

Exhibits to the Department of Consumer and Regulatory Affairs (DCRA)’s

Motion to Dismiss

Appeal of Peter & Diana Minshall

BZA Appeal No. 18965

Exhibit A

DCRA Building Permit B1410905, issued November 26, 2014 (the “**2014 Permit**”)



Department of Consumer and Regulatory Affairs

Permit Operations Division

1100 4th Street SW

Washington DC 20024

Tel. (202) 442 - 4589

Fax (202) 442 - 4862



B

BUILDING PERMIT

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

Issue Date: 11/26/2014

PERMIT NO. **B1410905**

Expiration Date: **11/26/2015**

Address of Project: 3329 Q ST NW		Zone:	Ward: 2	Square: 1278	Suffix:	Lot: 0266
Description Of Work: NEW WOOD SLAT FENCE PER DRAWINGS (LOWER EXISTING FENCE). CONSTRUCT CONCRETE WALL WITH STUCCO AND STONE VENEERS (ADD STUCCO FACING TO EXTERIOR OF ALREADY CONSTRUCTED WALL).						
Permission Is Hereby Granted To: Sean Glass		Owner Address: 3329 Q STREET NW 20007		PERMIT FEE: \$173.58		
Permit Type: Alteration and Repair	Existing Use: Single Family Dwelling - R-3		Proposed Use: Single Family Dwelling - R-3		Plans:	
Agent Name: Kara Mchone	Agent Address: 5110 1/2 Macarthur Blvd NW 20016	Existing Dwell Units:	Proposed Dwell Units:	No. of Stories:	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. Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://ddoe.dc.gov, Lead and Healthy Housing.						
Director: Rabbiah A. Sabbakhan		Permit Clerk Justin Bellow				
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.						

Exhibits to the Department of Consumer and Regulatory Affairs (DCRA)'s

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Exhibit B

DCRA Building Permit B1110228 issued March 23, 2012 (the “**2011 Building Permit**”)

Department of Consumer and Regulatory Affairs

Permit Operations Division

1100 4th Street SW

Washington DC 20024

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

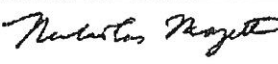
TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442 9557

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

Issue Date. 03/23/2012

PERMIT NO. B1110228

Expiration Date. 03/23/2013

Address of Project: 3333 Q ST NW		Zone: R-3	Ward: 2	Square: 1278	Suffix:	Lot 0244
Description Of Work. INTERIOR RENOVATION AT EXISTING PROPERTY 2 STORY REAR ADDITION WITH PENTHOUSE AND BASEMENT ,REAR INGROUND POOL, 5 EXTERIOR STONE WALLS AND EXCAVATION FOR BASEMENT AND UNDERGROUND PARKING.						
Permission Is Hereby Granted To. Sean P Glass Trustee		Owner Address: 3333 Q ST NW WASHINGTON, DC 20007-2717		PERMIT FEE: \$14,049.75		
Permit Type. Addition Alteration Repair	Existing Use: Single Family Dwelling - R-3		Proposed Use: Single Family Dwelling - R-3		Plans: Yes	
Agent Name Sarah Mallhurst	Agent Address: SAME	Existing Dwell Units: 1	Proposed Dwell Units: 1	No. of Stones: 3	Floor(s) Involved	
Conditions/ Restrictions: Separate electrical, mechanical and plumbing installation permits are required. 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. Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead based paint,the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://ddoe.dc.gov , Lead and Healthy Housing.						
Director: Nicholas A. Majett 		Permit Clerk Kim Queen				
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Exhibits to the Department of Consumer and Regulatory Affairs (DCRA)'s

Motion to Dismiss

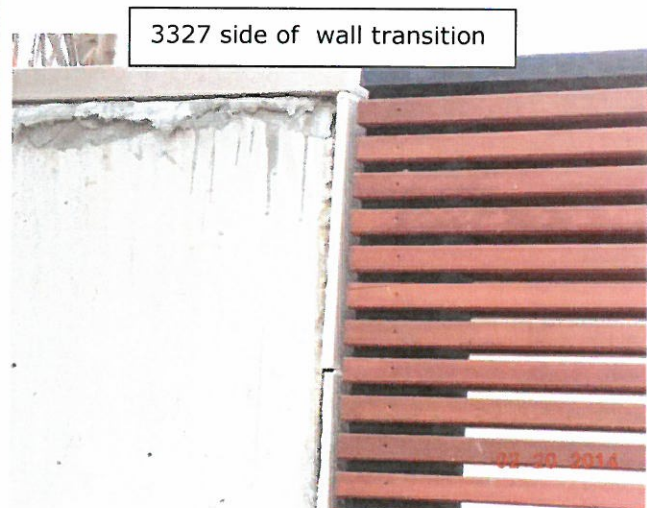
Appeal of Peter & Diana Minshall

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Exhibit C

February 20, 2014 Inspection Report by District of Columbia, Office of Planning, Historic Preservation ("**HP Inspection Report**"), pp. 45 and 47

Showing Retaining Wall and Fence/Wall from Appellant's property from portion closest to the Q Street right of way to the rear property line



3329-3333 Q St NW - Sq. 1278 Lot 244
2-20-14 @ 1:44 pm
Keith Lambert, Inspector, Badge# 430

Wall between 3327 & 3329



3329-3333 Q St NW – Sq. 1278 Lot 244
 2-20-14 @ 1:44 pm
 Keith Lambert, Inspector, Badge# 430

3333 side of wall

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Exhibit D

Existing Conditions Plan, September 2011 Survey of 3329 and 3333 Q Street, NW, Lots 244 and 245, Square 1278, Georgetown by CAS Engineering

GENERAL NOTES

- 1) TOPOGRAPHIC INFORMATION BASED ON A SURVEY BY CAS ENGINEERING, DATED OCTOBER, 2010. (LOT 244 ONLY)
- 2) BOUNDARY INFORMATION BASED ON A SURVEY BY CAS ENGINEERING, DATED OCTOBER, 2010. (LOT 244 ONLY)
- 3) ZONING: R-5
MINIMUM LOT WIDTH = 30 FT
MINIMUM LOT AREA = 2,000 SQ FT
MINIMUM BUILDING HEIGHT = 5 STOREYS/40 FT
FRONT SETBACK = 10 FT
SIDE SETBACK = 5 FT
REAR SETBACK = 5 FT
MINIMUM SIDE YARD = VARIES, SEE SECTION 408, TITLE II, DCMR
- 4) TOTAL LOT AREA:
LOT 244 = 6,821.29 SQUARE FEET (0.16 ACRES)
LOT 245 = 1,871 SQUARE FEET (0.04 ACRES)

LEGEND

EXISTING FEATURES

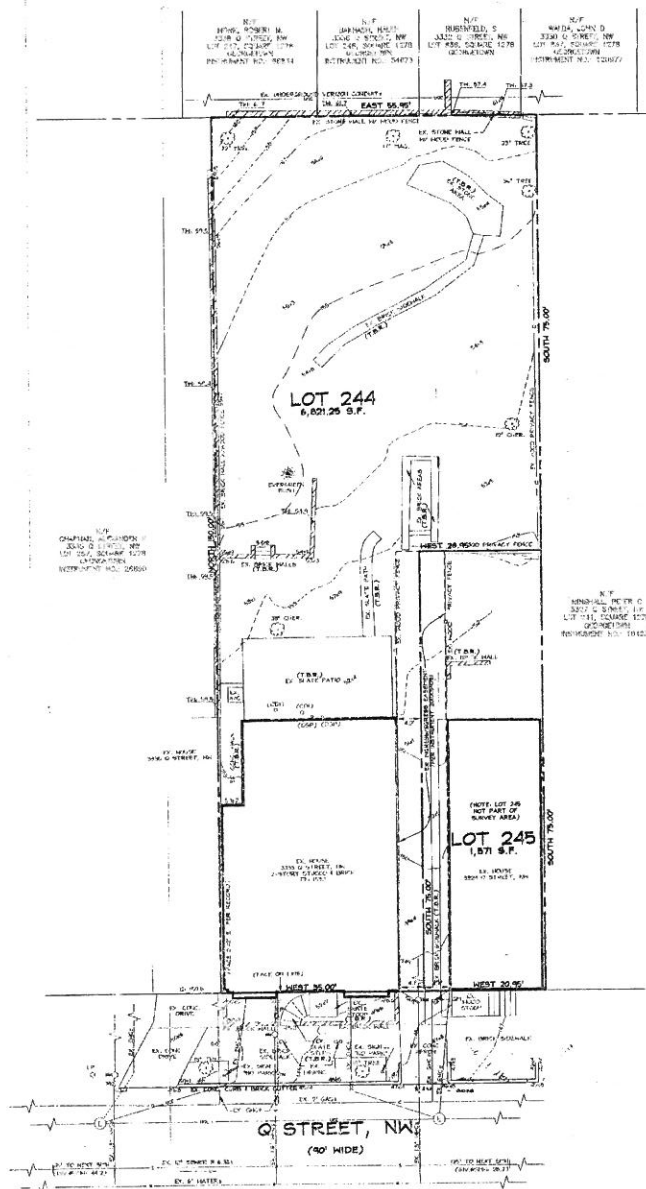
- EX. STORM DRAIN WITH MANHOLE
- EX. SEWER LINE WITH CLEAN OUT
- EX. SEWER MANHOLE AND INVERT
- EX. WATER LINE WITH VALVE
- EX. GAS LINE WITH VALVE
- EX. OVERHEAD UTILITY WITH POLE
- EX. UNDERGROUND UTILITY LINE
- EX. ONE- AND FIVE-FOOT CONTOURS
- EX. SPOT ELEVATION
- EX. CHAIN LINK OR WIRE FENCE
- EX. WOOD FENCE
- EX. CENTER OF DRAIN INLET
- EX. DRAINAGE PAVED
- EX. STREET LAMP

UTILITY INFORMATION

EXISTING UTILITY LOCATIONS ARE APPROXIMATE. THEY ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY. ALL UTILITY LOCATIONS MUST BE FIELD VERIFIED.

DATE	PROPERTY DATE	DATE	DATE	DATE	DATE
01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010
CABLE	01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010
COAXIAL	01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010
DSL	01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010
DSL	01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010
DSL	01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010
DSL	01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010
DSL	01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010
DSL	01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010
DSL	01/01/2010	01/01/2010	01/01/2010	01/01/2010	01/01/2010

UTILITY
LOCATION OF UTILITIES, CALL 911. CALL 911 AT 1-800-257-7777. LOC IN TO MAXIMIZE UTILITY EFFICIENCY AS MUCH AS POSSIBLE IN ADVANCE OF ANY EXCAVATION. THE EXCAVATOR MUST NOTIFY ALL UTILITY COMPANIES WITH UNDERGROUND FACILITIES IN THE PROPOSED EXCAVATION AND HAVE THESE FACILITIES BY THE UTILITY COMPANIES PRIOR TO EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE REGULATIONS.



INDEX OF SEDIMENT CONTROL DRAWINGS

NO.	TITLE
C-1	EXISTING CONDITIONS PLAN
C-2	SEDIMENT CONTROL PLAN
C-3	SEDIMENT CONTROL NOTES
C-4	SEDIMENT CONTROL DETAILS

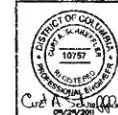


VICINITY MAP

ADC MAP 4, GRID E-12
SCALE: 1" = 200'

DATE	BY	REV	DESCRIPTION
09/20/11	DCL	1	PERMIT SET
10-202	DCL	1	PERMIT SET
11-10'	CAS	1	PERMIT SET

N/F LOTS 244 & 245, SQUARE 1278
GEORGETOWN
3329 & 3333 Q STREET, NW
N.W. WASHINGTON
DISTRICT OF COLUMBIA
PLAN



ENGINEERING
3333 Q STREET, NW
WASHINGTON, DC 20007
(202) 398-1067 PHONE
r.gurney@cas-engineering.com

C.1

CLIENT/OWNER

SEAN GLASS
3333 Q STREET, NW
WASHINGTON, DC 20007
(202) 398-1067 PHONE
sean@cas-engineering.com

ARCHITECT

ROBERT M. GURNEY
510 AND 1/2 MACARTHUR
BLVD., NW
WASHINGTON, DC 20006
(202) 281-0005 PHONE
r.gurney@cas-engineering.com

3329 & 3333 Q STREET, NW
LOTS 244 & 245, SQUARE 1278
GEORGETOWN
EXISTING CONDITIONS PLAN

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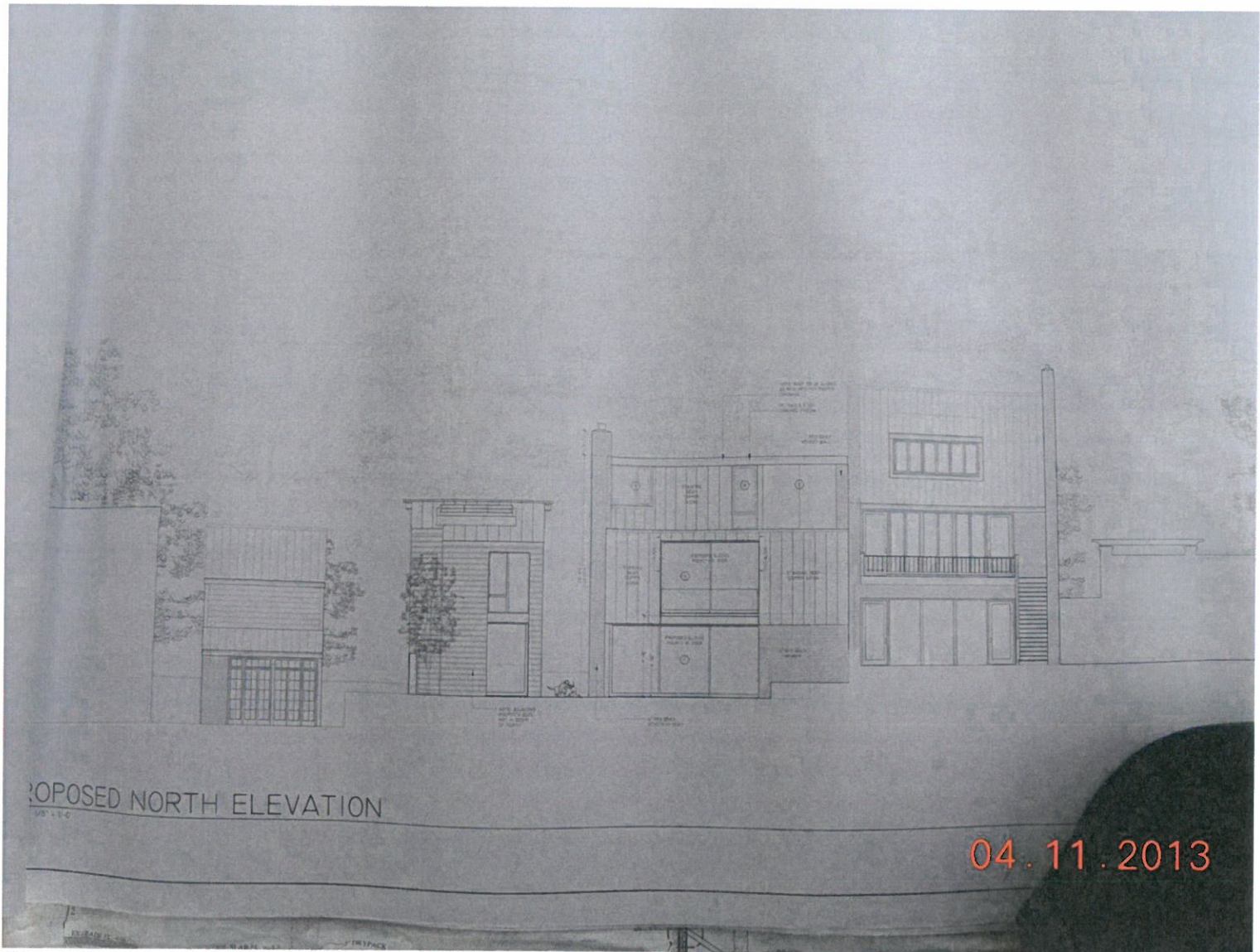
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Exhibit E

HP Inspection Report, p. 24, showing Proposed North Elevation from 2011 Building Permit
approved plans



3333 Q St NW - Sq. 1278 Lot 244
4-11-13 @ 3:58 pm
Keith Lambert, Inspector, Badge# 430

Approved North elevation plan

Exhibits to the Department of Consumer and Regulatory Affairs (DCRA)'s

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Exhibit F

June 12, 2014 letter of the District of Columbia Office of Planning, Historic Preservation (“**HP**”) to the to the Old Georgetown Board/U.S. Commission of Fine Arts (“**CFA**”) (the “**HP Letter to CFA**”), “ ‘Before’ photographs (taken from 3327 Q)”, nos. 4 and 6





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Exhibit G

DCRA Application for 2011 Building Permit (B1110228), p. 1

PRE-FILE NUMBERS

ZONING DISTRICT

FILE NUMBER

PERMIT NUMBER

C No:

O.G. No:

E No:

S.L. No:

Ward No:

Receipt No:

Date:

Receipt No:

★★★
GOVERNMENT
OF THE DISTRICT
OF COLUMBIA

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)

AUG 12 2011

CLEARANCE TO FILE

By _____ Date _____

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

COMMISSION OF FINE ARTS

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 27

1 Address of Proposed Work

Suite No.

2. Lot

3. Square

4. Application Date

5 Owner of Building or Property

6 Address (include Zip Code)

7 Phone

8 Agent for Owner: (if applicable)

9. Address (include Zip Code)

10. Phone

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

☐ New Building☐ Retaining Wall☐ Garage

"False statements or misrepresentation of facts on
a permit application and/or plans is subject to
criminal penalties pursuant to DC law 22-2405."

☒ Addition☐ Fence☐ Sign☒ Alteration and Repair☐ Shed☐ Projection☐ Raze Building☐ Awning☐ Other (Specify) _____

12. Description of Proposed Work

Interior Renovation at Existing property
2 story rear addition in penthouse and
basement, rear in ground pool 15' exterior
stone walls + excavation for basement
+ underground parking

Underpinning of existing structure
and extents as required. Drawings Attached.

Existing Use(s) of Building or Property

14 Ex. No of
Stories of Bldg15 Ex No of
Dwelling UnitsOfficial Use Only
Miscellaneous FEE

Proposed Use(s) of Building or Property

17 Prop No of
Stories of Bldg18 Prop. No of
Dwelling Units

By: _____ Date: _____

Starting Date

20 Completion Date
of work21 Method of Removing Construction Debris
☒ Pick-up Truck
☐ 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
(Refer to Permit Drawing Set)

25. Area of
Offsite Drainage
N/A
sq. ft

26. No of Footings
or Columns27 Size of Footings
or Columns

ALWAYS SIGN THE APPLICATION ON PAGE 3 (SECTION I)

OFFICIAL USE ONLY

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)

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

Exhibits to the Department of Consumer and Regulatory Affairs (DCRA)'s

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Exhibit H

HP Letter to CFA, p. 33

Detail of approved plans for 2011 Building Permit

RETAINING WALL
(BY OTHERS, TYP.)

MECH. UNITS

BY OTHERS FOR
BUTTING ADJACENT
RETAINING WALL

UNDER R.
E. NW
1/4 1278
AN
20030

OUT AND
ANS BY
IS FOR
ONLY.

CONTRACTOR OPTION TO USE
CONTROL TUBE INSTEAD OF SILT
TREE PROTECTION AREAS. COORD
PROJECT ARBORIST AS APPLI

PROP. RETAINING WALL
(DESIGN BY OTHERS, TYP.)

N/E
MARSHALL, PETER C
5327 Q STREET, NW
LOT 244, SQUARE 1278
GEORGETOWN
INSTRUMENT NO. 104234

PROP. AREAWAY
TO GARAGE

PROP. STEPPING
STONE PATH

SOUTH 75.00'

LOT 245
1,571 S.F.

EX. HOUSE
3329 Q STREET, NW

LIMITS OF DISTURBANCE:
L.O.D. = 6,700 S.F.±

Q STREET, NW
(90' WIDE)

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Exhibit I

Plat signed February 16, 2012 and submitted as part of approved 2011 Building Permit

Washington, D.C., August 11, 2011

Scale: 1 inch = 20 feet Recorded in Book 160 Page 41

Receipt No. 11-05158

Furnished to: MATEUSZ DZIFRANOWSKI

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 proposed improvements are not in violation of any zoning ordinance applicable to the same site as the property lines shown on this plat; and that no portion of the proposed improvements to be erected will encroach upon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light industrial use; that the proposed improvements are in accordance with the minimum area required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations; and that the area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area was respect to the H.W. line of the street, and that the proposed improvements are in accordance with the minimum width of driveway at any point on private property in excess of 200 feet for single-family dwellings; or in excess of 12% at any point for other buildings. The policy of the Highway Department of the City of Chicago is to reserve a minimum of 10% of the area of the driveway for the use of driveway at any point on private property in excess of 200 feet for single-family dwellings; or in excess of 12% at any point for other buildings. The policy of the Highway Department of the City of Chicago is to reserve a minimum of 10% of the area of the driveway for the use of driveway at any point on private property in excess of 200 feet for single-family dwellings; or in excess of 12% at any point for other buildings.

Date: 08/11/2011

F 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.

ALL WORK FOR
IRC 300 AND
DEMAND
SUPPLEMENT OF THE

POOL ENCLOSURE
FENCE PER. ROCK 1PC CORR

CURRENT MINIMUM
DISTANCE ALLOWED
FOR SIDE SET BACKS
FOR RE ZONING
CODE

244

DCRA/OFFICE OF THE ZONING
ADMINISTRATOR/COMPLIES
WITH REQUIREMENTS OF
DC ZONING REGULATIONS (11DCMR)

11/8/11

zoning

Q STREET, N.W.