

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

Appeal of ANC 1C

BZA Appeal 19242

---

**DCRA'S MOTION TO DISMISS APPEAL AS MOOT**

Respondent, the District of Columbia Department of Consumer and Regulatory Affairs (“DCRA”), hereby informs the Board of Zoning Adjustment (“Board”) that the Permit Holder has surrendered building permit B1412288 (the “Permit”) to DCRA and rescinded all rights under the Permit, as shown in Attachment A. DCRA has therefore cancelled the Permit in its permitting system, as well as the two revisions (B1601746 and B1602713, “Revision 1” and “Revision 2” respectively) to the Permit, as shown in Attachment B.

Since Revision 2 was the subject of this appeal, DCRA respectfully requests that the Board dismiss this appeal as moot, as Revision 2 has been cancelled.

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

Date: May 23, 2016

  
Maximilian L. S. Tondro (D.C. Bar 1031033)  
Assistant General Counsel, Office of General Counsel  
Department of Consumer and Regulatory Affairs  
1100 4<sup>th</sup> Street, S.W., Suite 5266  
Washington, D.C. 20024  
(202) 442-8403 (office) / (202) 442-9477 (fax)  
[maximilian.tondro@dc.gov](mailto:maximilian.tondro@dc.gov)  
*Attorney for Department of Consumer and Regulatory Affairs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>rd</sup> day of May 2016, a copy of the foregoing Motion to Dismiss Appeal as Moot was served via electronic mail to:

Alan Gambrell, Single Member Advisory  
Neighborhood Commissioner, ANC-1C05  
1648 Argonne Place, N.W.  
Washington, D.C. 20009  
[1C05@anc.dc.gov](mailto:1C05@anc.dc.gov)  
*Appellant*

Samantha Mazo  
Griffin, Murphy, Moldenhauer & Wiggins, LLP  
1912 Sunderland Place, N.W.  
Washington, D.C. 20036  
[smazo@washlaw.com](mailto:smazo@washlaw.com)  
*Attorney for Permit Holder*

Ted Guthrie, Chairperson,  
Advisory Neighborhood Commission, ANC-  
1C  
1849 Kalorama Road, N.W., Apt. 2  
Washington, D.C. 20009  
[1C@anc.dc.gov](mailto:1C@anc.dc.gov) / [1C03@anc.dc.gov](mailto:1C03@anc.dc.gov)

Gabriela Mossi, Single Member Advisory  
Neighborhood Commissioner, ANC-1C04  
2853 Ontario Road, N.W.  
Washington, D.C. 20009  
[1C04@anc.dc.gov](mailto:1C04@anc.dc.gov)

A handwritten signature in black ink, appearing to read "Maximilian L.S. Tondro", written over a horizontal line.

Maximilian L.S. Tondro

# **Attachment A**

Surrender and relinquishment of all rights under the 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: 07/20/2015

PERMIT NO. **B1412288**

Expiration Date: 07/20/2016

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                |                                                   |                               |                           |                              |              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------|-------------------------------|---------------------------|------------------------------|--------------|
| Address of Project:<br>1828 ONTARIO PL NW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                | Zone:<br>R-5-B                                    | Ward:<br>1                    | Square:<br>2583           | Suffix:                      | Lot:<br>0438 |
| Description Of Work:<br>2 story addition and underpinning of structure including full meps fixtures, finishes, and fittings and sprinkler system.<br>Change of use from SFD to 4 unit apartment building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                |                                                   |                               |                           |                              |              |
| Permission Is Hereby Granted To:<br>1828 Ontario Place Llc                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                | Owner/Address:<br>1828 ONTARIO PLACE, NW<br>20009 |                               | PERMIT FEE:<br>\$2,411.45 |                              |              |
| Permit Type:<br>Addition Alteration Repair                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Existing Use:<br>Single Family | Proposed Use:<br>Multifamily (> 2 units)          |                               |                           | Plans:<br>Yes                |              |
| Agent Name:<br>Kc Price, Jasmine Ohi Kc/Dc<br>studios, Ohi Engineering<br>Group                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Agent Address:<br>20009        | Existing Dwell<br>Units:<br>1                     | Proposed Dwell<br>Units:<br>4 | No. of Stories:<br>4      | Floor(s)<br>Involved:<br>All |              |
| Conditions/ Restrictions:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                |                                                   |                               |                           |                              |              |
| Wall Test Required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                |                                                   |                               |                           |                              |              |
| <p>This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year.</p> <p>All Construction Done According To The Current Building Codes And Zoning Regulations;</p> <p>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.</p> <p><b>Lead Paint Abatement</b></p> <p>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 <a href="http://ddoe.dc.gov">http://ddoe.dc.gov</a>, Lead and Healthy Housing.</p> |                                |                                                   |                               |                           |                              |              |
| Interim Director:<br>Melinda Bolling                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                | Permit Clerk<br>Rashad Jackson                    |                               |                           |                              |              |
| TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1639<br>OR CONSTRUCTION INSPECTION INQUIRIES CALL (202) 442-9557<br>O SCHEDULE INSPECTIONS PLEASE CALL (202) 442-9557.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                |                                                   |                               |                           |                              |              |



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
PERMIT OPERATIONS DIVISION

**LETTER OF CANCELLATION OF PERMIT OR CERTIFICATE OF OCCUPANCY**

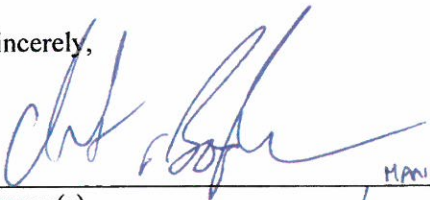
DATE: 5/12/16

Attn: **Gary Englebert, Director,**  
**Permit Operation Division**

I / We 1828 ONTARIO PLACE LLC hereby attest and certify that I am / we are the legal owners of the property located at 1828 ONTARIO PL NW, Washington, D.C. \_\_\_\_\_ (the "Property"), identified as Lot 438 in Square 2583, and that I am / we are the current holders of a building permit number 61412238 (the "Permit") or certificate of occupancy \_\_\_\_\_ (the "Certificate") for the Property.

I / We hereby surrender the Permit / Certificate for the Property and declare that I / we hereby irrevocably surrender any and all rights to construct or occupy that were authorized under the Permit / Certificate. I / We recognize and agree that by signing and submitting this Letter of Cancellation the Permit / Certificate is cancelled and rendered void and that no action may be performed under its auspices.

Sincerely,

  
Owner(s) \_\_\_\_\_, MANAGING MEMBER

5272 RIVER ROAD STE 400  
Address BETHESDA, MD 20816

301-913-9013 cb66dmy@baldanbuilders.com  
Phone and Email

Helene Swanson  
Notary Public

**My Commission Expires**  
**November 16, 2018**

HELENE M. SWANSON  
Notary Public  
Frederick County  
Maryland

# **Attachment B**

DCRA Property Information Verification System (PIVS) entry for the Property (May 23, 2016)



Residents | Business | Government | Visitors | Education | Jobs | Online Services | Mayor

[DC Home](#) > [DCRA Home](#)

## Property Information Verification System

### Property Information by Exact Address

Address: 1828 ONTARIO PL NW  
 Zip Code: [Zip Lookup](#)  
 SSL: 2583 0438  
 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   |
|                                     |           |            |      |
| 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](#)

**ATTENTION** - Please see below for conditions on this property.

>> PIVS found Property Conditions on this property. Please see below for details.

| Restrictions & Holds                                                                                                                                                                                                                                                                                     | Issued Permits : No. of Records = 6      |      |           |            |                                         |             |                 |             | Show records per page : 10                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|------|-----------|------------|-----------------------------------------|-------------|-----------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Issued Permits                                                                                                                                                                                                                                                                                           | Address                                  | Unit | SSL       | ID         | Type                                    | Date Issued | Status          | Status Date | Detailed Description                                                                                                                                                                                                                                                                                        |
| Maps                                                                                                                                                                                                                                                                                                     | 1828 ONTARIO PL NW, Washington, DC 20009 |      | 2583 0438 | B1412288   | Construction/Addition Alteration Repair | 2015/07/20  | Permit Canceled | 2016/05/13  | 2 story addition and underpinning of structure including full mps fixtures, finishes, and fittings and sprinkler system. Change of use from SFD to 4 unit apartment building.                                                                                                                               |
| Photo                                                                                                                                                                                                                                                                                                    | 1828 ONTARIO PL NW, Washington, DC 20009 |      | 2583 0438 | B1601746   | Construction/Alteration and Repair      | 2015/11/16  | Permit Canceled | 2016/05/13  | Revisions to prior parking layout - shown on Sheet A0100 - based on measurements of walls of pre-1958 detached garage, which were found to be 15ft-8in by 18ft, allowing for only one, noncompliant parking space of 9ft x 18ft in size. The revised parking layout plan retains the existing, noncompliant |
| Owners                                                                                                                                                                                                                                                                                                   | 1828 ONTARIO PL NW, Washington, DC 20009 |      | 2583 0438 | B1602713   | Construction/Alteration and Repair      | 2015/12/11  | Permit Canceled | 2016/05/13  | Revision to Building Permit B1412288 and B1601746 to remove 1 brick wythe from each side of garage party wall, install p.t. ledger board at top of garage wall with 2x10 p.t. framing at 24 inches o.c.                                                                                                     |
| CAMA                                                                                                                                                                                                                                                                                                     | 1828 ONTARIO PL NW, WASHINGTON, DC 20009 |      | 2583 0438 | P1601383   | Supplemental/Plumbing and Gas           | 2015/11/16  | Permit Canceled | 2016/05/13  |                                                                                                                                                                                                                                                                                                             |
| Residential Cases                                                                                                                                                                                                                                                                                        | 1828 ONTARIO PL NW, Washington, DC 20009 |      | 2583 0438 | B1412557   | Construction/Alteration and Repair      | 2014/10/02  | Permit Issued   | 2014/10/02  | Interior Demolition of Existing Single Family Home. All load bearing walls to be remain. Repair existing slab                                                                                                                                                                                               |
| Commercial Inspections                                                                                                                                                                                                                                                                                   | 1828 ONTARIO PL NW, WASHINGTON, DC 20009 |      | 2583 0438 | PC90120060 | Post Card/Gas Fitting                   | 2013/05/21  | Completed       | 2013/05/21  | Replacement of not more than 1 gas appliance, on a residential, commercial or industrial project.                                                                                                                                                                                                           |
| Occupancy                                                                                                                                                                                                                                                                                                |                                          |      |           |            |                                         |             |                 |             |                                                                                                                                                                                                                                                                                                             |
| BBL                                                                                                                                                                                                                                                                                                      |                                          |      |           |            |                                         |             |                 |             |                                                                                                                                                                                                                                                                                                             |
| <b>Disclaimer:</b><br>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. |                                          |      |           |            |                                         |             |                 |             |                                                                                                                                                                                                                                                                                                             |

| District News                               | Information Centers                        | Community                         | About DC                            | Contact Us                               |
|---------------------------------------------|--------------------------------------------|-----------------------------------|-------------------------------------|------------------------------------------|
| <a href="#">Mayor's Public Schedule</a>     | <a href="#">72hours Emergency Planning</a> | <a href="#">Citywide Calendar</a> | <a href="#">Mayor's Office</a>      | <a href="#">Call 311</a>                 |
| <a href="#">Citywide News</a>               | <a href="#">Business</a>                   | <a href="#">Great Streets</a>     | <a href="#">Agency Directory</a>    | <a href="#">Contact the Mayor</a>        |
| <a href="#">Subscribe to Receive Emails</a> | <a href="#">Consumer Protection</a>        | <a href="#">DC Jobs</a>           | <a href="#">Budget</a>              | <a href="#">Contact Agency Directors</a> |
| <a href="#">Subscribe to Text Alerts</a>    | <a href="#">Education</a>                  | <a href="#">DC Procurement</a>    | <a href="#">Emancipation</a>        | <a href="#">Send Feedback</a>            |
| <a href="#">Online Chats</a>                | <a href="#">Health</a>                     | <a href="#">Green DC</a>          | <a href="#">Consumer Protection</a> | <a href="#">Grade DC</a>                 |
| <a href="#">DC.Gov Social Networks</a>      | <a href="#">Social Services</a>            | <a href="#">DC One Card</a>       | <a href="#">Contracts</a>           | <a href="#">Submit Service Requests</a>  |
| <a href="#">Connect DC</a>                  | <a href="#">Residents</a>                  | <a href="#">Age-Friendly DC</a>   | <a href="#">Property Quest</a>      | <a href="#">Make FOIA Requests</a>       |
| <a href="#">Government Closures</a>         | <a href="#">Visitors</a>                   | <a href="#">One City Youth</a>    | <a href="#">Open DC</a>             | <a href="#">Report a Website Problem</a> |
|                                             |                                            |                                   | <a href="#">Sustainability DC</a>   |                                          |

[Accessibility](#) | [About DC.Gov](#) | [Privacy & Security](#) | [Terms & Conditions](#)

