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

Motion to Dismiss and Response to Appellant's Response

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- Exhibit Q** Email chain between Appellant (Diana Minshall) and Permit Holder (Sean Glass) and Permit Holder's contractor regarding possible finishes for Appellant's side of Retaining Wall and Fence/Wall – included as part of Appellant's October 26, 2014 FOIA request
- Exhibit R** Email chain between Appellant and HP included as part of Appellant's October 26, 2014 FOIA request – March 18, 2014 email from Appellant to HP stating that Appellant had received notice of DCRA's decision that the Retaining Wall and Fence/Wall were validly permitted and so removed the Stop Work Order (p. 5)
- Exhibit S** February 20, 2014 Stop Work Order (the "SWO") (HP Inspection Report, pp. 49-50)
- Exhibit T** DCRA March 12, 2014 Summary Motion to Dismiss SWO
- Exhibit U** Email chain including
- April 18, 2014 email from Marty Sullivan, Counsel for Appellant, to Eve Barsoum, CFA (pp. 2-3)
 - April 23, 2014 email from Marty Sullivan to DCRA (p. 1-2)
- Exhibit V** CFA July 17, 2014 rejection of Permit Holder's application for review of Retaining Wall and Fence/Wall due to lack of new DCRA permit application
- Exhibit W** CFA September 18, 2014 approval of Permit Holder's 2014 Permit application for Retaining Wall and Fence/Wall [*see Exhibit W-1, replacement for mistaken submission of another copy of Exhibit V*]
- Exhibit X** 2014 Permit, SSK-13
- Exhibit Y** DCRA Permit Status Tracking website for 2014 Permit

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NEW EXHIBITS (SUBMITTED WITH APRIL 28, 2015 RESPONSE)

- Exhibit W-1** [*Replacement for mistakenly submission of another copy of the July 17, 2014 CFA rejection – **Exhibit V***]
- Exhibit 1-A** Photograph of Appellant's back yard facing Permit Holder's property showing the pre-existing retaining wall with fence above - looking toward Q Street, N.W.
- Exhibit 1-B** Photograph of Appellant's back yard facing Permit Holder's property showing the pre-existing retaining wall with fence above - looking toward rear property line
- Exhibit 1-C** October 26, 2012 email from Sean Glass, the Permit Holder to Appellant, with attached Sheet A3.0d, "Proposed East Elevation (View of Site Wall from Neighbors [*sic*] Property)", dated October 1, 2012
- Exhibit 1-D** Photo of 3327 and 3329 Q Street, N.W., from Q Street right of way (p. 13 of Attachments to the HP Letter to CFA)
- Exhibit 1-E** Photos of common backyard of 3333 and 3329 Q Street, N.W. - from rear of 3333 Q Street, N.W. looking to rear lot line with continuous concrete wall and footer
- Exhibit 1-F** Photos of common backyard of 3333 and 3329 Q Street, N.W. - from 3329 Q Street, N.W. looking to 3333 Q Street, N.W. with continuous concrete wall and footer
- Exhibit 1-G** Photos of common backyard of 3333 and 3329 Q Street, N.W. - from rear looking to Q street with stairwell on left leading to underground garage on right
- Exhibit 1-H** September 28, 2012 email from Permit Holder to Appellant forwarding demolition and construction plan for Retaining Wall and Fence/Wall
- Exhibit 1-I** Sheet A3.0d, "Proposed East Elevation (View of Site Wall from Neighbor's Property)", dated August 12, 2014 submitted for CFA and DCRA review for 2014 Permit

Exhibit W-1

CFA September 18, 2014 approval of Permit Holder's 2014 Permit application for Retaining
Wall and Fence/Wall

*[replacement for mistaken submission of another copy of **Exhibit V**, CFA July 17, 2014
rejection]*

OG 14-296

HPA NUMBER:

HPA 14-575

LOCATION:

3329 Q Street, NW
Washington, DC

PROPERTY:

Residence

DESCRIPTION:

Fence and wall - existing

REVIEW TYPE:

Permit

Recommendation

The Commission regrets that the fence/wall along east property line was constructed without review. No objection to issuance of permit for mahogany fence and wall with stone veneer at west and stucco at east which varies from approximately 3'-1 1/2" to 6'-10 1/2" tall per drawings dated 15 August 2014. Note: Any subsequent modifications to the approved design, including those made during DCRA technical review, must be re-submitted to the Commission for approval prior to issuance of permit.

Exhibit 1-A

Photograph of Appellant's back yard facing Permit Holder's property showing the pre-existing retaining wall with fence above - looking toward Q Street, N.W.



Exhibit 1-B

Photograph of Appellant's back yard facing Permit Holder's property showing the pre-existing retaining wall with fence above - looking toward rear property line



Exhibit 1-C

October 26, 2012 email from Sean Glass, the Permit Holder to Appellant,
with attached Sheet A3.0d, "Proposed East Elevation (View of Site Wall from Neighbors [*sic*]
Property)", dated October 1, 2012

Tondro, Maximilian

Subject: FW: FW: Glass-New Retaining Wall Scheme
Attachments: Glass-121017-ELEV-Revised Retaining Wall.pdf

----- Forwarded message -----

From: **Sean Glass** <seanpglass@gmail.com>
Date: Fri, Oct 26, 2012 at 3:27 PM
Subject: Fwd: FW: Glass-New Retaining Wall Scheme
To: "pminshall@washcapllc.com" <pminshall@washcapllc.com>, rmg@robertgurneyarchitect.com>, Steven McCaughan <stevecbd@yahoo.com>, Mateusz Dzierzanowski <Mateusz@robertgurneyarchitect.com>

Peter,

Please see attached. This is the current design and Kellee and I have reviewed and are on board with it.

I'll speak to you at 4 pm. Thank you for setting up the dial in.

Sean

----- Forwarded message -----

From: **Robert Gurney**
Date: Thursday, October 25, 2012
Subject: FW: Glass-New Retaining Wall Scheme
To: "Sean Glass (seanpglass@gmail.com)" <seanpglass@gmail.com>
Cc: Mateusz Dzierzanowski <Mateusz@robertgurneyarchitect.com>

Hi Sean,

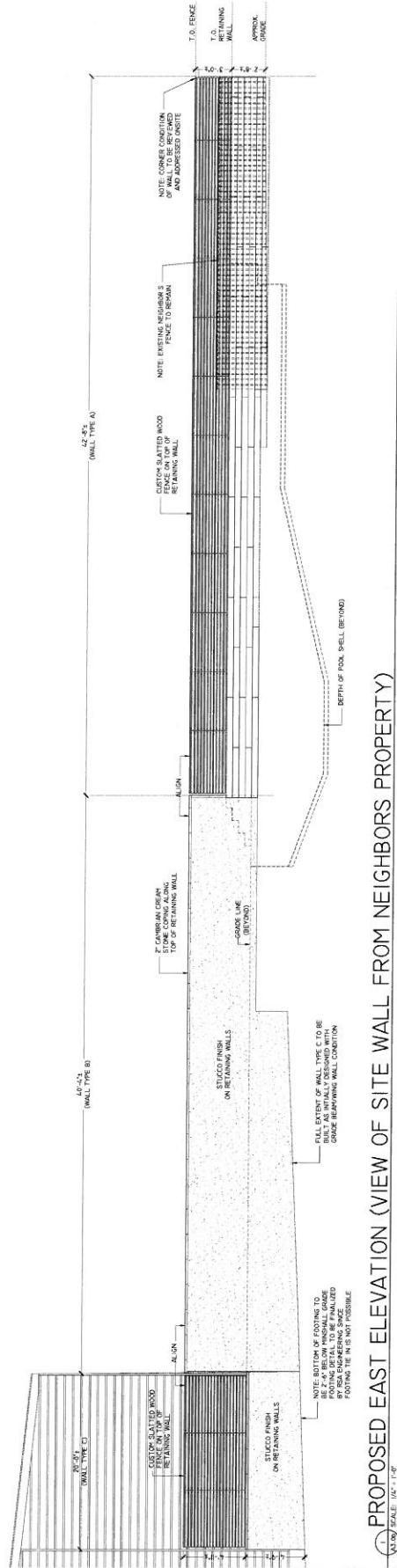
Attached please find the revised scheme for the retaining wall located on your property, between 3329 and the Minshall property. Based on a visual survey of what is existing on the Minshall Property (Diana was kind enough to allow access), I revised the design so that it will be able to be constructed much faster and in a way that is the least disruptive to the Minshall's. The new scheme involves considerably less concrete work and excavation at the rear of the Minshall property and best insures the least disruption of the existing vegetation. The vast majority of the wall at the rear of the property is now proposed to be built with timbers, similar to what now exists. These require no footings; only tiebacks that will go into your property. The wall closest to 3329 is proposed to be concrete CMU and stucco and will take the place of the existing retaining wall.

Please take a look at the drawing and let me know if you have any questions.

I think this current proposal would be a huge asset to both properties, both structurally and visually.

I am happy to meet with Mr. Minshall and answer any questions he might have.

Thanks, Bob



PROPOSED EAST ELEVATION (VIEW OF SITE WALL FROM NEIGHBORS PROPERTY)

SCALF: $1/L^2 = 1'-6''$