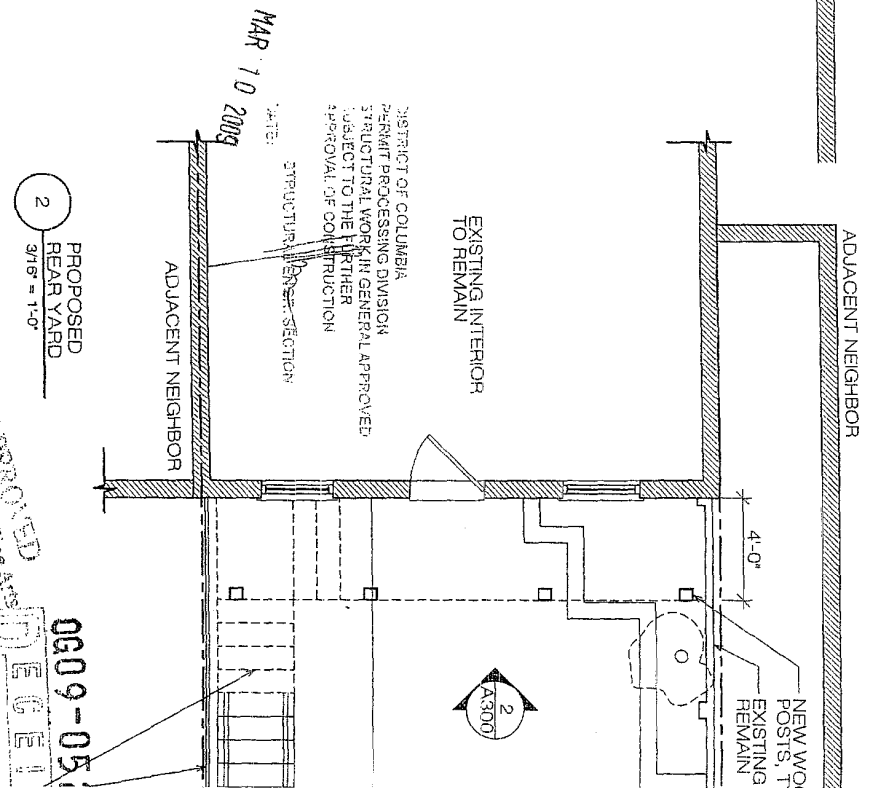
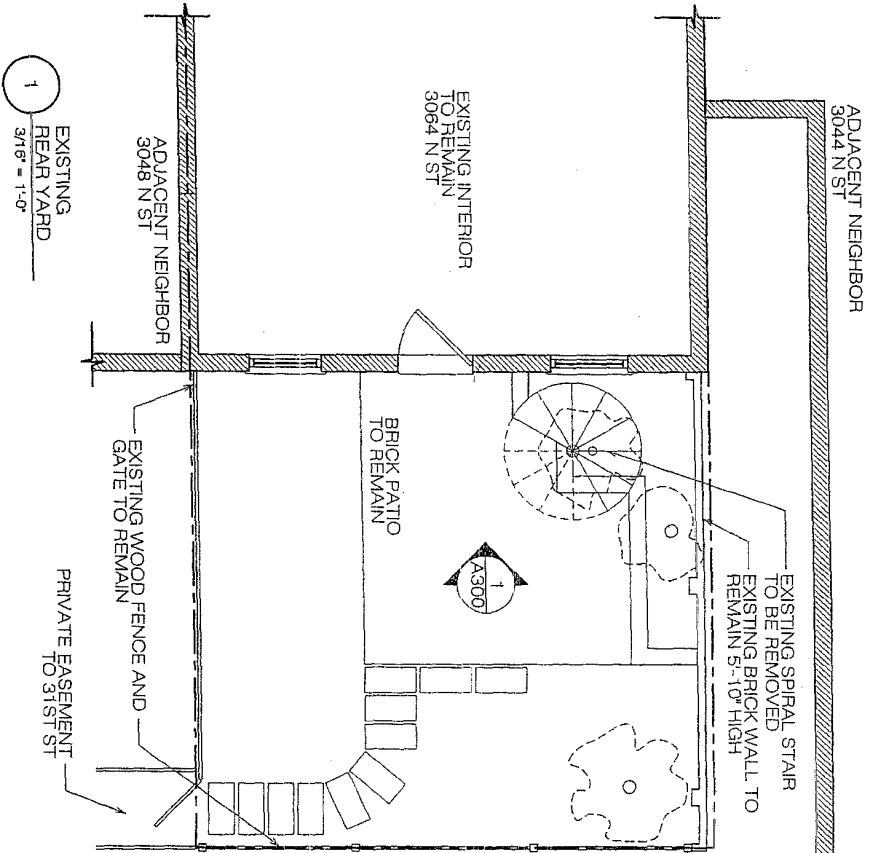
BUILDING SECTION

1
S202

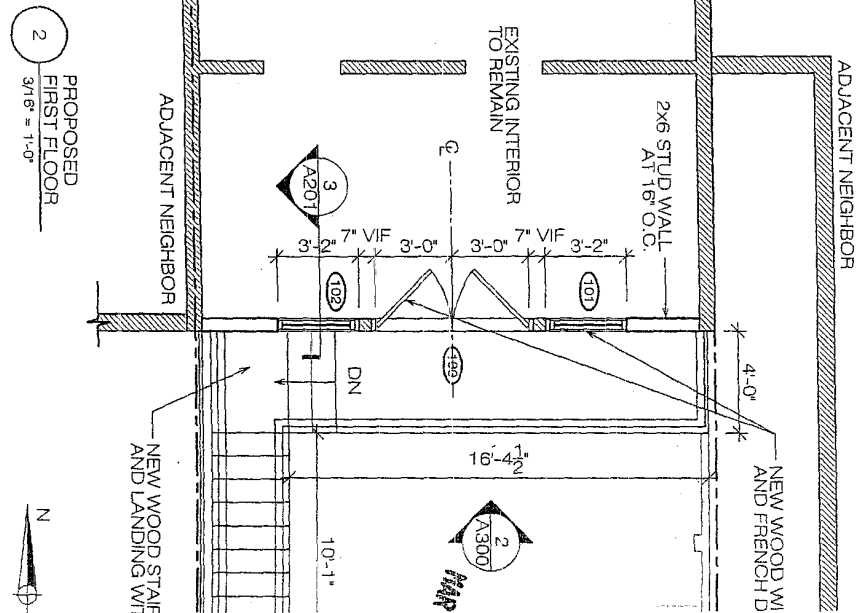
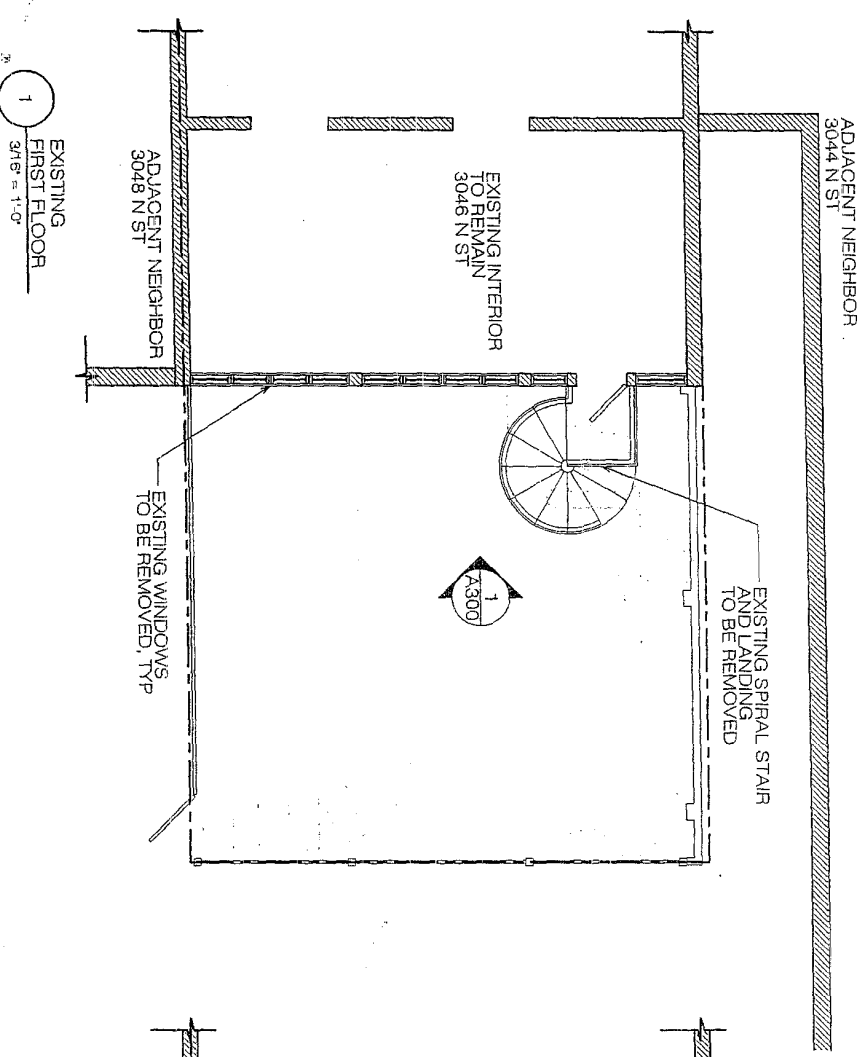
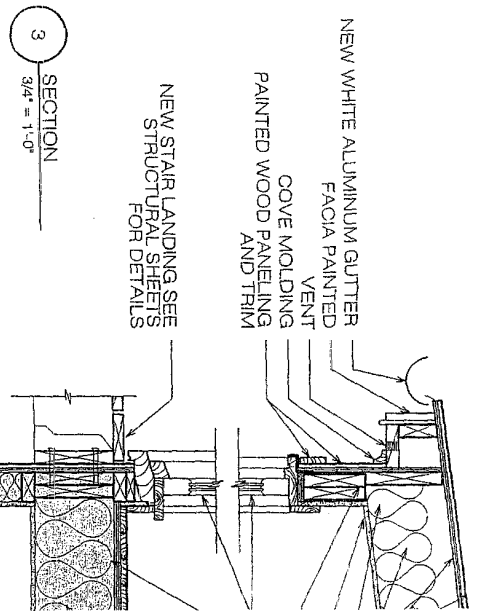
2
S202

10-01

MAP



APPROVED
Commissioner of the District of Columbia
OFFICE OF THE COMMISSIONER
0609-05
SUPPL



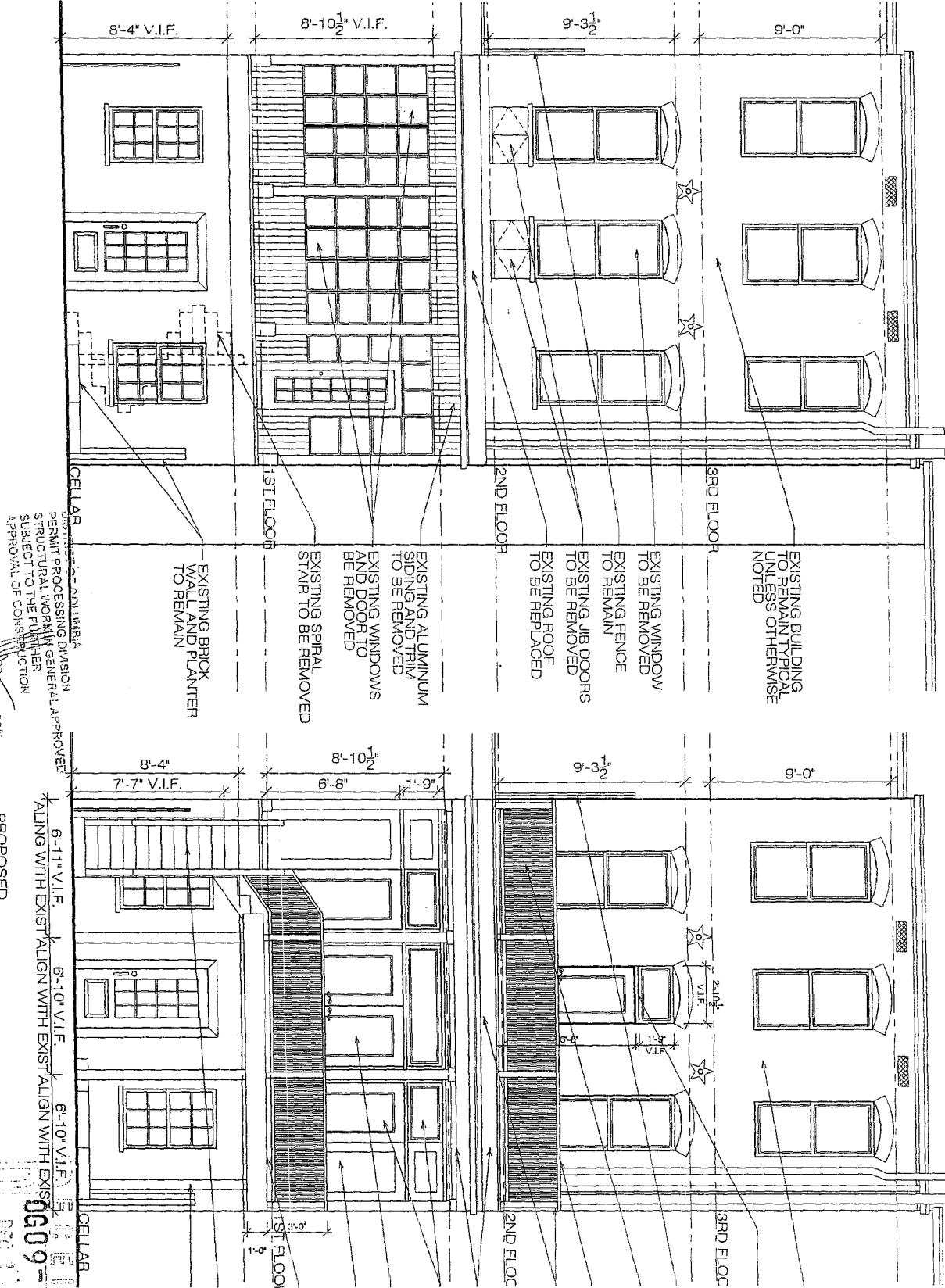


DISTRICT OF COLUMBIA
PERMITS
STRUCTURAL
SUBJECT TO THE
APPROVAL OF THE

1
EXISTING
REAR ELEVATION
3/16" = 1'-0"

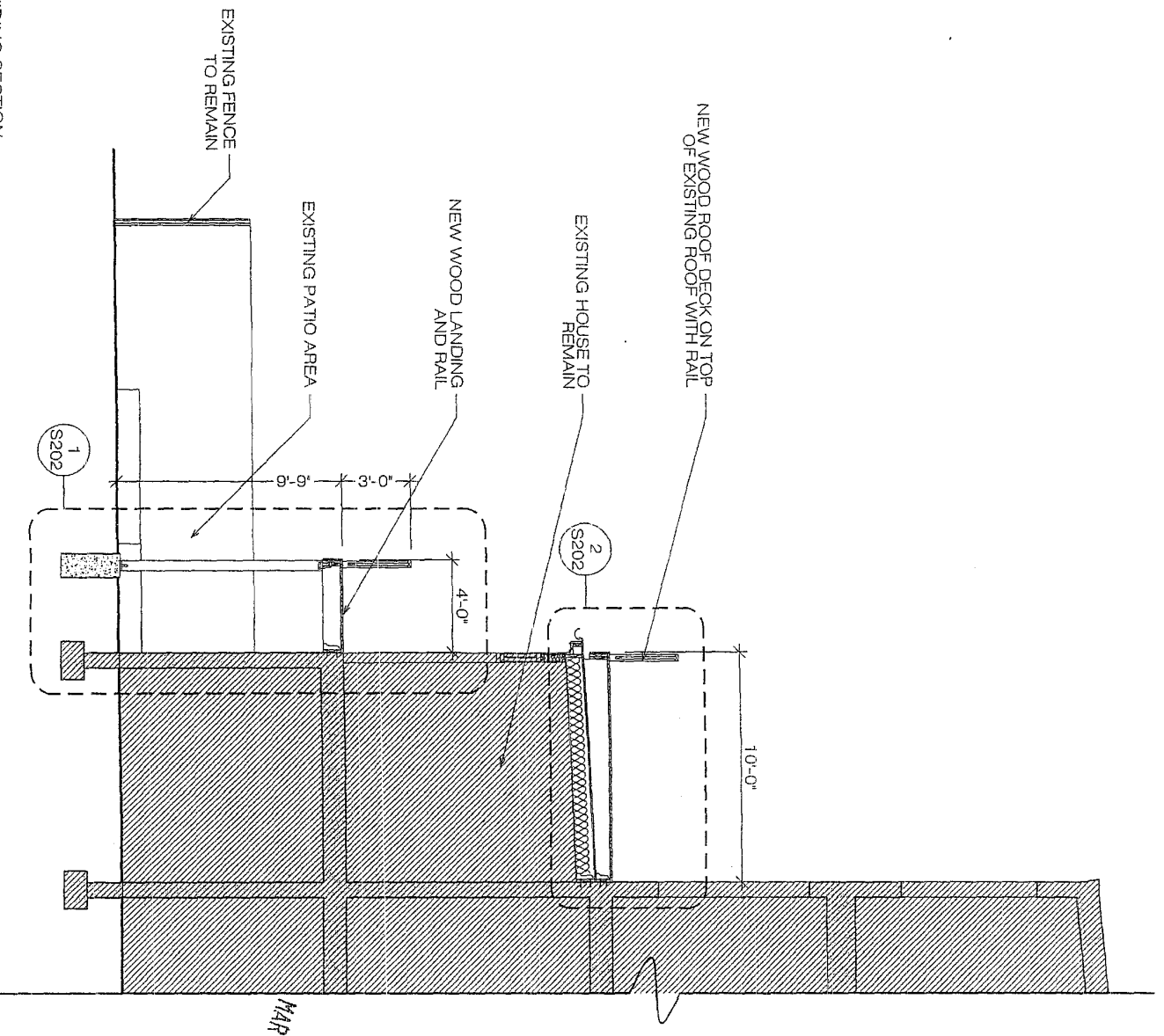
MAR 10 2000

2
PROPOSED
REAR ELEVATION
3/16" = 1'-0"



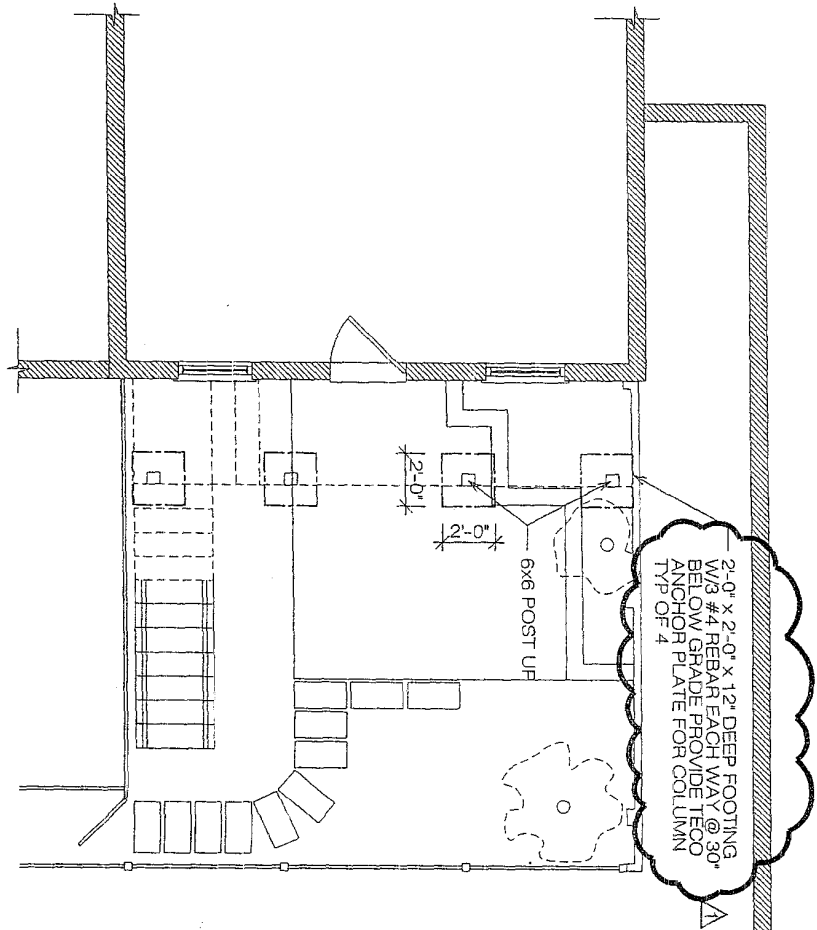
STRUCTURAL ENGINEER
PERMIT PROCESSING DIVISION
STRUCTURAL WORKING GENERAL APPROVED
SUBJECT TO THE FOLLOWING
APPROVAL OF CONSTRUCTION

0609-
SUPPLEMENT

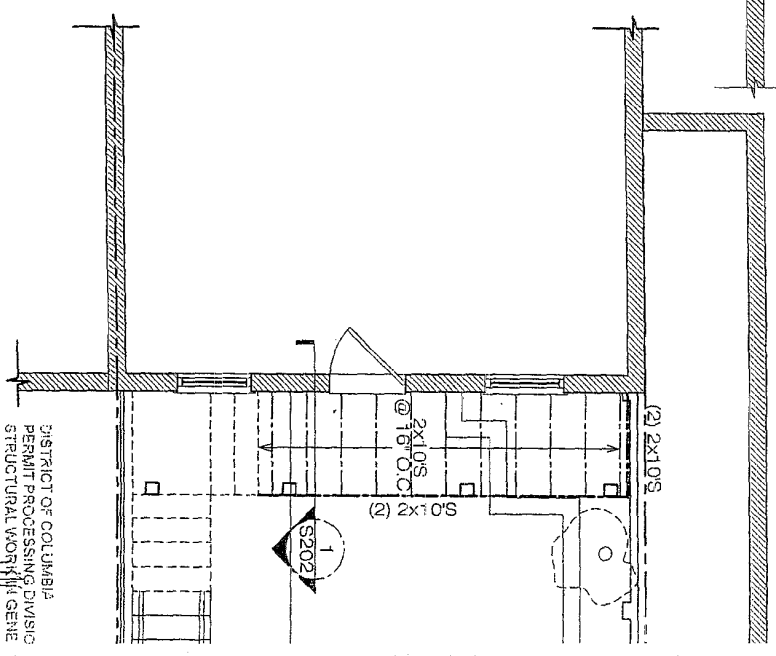


1 BUILDING SECTION
3/16" = 1'-0"

1
LANDING
FOUNDATION PLAN
3/16" = 1'-0"



2
LANDING
FRAMING PLAN
3/16" = 1'-0"



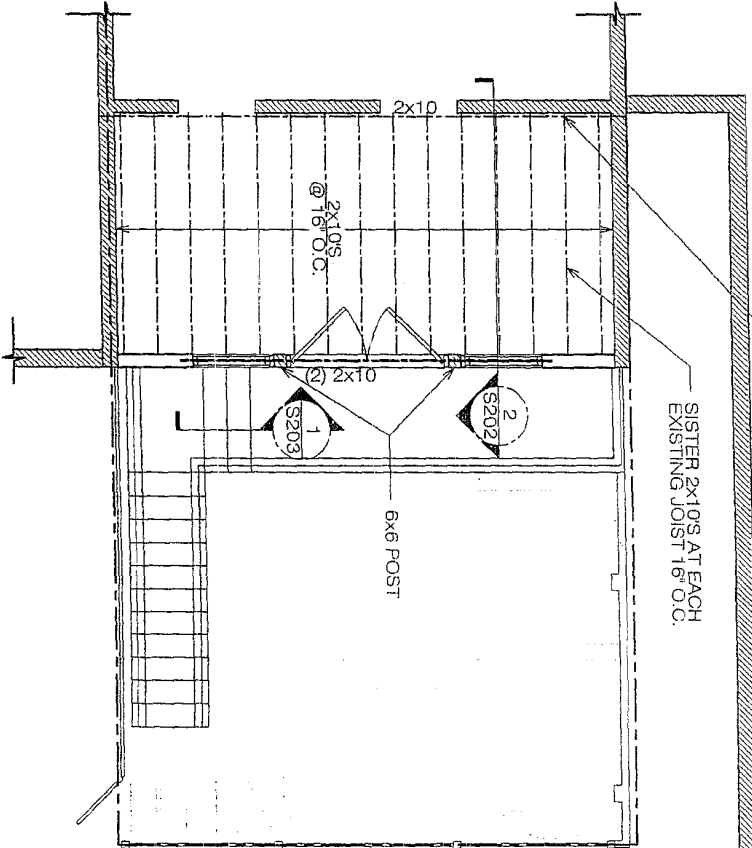
DISTRICT OF COLUMBIA
PERMIT PROCESSING DIVISION
STRUCTURAL WORKSHEET
SUBJECT TO THE REVIEWER
APPROVAL OF CONSTRUCTION
DATE: **MAR 10 2009**
STRUCTURAL ENGINEER

JUST
PER
STR
SUB
APP

MAR 10 2019 DATE

2X10 LEDGER WITH 1/2" Ø
EXPANSION ANCHORS @ 24" O.C.
STAGGERED

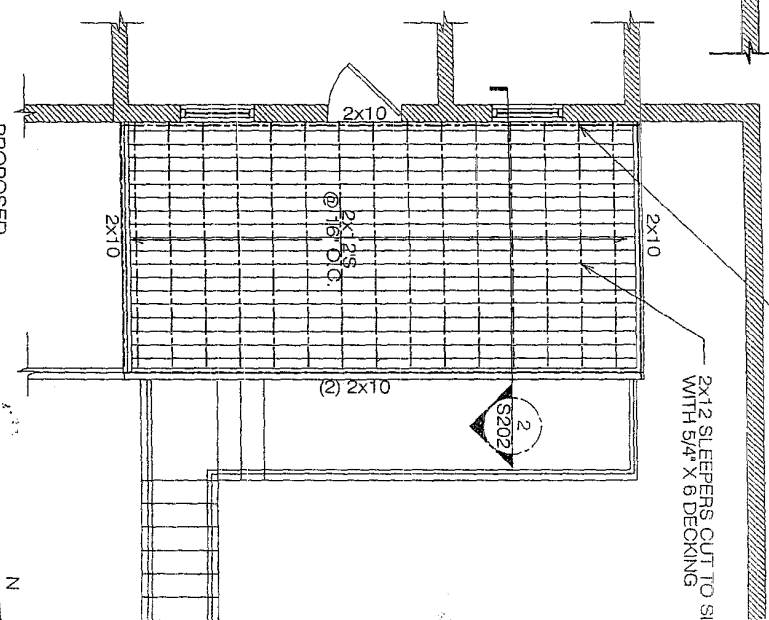
SISTER 2X10S AT EACH
EXISTING JOIST 16" O.C.



1
PROPOSED
ROOF FRAMING
3/16" = 1'-0"

2X10 LEDGER WITH 1/2" Ø
ANCHORS @ 24" O.C. STA

2X12 SLEEPERS CUT TO SI
WITH 5/4" X 6 DECKING



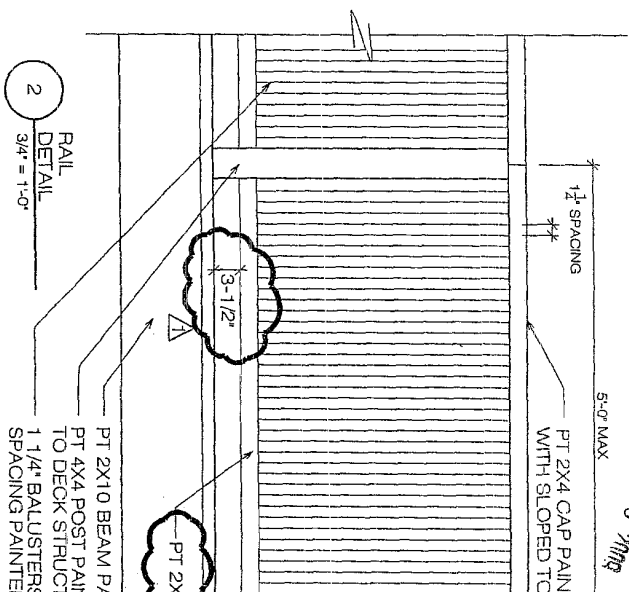
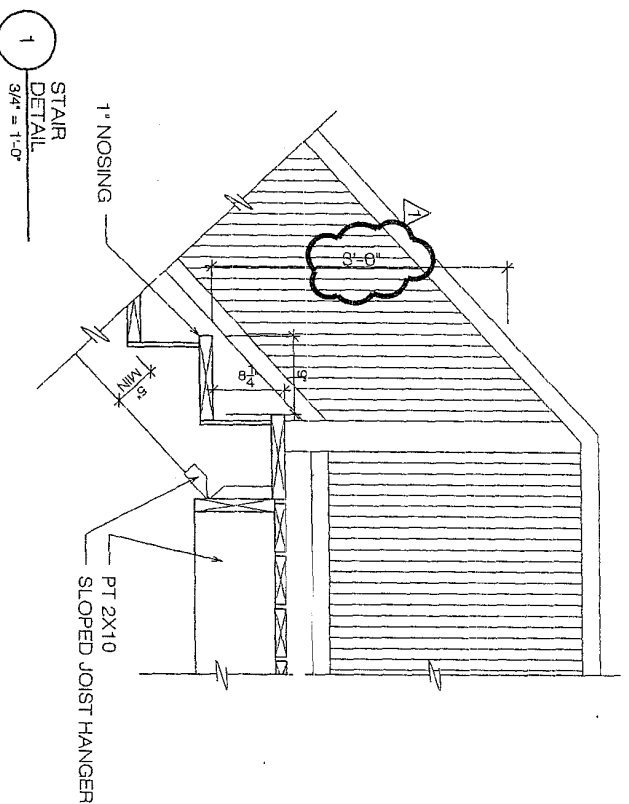
2
PROPOSED
DECK FRAMING
3/16" = 1'-0"

0609-01
SUPPLEMENT

DOOR SCHEDULE

TYPE	MANUFACTURER	MATERIAL	SIZE (W X H)	HARDWARE	LOCATION	NOTES
(100)	WEATHERSHIELD OR APPROVED EQUAL	WOOD - FULL LIGHT DOUBLE DOOR	6'-0" x 6'-8"	KEYED MULTIPPOINT	KITCHEN	SEE HARDWARE NOTES
(101)	WEATHERSHIELD OR APPROVED EQUAL	WOOD - FULL LIGHT FIXED	3'-2" x 6'-8"	-	KITCHEN	SEE HARDWARE NOTES
(102)	WEATHERSHIELD OR APPROVED EQUAL	WOOD - FULL LIGHT FIXED	3'-2" x 6'-8"	-	KITCHEN	SEE HARDWARE NOTES
(200)	WEATHERSHIELD OR APPROVED EQUAL	WOOD - FULL LIGHT	2'-8" x 6'-8" V.L.F.	KEYED MULTIPPOINT	MASTER BEDROOM	SEE HARDWARE NOTES

DOOR NOTE: DOORS TO HAVE PRIMED AND PAINTED TWO COATS. COLOR TBD.
HARDWARE NOTES: HARDWARE AND HINGES TO BE BRUSHED NICKEL FINISH. DOOR HANDLES TO BE COORDINATED WITH OWNER.
*NOTE: CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO ORDERING.



DATE:
 MAP 10 2000

DISTRICT PERMIT
 STRICT SUBJECT
 APPROV

PRE-FILE NUMBERS		ZONING DISTRICT		FILE NUMBER		PERMIT NUMBER	
N.C.P.C. No:	OG09-052	R-3				B0902-028	By:
H.P.A. No:	09-084	S.L. No:		Ward No:		Receipt No:	



DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

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

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

BLRA-33
(Rev. 2/04)

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: 3046 N St. NW		Suite No.	2 Lot 854	3 Square 1209	4 Application Date 12/11/08
5 Owner of Building or Property Michael Rankin		6 Address (include Zip Code) 3046 N St. NW 20007		7 Phone	
8 Agent for Owner: (if applicable) Rich Markus Architects		9 Address (include Zip Code) 2601 P St. NW 2nd FL 20007		10 Phone 202-333-2944	
11. Type of Proposed Work (check all applicable boxes)					
☐ New Building ☐ Addition ☒ Alteration and Repair ☐ Raze Building		☐ Retaining Wall ☐ Fence ☐ Shed ☐ Awning		☐ Garage ☐ Sign ☐ Projection ☐ Other (Specify) _____	
12. Description of Proposed Work Exterior work on rear of building. New landing and stair. New roof, roof deck, doors, windows and wood panels as noted on set. NEW MATERIAL FOR ROOF DECK					
13 Existing Use(s) of Building or Property Residence - SFD		14 Ex. No of Stories of Bldg 3 + Cellar	15 Ex No of Dwelling Units 1	EXHIBIT tabbies C	
16 Proposed Use(s) of Building or Property Residence - SFD		17 Prop No of Stories of Bldg 3 + Cellar	18 Prop. No of Dwelling Units 1	Official Use Only Miscellaneous FEE \$ _____ By: _____ Date: _____	
19 Starting Date	20 Completion Date of work	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 4	27 Size of Footings or Columns 2'x2'x12"	

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: Rich Markus Architects		29. D.C. Lic. No.: 5399		30. Architect's Address: (include Zip Code) 2601 P St. NW FL 20007		31. Phone: 333-2733	
32. Engineer's Name:		33. D.C. Lic. No.:		34. Engineer's Address: (include Zip Code)		35. Phone:	
36. Building Contractor's Name:		36A. D.C. Lic. No.		37. Contractor's Address		38. Phone:	
39. Type of Construction Masonry ☐ Steel ☐ <u>Wood</u> ☒ Other ☐ Concrete ☐		40. Fire Suppression: Fully Sprinklered ☐ Standpipe System ☐ Partially Sprinklered ☐ <u>None</u> ☒ Other ☐		41. Booster Pump New ☐ Existing ☒ <u>None</u> ☐		42. Total Lot Area sq. ft.	
44. Present Gross Floor Area of Bldg. <u>no change</u> sq. ft.		45. Proposed Gross Floor Area of Bldg. <u>no change</u> sq. ft.		46. Floors involved in this permit All Floors <u>1st + 2nd</u>		43. Breakdown of Lot Area (= 100 %)	
						a. building ☐ %	
						b. paved area ☐ %	
						c. greenery ☐ %	
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 ☐ <u>No</u> ☒		54. Driveway Construction? Yes ☐ <u>No</u> ☒		55. Sheeting/Shoring Necessary? Yes ☐ No ☐		56. Elevators Involved? Yes, answer q. 57 ☐ <u>No</u> ☒	
						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.: \$		Alter/Repair FEE		New Const. FEE		Filing Fee	
(b) Alt/ Repair \$ <u>5000</u>		\$ <u>130.00</u>		\$		\$ <u>130.00</u>	
Total \$ <u>5000</u>		\$ <u>6.50</u>				\$ <u>6.50</u> = <u>136.50</u>	
60. Volume of New Bldg. or Addition <u>N/A</u> cubic ft.		By: <u>AM</u>		Date: <u>03/15/09</u>		By: <u>AM</u>	
						Date: <u>03/15/09</u>	

(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 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:

The fence will not obstruct any accessible parking required by D.C. Parking Regulations

* If party fence, the owner of the adjoining property must agree to the erection of the fence and this application

Signature of Agent	Address	Date

A. PERMIT CONTROL

1. Fine Arts by: MB Date: 1/23/09
2. Historic by: MB Date: 3/3/09
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:

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: HE Date: 12/1/08
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: Younis Date: 3/16/09
3. Zoning by: _____ Date: _____
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. _____
by _____ Date _____
Erosion Control by: MB Date: 3/16/09
Storm Water Mgmt. by: _____ Date _____
Plan No _____
Air Quality by: _____ Date _____
Underground Storage by: _____ Date _____
7. Mechanical Eng. Review by: _____ Date _____
8. Plumbing Eng. Review by: _____ Date _____
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: MB Date: 03/15/09
19. Permit and Certificate Issuance Counter
by: _____ Date _____
20. QC By: RM Date: 3/16/09

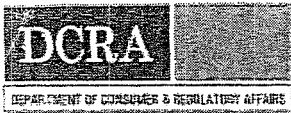
DDOT - PUBLIC SPACE

Street Name: _____
Street Width: _____
Road Width: _____
Sidewalk Width: _____
Parking: _____
Restrictions: _____

C of O Number _____
Existing Use(s) _____
Proposed Use _____

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

Job No. BO902028 BZA Case No. _____ PUD Order No. _____



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

Received:

Plans: Application

Date: 12/11/2008



Engineering Coordinator: Aaron Easterling

Applicant/Agent: ROBERT DET IV

/ RICH MARKUS

Address of Project:

Job Classification:

Job No:

3046 N ST NW

B0902028

Required Reviews: (Checked boxes only)	Reviewer:	Completion Time:	Review Status:
☐ Fine Arts:	Ann	☐ AM ☒ PM	☒ Approved ☐ HFC ☐ Conf. w/Applicant
☒ Historic:	Ann	☐ AM ☒ PM	☒ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Public Space/DDOT:	Ann	☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Ref. to DPW
☐ Zoning:	Ann	☒ AM ☐ PM	☒ Approved ☐ HFC ☐ Ref. to BZA
☒ Soil Erosion/DDOE:	Ann	☐ AM ☒ PM	☒ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Storm Water Mgmt:	Ann	☐ AM ☐ PM	☐ Ref. to DOH ☒ DDoe D eposit
☐ Air Quality:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ EIS:			
☐ Water & Sewer/WASA:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Mechanical/Plumbing:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Health/DOH:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Electrical:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Elevator:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Fire Protection:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☒ Structural:	03/24/09 Ann	☒ AM ☒ PM	☒ Approved ☒ HFC ☐ Conf. w/Applicant
☐ Other:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant

Remarks: Zoning: Please apply for a submission for record lot & provide

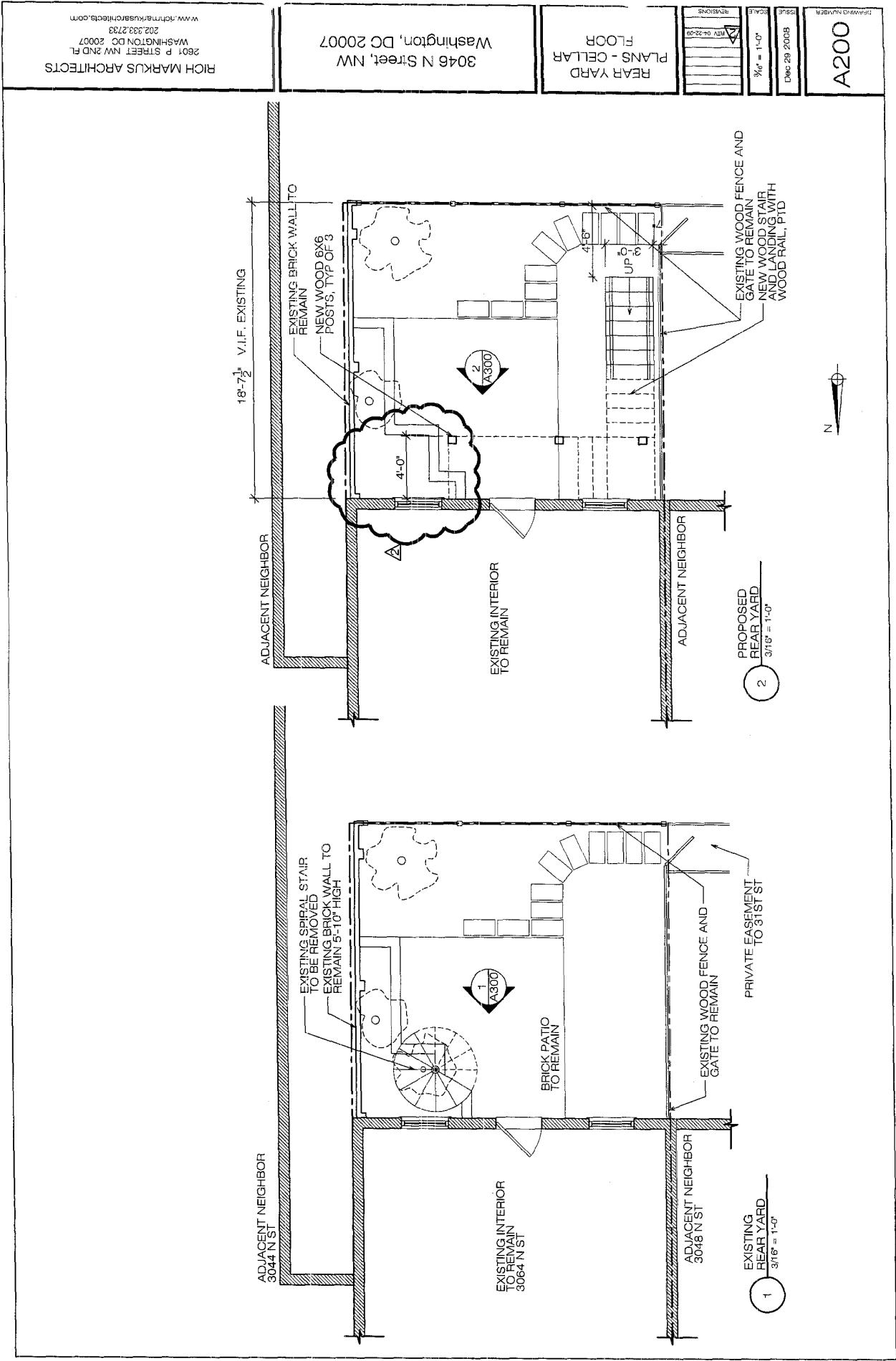
Complete Section drawings.

STRUCT: PROVIDE 3 #4 EW IN BRK6 POST FOOTINGS

2) WRAP BRK6 POST WITH CONCRETE BELOW GRADE
3) USE EPOXY ADHESIVE BOLTS IN STEAD OF EXPANSION BOLTS IN
BRICK WALLS. USE 6" MIN. EMBEDMENT.

4) GUARDRAIL ATTACHMENT DETAILS 5) FINISH THE LEDGER

6) MAINTAINING PROPERTY OWNERS.



DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., December 12, 2008

Plat for Building Permit of: SQUARE 1209 LOT 854

Scale: 1 inch = 10 feet Recorded in Book A & T Page 1190

Receipt No. 00685

Furnished to: PRIMO BAUTISTA

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.)

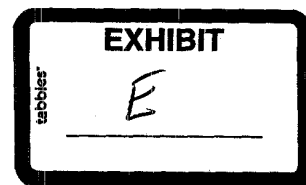
Date: _____

Surveyor, D.C.

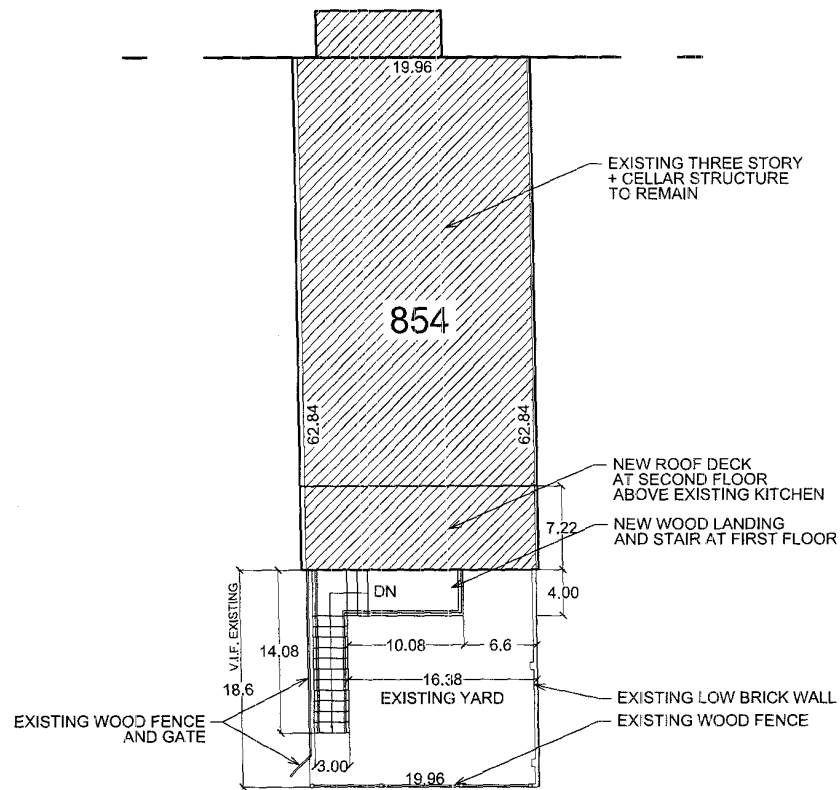
By: A.S.

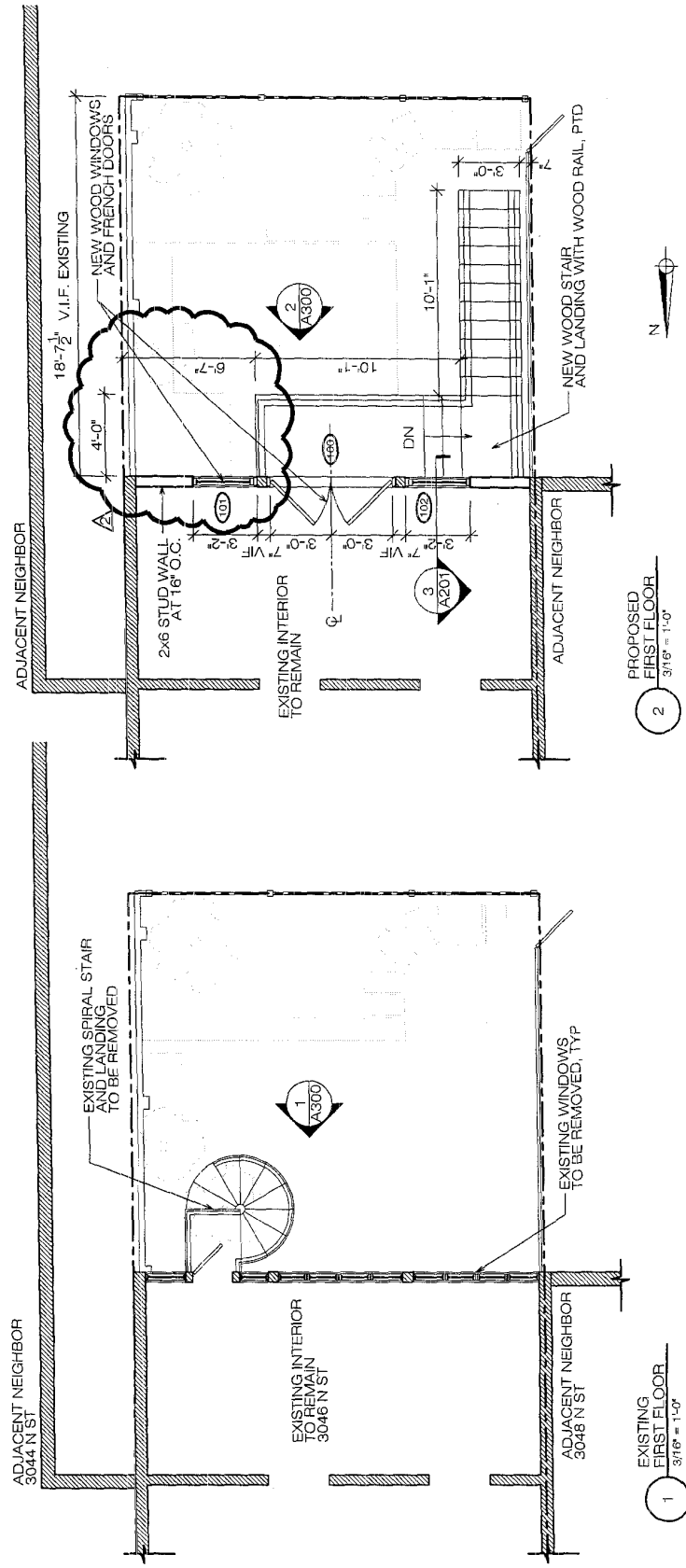
(Signature of owner or his authorized agent)

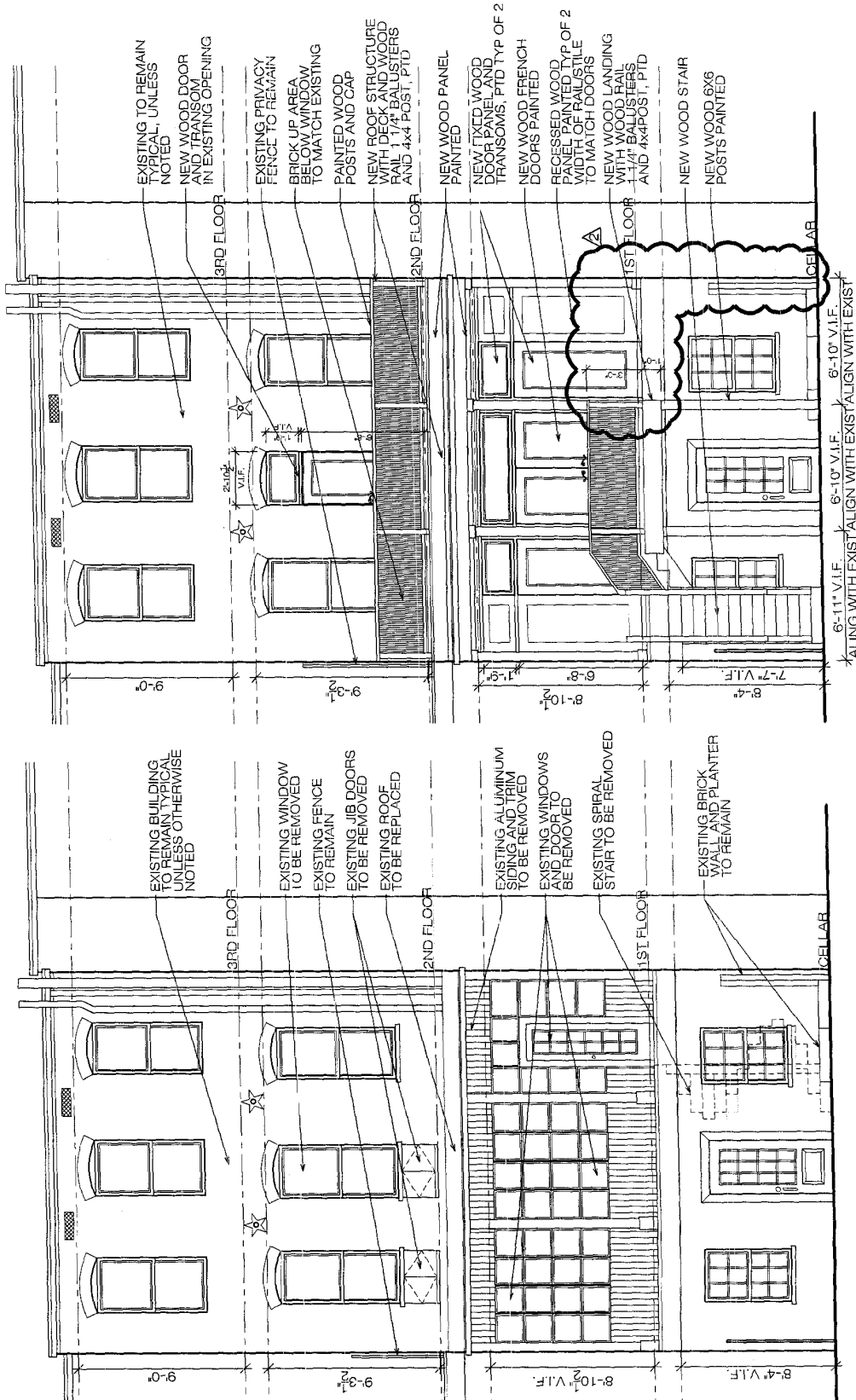
NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



N STREET, N.W.







EXISTING
REAR ELEVATION
3/16" = 1'-0"

PROPOSED
REAR ELEVATION
3/16" = 1'-0"