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October 20, 2003

RECEIVED
D.C. OFFICE OF ZONING
2003 OCT 20 PM 3:54

BY HAND
Mr. Geoffrey Griffis
Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Room 210
Washington, DC 20001

Re: Appeal of Henry Sailer, *et al*
3101 Chain Bridge Road
Our File No. 091868.00001

Dear Mr. Griffis:

Enclosed you will find twenty (20) copies of the testimony of Judith H. Lanius on behalf of the Chain Bridge Road/University Terrace Preservation Committee. Ms. Lanius intends on making a brief oral statement as a person in support of the Appeal at the October 21, 2003 hearing. A copy of the enclosed will be provided to the Appellants and property owner at the hearing.

Thank you for your attention to this matter.

Sincerely,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

Richard B. Nettler
Jeannine Rustad Zigner

Enclosures (as stated)

Word 45650428.1

BZA
Case No. 17054
Exhibit No. 29

Board of Zoning Adjustment
District of Columbia
CASE NO. 17054
EXHIBIT NO. 29

D.C. RECEIVED
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Testimony of Judith H. Lanius, Former Chair
Chain Bridge Road/University Terrace Preservation Committee at the
Board of Zoning Adjustment Hearing for 3101 Chain Bridge Road (the "Property)
BZA Appeal No. 17054
October 21, 2003

Chairman Griffis and Members of the Commission,

My name is Judith Lanius. I am the immediate past Chair of the Chain Bridge Road/University Terrace Preservation Committee (the "Committee"), which represents the households within the Chain Bridge Road/University Terrace Tree and Slope Overlay District. Other members of the Preservation Committee I would like to recognize are Arthur Watson and Carlton Stoiber, both Vice-Presidents, Peter Hapstak, Treasurer, and Bill Barnard, Len Baxt and Luther Carter.

1. Purpose of This Statement

We are filing this Statement to convey the community's grave concern about the serious Overlay violations that have occurred at 3101 Chain Bridge Road and to urge the Board to take forceful action to remedy these violations. The Committee has expended considerable time, effort and money over several months to enforce the Overlay at this site but has received virtually no cooperation from the developer, Brian Logan, or the DC Government's Department of Consumer and Regulatory Affairs ("DCRA"). We need the support of this Board to convey a clear and unequivocal message that the Overlay protections are essential to the well being of our neighborhood and violations will not be tolerated.

As we will show below, the unfortunate events at 3101 Chain Bridge Road are part of an overall pattern of disregard of the Overlay requirements by developers working in our neighborhood and, even more troubling, non-responsiveness and indifference by the DC Government. DCRA's repeated failure to implement the Overlay is disheartening, as the Committee has always been proactive in contacting city officials to obtain their support and guidance regarding impending land transactions

and residential demolition within the Overlay District. During the last three years, our frustrating experience with the Overlay has exposed us to systemic problems within DCRA which have greatly undermined the effectiveness of regulations put in place to protect our neighborhood and preserve the quality of life in our city.

To provide an overall context for the Board, I would like to provide a brief history of the Overlay and describe other violations that have occurred in our neighborhood. I will then turn to a chronology of the events in this case and explain why the Committee believes that Overlay Violations at 3101 Chain Bridge Road require a forceful response by BZA.

2. Adoption of the Overlay.

Our neighborhood is unique in the District of Columbia. It is hilly and heavily wooded, has curved streets and limited sidewalks, and abuts Battery Kemble Park, a historic 56-acre site belonging to the National Park Service. In 1997, faced with the imminent threat of uncontrolled development that could destroy the character of our neighborhood, the citizens of Chain Bridge Road and University Terrace formed the Committee to develop a zoning overlay that would protect the neighborhood's unique rustic features.

To quote from Zoning Commission Order No. 863, Case No. 97-6:

> The stated purposes of the proposed overlay are to protect and preserve the natural topography, mature trees, stream beds, and natural vegetation in the neighborhood... [it is also] intended to preserve the park-like setting of the area by regulating alterations or disturbances of terrain, destruction of trees, coverage with impervious surfaces, and for providing for widely spaced residences.

This was a major neighborhood initiative of two years, requiring thousands of hours of collective effort, and thousands of dollars in legal fees and other expenses. But we had overwhelming support including the strong endorsement of the Office of Planning and ANC3D. In June 1999, the Zoning Commission adopted the Overlay.

3. Committee's Efforts to Enforce the Overlay

Since its adoption in June 1999, the Committee has worked tirelessly to see that the provisions of the Overlay are followed and enforced. In light of the surging development that continues in our neighborhood, this has been a very challenging task. Although DCRA has the responsibility and resources to enforce the Overlay, its permitting branch has been routinely misinformed – and perhaps deliberately manipulated by developers seeking building permits. The combination of DCRA's lack of diligence and the tactics of developers has resulted in the wrongful issuance of permits that allow Overlay violations to occur. These permits must then be challenged by seeking stop work orders from DCRA and ultimately appealing to this Board. These expenditures of time and money by Overlay residents would not have been necessary had DCRA been doing its job *before* permits were issued.

4. Previous Overlay Violations

In addition to the instant matter, there have been two (2) prior instances of major Overlay infractions between November 2000 and February 2003.

(i). Arizona Avenue – BZA Application No. 16740.

The first violation concerned 2989 Arizona Avenue. In November 2000, the owner of the Arizona Avenue property, Jacobsen Builders, similar to the instant property owner, clear-cut a heavily forested lot of mature trees, acting on what it claimed was a valid permit. A reasonable estimate was that no less than fifty to sixty (50-60) trees of diverse sizes and varieties had been removed. As in the instant case, the unauthorized tree removal was needed to construct a house of a size and design that was not consistent with our neighborhood, sympathetic to the environment or, most importantly, in compliance with the Zoning Regulations.

DCRA did not review Jacobsen's permit application to determine that it was in the Overlay District and therefore failed to ask what, if any, trees could be removed. Although Jacobsen had been made aware of the restrictions of the Overlay, he never informed DCRA that its project was subject to

them and provided no information regarding the many covered trees on the lot, let alone a formal tree inventory. Jacobsen's permit was routinely issued.

The community obtained a stop work order almost immediately after notifying DCRA of the Overlay violations. Jacobsen then submitted an application for a special exception to the BZA, so that he could proceed with construction notwithstanding the Overlay violations. The community was forced to hire an attorney and spend thousands of dollars to ensure that Jacobsen was held accountable by opposing his application. On the date of the hearing on BZA Application No. 16740, the owner, faced with overwhelming opposition, withdrew his case.

Over two years later, the stop work order and permit remain in place, although the Committee unsuccessfully petitioned DCRA to rescind the construction permit so that the site could be secured from further erosion. On October 8, 2002, our attorneys wrote David Clark, Director of DCRA, requesting that he revoke the permit, since almost two years had passed without the start of construction. Mr. Clark never responded to this correspondence. In a subsequent meeting on November 11, 2002, also referred to below, Teresa Lewis, Deputy Director of DCRA, agreed it was appropriate to revoke the permit but never did so.

ii. Murphy Property -- 2762 & 2800 Chain Bridge Road; Square 1425, Lots 814, 822 and 827.

The second violation involves 2762 & 2800 Chain Bridge Road (the "Murphy Property"), a uniquely wooded four-acre site with the DC Landmark Chain Bridge Road School and one single-family home.

Mr. Morton Bender purchased the Murphy Property in early 2002 in order to construct several houses. The Committee took immediate action to notify Mr. Bender of the Overlay. Additionally, by letter dated April 3, 2002, the Committee requested a meeting with DCRA to discuss the many protected trees on this unique property. Such a meeting was held on June 6, 2002, more than 2 months after the request. As a result of that meeting, it was the Committee's understanding that no permits would be issued before a completed tree inventory was on record. On August 2002,

however, the Committee learned that Mr. Bender was issued a permit to locate and cap off existing utility lines on the properties, a step requiring major trenching near protected trees. On August 20, 2002, Mr. Bender excavated the properties, causing potentially irreparable damage to at least two (2) mature protected trees in violation of the Overlay. In obtaining the permit for this work, he never informed the City that he was working proximate to two protected large trees, and DCRA did not verify the accurateness and/or completeness of information provided by the developer. After the August 2002 incident at 2762 Chain Bridge Road, a meeting was held on November 11, 2002, at DCRA with Robert Kelly, Zoning Administrator, Denzil Noble, Deputy Administrator, and Teresa Lewis, Deputy Director, during which Ms. Lewis promised to implement corrective actions that included instituting a new procedure within DCRA that no demolition permit of any type, including demolition or construction permits, could be issued without a completed tree inventory. Despite these promises, which were welcomed by the Committee, and notwithstanding follow-up letters and phone calls, Ms. Lewis never followed through in implementing these requirements

4. Overlay Violations at 3101 Chain Bridge Road

(i) Removal of the Protected Tree and Issuance of the Stop Work Order

On Saturday, February 8, 2003, the house at 3101 Chain Bridge Road was demolished by the Brian Logan Development Company. During the demolition, a protected tree at least 90" in circumference with a 15' root system was removed. To fell the tree, the workers first attempted to use a saw. When that effort proved fruitless, the tree was bulldozed, upending the tree and its root system. Upon learning of the removal of a protected tree on the Property, the Committee immediately asked Frido van Kesteren, a certified arborist, to inspect the tree, which he did on February 10, 2003. Mr. van Kesteren, a witness in this case, concluded that the tree was healthy and its roots were intact. (Mr. van Kesteren confirmed these findings in a letter dated April 29). The Committee immediately contacted DCRA by telephone and emails to alert it to the destruction of a protected tree. On February 10, 2003, I received an email from former Zoning Administrator Bob Kelly indicating that the developers "do not have permission to remove the tree in question" and "we are in the process of issuing a stop work order." A stop work order was issued for the property on February 11, 2003.

The next day, I received a further e-mail from Mr. Kelly stating that:

> Mr. Logan submitted a tree affidavit and was issued a permit based on the information supplied. With information supplied by you and after an inspection this office issued a stop work order notice. Work will not proceed until the overlay requirements are complied with. Mr. Logan has the right to appeal the decision to stop work, to the Administrator of BLRA. I guess the point I am trying to make is BLRA required Mr. Logan to comply with the overlay, yet the contractor cut down a tree greater that what was approved by the tree affidavit form submitted with the permit application. We will be allowing the site contractor to complete surface water/erosion control measures while the stop work is in place to prevent erosion damage to the National Parks below. [Signed] Bob Kelly.

(ii) The Permit History for 3101 Chain Bridge Road

On February 12, the Committee's counsel followed up with a letter to DCRA (a copy of which is attached as **Exhibit 1**) describing the permit history of the property based on our review of DCRA files. As stated in the letter, on May 10, 2001, nearly two years before the tree was removed, Mr. Logan filed an application for the "removal of trees from my residence – survey of trees to be removed attached." The application listed the zoning of the Property as "UT/CH/TSP/R1A." Although the applicant stated that he was including a survey of trees to be removed, there was no tree inventory for the Property attached to the application. In fact, the "survey" was an affidavit indicating that a 15" Spruce, 16" Oak and 30" Oak were to be removed. To justify the removal of the trees, a letter from an arborist was attached. The letter addressed the condition of a 31" pin oak located at the "back/right side of the house, close to the property line." While acknowledging that "the trunk is straight and apparently free from structural defects," the letter speculates that the tree had suffered major damage because, when the neighbor "construct[ed] a new driveway", the roots were cut.

The testimony offered by appellants in this case undermines the credibility of these claims. In fact, as stated by Mr. Logan's immediate neighbor Arthur Levy, there was no "construction of a new driveway." Instead, the existing driveway was repaved (a very different proposition). Moreover, an arborist, Mr. van Kesteren, will testify that it is perfectly clear that the tree's roots were not cut. Mr.

van Kesteren appears to be the only expert witness who ever saw the roots with his own eyes, after the tree was bulldozed over and uprooted. The intact roots were photographed at that time (a copy of which is attached as **Exhibit 2**). Ironically, the felling of the tree simultaneously uprooted a portion of the neighbor's driveway, sufficient to make the driveway impassable, hardly a testimonial to the alleged previous cutting of the roots beneath the driveway by the neighbor.

The letter from Mr. Logan's arborist also claims that the tree suffered from a condition called Bacterial Leaf Scorch. The experts on both sides appear to agree that this condition can be established unequivocally only by laboratory tests. Logan's arborist states in his January 2001 letter that he had sent a sample of twigs to a laboratory for this purpose. Remarkably, however, appellants have been advised that no testing ever took place – that it was canceled by the property owner. Thus, the claim of Bacterial Leaf Scorch is not only contradicted by appellants' aborist (who most recently inspected the tree) but Mr. Logan chose not to obtain the data needed to substantiate it.

Why is it that DCRA did not examine the justification for removing the protected tree until *after* the tree was removed, nearly two years later? One explanation may be that the application of the Overlay was never acknowledged by Logan himself or identified by DCRA despite the issuance of several permits relating to the property. Building Permit No. B432497 was issued on August 8, 2001. Erroneously, the permit lists the zoning of the Property as R-1-A, omitting the Overlay. On November 27, 2001, the owner filed an application for a building permit to construct a new single family home on the Property. The zoning is again listed as R-1-A, without mention of the Overlay and no tree inventory was provided to help determine whether the proposed structure would require the removal of protected trees. Despite these misrepresentations and deficiencies, on January 29, 2003, Permit No. B448548 was issued. The zoning on the permit was again listed as R-1-A.

On August 5, 2002, the owner of the Property filed an application to renew Permit No. B432497 through February 8, 2003. Permit No. B447750 was issued extending the authorization under Permit No. B432497 through February 8, 2003. Both the application and permit list the zoning of the Property as R-1-A.

On February 5, 2003, with only three (3) days left to commence work pursuant to Permit No. B447750, the owner filed an application for an emergency raze permit for the improvements on the Property. The application misrepresented the zoning of the Property as R-1-B. Without any justification, the owner claimed that the structure was "unsafe." Disturbingly, while 12A D.C.M.R. § 119.2 requires that an inspector examine unsafe/dangerous buildings and file a report, there was no reference to such a report in the application. Moreover, the structure reported to be unsafe had been inhabited not more than a year before. Given the quality of homes in this area and the diligence of residents in monitoring the community, it is highly unlikely that an unsafe structure would have gone unnoticed, let alone unreported. What is even more suspicious is that the "emergency" demolition permit was requested with only three (3) days left on the tree removal permit (Permit No. B432497), suggesting that Mr. Logan's goal was to begin demolition and tree removal without providing a current arborist's report on the condition of protected trees. This fact should have alerted DCRA to the need to examine Mr. Logan's compliance with the Overlay more closely. Instead, on the same day of the application, DCRA issued Permit No. B448687.

(iii) Resumption of Construction at the Property

Following issuance of the stop work order, the Committee made persistent efforts to meet with DCRA management to discuss follow-up actions. A meeting finally occurred with Mr. Kelly on March 11. Mr. Kelly acknowledged that the stop work order was still in effect and indicated that the Property Owner would need to seek relief from the BZA to proceed with construction. Mr. Kelly also indicated that he was corresponding (in writing) with the Property owner but refused to share such correspondence with the Committee.

Mr. Kelly resigned in mid-March 2003. Despite the lack of any notice that the stop-work order had been lifted, construction recommenced at the Property in early April. Needless to say, the Committee was surprised and dismayed by this development. Inquiries to Mr. Noble and Ms. Lewis to explain the resumption of construction went unanswered. Subsequently, we filed a FOIA request with DCRA, seeking all correspondence and documentation relating to the release of the stop work order. After two weeks, all that was produced was a Permit Center – Stop Work & Property Holds

Notices print-out (a copy of which is attached as **Exhibit 3**) which provided no information about the Property. Through happenstance, our counsel learned from the permit reviewer and Mr. Noble that the stop work order was orally released but the date of this release was uncertain and the justification undocumented.

(iv) The Committee's June 25 Meeting with DCRA

In the absence of satisfactory answers from DCRA, the Committee's counsel wrote to Mr. Clark,, Ms. Lewis and Mr. Noble on June 17, 2003 (**Exhibit 4**) seeking: (1) a meeting to be attended by the addressees regarding the Property, as well as enforcement of the Overlay by DCRA in general; (2) written clarification of (a) whether the stop-work order for the Property has been released and, if so, (b) how and when it was released and if such release was in accordance with the rules and regulations governing DCRA; and (3) immediate action to enforce the stop work order if it was not lawfully released. The requested meeting was finally held with DCRA on June 25, 2003. At the meeting, DCRA agreed to turn over its entire file on the Property. A copy of the file was prepared that very day for release to the community. It was only at that point that we learned that the stop work order had been lifted as of March 21 in response to a request from Mr. Logan's counsel. This was at roughly the same time that we were being assured by Mr. Kelly that Mr. Logan would be pursuing his remedies with the BZA; thus, in reality, DCRA had been surreptitiously negotiating with Mr. Logan while allowing the community to believe that the stop work order would remain in effect.

At the June 25 meeting and through follow-up e-mails and telephone discussions, the Committee argued to DCRA that Mr. van Kesteren's recent report that the removed tree was healthy should be given weight over the arborist's letter obtained by Mr. Logan over two years earlier. Despite the incomplete and speculative nature of Mr. Logan's arborist's letter and the uncertainty over whether it even applied to the removed tree at all, DCRA would not reexamine its decision to lift the stop work order, leaving the community no recourse other than pursuing its appeal to BZA. Remarkably, while Mr. Logan's counsel has challenged that appeal as untimely, appellants in fact filed their notice of appeal on June 1, 2003, *before* DCRA informed the Committee of its decision not to enforce the stop

work order.

(v) Newly Discovered Evidence of Egregious Overlay Violations

Between filing of their notice of appeal and the filing of the issues to be decided, appellants worked closely with the Committee in tracking down the necessary information to complete the appeal. DCRA was unresponsive to requests to make available full size construction plans for the property that might help appellants develop their case. However, in September, 2003, appellants were able to obtain a set of these documents from Logan directly that allowed a more accurate calculation and assessment of impervious surface coverage, clearly demonstrating a significant violation of this Overlay regulation. Upon review of the drawings, on September 15, 2003, the appellants promptly amended their statement of issues, as appropriate and necessary from the construction documents.

That the Property owner has gone to great lengths to conceal the true nature of his development and the extent of the violations to the Overlay is evidenced by more recent availability in early October 2003 of a topographic and boundary survey, again made available by Logan after efforts with DCRA proved fruitless. These documents show that Logan has removed a minimum of forty (40%) of the total circumference of regulated trees on his property, and as much as eighty-two percent (82%), if one includes all fatally damaged and structurally compromised trees that will either die as a result of the damage or pose a hazard and require removal. (*See* **Exhibit 5.**) The Overlay limit on all such activities is twenty-five percent (25%). None of this activity was done with permits and was entirely unknown to the Committee or appellants until the availability of the topographic site survey and even more recently obtained "tree conservation plan" recently released by DCRA last week (October 17, 2003) after repeated efforts which inventories all of the trees before construction began on the site. The documents consist of full-size construction documents, including a topographic site plan with tree inventory , the "tree conservation plan", which also matches the earlier mentioned Logan affidavit attached to his letter of May 10, 2001. (See preceding p. 6)

The violation is now obvious: Logan had fifteen (15) regulated trees. (*See* **Exhibit 5.**) He removed three (3) with a permit. Of the remaining twelve (12) trees, ten (10) have either been removed or

irreparably damaged by construction activity – all without permits. (*See* **Exhibit 5.**) Regarding the irreparably damaged trees, the appellants' consulting arborist has advised them that the root systems of these trees have been so compromised by ongoing construction activity that they will either die or require removal due to loss of structural integrity causing them to become hazardous. This constitutes fatal damage, which is equivalent to removal in the regulations. That leaves two (2) potentially viable trees out of the original fifteen (15). Clearly, violations of the Overlay have been numerous and egregious.

5. Need for the BZA to Take Forceful Action Against Violators of the Overlay.

As the above history illustrates, DCRA has consistently and repeatedly failed to enforce the Overlay not only in connection with this Property but at other sites in the neighborhood. Clearly, the environment of every neighborhood in the City continues to remain at risk as long as DCRA turns a blind eye to Overlay violations and remains an unresponsive and dysfunctional agency.

The following is a summary of the problems with DCRA with respect to the Overlay:

> DCRA has failed adequately to record the Overlay on zoning maps, making it next to impossible for city employees and other interested parties to determine Overlay perimeters.
>
> DCRA has failed to properly train its employees to review building permit applications for Overlay applicability or compliance.
>
> Despite repeated promises in meetings, DCRA has failed to adequately enforce the Overlay, in effect washing its hands and leaving that job to local neighbors. At times, the Building and Land Regulations Administration of DCRA, has appeared to work against the concerns of neighbors and Overlay supporters, while advancing the interests of developers.
>
> City employees are not trained to evaluate arboreal issues, which form the basis of a Tree and Slope Overlay District. For instance, DCRA does not understand the need for tree inventories and tree conservation plans before any permits can be issued on a site in an Overlay District where trees are potentially at risk. DCRA inspectors have allowed regulated trees to remain inadequately protected before and during construction so that after construction is completed

the protected trees die. It has approved the removal of protected trees without a prior site inspection.

Given these deep and intractable problems, BZA must use this case to send a strong message to DCRA and developers like Mr. Logan that enforcement of the Overlay is imperative and violations will not be tolerated.

6. The Appropriate Remedy in This Case

The Overlay was drafted in accordance with the Tree and Slope Protection Overlay ("TSP"), which was intended to include "a number of individual overlay zone districts that may be established and mapped from time to time, consistent with the general provisions of [the TSP]." 11 D.C.M.R. § 1511.2. The criteria for special exceptions are identical between the TSP and the Overlay and, when the Overlay was adopted, it was intended that the seven year restriction set forth in Section 1514.1(f) would apply to the Overlay. Specifically, Section 1514(f) provides that:

> Where removal or cutting [of] trees has occurred that would be prohibited by this section if a building permit were contemporaneously applied for, no building permit shall be issued for a period of seven (7) years from such removal or cutting unless a special exception is granted by the Board of Zoning Adjustment pursuant to § 1515.

It is clear that the Overlay only provides for the filing of an application for a special exception after tree removal when such removal was performed "prior to the effective date of [the Overlay]". 11 D.C.M.R. § 1568.3. Since this provision does not apply here, the owner is banned from developing the Property and the permits for the Property must be revoked.

In conclusion, we respectfully request that the Board grant the instant appeal, revoke the permits with respect to the Property, require the owner to remove all improvements and to permanently protect the Property from erosion and, lastly, impose a seven (7) year moratorium on the development of the Property.

We appreciate this opportunity to present our views to the Board.

ROBINS, KAPLAN, MILLER & CIRESI LLP

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February 13, 2003

HAND DELIVERED
Ms. Teresa Lewis
Deputy Director/Chief of Staff
Department of Consumer & Regulatory Affairs
941 North Capitol Street, N.W.
Washington, D.C. 20002

Re: Chain Bridge Road/University Terrace Overlay
(11 D.C.M.R. 1565 *et seq.*) (the "Overlay")
Violation of Overlay -- 3101 Chain Bridge Road,
Lot 870, Square 1427 (the "Property")

Dear Ms. Lewis:

As you have been made aware from our telephone calls and emails, on Saturday, February 8, 2003, demolition of the improvements at the Property commenced. In the process of this demolition, a protected tree under the Overlay was taken down. Our investigation reveals that in order to remove the protected tree, the workers first attempted to use a saw. When that effort proved fruitless, the tree was bulldozed, upending the tree and its root system. A certified arborist has verified that the tree was healthy.

As illustrated below, this event demonstrates the efforts that property owners will go to circumvent the provisions of the Overlay and, more troubling, is yet another example of the District's continuing inability to enforce the provisions of the Overlay. Because of the ongoing concerns of the Chain Bridge Road/University Terrace Preservation Committee (the "Committee"), we request a meeting with you to discuss this matter, as well as the general matter of enforcement of the Overlay. By a copy of this letter, we are requesting that David Clark, Denzil Noble and Robert Kelly attend this important meeting as well. If possible, please also arrange to have the appropriate person from the Tree Maintenance Division of DDOT attend this meeting.

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1. Permit History for the Property.

On May 10, 2001, the owner of the Property filed an application for the "removal of trees from my residence – survey of trees to be removed attached." The application lists the zoning of the Property as "UT/CH/TSP/R1A". Although the applicant states that it is including a survey of trees to be removed, there is no tree inventory for the Property attached to the application. In fact, the "survey" is an affidavit indicating that a 15" Spruce, 16" Oak and 30" Oak will be removed. As for the certification by an arborist justifying the removal of the trees, a letter from an arborist is attached. The letter address the condition of a 31" pin oak located at the "back/right side of the house, close to the property line." Building Permit No. B432497 was issued on August 8, 2001. Erroneously, the permit lists the zoning of the Property as R-1-A, omitting the Overlay. A copy of the application and permit are attached as Exhibit 1 hereto.

On November 27, 2001, the owner filed an application for a building permit to construct a new single family home on the Property. This application contains several misrepresentations. First, the zoning is again listed as R-1-A, without mention of the Overlay. Second, with regard to the existing use of the Property, the owner states the Property use as "Lot" and indicates that there are no improvements to the Property. Finally, without the tree inventory, it is impossible to determine whether the proposed structure will require the removal of protected trees. Despite these misrepresentations and deficiencies, on January 29, 2003, Permit No. B448548 was issued. This permit was issued without DCRA requiring the requisite tree inventory. Moreover, the zoning on the permit was again listed as R-1-A. A copy of the application and permit are attached as Exhibit 3 hereto.

On August 5, 2002, the owner of the Property filed an application to renew Permit No. B432497 through February 8, 2003. Permit No. B447750 was issued extending the authorization under Permit No. B432497 through *February 8, 2003*. Both the application and permit list the zoning of the Property as R-1-A. A copy of the application and permit are attached as Exhibit 2 hereto.

On February 5, 2002, with only three (3) days left to commence work pursuant to Permit No. B447750, the owner filed an application for an emergency raze permit for the improvements on the Property. Without any justification, the owner claimed that the structure is "unsafe". Contrary to this misrepresentation, the only justification for the "emergency" is clearly that the tree removal permit was about to expire. On this application, the owner misrepresents the zoning of the Property as R-1-B. Additionally, no tree inventory was submitted with the application.[1] On the *same day* of the application, DCRA issued Permit No. B448687.

[1] At our meeting with you on November 7, 2002, you stated that, starting the following Tuesday, the filing of an application for any permit, including a demolition permit, would trigger the requirement for a tree inventory for properties within a tree/slope overlay. Despite our repeated efforts to ascertain whether this was indeed done to date we have not indications changes where made to the permitting process.

The circumstances of the issuance of Permit No. B448687 are suspicious. First, 12A D.C.M.R. § 119.2 requires that an inspector examine unsafe/dangerous buildings and file a report regarding the same. However, there is no reference of such a report in the application. Moreover, upon information and belief, the structure reported to be unsafe was inhabited not more than a year ago. Given the quality of homes in this area and the diligence of the community in monitoring the community, it is highly unlikely that an unsafe structure would have gone unnoticed, let alone unreported. What is more suspicious is that the "emergency" demolition permit was requested with only three (3) days left on the tree removal permit (Permit No. B432497), a fact that was lost on DCRA.

2. Response to the Reported Violation and Enforcement of the Overlay.

Upon discovery of the removal of the protected tree, on Monday February 10, immediate action was taken by both Committee members and the undersigned counsel to notify the District of the violation, to request a stop-work order, as well as to seek enforcement of the Overlay. Although unable to reach you or Mr. Noble personally, voicemail and email messages were left for both of you. Additionally, I placed a call to the general number provided on your voicemail. Although the person with whom I spoke, Beverly Waldon, was extremely helpful, I was informed by her that DCRA does not handle complaints regarding removal of protected trees in violation of the Overlay. This statement, as well as the repeated failure of DCRA staff to either note that the Property was within the Overlay or to require an tree inventory, makes it clear that staff at DCRA has not been adequately trained regarding the provisions of the Overlay and its enforcement.

Mr. Robert Kelly did find that the tree was, indeed, protected and a stop-work order was issued late on Monday, February 10, 2003. However, with regard to the next action to be taken, it appears to be the position of DCRA that the appropriate remedy against the Property owner is the imposition of a fine. Such action is not only entirely inadequate, it is not the remedy provided for by the zoning regulations, which requires a seven (7) year moratorium on development of a Property where there has been a removal of protected trees. *See* 11 D.C.M.R. § 1514.1(f).

The Overlay was drafted in accordance with the Tree and Slope Protection Overlay ("TSP"), which was intended to include "a number of individual overlay zone districts that may be established and mapped from time to time, consistent with the general provisions of [the TSP]." 11 D.C.M.R. § 1511.2. The criteria for special exceptions are identical between the TSP and the Overlay and, when the Overlay was adopted, it was intended that the seven year restriction set forth in Section 1514.1(f) would apply to the Overlay. Specifically, Section 1514(f) provides that:

> Where removal or cutting [of] trees has occurred that would be prohibited by this section if a building permit were contemporaneously applied for, no building permit shall be issued for a period of seven (7) years from such removal or cutting unless a special exception is granted by the Board of Zoning Adjustment pursuant to § 1515.

It is clear that the Overlay only provides for the filing of an application for a special exception after tree removal when such removal was performed "prior to the effective date of [the Overlay]". 11 D.C.M.R. § 1568.3. Thus, the Property owner is banned from developing the Property and Permit No. B448687 must be revoked.

3. Ineffectiveness of the District in Enforcing the Overlay.

This is not the first occasion where the District has been unable to provide adequate protection to ensure that the provisions of the Overlay are enforced. In fact, this is the third violation brought to the attention of DCRA by the Committee. As you can well imagine, this pattern is extremely disturbing to the Committee. To avoid further, irreparable damage to the Overlay area, as well as necessary action against the District for its failure to enforce the Overlay, several areas need to be addressed immediately by DCRA.

First, adequate training needs to be provided to DCRA staff in both the permit intake/review department, as well as the complaint department. DCRA failed to note the correct zoning on each of the permits in question for the Property and, consequently, failed to require a tree inventory, thus demonstrating extreme negligence on the part of DCRA.

Second, DCRA must require tree inventories for all permit applications for demolition, tree removal and building permits within the Overlay. Plans for new construction should be required to illustrate the location of the protected trees in relation to the proposed structure(s). This is especially important in cases such as the instant one where a property owner applies for various permits in a piecemeal fashion, thus concealing the true extent of the affect of the work to be carried out on the property.

Finally, DCRA must enforce the provisions of the Overlay to the full extent. In the instant matter, this requires imposing the seven (7) year moratorium on development of the Property, not merely imposing a fine. Given the construction costs for this Property, the imposition of a fine is nothing more than an inconvenience to the owner and insufficient to repair the damage he has caused.

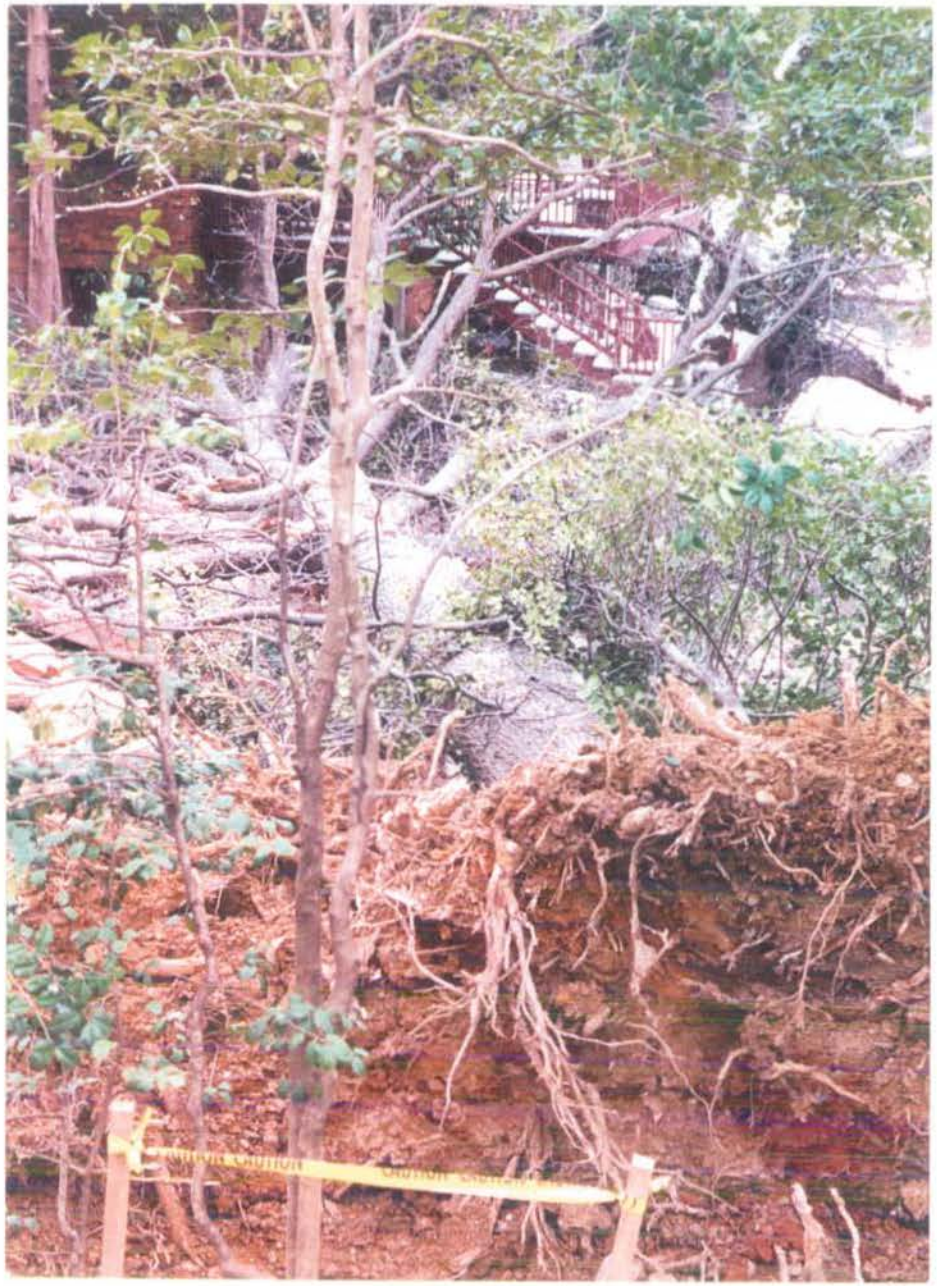
As these matters need immediate action on the part of DCRA, we request a meeting with you within the next week. Available dates and times are Wednesday and Thursday all day until 4:00 p.m. However, if these dates and times do not work for you, we will accommodate your schedule. Please call me by the close of business Friday with the two acceptable dates and times for this meeting.

Sincerely,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

Richard B. Nettler
Jeannine Rustad Zigner

cc: Judith H. Lanius, Chair,
Chain Bridge Road/University Terrace Preservation Committee (by hand; w/encl.)
Mr. David Clark (by hand; w/encl.)
Mr. Denzil Noble (by hand; w/encl.)
Mr. Robert Kelly (by hand; w/encl.)
Ms. Ellen McCarthy (by hand; w/encl.)





1. protected oak lying south to north across lot towards neighbors' property

3101 Chain Bridge Road nw
Feb. 9. 2003
Tree + Slope Protection
n wesla District

2. exposed roots & protected oak view from south to north



1.

3101 Chain Bridge Rd. NW
Feb. 9, 2003
Tree + Slope Protection Overlay District

1- Cross section Roots of giant felled oak
2. View of oak from East
3. view of oak from East lying across property South to North



2.



3.

Tree Inventory at 3101 Chain Bridge[1]

Tree	Location	Circumference[2]	Diameter	Permit required for removal	Permit received	Current Status
1. Spruce	rear yard, north side	47"	15"	yes	yes	removed
2. Oak	near south property line	50"	16"	yes	yes	removed
3. Oak	near south property line	94"	30"	yes	yes	removed
4. Japanese maple	north side of property	13"	4"	yes	no	removed
5. Hemlock	north property line	44"	14"	yes	no	irreparably damaged[4]
6. Ash	north side of old house	38"	12"	yes	no	removed
7. Dogwood[3]	near rear property line	38"	12"	yes	no	removed
8. Bladdernut	near south property line	38"	12"	yes	no	removed
9. Holly	front yard, south side	31"	10"	yes	no	removed
10. Oak	north side of property	44"	14"	yes	no	irreparably damaged[4]
11. Holly	on north property line	38"	12"	yes	no	irreparably damaged[4]
12. Twin Maple[5]	on north property line	125"	40"	yes	no	irreparably damaged[4]
13. Cluster maple	rear yard, north side	31, 25, 19, 19, 16"	10, 8, 6, 6, 5"	yes	no	irreparably damaged[4]
14. Cherry	rear property, south side	94"	30"	not applicable[6]		
15. Cedar	near south property line	44"	14"	not applicable[6]		

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[1] As per "Boundary & Topographic Survey," dated March 15, 2000, by Maddox, Inc. Surveyors & Engineers. Only regulated trees (trees over 12" circumference) are listed. 11 DCMR 1568.1(c).

[2] Circumference equals 3.14 x diameter.

[3] Identifed as "dead or dying" in Exhibit 7. No accompanying arborist's statement as required by 11 DCMR 1568.2.

[4] Extensive damage to critical root zone has fatally damaged tree and/or will require tree removal due to unacceptable risk caused by loss of structural integrity of root system.

[5] Identifed as a Cherry in Exhibit 6, Arborist's sketch.

[6] Tree has been left standing.

Calculation of Total Circumference of Removed Trees[1]

Total circumference of all trees on lot except the 94" oak[2]:	754"
Total circumference of trees in 38"-75" category with permits for removal[3]:	97" or 13% of total circumference on lot
Plus fatally damaged 44" oak[4] (fulfills limit of 3 trees in 38-75" category):	141" or 19% of total circumference on lot
Plus all other regulated trees removed without permit:	299" or 40% of total circumference on lot
Plus all other trees which have been irreparably damaged without permit:	616" or 82% of total circumference on lot

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[1] See Tree Inventory for individual tree circumferences used for above calculations.

[2] 94" oak was certified by an arborist to require removal and is therefore not included in calculations of total circumference of trees on lot.

[3] 11 DCMR, Section 1568.1(b) permits removal, cutting down, or fatal damaging of no more than three trees in this size range.

[4] 44" oak remains standing but has been fatally damaged during construction and has created an unsafe condition that will require removal.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

PERMIT CENTER - STOP WORK & PROPERTY HOLDS NOTICES

TODAY'S DATE	DATE OF STOP WORK/ HOLD ORDER	DATE OF PROPERTY HOLDS REQUESTED	ADDRESS	REQUESTED BY	LOT/SQUARE	EXPIRATION DATE OF HOLD	DATE PERMIT ISSUED	RELEASE DATE	TYPE OF WORK/HOLD	INSPECTOR
3/27/2002	3/27/2002	3/27/2002	6413-6417 Rear 16th St, NW	Karen Edwards, GC		Until notification	Not issued.	-	Certificate of Occupancy	-
4/23/2002	4/23/2002	4/23/2002	3500 block of Connecticut Ave, NW	J. Gregory Love, Admn.		Until notification			Interior work.	
4/26/2002	4/26/2002	4/26/2002	819 5th Street, NE	N. Letren, Insp.			4/12/2002		A/C	Neil Letren
4/26/2002	4/26/2002	4/26/2002	813 5th Street, NE	N. Letren, Insp.			4/12/2002		Electrical/A/C	Neil Letren
4/26/2002	4/26/2002	4/26/2002	5731 Chillum Place, NE	N. Letren, Insp.	3711/0073		4/12/2002		Construction	Neil Letren
5/2/2002	5/2/2002	5/2/2002	2900-02 Albemarle St, NW	P. Kogan, ANC 3F	0019/2043 0018/2043	3-Jun-02	Not issued.		Raze permit	Stanley Neal
5/2/2002	5/2/2002	5/2/2002	1426 21st Street, NW	O. Antoine	0068/2041	-	None Issued	-	Interior work.	O. Antoine
5/3/2002	5/3/2002	5/3/2002	6216 Georgia Ave, NW	O. Antoine	2941/0010	-	None issued	-	Interior demolition	O. Antoine
5/7/2002	5/7/2002	5/7/2002	1333 Hamilton Street, NW	O. Antoine	2804/0138	-	None issued	-	Addition	O. Antoine
5/7/2002	5/7/2002	5/7/2002	4601 8th Street, NW	O. Antoine	2941/0010	-	None issued	-	Interior Demolition	O. Antoine
5/8/2002	5/8/2002	5/8/2002	1355 + 1399 Pennsylvala Ave, SE	J. Gregory Love, Admn.		-	None issued	-	Hold issuance of permit	-

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5/8/2002	5/8/2002	5/8/2002	1517 Jackson Street, NE	Thomas	4014/0028	-	None issued	-	Retaining Wall	Thomas
5/9/2002	5/9/2002	5/9/2002	5049 Jay Street, NE	J. Scott	0024/5177	-	None issued.	-	Construction	J. Scott
5/9/2002	5/9/2002	5/9/2002	5051 Jay Street, NE	J. Scott	0025/5177	-	None issued.	-	Construction	J. Scott
5/10/2002	5/10/2002	5/10/2002	329 Pennsylvania Ave, SE	H. Myers		-		-	Construction	H. Myers
5/12/2002	5/12/2002	5/12/2002	6106 4th Street, NW	O. Antoine	3267/0045	-	None issued	-	Construction of dormer	
5/13/2002	5/13/2002	5/13/2002	529 Van Buren Street, NW	O. Antoine	3194/0811	-	None issued	-	Interior work.	O. Antoine
			Jackson Street, NE	P. Thomas					Retaining Wall	P. Thomas

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5/14/2002	5/14/2002	5/14/2002	2301 Foxhall Rd, NW (Field School)	Toye Bello, Actg Zon'g Admn		-	Not issued.	Upon authorization of Mr. Bello	Certificate of Occupancy	
5/14/2002	5/14/2002	5/14/2002	2208 14th Street, NW	H. Myers	0202/0030	-	None issued.	-	Interior Demolition	H. Myers
5/14/2002	5/14/2002	5/14/2002	5630 16th Street, NW	S. Neal	2721/0027	-	None issued	-	Alteration/Replacement	S. Neal
5/15/2002	5/15/2002	5/15/2002	1122 South Carolina Ave, SE	H. Myers	0990/0800	-	None issued	-	Addition	H. Myers
5/15/2002	5/15/2002	5/15/2002	652 Orleans Place, NE	J. Scott	0855/0131	-	None issued	-	Construction	J. Scott
5/15/2002	5/15/2002	5/15/2002	654 Orleans Place, NE	J. Scott	0855/0130	-	None issued	-	Construction	J. Scott
5/15/2002	5/15/2002	5/15/2002	1800 Vermont Ave, NW	Lambert	0334/0016	-	None issued	-	Interior alterations	Lambert
5/16/2002	5/16/2002	5/16/2002	3566 14th Street, NW	Lambert	2688/0023	-	None issued	-	Interior construction/alterations	Lambert
5/16/2002	5/16/2002	5/16/2002	67 U Street, NW	Lambert	3117/0028	-	None issued	-	Construction of garage	Lambert
5/17/2002	5/17/2002	5/17/2002	512 M Street, NW	Ball	0482/0804	-	None issued	-	Underpinning	Ball
5/17/2002	5/17/2002	5/17/2002	1742 Columbia Road, NW	Lambert	2564/0055	-	None issued	-	Interior construction/alterations	Lambert
5/20/2002	5/20/2002	5/20/2002	1001 Connecticut Ave, NW	A. Carroll	0002/0164 0003/0164		None issued	-	Interior work.	A. Carroll
5/22/2002	5/22/2002	5/22/2002	1733 N Street, NW	T. Cherry	0158/0838		None issued	-	No current Business License. New canopy/windows	T. Cherry
6/13/2002	6/13/2002	6/13/2002	20 9th Street, NE	V. Ford	0834/0919	-	None issued.	-	Hold on issuance of any type of permit	Vince Ford

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6/19/2002	6/19/2002	6/19/2002	2400 East Capitol St, SE DC Sports & Entertainment Commission/RFK Stadium	Denzil Noble	-	-	None issued	-	Hold on issuance of any type of permit	Denzil Noble
7/9/2002	7/9/2002	7/9/2002	7444 Georgia Ave, NW	Ronald White	0021/2956	-	None issued	-	Installation of new heating system	Ronald White
7/9/2002	7/9/2002	7/9/2002	7436 Georgia Ave, NW	Ronald White	0826/2956	-	None issued	-	Installation of new heating system	Ronald White
7/9/2002	7/9/2002	7/9/2002	1801 Vermont Avenue, NW	Ronald White	0801/0334	-	None issued	-	Plumbing work without a permit	Ronald White
7/25/2002	7/25/2002	7/25/2002	5023 H Street, SE				None Issued		Electrical work without a permit	
9/11/2002	9/11/2002	9/11/2002	1815 A Street, SE				None Issued		Electrical work without a permit	
9/12/2002	9/12/2002	9/12/2002	1721 5th Street, NW				None Issued		Electrical work without a permit	
9/19/2002	9/19/2002	9/19/2002	1111 W Street, NW	M. Ali	-	-	None issued	-	Electrical work without a permit	M. Alli
9/20/2002	9/20/2002	9/20/2002	83 P Street, NW				None issued	-	Electrical work without a permit	
9/23/2002	9/23/2002	9/23/2002	326 T Street, NW	J. Gregory Love, Admn.	-	-	None issued.	-	No raze permits are to be issued for this property.	J. Gregory Love, Adn
9/23/2002	9/23/2002	9/23/2002	1229 E Street, SE	J. Gregory Love, Admn.	-	-	None issued.	-	No raze permits are to be issued for this property.	J. Gregory Love, Adn
9/23/2002	9/23/2002	9/23/2002	4135 Yuma Street, NW				None issued	-	Electrical work without a permit	
9/26/2002	9/26/2002	9/26/2002	1843 Capitol Avenue, NE	M. Ali	-	-	None issued	-	Construction/Electrical/Plumbing work without a permit. 108.7/117.1	M. Alli
10/4/2002	10/4/2002		1901 Spruce Drive, NW	G. Love			10/8/2002		Constr./ Elec./ Plumb. Work without a permit 107.2.10	S. Neal

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10/8/2002	10/8/2002		4221 16th Stree, NW	S. Lester					Work not per approved plans	E. Cox
10/8/2002	10/8/2002		1016 22nd St. NW	N/A					Working without permit	A Proto
10/15/2002			1514 26th St. NW						Working without permit	R.Shelton/T.Cherry
10/15/2002	10/15/2002		5019 Conn. Ave., NW	S. Lester					Working without permit	S. Neal
10/15/2002	10/15/2002		5103 Conn. Ave., NW	S. Lester					Working without permit	S. Neal
10/15/2002	10/15/2002		3542 10th St., NW	S. Lester					Work not per approved plans	E. Cox
10/17/2002	10/17/2002		205 10th St. NE	P. Thomas					Working without permit	P. Thomas
10/17/2002	10/16/2002		5107 Conn. Ave., NW	S. Neal					Working without permit	S. Neal
10/21/2002	10/21/2002		3637, 3635, 3633,3631 7th St. S.E.	JAMES NETHERTON					working without permit	James Netherton
10/22/2002	10/22/2002		2854 Connecticut Ave, N.W.	Neil Letren					no Boiler permit on site & new water heater installed	Neil Letren
11/8/2002	10/17/2002		1724 Franklin Street N.E	Brock-Smith					No permits posted, no plans. Stop work posted on constr. Site.	Brock-Smith
11/9/2002	10/1/2002		1705 De sales Street N.W	Brock-Smith					New eletrical, sprinkler & elevator work ion progress. No plans & permit on site, Appeals form left with Bldg. Rep on site.	Brock-Smith
11/9/2002	10/4/2002		7712 Georgia Ave N.W	Brock-Smith					No permits posted, no plans. Stop work posted on constr. Site.	Brock-Smith

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11/9/2002	10/4/2002		7714 Georgia Ave N.W	Brock-Smith					No permits posted, no plans. Stop work posted on constr. Site.	Brock-Smith
11/9/2002	10/3/2002		1721 5th Street N.W	Brock-Smith					No permits posted, no plans. Stop work posted on constr. Site. Unlawful continuance.	Brock-Smith
11/9/2002	11/6/2002		3701 Cumberland Street N.W	Denvert Boney					Plumbing work without a permit	Boney
11/9/2002	11/6/2002		83 P Street N.W	Brock-Smith					Stop Work posted. Fine issued for $2000.00	Brock-Smith
11/9/2002	11/7/2002		4825 4th Street N.W	Antoine					Working without a permit	Antoine
11/9/2002	9/24/2002		1635 Connecticut Ave N.W	Toni Cherri					Three permits issued without HPRB sign off.	Toni Cherri
11/29/2002	11/26/2002		918/920/922 Constitution Ave. N.E.	Toni Cherry					Work not per permit and plans.	Toni Cherri
12/10/2002	12/10/2002		1238 crittenden st. n.w.	Ronald White					renovation of house w/o permits and plans	Ronald White
12/13/2002	12/12/2002		1804 Burke St. S.E.	Harry Myers					Working without permit	Harry Myers
12/13/2002	12/12/2002		214 Warren St. N.E.	Harry Myers					Working without permit	Harry Myers
12/13/2002	12/12/2002		1105 S St. NW	Toni Cherry					Working without permit	Keith Lambert
12/23/2002	12/23/2002		1304 Girard St NW	S. Lester					Working outside scope of permit	Edward Ball
12/23/2002	12/23/2002		1625 I St NW	S. Lester					Bldg. Height exceed max. allowed.	Edward Ball
2/27/2003	12/24/2002		1475 Kenilworth Ave NE	J. Scott						

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2/27/2003	12/24/2002		4244 Clay St. NE	J. Scott						
2/27/2003	12/30/2002		2225 13th St. NW	J. Scott						
2/27/2003	12/30/2002		1847 Columbia Rd. NW	J. Scott						
2/27/2003	12/30/2002		4529 Wisconsin Ave NW	J.Scott						
2/27/2003	12/30/2002		900 East Capitol St. NE	J. Scott						
2/27/2003	12/31/2002		260 Maryland Ave NE	J. Scott						
2/27/2003	12/31/2002		132 12th St NE	J. Scott						
2/27/2003	1/8/2003		453 Q St. NW	E. Ball						
2/27/2003	1/8/2003		739 Hamilton St. NW	O. Antione						
2/27/2003	1/8/2003		811 Sheridan St. NW	O. Antione						
2/27/2003	1/8/2003		729 Hamilton St. NW	O. Antione						
2/27/2003	1/10/2003		4612 Georgia Ave NW	O. Antione						
2/27/2003	1/10/2003		423 R St. NW	O. Antione						
2/27/2003	1/10/2003		1100 Allison St. NW	O. Antione						

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2/27/2003	1/13/2003		435 Q St. NW	E. Ball						
2/27/2003	1/13/2003		4832 Kansas Ave NW	O. Antione						
2/27/2003	1/13/2003		1329 D St. NE	P. Thomas						
2/27/2003	1/14/2003		5807 3rd Pl. NW	O. Antione						
2/27/2003	1/15/2003		2814 Newton St. NE	P. Thomas						
2/27/2003	1/15/2003		404 13th St. NE	P. Thomas						
2/27/2003	1/15/2003		1324 Emerson St. NW	O. Antione						
2/27/2003	1/15/2003		1418 Varnum St. NW	O. Antione						
2/27/2003	1/15/2003		1502 Varnum St. NW	O. Antione						
2/27/2003	1/16/2003		702 Longfellow St. NW	O. Antione						
2/27/2003	1/16/2003		704 Longfellow St. NW	O. Antione						
2/27/2003	1/17/2003		928 Shepherd St. NW	O. Antione						
2/27/2003	1/21/2003		1219 44th St. NE	P. Thomas						
2/27/2003	1/22/2003		5811 6th St. NW	O. Antione						

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2/27/2003	1/24/2003		4818 8th St. NW	P. Thomas						
2/27/2003	1/24/2003		817 Decatur St. NW	P. Thomas						
2/27/2003	1/27/2003		4409 3rd St. NW	O. Antione						
2/27/2003	1/28/2003		33 Patterson St. NE	D. Noble						
2/27/2003	1/29/2003		4228 4th St. NW	O. Antione						
2/27/2003	1/29/2003		405 Upshur St. NW	O. Antione						
2/27/2003	2/3/2003		1405 Whittier St. NW	O. Antione						
2/27/2003	2/4/2003		2118 1st St. NW	O. Antione						
2/27/2003	2/4/2003		2114 1st St. NW	O. Antione						
2/27/2003	2/4/2003		2715 11th St. NW	J. Scott						
2/27/2003	2/4/2003		2713 11th St. NW	J. Scott						
2/27/2003	2/4/2003		2010 18th St. NW	J. Scott						
2/27/2003	2/4/2003		20 T St NW	O. Antione						
2/27/2003	2/5/2003		1227 Jefferson St. NW	O. Antione						

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Feb-03	2/5/2003		1416 C St. NE	J. Scott						
2/27/2003	2/7/2003		5824 Colorado Ave NW	O. Antione						
2/27/2003	2/7/2003		326 10th St. NE	H. Myers						
2/27/2003	2/10/2003		4415 5th St. NW	O. Antione						
2/27/2003	2/10/2003		3101 Chain Bridge Rd. NW	S. Neal						
2/27/2003	2/11/2003		1330 5th St. NW	J. Scott						
2/27/2003	2/11/2003		3034 Otis St. NE	P. Thomas						
2/27/2003	2/12/2003		933 S St. NW	O. Antione						
2/27/2003	2/12/2003		1626 5th St. NW	J. Scott						
2/27/2003	2/12/2003		631 49th St. NW	J. Scott						
2/27/2003	2/12/2003		3850 Beecher St. NW	R. Shelton						
2/27/2003	2/12/2003		1502 Monroe St. NW	O. Antione						
2/27/2003	2/12/2003		4416 Volta Pl. NW	R. Shelton						
2/27/2003	2/13/2003		1713 D St. NE	H. Myers						

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2/27/2003	2/14/2003		4403 Klingle St. NW	R. Shelton						
2/27/2003	2/24/2003		4904 Georgia Ave NW	O. Antione						
2/27/2003	2/24/2003		4226 7th St. NW	O. Antione						
2/27/2003	2/26/2003		2215 13th St. NW	O. Antione						
2/27/2003	2/26/2003		1443 Madison St. NW	O. Antione						
3/13/2003	2/25/2003		1864 Monroe St. NW	J. Scott						
3/13/2003	3/3/2003		1377 Quincy St. NW	O. Antione						
3/13/2003	3/3/2003		1709 6th St. NW	O. Antione						
3/13/2003	3/4/2003		1816 5th St. NW	O. Antione						
3/13/2003	3/5/2003		#29 53rd St. SE	J. Scott						
3/13/2003	3/5/2003		1771 Sycamore St. NW	J. Scott						
3/13/2003	3/5/2003		4704 Georgia Ave NW	O. Antione						
3/13/2003	3/5/2003		5319 Gay St NE	J. Scott						
3/13/2003	3/6/2003		4226 7th St. NW	O. Antione						

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3/13/2003	3/7/2003		5128 Sheriff Rd NE	J. Scott						
3/13/2003	3/7/2003		5324 Gay St NE	J. Scott						
3/13/2003	3/11/2003		1110 Abbey Pl NE	P. Thomas						
3/13/2003	3/11/2003		418 Ingraham St NW	R. White						
3/13/2003	3/11/2003		1028 4th St. NE	J. Scott						
3/13/2003	3/11/2003		333 L St NE	J. Scott						
3/13/2003	3/13/2003		#79 S St. NW	J. Scott						
3/13/2003	3/13/2003		1520 Howard Rd. SE	W. Scott						
3/13/2003	3/13/2003		1385 Morris Rd. SE	W. Scott						
3/13/2003	3/13/2003		1387 Morris Rd. SE	W. Scott						
3/14/2003	3/13/2003		749 Quebec St, NW	E. Cox						
3/14/2003	3/11/2003		1212 Kennedy St, NW	O. Antione						
3/14/2003	3/11/2003		432 Luray Pl, NW	O. Antione						
3/14/2003	3/13/2003		6230 Georgia Ave, NW	O. Antione						

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

3/14/2003	3/13/2003		3924 5th St, NW	O. Antione						
3/17/2003	3/14/2003		2909 Sherman Ave, NW	O. Antione						
3/17/2003	3/14/2003		1807 North Capitol St, NE	J.Scott						
3/17/2003	3/14/2003		1750 16th St, NW	J. Scott						
3/18/2003	3/7/2003		2412 Skyland Pl. SE	B. Williams						
3/19/2003	3/17/2003		2215 13th St. NW	R. White						