

June 18, 2013

VIA HAND DELIVERY, INTERNET AND CERTIFIED MAIL

To: The District of Columbia Board of Zoning Adjustment
441 4th Street, NW, Suite 210 South
Washington, DC 20001

From: Sameh Azzam, Owner of 34 Galveston PI SW Washington DC 20032

Subject: Request for Hearing to Appeal Revoked Certificate of Occupancy Permit # CO1301521

Dear the Board of Zoning Members:

This letter and the attached Form 125 and the additional pages are my initial response to the revocation letter dated 4/19/2013, from the Department of Consumer and Regulatory Affairs ("DCRA"); the Zoning Administrator; Mr. Matthew Le Grant, attached ("Notice"). I understand that I must file an appeal by June 19, 2013 and this package and the fee are my attempt to comply with the instructions on the back of Form 125. Please permit me the opportunity to correct any deficiencies you may find and grant me additional time to do so. With this package I appeal the revocation of my certificate of occupancy and I request a hearing.

As stated in the April 19, 2013 Notice, which revokes the Certificate of Occupancy No. CO1301521, I understand that I have the right to appeal the revocation by filing a request for hearing within 60 days as of April 19, 2013. I request a hearing to appeal the revocation of my Certificate of Occupancy No. CO1301521. Please let me know what further steps I must take to appeal this revocation.

The revocation letter stated that (1) a three unit apartment building is not a matter of right use. I purchased the property at Square 6239, Lot 0021 which was uninhabited with the intention of upgrading it to a 3-unit apartment from the bank which had foreclosed on it, and (2) the CO1301521 did not continue the use established by CO68002 whereas the building permit B1204480 that issued on 01/31/2012 permitted the renovation of three units and I relied on this document to renovate the building to the 3 units. I have invested a significant amount of money to restore and renovate the property I purchased from its uninhabitable state at the time of purchase to the 3 units.

By separate letter, I have requested a determination letter to obtain information on what I must do to own and operate an apartment building of not more than 4 units at 34 Galveston Place, S.W.

If the revocation cannot be overturned, please grant me a use variance temporarily while I pursue the proper procedure for getting a variance from the R-2 zone requirements so that the property can be used as a 3 unit apartment building, or 4 unit apartment building as per the Certificate of Occupancy No. 148468 which states 4 units were a permissible use at one time. From the curb, my building retains its

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substantial similarity to the structures that surround it—structures that are being occupied, when they are occupied, as four unit apartment buildings. Therefore there is no dramatic impact on the neighborhood, other than an improvement to a blighted building from my request for approval of a Certificate of Occupancy to live in my building as a 3 unit apartment building.

I request a hearing, as stated in the April 19, 2013 revocation letter. In addition to the compliance with the instructions on the back of Form 125 – Appeal as contained in this letter, I have included attachments that provide additional detailed information with references to the District of Columbia Municipal Regulations (DCMR) Title 11.

I seek any and all such relief as would permit me to secure and rent my property while this appeal is underway, including a stay of the revocation and/or the immediate grant of a use variance, or a special exception or a conditional certificate of occupancy under section 12A of the D.C. Code.

Finally, I request the opportunity to amend this appeal request as additional information becomes available to me that will assist me in proving my case.

Sincerely,



Sameh Azzam
119 Pierce Street NW
Washington DC 20001
Phone:

Enclosures:

- (1) Form 125 Appeal Exhibit No. 1 Case No. _____
- (2) Letter signed by Appellant Sameh Azzam authorizing Mrs. Azzam to act on his behalf as agent in this appeal, under 11 DCMR §3106.1.
- (3) Letter from Sameh Azzam requesting a determination on the use of 34 Galveston Place, SW, Square 239 Lot 0021 as a three unit apartment complex.
- (4) Letter requesting a Conditional Certificate of Occupancy under 12A DCMR §110.4
- (5) On-site approved inspection card
- (6) Building Permit, I substantially relied upon approving the renovation.
- (7) Architectural Plans
- (8) Certificate of Occupancy #CO1301521
- (9) Certificate of Occupancy initially granted #CO68002
- (10) Revocation Letter
- (11) Photographs of neighborhood and surrounding buildings
- (12) The Certificate of Occupancy for similar neighboring properties.
- (13) Each and every exception to the administrative decision in specific detail.