

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

Appeal of Advisory Neighborhood Commission 4C

BZA Appeal 19067

DCRA'S SUBMISSION OF APPROVED PLANS

In accordance with the ruling by the Board of Zoning Adjustment (the “**Board**”) to leave the record open for the submission of the approved plans for Building Permit No. B1505734 (the “**May Permit**”) as evidence of which specific pages the Zoning Administrator (the “**ZA**”) reviewed and approved in determining that the May Permit complied with the Zoning Regulations, the Department of Consumer and Regulatory Affairs (“**DCRA**”) hereby submits to the record the full set of plans approved for the May Permit (the “**May Approved Plans**”).

Questions raised as to the review of this set of plans, occasioned by the Appellant’s reliance upon draft plans rather than approved plans, should be resolved by the attached documents, as:

- The ZA only reviewed and approved pages A1, A4, and A6, (in addition to the Approved Plat, BZA Exhibit 51C) as indicated by his stamp and date on each of these pages and no other page. Pages A4 and A6 of the May Approved Plans show that the existing porch was to be removed, which was the basis for the ZA’s determination that the May Approved Plans complied with the Zoning Regulations’ lot occupancy requirements.
- Those pages not stamped by the ZA were neither reviewed nor approved by the ZA because those pages establish compliance with the Building Code, not the Zoning Regulations, and therefore were only reviewed and approved by the relevant authorities.
- Page C1 was not reviewed or approved by the ZA, who determined the lot occupancy of this project on the basis of the properly-scaled Approved Plat (BZA Exhibit 51C). Page C1, entitled Erosion and Sediment Control Plan, was required for the review and approval of the District Department of the Environment (“**DDOE**”).
- The location of the building envelope in the May Permit plans is identical to that in the clarified plans approved for Building Permit No. B1600488 (the “**October Permit**”). The clarifications corrected labeling errors and omissions, but did not change the size of the building or the measurements used by the ZA to determine compliance with the

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Zoning Regulations – namely the Approved Plat as supplemented by pages A1, A4, and A6.

- The May Approved Plans did not permit the retention of the existing porch. In the event that the permit holder built the project and retained the porch, it would have exceeded the scope of the permit and been subject to enforcement action. Nevertheless, out of an abundance of caution, DCRA required the permit holder to apply for the October Permit on the basis of the clarified plans, to ensure that the exact set of plans prepared to provide clarity for the Board's review are those to which the permit holder is bound in constructing the project.

Respectfully submitted,
CHARLES THOMAS
General Counsel
Department of Consumer and Regulatory Affairs

Date: 12/31/15



Derek Hora*
Attorney-Advisor Fellow

Maximilian L. S. Tondro**
Assistant General Counsel, Office of General Counsel
Department of Consumer and Regulatory Affairs
1100 4th Street, S.W., Suite 5266
Washington, D.C. 20024

(202) 442-8511 (office) / (202) 442-9477 (fax)

(202) 442-8403 (office) / (202) 442-9477 (fax)

derek.hora@dc.gov

maximilian.tondro@dc.gov

Attorney for Department of Consumer and Regulatory Affairs

* Admitted to practice in Virginia. Practicing in the District of Columbia pursuant to D.C. Court of Appeals Rule 49(c)(4).

** Admitted to practice in Maryland. Practicing in the District of Columbia pursuant to D.C. Court of Appeals Rule 49(c)(4).

Attachment A

Approved Plans for Building Permit B1505734 (May Permit) Part 1

*Attached as a separate .pdf file

Attachment B

Approved Plans for Building Permit B1505734 (May Permit) Part 2

*Attached as a separate .pdf file

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December 2015, a copy of the foregoing DCRA's Submission of Approved Plans was served via electronic mail to:

Lyn Abrams
1119 Allison St., NW
Washington, D.C. 20011
lynster3@gmail.com
Representative for Appellant ANC 4C

Taalib-Din A. Uqdah
Advisory Neighborhood Commission ANC-4C
1373 Jefferson Street NW
Washington, D.C. 20011
4C01@anc.dc.gov

Marty P. Sullivan
Sullivan & Barros, LLP
1990 M Street, N.W., Suite 200
Washington, D.C. 20036
msullivan@sullivanbarros.com
Attorney for Permit Holder

Elisa M. Irwin, Single Member Advisory
Neighborhood Commissioner ANC-4C03
1500 Varnum Street NW
Washington, D.C. 20011
4C03@anc.dc.gov

Andy Wible
Concerned Citizens of Allison & Buchanan
Streets
6100 Nebraska Ave., N.W.
Washington, D.C. 20015
andy.wible@gmail.com
Representative for Intervenor



Derek Hora