

18 May 2015

TO: Charles Thomas

FR: Alan Gambrell

RE: Request to hold BZA hearing on May 19, 2015

MEMO ORIGINALLY SENT MAY 18, 2015, 3:14 PM

Appellants respectfully request that BZA deny the request for a continuation. The revised plans do not alter the basis for our case.

POINT 1

The revised plans clearly denote the existing finished grade as basement perimeter as follows.

A0201.2

Rear Grade: 7'6" to 7'9"

A0201.2

Front Grade: 4'2" per, I quote from plan text:

"Existing grade per DCRA's measurement 4'2"

POINT 2

The proposed retaining wall (a planter) at the rear of the property does not exist. As such, it cannot, by any logical measure, change the existing finished grade.

POINT 3

The proposed retaining wall (planter) would be embedded within the exterior wall and would therefore have not impact on the grade, existing or proposed.

POINT 4

The exterior wall is a structural masonry wall. As such, it seems infeasible to recess this portion of the wall for purposes of embedding a retaining wall/planter.

POINT 5

The proposed retaining wall disregards the 11-199.1 definition of "retaining wall" in that the structure fails to serve to "resist the lateral displacement of soil or other materials." The so-called wall would be embedded within an existing structural wall.

POINT 6

A further delay in this case will allow continuation of construction, which the owner developer is pursuing aggressively as witnessed by neighbors. Given DCRA's determination of a problem with the permit and an intention to revoke the permit, a Stop Work Order should be issued, immediately, while our case proceeds as scheduled May 19, 9:30am.