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May 4, 2004

Board of Zoning Adjustment
One Judiciary Square – Suite 210 South
441 Fourth Street, NW
Washington, D.C. 20001

Re: BZA Case 17124 (Howard Heu – Parkhill, Inc.) Post-Hearing Submission from Applicant

Honorable Members of the Board:

This letter, and the materials that accompany it, comprise Applicant's post-hearing submission in the above-captioned case, which the Board heard March 16, 2004.

Shift in Submission Dates:

At the conclusion of that hearing, the Board left the record open to receive information and opinions on a number of issues, setting a submission deadline of April 20 and contemplating a decision from the Board May 4. Applicant appeared before Advisory Neighborhood Commission ("ANC") 6-C on Wednesday, April 14. That ANC requested that Applicant present the revised plans to its Planning and Zoning Committee May 5 and the full ANC a week later, May 12 and so indicated to you by their letter of April 19; Applicant agreed to reappear as requested since the delay was but two weeks (reflected in Applicant's letter to the Board of April 16).

Applicant, through the undersigned, was in touch with your staff as the above unfolded so as to prevent any surprise to the Board, its staff, or citizens when examining the case record.

Summary of Issues Addressed:

The Board left the record open to receive additional information and opinions, including the following:

- Revisions of Plans to Address Issues Expressed at the Hearing or Record as it then Existed
- Arguments as to Practical Difficulty or Undue Hardship
- Discussion of the Proposed Use and Lot Occupancy Limits Attendant to Such Use
- Limits that Razing Imposes on Development Rights and Existing Non-Conforming Use
- Question of Relief Sought In Light of Use Variance Granted in 1996

BZA
Case No. 17124
Exhibit No. 37

Board of Zoning Adjustment
District of Columbia
CASE NO. 17124
EXHIBIT NO. 37

Additional Documents Being Submitted:

Along with this letter, Applicant herewith submits the following:

- Building Plat for Lot 809, Square 866 (produced and secured from Office of the Surveyor, March 29, 2004, Surveyor Order 10258)
- Revised Elevation Plan for Sixth Street face of Project
- Diagram of Lot as Prepared by Office of Planning Showing Percentages of Lot Coverage at Various Points Starting at the North and Proceeding South (Applied to Shape and Area of Lot as Initially Understood by Applicant and OP)
- Letter of March 17, 2004 from Howard Heu to Denzil Noble seeking "clarification" of allowable lot occupancy for flat with existing non-conforming use
- Letter of March 26, 2004 from Denzil Noble to Howard Heu declaring the intended use to be a "flat," noting that such a use is allowed as a matter of right to occupy up to sixty percent of the lot's area.

Variance Standards:

For a variance to be granted, the Board must determine that three tests are met, in short:

- Uniqueness of property
- Presence of "practical difficulty" or "undue hardship" arising from the land or limiting its use without the relief requested
- Absence of adverse impact on neighboring properties or on integrity of zone plan

Variances Sought:

Applicant seeks two variances:

- Requirement to provide parking for the use proposed on the lot itself
- Permission to exceed the applicable lot occupancy limits for the use proposed on the lot

The Applicant understands from the Hearing that the Board has no questions about the first variance, which was supported by all attending and the Office of Planning. Accordingly, this post-hearing submission does not discuss that part of the case again.

Variance to Allow Greater Lot Occupancy than is Allowed by Right:

Test One – Uniqueness of Property

The newly issued Building Plat, submitted herewith, was secured by Applicant from the Office of the Surveyor March 29. Though similar to other diagrams, the diagram establishes that the lot's shape has elements that are even more unusual in that:

- starting from its Massachusetts Avenue frontage, it extends southwesterly some 37.14 feet at which point it shifts northwest 0.37 feet (equivalent to the depth of one brick), after which it resumes its run southwesterly for an additional 6.10 feet
- whereupon, the property line turns south but not due south so as to parallel the corresponding western property line, running for an additional 32.65 feet,

- whereupon, it turns due east for 11.21 feet (where it meets the western face of the property at 605 Massachusetts Avenue)
- then south 3.0 feet (where it meets the northern face of the lot to the south)

Undersigned asked the Office of Surveyor two questions about the lot as drawn in Surveyor Order 10258, its area (Surveyor: "1501 square feet") and its width at its narrowest point, where the eastern property line bends (Surveyor: "10.61 feet").

Thus, the lot is unusual in its shape and is likely "one of kind" – even within the entirety of the District of Columbia. It is also very unusual, if not unique, in that it the existing property is occupied for only about one-third of its depth from the intersection of Massachusetts Avenue and Sixth Streets, NE. (While there are numerous non-conforming "corner stores" in Capitol Hill and elsewhere in the District of Columbia, these typically were initially built to occupy most if not all of the lots on which they are located. Thus, as they modernize or convert, these would not usually present issues requiring additional lot occupancy.)

Conclusion: Test One is Fully Satisfied.

Test Two – Practical Difficulty and/or Undue Hardship
(Discussion Follows That of Test Three)

Test Three – Determination of No Adverse Impact or Undermining of Zone Plan's Integrity

While Applicant's initial plans called for development of two additional stories above the building that exists on the property at this time and a three-story addition to the south extending to within twenty feet of the property next south along Sixth Street, NE, applicant is aware of the issues presented by the abutting neighbor (the first interior lot along Massachusetts Avenue east of Mr. Hue's) and others as to possible effects on light an air reaching that property, the character of the residences facing Sixth Street to the south as contrasted with the development initially proposed, and the overall scale of development or "bulk."

These factors lead the Applicant to revise his proposal to address each of these factors, as follows:

- Recognize that residences to the south are set above the plane of the street, having lower levels that extend somewhat above the adjacent grade (English Basements). Applicant's revised elevation depicts that portion of the development extending south of the existing building resting on a plane that is equivalent to, if not exactly aligned with, the floor plates of the homes to the south.
- Recognize that the light and air reaching the rear yard of the residence to the east, and views from it to the west, would be diminished were a three-story addition to extend into the rear yard to the depth and height initially proposed. Applicant's revised elevation depicts a single story portion extending south from the limit of the taller portion of the proposal, that taller portion extending to the limits of the abutting building as proposed (its covered porch excluded). That property's views to the west would not be changed from its second story while the rear yard at grade, whose views are already obscured by walls or fences that appear to be seven- to eight feet tall, would gain additional privacy but without significant loss of light and air (applicant contemplates providing a solid wall along that property line with no windows facing east). The adjacent lot is an interior lot in a row-house district, the owners of which should not expect sweeping views to either side. Even so, the views from that property's second floor would remain similar to that they now enjoy.

The use proposed would add two residential units to the stock of housing in the area, in an area where the zone plan and the Comprehensive plan call for moderate density housing. While single-family row dwellings are allowed by right in the R-4 zone, the same is true for "flats," the use contemplated in the application and the interpretation provided to the use as depicted on plans applicant provided to DCRA to review by its zoning officials.

Moreover, while the application does not propose to end the non-conforming use already established, the zoning rules preclude any by-right conversion of that area to either another non-residential use or an additional living unit (since the lot's area is below the minimum area of 900 square feet per unit when conversion rights are exercised on pre-1958 buildings). Thus, both neighbors and the public are protected.

The proposed development, while retaining the presence of a non-conforming use, greatly alters its appearance and diminishes its visibility, among other things by eliminating existing commercial awnings and signs. The core of the existing building is retained, but its change is favored by preservation authorities as its status has been determined to be "non-contributing," even if it is "old."

The revised plan thus helps fill in the "missing tooth" the present building's vast rear yard provides which into the interior of the Square to rear walls and covered porches rising above existing fences and barriers.

While applicant did not consider his initial proposal "objectionable," the revised plan is fully in keeping with the scale of development along side streets, provides adequate light and air to all adjacent properties, and is realigned vertically to continue English Basements such as those in properties to the south.

Kindly note that the revised plans also depict a solid wall extending south of the limit of the proposed addition, the wall itself does not present any zoning issue outside of its being placed where the required parking space would exist if such a space had to be provided. However, that and all other aspects of design of the proposed project along Sixth Street and Massachusetts Avenue are subject to review and approval by the Historic Preservation Review Board ("HPRB").

Accordingly, Applicant asks the BZA and others reviewing these plans, specifically including the revised elevation plan, as "illustrative" and requests the Board to approve these plans with the following conditions so as to allow further changes in design within the following proposed limits:

- **Lot occupancy of as much as 82 percent (coverage of the entire lot from the north south to the line twenty feet north of the property's southern lot limit, thus providing all of the required rear yard), with no height or story limit from Massachusetts Avenue south to narrowest portion of lot (approximately 70% lot occupancy), south of which there would be a height limit of one story above an English Basement that protrudes the manner of the residences to the south or 17 feet, in the alternative, with no height or story limit to the point along Sixth Street NE where it is perpendicular to the southwestern corner of the adjacent row house excluding its porch (approximately 66%) but extending south from that as above with English Basement with one story above it.**
- **Further provided that (a) this degree of lot occupancy would diminish if design review by HPRB required portions of the existing lot to become side yards or court yards to effect a design that they deem "not incompatible" with the Capitol Hill historic district within which the property is located and (b) the rear yard requirement would continue to be met.**

- **Further provided that (a) the existing storage building located in the present rear yard would be removed and not replaced and that (b) there would be no window or other openings along the property line to the immediate east.**

Conclusion: Test Three is Fully Satisfied.

Test Two – Practical Difficulty and/or Undue Hardship

Applicant claims the following practical difficulties and hardships in connection with the proposal:

- Practical Difficulties:
  - Dimensional restrictions in zoning
  - Dimensional restrictions in the building code
  - Procedural hardships given earlier appearance before HPRB
- Hardships:
  - Cost differential of proposal versus replacement
  - Cost differential of proposal versus partial excavation and underpinning
  - Interest and other costs

Dimensional Limits in Zoning:

The lot's unusual shape results in about 70% of the lot's area being located north of the point where the lot is at its narrowest point, choking most forms of viable development but the remaining rear yard is extensive and opens an extremely large, atypical view into the interior of the Square, a view that would be less if the cross street were perpendicular and the lot rectangular. Even development to 60% would leave the unusual "gap" open.

The southern portion of the lot proposed for development, while narrow, is sufficient for portions of a small apartment unit but little else that could be occupied.

Dimensional Limits in the Building Code:

Under the building code, ach unit of a flat must have two means of access and egress and each must be separated from the other by a minimum of 25 feet. While the revised Sixth Street elevation shows an entrance to the building along Sixth Street, it does not depict a second exit. That is because that exit is at the southern end of the addition, opening onto or from the required rear yard. Achieving a 25 foot separation from one entrance to another cannot be accommodated within the distance from the rear of the present building to any point along Sixth Street north of the point where the lot is most narrow.

Procedural Hardship:

Applicant sought approval initially from Historic Preservation authorities but they advised applicant to secure zoning permission first, even if unusual. The plans remain conceptual and subject to further design review and revision by that Board within zoning limits the Board may determine. This has caused extensive delays and added significant opportunity costs to the applicant's objectives.

Economic Hardship of Ending Current Use with Replacement by a Flat:

The existing dry-cleaning and drop-off/pickup station provides a monthly income that is essential and Mr. Heu cannot sustain the loss of its income for a purely residential development with a home for himself and his family plus a single rental unit.

Moreover, as discussed below, there is an open question about whether the lot, were the existing building razed, allow redevelopment to any use as it is non conforming and the pre-1958 building that serves to grant development rights under present regulations would, by the act of razing, no longer exist.

Economic Hardship of Renovating Existing Area to a low English Basement with Three Stories Above

The existing building is built on slab, at grade. While conceptually, the building could be dug out to create an English basement with ceiling under 4' above the adjacent grade, thus allowing three more store stories (one for an apartment, two for the main residence), this is not viable. First, it would require closing the business for a period of time whereas what is proposed allows the business to operate without any break in its service to the neighborhood. Second, while the costs of renovation after excavation would be approximately the same as that proposed, the excavation and underpinning would add costs just for that which with no resulting added benefit. Thus, it is imprudent and, as there is no adverse effect from what is proposed, it adds its own "undue hardship."

Interest Rates and Real Estate Taxes:

When Mr. Heu started to contemplate the development of the property, interest rates were low. While they have remained relatively low until now, most analysts now foresee these rates increasing. As the cost of money increases, the viability of the project is undermined, exposing the neighborhood and the District as a whole to a site that is, at present, inappropriately developed and that makes a far smaller contribution to municipal revenues than it would if developed as proposed.

Conclusion: Test Two is Met

Further Conclusion: All Three Tests are Met

Reminder to the Board on Parties and Persons Participating:

The Applicant appeared at the hearing in person, along with his architect (expert), William J. Maiden, and his land use, planning and zoning consultant (expert), Lindsley Williams.

The Office of Planning appeared through the report of that Office's Director and staff member David McGettigan, AICP. OP opposed the application as originally submitted for the lot occupancy variance expressing concern about excessive relief. The Applicant has revised the concept to diminish the bulk and scale of development, though it still requires the same percentage of lot occupancy relief as first sought.

Neighbor Ilena Bartolomeu testified in opposition, principally citing issues of "light and air". Applicant's revised proposal accommodates her concerns. She neither sought nor was granted party status.

There is a letter on file from Richard J. Murringer, owner of the residence abutting her which also abuts the southwestern tip of Mr. Heu's property on it's three foot dimension expressing concern that his development not interfere with his ability to reach the street along the narrow portion of Mr. Heu's lot, something of a "private alley" (undersigned's term, not his). The individual neither sought nor was granted party status. No part of the proposed development ever approached the southern limit in question.

The Capitol Hill Restoration Society appeared in the person of Mr. Gary Peterson. The Society was recognized as a person, not a party. After expressing a question about measurement and depiction of lot occupancy in the plans as initially filed, they indicated their conclusion that the "practical difficulty" test had not been met. While Applicant does not agree with their conclusion as being accurate at the time of the hearing, this submission provides additional details on this very point.

Finally, the Advisory Neighborhood Commission 6-C appeared, represented by the Single Member District Commissioner in whose district the property lies, William Crews. As it had provided appropriate Notice and met all other requirements of an ANC in BZA proceedings, the ANC was accorded party status. ANC 6-C opposed the granting of the full amount of the lot occupancy variance originally sought while supporting the parking variance. The ANC approved lot coverage from the north south to the point where the lot's eastern line bends, then understood to comprise about 67% of the land area, along with several conditions. Applicant hopes its revised materials will earn it the support of the ANC and the community, or at the very least allow them to withdraw their formal opposition.

Conclusion: There is only one party, and that party is partly in support (parking variance along with the first 67 to 70 % of lot occupancy variance) while opposing the full extent of the relief sought in the plans first submitted. The ANC may submit an additional report in this matter shortly after its regular monthly meeting, which takes place May 12, 2004.

Other Issues

The Question of Rights to Redevelop if Property is Razed:

Section 401.1 of the Zoning Regulations provides (emphasis added):

> Except as provided in chapters 20 through 25 of this title, in the case of a building located, on May 12, 19958, on a lot with a lot area or width of lot, or both, less than that prescribed in § 401.3 for the district in which it is located, **the building may not be** enlarged or **replaced by a new building** unless it complies with all other provisions of this title.

The land area of the lot in question is 1,501 square feet. In the R-4 zone district, no use may be established on any lot of less than 1,800 square feet unless the lot already contains a building that existed on May 12, 1958. While Mr. Heu's lot contains such a building now, if that building were razed or even if demolished such that only a structure (and not a building) remained, the rights to redevelop could be interpreted as lost by the terms of the above provision,

The Question of the Classification of the Use Proposed and Maximum Lot Occupancy So Allowed:

The Board asked for the undersigned to review the use proposed in light of the distinctions drawn in §401.3 for uses in the R-4 zone and limits on lot occupancy.

- Application was filed with the use declared as "flat" (undersigned not then a part of the applicant's team)
- Application was reviewed and construed as a "flat" by DCRA in all meetings and most recent exchange of letters.
- Office of Planning questioned this characterization, and Board asked for applicant's comment.

The distinction is of moment as the "by right" maximum percentage of lot occupancy varies as a function of the type of "structure" located on the lot.

To the undersigned, establishing a single use for a building that has multiple purposes is inherently problematic. The questions of the moment is to assay the intent of the tabulated distinctions. To the undersigned, the question is whether the table's classification of "Structure" can be interpreted, as the certifying architect and DCRA apparently have done, from the use that comes to ***dominate*** the property or whether the inclusion of any residue of another use, non-conforming or not, jettisons the structure away from the "dominant" use and into the "all other" use classification.

As noted above, since the many non-conforming properties in residential zones are located at corners in two- and three-story buildings where they are already occupy a large proportion of the lot, the question could be one that, as a practical matter, arises rarely it if ever has before (or would again).

As a professional planner and zoning expert, I am comfortable with the classification of the use proposed under the "dominant use" theory advanced above. As to the contrasting view of the Office of Planning, while I acknowledge that there is a basis for it, I believe their strict interpretation is misplaced and unnecessary, particularly when it contrasts as it does with the official views of the normal interpretive office, DCRA.

With the time available and the search tools available, I was not able to find a BZA case whose decision illuminated this issue whatsoever. The closest case I could find was one approved by a Summary Order issued in January 2000 for under Application No. 16479 of Hamid Samadani, pursuant to 11 DCMR 3107.2 (new 3103.2), for variances from the use provisions of Subsection 330.5 (c) for the conversion of a building and from subsection 401.3 of the 900 sq. ft. per apartment unit requirement, to convert a 2-family flat into a 3-unit apartment building in an R-4 District at premises 923 10th Street Street, N.E. (Square 957, Lot 810). This lot remains on the assessment records and declares that it contains 1,556 square feet of land, about the same size as Mr. Heu's lot. The Sanborn atlas shows the lot to be mostly rectangular, north side adjacent to a public alley, with a small "dog leg" at its rear, following the course of that alley. While the Summary Order does not indicate the percentage of lot occupancy prior to or approved by the variance therein granted, my interpretation of an aerial photograph from 2002 suggests its lot current occupancy approaches 75 to 80 percent, similar to the relief sought by Mr. Heu.

The Question of Relief Sought in Light of Prior Use Variance:

Finally, the Board asked that Applicant comment on why the relief sought should be considered "in light of" the variance previously granted the applicant to establish a non-conforming use in 1996.

On this point, it is my opinion that the nature of the 1996 was perhaps not fully understood by the applicant, also Mr. Heu, at the time. Based on the facts, everything seems to point to the right he would have had then (and now, too) to request the Board to grant a special exception to convert the property from its prior use to that present one. The property was built before zoning was established in the District of Columbia. For most of the time up to the mid-1990's the property was used as a barber shop. It never had living accommodations or features, lacking such elements as a kitchen, for example.

Moreover, the use now allowed does not serve to deprive Mr. Heu of his rights to seek approval for changes. At this stage, when zoning rules introduce limits, the proper course of action is for an owner to determine whether his or her objective is one that is reasonable and seek needed approvals from competent authorities. Where discretionary determinations must be made, as here, then the course is to put the questions forward and make the best case possible, and make adjustments, as also here, to address legitimate concerns.

Here, the non-conforming use would not expand or become more intense by any possible measure of same. The questions is whether it can reasonably co-exist with another use that is allowed by right and by all planning principles, as applicant and the undersigned believe it can.

Overall Conclusion and Recommendation:

It is the undersigned's professional opinion that the Applicant in this case, Howard Heu, through plans prepared by his architect and aided by the undersigned, have met all the tests to secure the variances sought and that the application, as revised, should be approved with the conditions suggested (starting on page 4, continuing on page 5) if the Board finds that it is unwilling to approve the development program set forth in the initial application (in which the project provided three full stories along its entire Sixth Street frontage).

The Applicant has made significant efforts to respond to the community and the ANC, efforts that extended the timeline for this submission and the Board's decision. Thus, Applicant requests the Board to render a decision as soon as possible following receipt of any report from ANC 6-C at any of the Board's "Special Meetings" if all members hearing the case can participate (Mr. Griffis, Ms. Miller, Mr. Etherly, and Ms. Mitten). Moreover, if circumstances ultimately will allow it, we urge the Board to grant the approval in the form of a Summary Order.

Thank you.

Very truly yours,

Lindsley Williams

cc: Advisory Neighborhood Commission 2-C (Commissioners Hall, Docter, and Crews)
Office of Planning (Mr. David McGettigan)
Additional "Persons" (not parties):
Ms. Ilinca Bartolomeu
Mr. Gary Peterson

Enclosures:

- Building Plat for Lot 809, Square 866 (produced and secured from Office of the Surveyor, March 29, 2004, Surveyor Order 10258)
- Revised Elevation Plan for Sixth Street face of Project
- Diagram of Lot as Prepared by Office of Planning Showing Percentages of Lot Coverage at Various Points Starting at the North and Proceeding South (Applied to Shape and Area of Lot as Initially Understood by Applicant and OP)
- Letter of March 17, 2004 from Howard Heu to Denzil Noble seeking "clarification" of allowable lot occupancy for flat with existing non-conforming use
- Letter of March 26, 2004 from Denzil Noble to Howard Heu declaring the intended use to be a "flat," noting that such a use is allowed as a matter of right to occupy up to sixty percent of the lot's area.

Date: March 17, 2004
To: Mr. Danzel Noble
C/o Office of Zoning Regulation
From: Howard Heu
1244 Maryland Avenue NE, Washington, D.C.2002

Reference: BZA Case Number # 17124
Request: Clarification of Lot Occupancy (60% or 40 % Zoned R-4) with existing non-conforming use (dry cleaning pick-up store) to build two units "FLAT"

Dear Sir,

During the BZA hearing on March 16 th, 2004 to build two unit "Flat" residence on 601 Massachusetts Avenue NE, Washington, DC 2002, **SQ (866) Lot (809),** The member of committee has requested to me in writing from your office clarifying an adequate and definite "Zoning Regulation" for R-4 zoned Flat with an existing non-conforming use that **either 60% or 40% of Lot Occupancy for the Variance**. It was different interpretation of Lot Occupancy between D.C. Office of Planning and your office (Ms. Faye Oggonne). Personally I have visited your office a few times in order to receive an official letter, but failed to get that. Simply your office saying, "**we do not write a letter".**

Am I allowed to build two units residence (R-4 zoned) with an existing building of 60% Lot Occupancy by Zoning Regulation?

Even I have given a verbal word to the committee a correct lot of occupancy 60% quoting from Ms Faye, The committee would not believe my interpretation.

Please prove to me an ***official letter*** clarifying the confused regulation.

Sincerely,

Howard C. Heu

CC: Ms. Faye Oggonne

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Administrator

March 26, 2004

Howard Heu
1244 Maryland Avenue, NE
Washington, DC 20002

Re: Board of Zoning Adjustment (BZA) Case Number 17124
601 Massachusetts Avenue, NE
Lot 809 in Square 866
Washington, DC

Dear Mr. Heu:

This letter responds to your March 17, 2004 request to this office asking for clarification on a zoning issue.

The proposed use of the property at 601 Massachusetts Avenue, NE, captioned above, as a "flat" is a *matter of right* use in an R4 residential zone district. The R4 residential zone permits maximum lot occupancy of 60%, pursuant to District of Columbia Municipal Regulations (DCMR), Title 11, Section 403.2.

Accordingly, and after reviewing the plans that you presented to our office, in which more than 60% of the lot is to be utilized for your proposal, variance relief is required through the BZA.

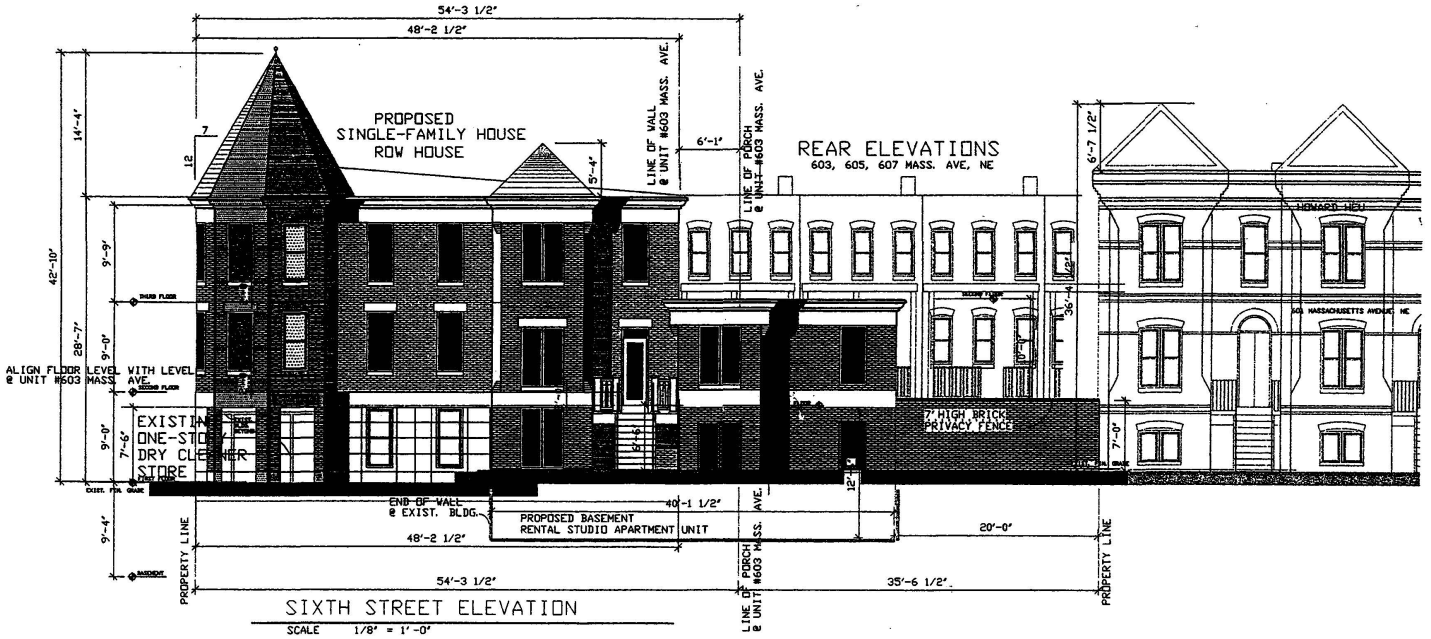
Contact Faye Ogunneye, Chief of the Zoning Review Branch, at 442-4576 should you have additional questions or concerns in this matter.

Sincerely,

Noble

Dezzil L. Noble
Administrator

Cc: Faye Ogunneye



SIXTH STREET ELEVATION

SCALE 1/8" = 1'-0"

NOTE: THIS ELEVATION IS A PRELIMINARY SKETCH DELINEATING A POSSIBLE MASSING OF THE STRUCTURE. WINDOW ALIGNMENTS, DOORS AND OTHER FEATURES MAY BE SLIGHTLY MODIFIED IN THE DESIGN DEVELOPMENT PHASE AND DURING HISTORIC PRESERVATION REVIEW.

WILLIE JAMES MAIDEN, AIA

Certifications

MAIDEN AND ASSOCIATES
Architects / Engineers / Planners
8030-B GEORGIA AVENUE
SILVER SPRING, MD 20910
(301) 608-0988 OFFICE
E-Mail: WJMAIDEN@AOL.COM

Owner's Name / Address

Project Name / Address

LOT:
SQUARE:
LOT AREA:
WARD:

ZONING DESIGNATION:
1996 BOCA USE GROUP:
1996 BOCA CONSTRUCTION TYPE:
1999 DCMR CODE:

Number	Name	Date

REVISION SCHEDULE

Drawing Name

Spec. Division/Section

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This Drawing and Design in whole or in part shall not be reproduced without written permission of Maiden and Associates.

Contract Date:	Designed by:	Drawing Sheet Num.
	Authored by:	
	Checked by:	
	Checked by:	

Architect's Project Number:

MASTER DESIGN KEY	
MASTER SPK KEY	
ACHILLE KEY	
BID KEY	
CONSTRUCTION KEY	
SUBSTRUCT KEY	

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., March 29, 2004

Plat for Building Permit of: SQUARE 866 SITE PER SUB

Scale: 1 inch = 10 feet

Receipt No. 10258

Furnished to: HOWARD C. HEU

Surveyor, D.C.

By: B.D.M.

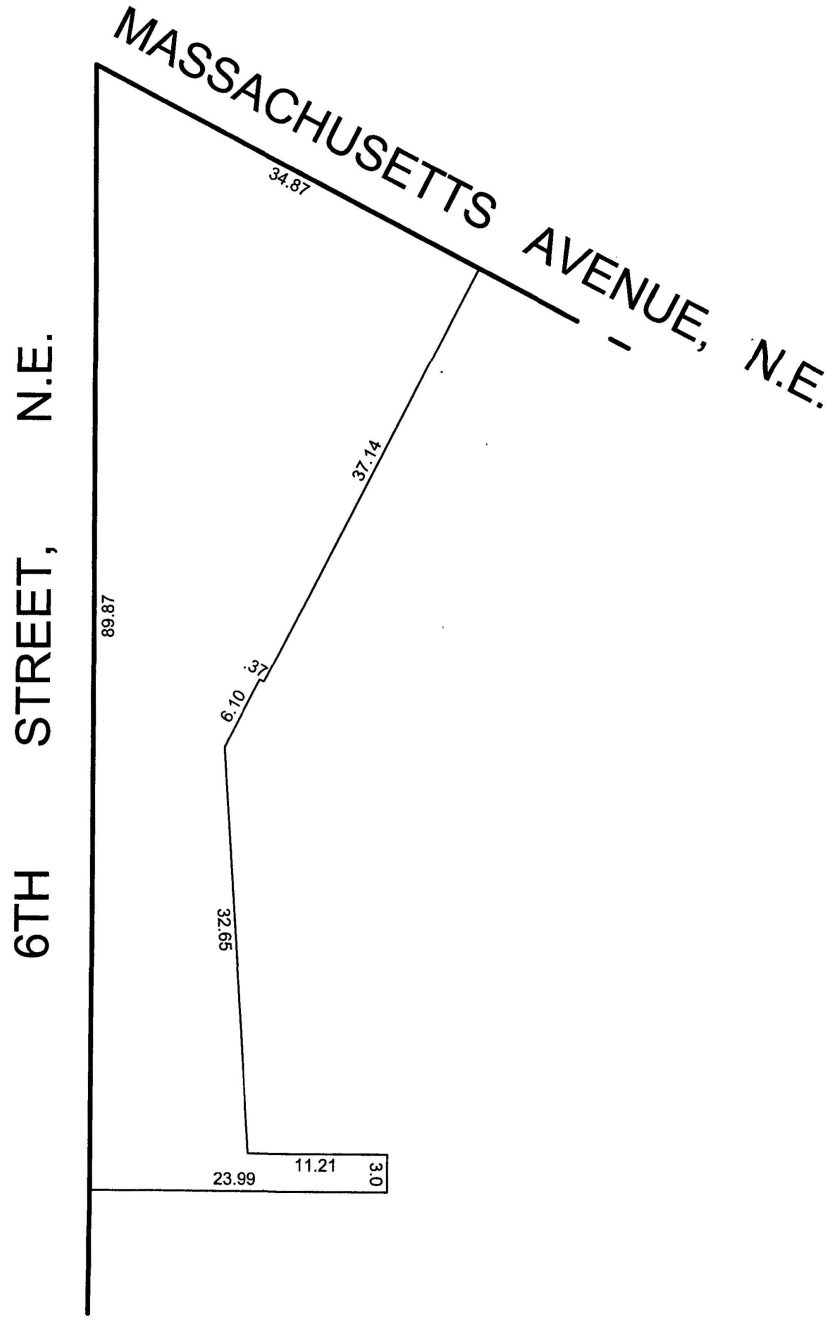
I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat;and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: _____

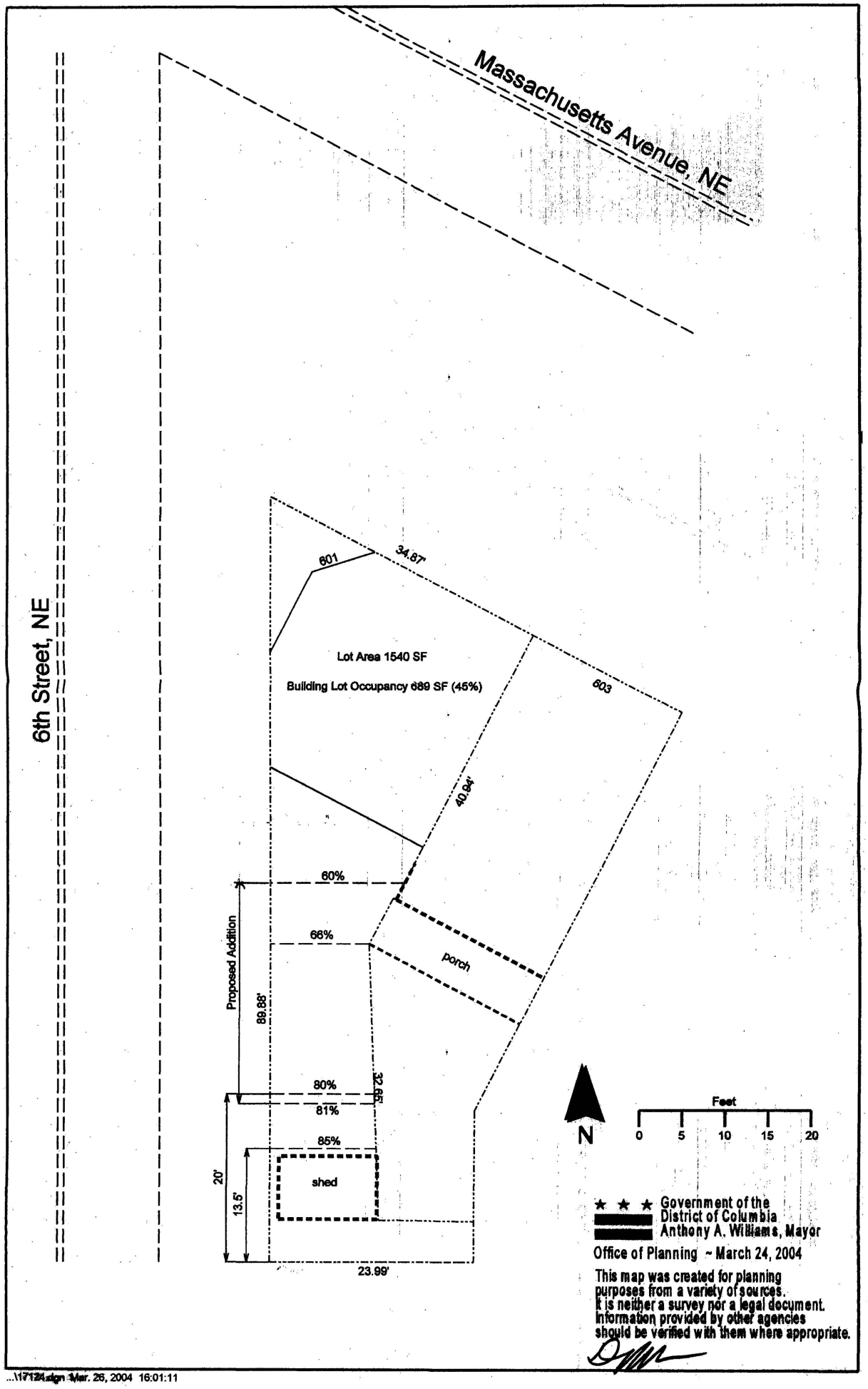
_____

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



SO-10258(2004)



...\17124.sgn Mar. 26, 2004 16:01:11