

Exhibit A
Letter of Authorization from ANC1C dated December 3, 2015



Advisory Neighborhood Commission 1C

PO Box 21009, NW, Washington, DC 20009

www.anc1c.org

Representing Adams Morgan

Commissioners:

Julie Seiwel (1C01)

Hector Huevo (1C02)

Ted Guthrie (1C03)

Gabriela Mossi (1C04)

Alan Gambrell (1C05)

Billy Simpson (1C06)

Wilson Reynolds (1C07)

JonMarc Buffa (1C08)

December 3, 2015

Monique Heath, Chair
Board of Zoning Adjustment
441 4th Street NW, Suite 200-S
Washington, DC 20001

Re: 1835 Ontario Place NW

Dear Chair Heath:

At a duly noticed public meeting held December 2, 2015, with a quorum present, ANC 1C passed the attached resolution by a vote of 7-0 authorizing ANC 1C to file a BZA appeal for DCRA permits issued as of October 22, 2015 on 1835 Ontario Place, NW.

Sincerely,

Billy Simpson
Chair, Advisory Neighborhood Commission 1C

**ANC1C Resolution
BZA Appeal of Permits for 1835 Ontario Place NW
December 2, 2015**

ANC 1C has unanimously passed several resolutions in support of enforcement of current zoning regulations and building codes that are specifically raised in the permits issued or planned for issuance for 2910 and 2920 18th Street, NW, including:

- Support for compliance with R-5-B regulations governing GFA, FAR, lot occupancy, means of egress, structural building requirements, and parking requirements. In addition, the resolution calls for an administrative review of the performance of DCRA in terms of its building permit and building code compliance enforcement (ANC1C Resolution to Direct Improvements in DCRA Administration of Zoning Regulations passed 7-0 on March 4, 2015).
- Support for filing of BZA 18980 and the ANC1C's position that of compliance with current zoning regulations was essential, with specific reference to FAR and GFA rules (see ANC1C Resolution to Support BZA Appeal 18980 by Argonne Place Residents, passed 6-0 on April 1, 2015).
- Support for enforcement of DCMR parking regulations, with specific attention to adhering to requirements for 1 space for every 2 units, minimum size requirements of 9' x 19', and relief from such requirements to be only in exceptional circumstances and be a matter for the BZA to resolve (ANC1C Resolution on Parking, passed 7-0 on May 6, 2015).

The DC Zoning Administrator went on the record in an April 2, 2015 email stating that a conversion to a four-unit dwelling must first demonstrate the presence of two 9' x 19' regulation parking spaces or BZA relief from this requirement and that, absent such, DCRA cannot approve a permit.

The property located at 1835 Ontario Place NW has the following parking characteristics:

- A garage has long been located at the rear of the property, as evidenced by an historic map.
- A garage exists at the rear of the property, as evidenced by photographic evidence and documentation from neighbors that the garage previously and recently served as a parking space.
- The rear yard in which the garage is located is capable of accommodating one 9' x 19' regulation parking space, with and without the garage.

The property located at 1835 Ontario Place NW has the following building characteristics:

- The grade at the front of the property is less than 4' from adjacent finished grade to the lower level ceiling (cellar dimension).
- The grade at the rear of the property is more than 4' from adjacent finished grade to the lower level ceiling (basement dimension).

DCRA stated in an October 21, 2015 permit (B1502005, zoning approved 10/21/15 and issued 10/22/15):

- Award of one parking credit and the requirement to provide only one parking space, with a determination by the DCRA Zoning Administrator that the previous rear accessory structure determined to be a shed not a garage therefore no parkign [sic] was previously provided”
- Permission to install a “rear wall 2'-2" in height at rear of structure to create a fully enclosed cellar (max. height from finished grade to top of finished ceiling -- 3'-10").”

ANC1C and neighbors of Ontario Place NW believe that DCRA erred in:

- Awarding a parking credit given clear evidence that a parking garage (not a shed) exists at this location;
- Granting permission to convert a single family residence to 4 units with only one parking space, contrary to Title 11 parking regulations.
- Allowing a “retaining wall” to serve as a new adjacent finished grade, which is contrary to the clear meaning of adjacent finished grade as reflected in the zoning regulations and DCRA precedent.
- Permitting a “retaining wall” that is proposed to exist as a raised grade, in front of a window well at the lower level, posing an egress hazard.

Therefore, ANC 1C is authorized to file an ANC appeal of permits for 1835 Ontario Place, NW, issued as of October 22, 2015.

Furthermore, be it resolved that filing and representation may be carried out by any Commissioner on ANC 1C and expert designees.

Finally, ANC1C authorizes any ANC1C Commissioner to speak before the BZA on this BZA case:

Exhibit B
DCRA
Property Information Verification System
CAMA

[Residents](#) | [Business](#) | [Government](#) | [Visitors](#) | [Education](#) | [Jobs](#) | [Online Services](#) | [Mayor](#)[DC Home](#) > [DCRA Home](#)

Property Information Verification System

Property Information by Exact Address

Address: 1835 ONTARIO PL NW
Zip Code: [Zip Lookup](#)
SSL: 2584 0818
Cluster: Cluster 1
Ward: Ward 1
ANC: ANC 1C
SMD: SMD 1C04
Census Tract: 003900
Zone: *

- * Check the [Zoning map](#) for recent changes.
- * Check the [Zoning orders](#) for recent changes.

Find Property By: ☒ Exact Address ☐ SSL			
St. No.*	St. Name*	St. Suffix	Quad
2448	18TH	Street	NW
Find			
St. No. Suffix			
1/2	DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS		

Printer-friendly Reports >>

[Links >> Google Street View](#) [Google Address Search](#) [Track Building Permit Status](#)
[Real Property Data](#) [Bing Aerial View](#) [Go to Maps](#)

Restrictions & Holds

Issued Permits

Maps

Photo

Owners

CAMA

Residential Cases

Commercial Inspections

Occupancy

BBL

Disclaimer:
This application was created for DCRA from a variety of agency and non-agency data sources. It is not a legal document. Data may need to be cross-referenced to the original source system. Information provided by other agencies should be verified with them where appropriate.

CAMA : No. of Records = 1

Show records per page : 10

<u>Address</u>	<u>SSL #</u>	<u>Building #</u>	<u>Complex #</u>	<u>Unit #</u>	<u>Units</u>	<u>Actual Year Built</u>	<u>Show Detail</u>
1835 ONTARIO PL NW	2584 0818	1			0	1910	Show Detail

Material :

Style : 2 Story

Gba : 3344

External Wall : Common Brick

Wall Height :

Roof : Buil

Bath Rooms : 2

Half Baths : 1

Heating Type : Hot

AC : N

Internal Wall : Hardwood

Rooms : 6

Bed Rooms : 3

Kitchens : 1

Fireplaces : 0

Year Remodeled :

Eyb : 1957

Stories : 2

[\[x\] close](#)

Exhibit C
BAIST Map from 1919

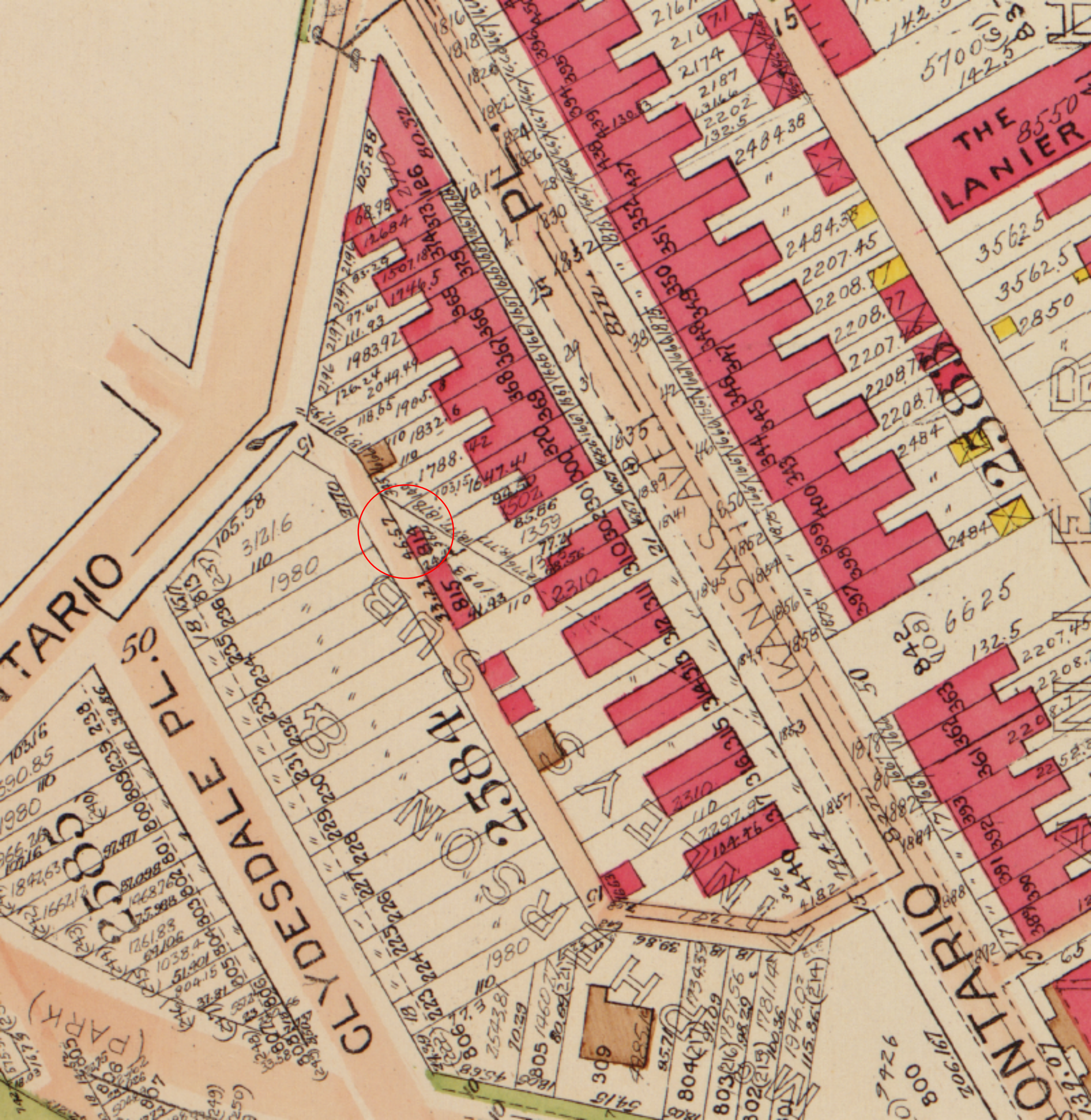


Exhibit D

**Letter from Robert Corcoran to DCRA Director Melinda Bolling dated November
9, 2015**

9 November 2015

Ms. Melinda Bolling

Director

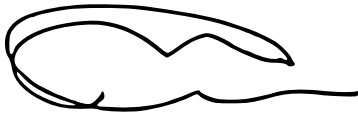
District of Columbia Government Consumer and Regulatory Affairs

Ms. Bolling:

This letter is to verify that I parked in the single car garage at the rear of the property at 1835 Ontario Place NW from June 1985 to mid 2014.

I originally spoke to the owner, Mr. Eulis Saunders Sr., about renting the garage in 1977, but I had to wait until 1985 until the previous renter of the garage vacated the garage.

If you have any questions or require clarifications, please contact me.

A handwritten signature in black ink, appearing to read 'Robert Corcoran', with a stylized, flowing script.

Robert Corcoran

1848 Ontario Place NW

Washington DC 20009

202.368.8888

Exhibit E

**Letter and Notarized Affidavit from Bryce Jacobs to DCRA Director Melinda
Bolling dated December 14, 2015**

December 14, 2015

Ms. Melinda Bolling

Director

District of Columbia Department of Consumer and Regulatory Affairs

Re: Garage at 1835 Ontario PI NW

Ms. Bolling:

This letter is to verify that I, and my husband, Matthew Mayers, are the owners of 1833 Ontario Place NW with rear alley access less than 30 feet to the east of the subject structure at the rear of 1835 Ontario Place NW. I have owned 1833 Ontario Place NW since 2004, and in that time, the structure at the rear of 1835 Ontario Place NW has been used exclusively as a garage and rented by Robert Corcoran, who lives across the street on Ontario Place NW.

During the past 11 years that I have lived at this current address, I witnessed Mr. Corcoran parking his car in the garage many many times until the death of Mr. Saunders (previous owner of 1835 Ontario Place NW). In fact, the night we moved into the house, I met Mr. Corcoran as he was parking in the structure as we were moving boxes.

Please contact me directly should you have additional questions. I will testify in person and on the record as to these facts should that be necessary.

Thank you,

A handwritten signature in black ink, appearing to read 'Bryce Jacobs', followed by a long horizontal line extending to the right.

Bryce Jacobs

1833 Ontario Place NW

Washington DC 20009

Cell: 202-905-3012

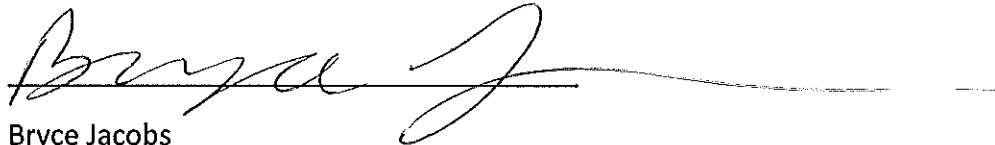
Email: bryceajacobs@gmail.com

Affidavit

The undersigned hereby certifies under penalties of perjury as of the date hereof:

1. I, and my husband, Matthew Mayers, are the owners of 1833 Ontario Place NW with rear alley access less than 30 feet to the east of the subject structure at the rear of 1835 Ontario Place NW. We have owned 1833 Ontario Place NW since 2004.
2. Since 2004, the structure at the rear of 1835 Ontario Place NW has been used exclusively as a garage and rented, to my knowledge, by Robert Corcoran, who also lives on Ontario Place NW for one or more of his automobiles.
3. Since 2004, I have directly witnessed Mr. Corcoran parking in the garage on an ongoing basis until approximately 2014.

Dated: December 14, 2015



Bryce Jacobs

1833 Ontario Place NW

Washington DC 20009

Cell: 202-905-3012

Email: bryceajacobs@gmail.com

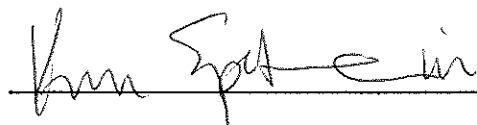
DISTRICT OF COLUMBIA

ACKNOWLEDGEMENT:

The undersigned, a notary public for the District of Columbia hereby certifies that Bryce Jacobs, personally appeared before me this day and acknowledged the due execution of the foregoing Affidavit.

WITNESS my hand and official seal this 14 day of December, 2015.



 (Seal)

Signature of Notary Public

My Commission Expires: 02/14/2019

Exhibit F

**Letter and Notarized Affidavit from Richard J. Hamilton III to DCRA Director
Melinda Bolling dated December 10, 2015**

December 9, 2015

Ms. Melinda Bolling

Director

District of Columbia Department of Consumer and Regulatory Affairs

Re: Garage at 1835 Ontario Place NW

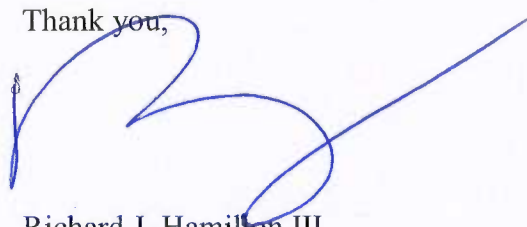
Ms. Bolling:

This letter is to verify that I am the owner of 1831 Ontario Place NW with rear alley access less than 30 feet to the east of the subject structure at the rear of 1835 Ontario Place NW. I have owned 1831 Ontario Place NW since 2007, and in that time, the structure at the rear of 1835 Ontario Place NW has been used exclusively as a garage and rented by Robert Corcoran, also an Ontario Place neighbor.

Based on my conversations with Mr. Corcoran, he had rented the garage for more than a decade prior to 2007 (although I am uncertain when his rental commenced), and I witnessed Mr. Corcoran parking his car in the garage many, many times from 2007 until approximately 2014, coinciding with the death of Mr. Saunders (the then-owner of 1835 Ontario Place NW). At one point, in approximately 2012 or 2013, the garage was demolished and rebuilt, but Mr. Corcoran continued to rent the garage both before and after the demolition and reconstruction.

Please contact me directly should you have any questions. I will testify in person and on the record as to these facts should that be necessary.

Thank you,



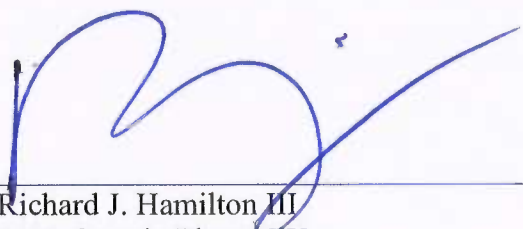
Richard J. Hamilton III
1831 Ontario Place NW
Washington, DC 20009
Mobile: (301) 346-6042
Email: rjhamilton3@gmail.com

AFFIDAVIT

The undersigned hereby certifies under penalties of perjury as of the date hereof:

1. I am the owner of 1831 Ontario Place NW with rear alley access less than 30 feet to the east of the subject structure at the rear of 1835 Ontario Place NW. I have owned 1831 Ontario Place NW since 2007.
2. Since 2007, the structure at the rear of 1835 Ontario Place NW has been used exclusively as a garage and rented, to my knowledge, by Robert Corcoran, residing, to my knowledge, at 1835 Ontario Place NW, for parking one or more of his automobiles.
3. Based on my direct conversations with Mr. Corcoran, he rented the garage for a significant period of time prior to 2007.
4. On multiple occasions on an ongoing and continuous basis from 2007 until approximately 2014, I witnessed Mr. Corcoran parking one or more of his automobiles in the garage.
5. At one point, in approximately 2012 or 2013, the garage was demolished and rebuilt, but, to my knowledge, Mr. Corcoran continued to rent the garage both before and after the demolition and reconstruction.

Dated: December 10, 2015



Richard J. Hamilton III
1831 Ontario Place NW
Washington, DC 20009
Mobile: (301) 346-6042
Email: rjhamilton3@gmail.com

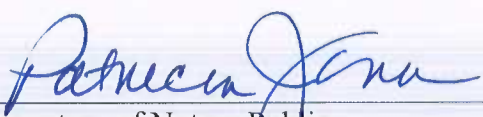
DISTRICT OF COLUMBIA)

ACKNOWLEDGMENT:

The undersigned, a notary public for the District of Columbia hereby certifies that Richard J. Hamilton III, personally appeared before me this day and acknowledged the due execution of the foregoing Affidavit.

WITNESS my hand and official seal this 10th day of December, 2015.



 (SEAL)
Signature of Notary Public

My Commission Expires: January 14, 2019

Exhibit G
Building Permit B1412558, issued 10/02/2014
DDOE 0100



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: 10/02/2014

PERMIT NO. B1412558

Expiration Date: 10/02/2015

Address of Project: 1835 ONTARIO PL NW		Zone:	Ward: 1	Square: 2584	Suffix:	Lot: 0818
Description Of Work: Interior Demolition of Single Family Home. All load bearing walls to remain. Repair existing slab						
Permission Is Hereby Granted To: 1835 Ontario Place Llc		Owner Address: 1835 ONTARIO PLACE NW 20009		PERMIT FEE: \$384.45		
Permit Type: Alteration and Repair	Existing Use: Single Family		Proposed Use: Single Family		Plans: Yes	
Agent Name: Kc Price	Agent Address: 1766 Florida Ave, Nw 20009	Existing Dwell Units: 1	Proposed Dwell Units: 1	No. of Stories: 2	Floor(s) Involved: All	
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 Stacie Williams				
TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1839 FOR CONSTRUCTION INSPECTION INQUIRIES CALL (202) 442-9557 TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442-9557.						

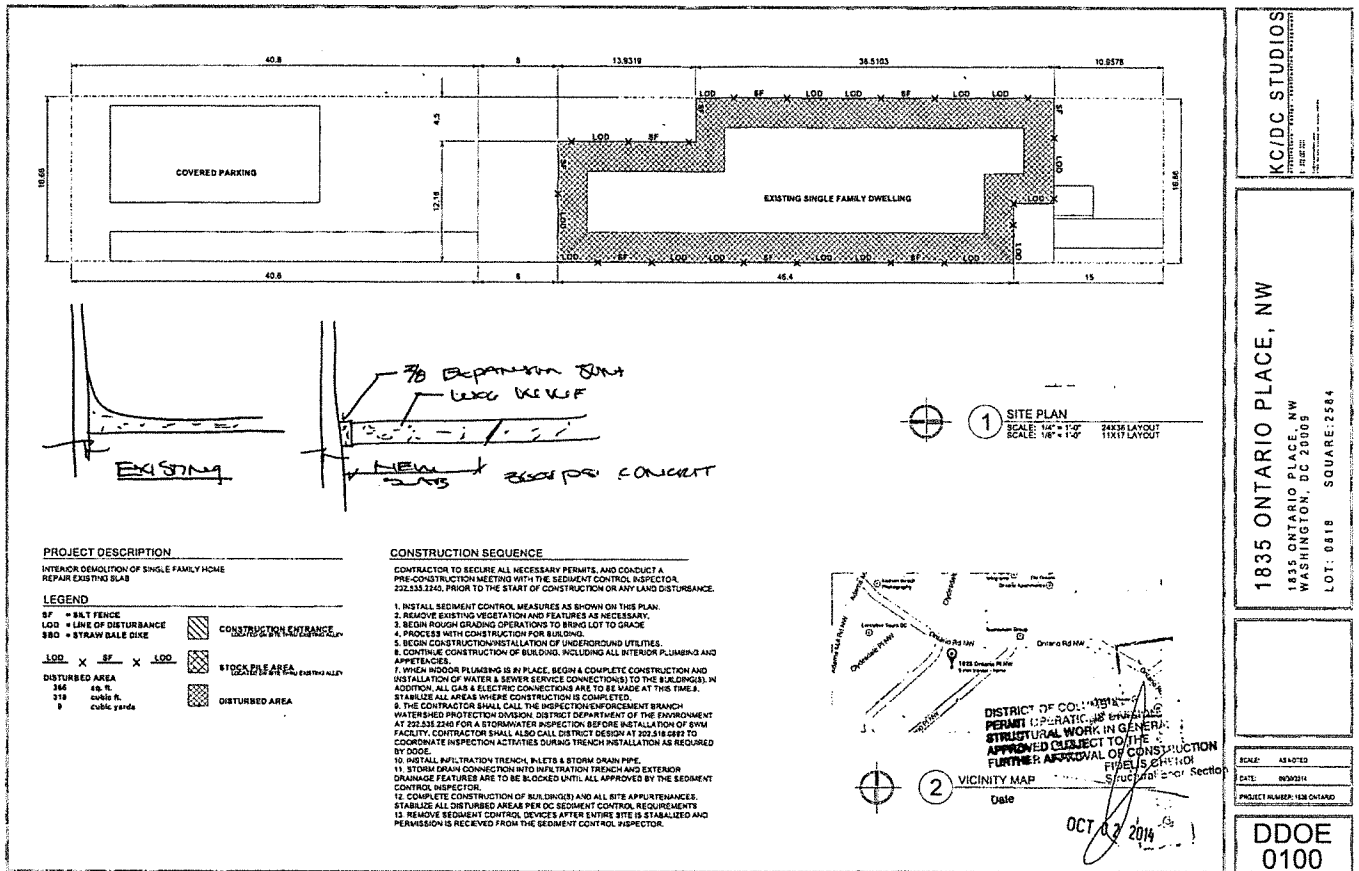


Exhibit H
Stop Work Order dated November 20, 2015

GOVERNMENT OF THE DISTRICT OF COLUMBIA



DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS
 Inspections & Compliance Administration
 1100 4th Street, SW – Fourth Floor
 Washington, DC 20024

STOP WORK ORDER

1835 ONTARIO PL NW

(Address)

You are hereby ordered to IMMEDIATELY STOP all work at this building or structure.

- ☒ You are performing work that violates the Construction Code:
☐ You are performing work in an unsafe and dangerous manner:

Code Section (s)	Violation (s)	What You Must Do to Correct the Violation (s)
11DCMR 207.1	- FAILURE TO PROVIDE TWO PARKING SPACES FOR A PROPOSED 4-UNIT APARTMENT BUILDING	- CONTACT DC ZONING OFFICE MATT LEGRANT 202-442-4570

Do NOT work at this address until you:

- ☒ Correct the violation(s)
☐ Pay the fine amount
☐ Obtain and post the required permit(s)
☐ Electrical ☐ Plumbing ☐ Construction ☐ Boiler ☐ Fire ☐ Elevator ☐ Other _____
☒ Receive approval from the Code Official to remove the Stop Work Order.

WARNING

Unauthorized removal of a posted Stop Work Order is a Construction Code violation, subject to penalties and injunctive relief under DC Official Code §6-1406 and §6-1407 and 12A DCMR §114.3.

A Stop Work Order for illegal construction under 12A DCMR §113.7 and §114.6 requires you to stop all work at the building or structure, whether or not the work requires building permits.

It is a Stop Work Order violation for an owner or agent to enter the site for any reason without the Code Official's approval. (The Building Official may allow temporary access to ensure the property's security and safety, under 12A DCMR §114.6.1.)

Anyone who continues any work in or around a structure posted with a Stop Work Order – except to do work that the Building Official approves to remove a violation or unsafe condition – is subject to penalties and injunctive relief under DC Official Code §6-1406 and 12A DCMR §105.8 and 12A DCMR §114.10.

RIGHT TO APPEAL

You have the right to appeal this Order to the Reviewing Official (Rabbiah Sabbakhan, Chief Building Code Official, Inspections and Compliance Administration) within 15 days of its posting, under 12A DCMR §114.11.1. You may call the Reviewing Official at (202) 442-7867. You may obtain a Stop Work Order Appeal Request Form at the address above or at dcra.dc.gov. If the Reviewing Official denies your appeal or takes no action within 10 working days of receiving it, you may appeal to the DC Office of Administrative Hearings (OAH). You may deliver your written request for a hearing to OAH at 441 4th Street, NW, Suite 1040S, Washington, DC 20002 or mail it to PO Box 77718, Washington, DC 20013-8713.

Signature of Issuing Official

Date

11/30/15

Time

2:15 PM

Badge Number

2048

Phone Number

202-442-7867