GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC HEARING

+ + + + +

TUESDAY

OCTOBER 22, 2002

+ + + + +

The Public Hearing convened in Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice, at 9:30 a.m., Geoffrey H. Griffis, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

GEOFFREY H. GRIFFIS	Chairperson
ANNE MOHNKERN RENSHAW	Vice Chairperson
CURTIS ETHERLY, JR.	Board Member
DAVID ZAIDAIN	Board Member (NCPC)
ANTHONY HOOD	Board Member

RECEIVED
D.C. OFFICE OF ZONING
2004 DEC -9 PM 2:07

BZA
Case No. 17284
Exhibit No. 13

COMMISSION STAFF PRESENT:

Board of Zoning Adjustment
District of Columbia
CASE NO. 17284
EXHIBIT NO. 13

AGENDA ITEM PAGE

APPLICATION OF MIRANDA R. BROWN
16929 ANC-7B 163

MARC D. LOUD, ESQ. 164
7826 EASTERN AVENUE, N.W. #311
WASHINGTON, D.C. 20012
(202) 723-9675

WITNESSES

MIRANDA BROWN 164
KAREN THOMAS 168

APPLICATION OF ICG BANCROFT ASSOCIATES LLP
16932 ANC-1D 172

CHRISTOPHER H. COLLINS, ESQ. 172
CAROLYN BROWN, ESQ.
HOLLAND AND KNIGHT, LLP
SUITE 100
2099 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20006
(202) 862-5990

WITNESSES

STYLIANOS CHRISTOFIDES 178
GUILLERMO RUEDA 184
JOHN MOORE 193

was called as a witness by Counsel for the Applicant and, having been first duly sworn, was examined and testified as follows:

CHAIRPERSON GRIFFIS: Good afternoon. Before we get into this specific case for those also in attendance, we are on the second case of three cases in the morning. Clearly we had a monstrous case that has taken us to this point. I will be calling the afternoon session at 3:00 today, so if people want to make according schedules we certainly welcome the audience if you would like to sit through these. However, it will not be feasible for us to start that until that time. With that, let us get to this case. If I could just have you introduce yourselves.

MR. LOUD: Good afternoon, Mr. Chairman. My name is Marc Loud. I□m Counsel for the Applicant Miranda Brown.

MS. BROWN: Good afternoon. My name is Miranda Brown. I am the Applicant.

CHAIRPERSON GRIFFIS: Good. Okay. Clearly you are here for a variance to the lot area and the lot width requirements and the side yard requirements for the construction of a single family detached dwelling. I think it would be appropriate in the Board□s perspective if you want to stand on the

record and just take questions from the Board if you're prepared to do that, I should explain.

MR. LOUD: That is an excellent approach. We will follow that.

CHAIRPERSON GRIFFIS: Good. That being said, Board Members, are there specific questions for the Applicant at this time?

VICE CHAIRPERSON RENSHAW: I would like the Applicant to briefly describe the access to the house. I understand from the application that there are going to be no outside ramps. Is that correct? So if you would describe for us the access into the house.

MS. BROWN: Okay. There's not going to be any outside ramps because the basement is going to be level. You would be able to use a wheelchair and come directly into the house. Then there will be an elevator in the basement that will carry you throughout the entire house.

CHAIRPERSON GRIFFIS: So the first level is accessible.

MS. BROWN: Correct.

CHAIRPERSON GRIFFIS: Both front and back.

MS. BROWN: Front and back.

CHAIRPERSON GRIFFIS: Okay. Good.

Clearly, Board Members, the record shows in the submission the issue of the side yard. We have an existing lot which is not conforming which is what you are here for. But the side yard is created by the new structure. That side yard is based to balanced off the driveway that would be necessitated or at least utilized by this structure.

That would then have the building impede on the side yard by less than two feet. The issue that has come before us with this specific application is the maneuverability of the structure itself for wheelchair access substantiates the need for the dimensions that are shown in the submission that we have on the record. Any other questions of the Applicant?

VICE CHAIRPERSON RENSHAW: On the Office of Surveyors map, are your parents living to the right or the left of your proposed house?

MR. LOUD: Let me beg your indulgence for one second as I put a copy in front of her. I believe it's to the west.

CHAIRPERSON GRIFFIS: Well, if you are facing the lot.

MR. LOUD: It's to the right.

CHAIRPERSON GRIFFIS: It's to the right.

Okay.

MS. BROWN: It's to the right.

CHAIRPERSON GRIFFIS: So you will be sharing the side yard that's in question.

MS. BROWN: Correct. With my parent.

CHAIRPERSON GRIFFIS: With your parents.

MS. BROWN: Parent.

CHAIRPERSON GRIFFIS: Right. Indeed.

VICE CHAIRPERSON RENSHAW: So your parents house is going to be how far away from your house if you are sharing that side yard?

CHAIRPERSON GRIFFIS: Where is theirs located on the lot?

MS. BROWN: Okay. We have to show a picture of my parents lot so I can show them.

MR. LOUD: We beg your indulgence one second. Let me just make sure I understand the question. In terms of where her lot ends and her parents lot begins, how many feet are there?

VICE CHAIRPERSON RENSHAW: How much side yard does her parents have their home to the lot line?

MR. LOUD: Ten feet.

VICE CHAIRPERSON RENSHAW: Ten feet. Thank you.

CHAIRPERSON GRIFFIS: Anything else?

VICE CHAIRPERSON RENSHAW: That's it.

CHAIRPERSON GRIFFIS: Good. Let us go to the Office of Planning which has recommended approval of the application.

MS. THOMAS: Good afternoon, Mr. Chairman and Members of the Board. At this time we would ask for questions of the Office of Planning.

CHAIRPERSON GRIFFIS: Excellent. I think that's appropriate. Board Members, any questions? I note that the Office of Planning report does lay it out very fully and completely. It does also speak to the pre-existing legal lot which if I'm not mistaken was subdivided in 1923 or there about. That's a few years before the Zoning Regulations came into effect. Anything else from the Board?

VICE CHAIRPERSON RENSHAW: No.

CHAIRPERSON GRIFFIS: Does the Applicant have any questions of the Office of Planning?

MR. LOUD: Just with respect to one technical correction. It's probably a typo. On the front page of the memo under the heading Application Relief Sought, the second bullet item should read "5.83 feet proposed." It reads "5.83 inches."

CHAIRPERSON GRIFFIS: Indeed.

MR. LOUD: I just wanted to make that

correction for the record.

CHAIRPERSON GRIFFIS: Excellent point. That would be a substantial variance in technical terms. Right? Okay.

MEMBER ZAIDAIN: We□d be in trouble.

(Laughter.)

CHAIRPERSON GRIFFIS: Anything else then of the Office of Planning?

MR. LOUD: No.

CHAIRPERSON GRIFFIS: Good. Thank you all very much. Is there an ANC representative here today for this application? We will make note that ANC-7B does recommend approval. The report was timely filed. It is Exhibit Number 27. And we have letters from the DuPont Civic Association also in support as Exhibit Number 29. We do have the referral letter from the ZA which is Exhibit Number 4. Anything else I□m missing? Very well. We can take a moment for closing remarks.

MR. LOUD: I□ll be very brief. First of all, thank you and thank you for your patience enduring the day that you□ve endured. I just want to add that I think that you have before you a very complete record. There□s no opposition to it. The Office of Planning supports this recommendation.

It is our hope that you will be very expeditious in ruling on this if you want to do a bench decision or a summary order particularly because none of us know what the future holds for us. She has waited a very long time to begin building this house next door to her parents. Unfortunately the events of this morning suggest that none of us can take anything for granted but particularly in her case in the period between the filing of the application in July and our hearing today she lost her father.

It's a very troubling situation for she and her mom. She probably did not want me to say this on the record but I think it's very important in the context of the Board making a very quick decision so that she can begin construction. Thank you.

CHAIRPERSON GRIFFIS: Thank you very much. We are absolutely sorry for your loss. I think that it is appropriate that we move based on the record to approve Application Number 16929 of Brown for the variance of the lot area, the lot width and also variance from the side yard requirements to allow the single family detached dwelling at premises 3120 Pennsylvania Avenue, S.E. I'd ask for a second.

VICE CHAIRPERSON RENSHAW: Second.

CHAIRPERSON GRIFFIS: Thank you. I think

clearly it's outlined in the record the uniqueness of this pre-existing legal lot that existed before the Zoning Regulations has now become non-conforming in terms of the 1958 regulations. The exceptional practical difficulties I think is well substantiated in terms of utilization for the single family residence and the addition of the particular user and their requirements for this structure.

I think it has been outlined well and substantiated in the record that it won't have any negative impact on the zoning map or regulations. Any others speaking to the motion? Then I'd ask for all those in favor to respond by saying aye.

(Chorus of ayes.)

CHAIRPERSON GRIFFIS: Opposed.

(No response.)

MR. LOUD: Thank you.

CHAIRPERSON GRIFFIS: We'll record the vote.

MS. BAILEY: The vote is recorded as five-zero-zero to approve the application. Mr. Griffis made the motion. Ms. Renshaw second. Mr. Zaidain, Mr. Etherly, and Mr. Hood are in agreement. This is a summary order, Mr. Chairman.

CHAIRPERSON GRIFFIS: Yes I believe so.

Very good. Thank you very much. Enjoy your stay. And we appreciate your patience today actually as we've gotten through the morning. With that, let us call the next case.

MS. BAILEY: Application Number 16932 of ICG Bancroft Associates LLP, pursuant to 11 DCMR 3104.1, for a special exception to allow an addition to a single family dwelling under section 223, not meeting the rear yard requirements (section 404) in the R-3 District at premises 2138 Bancroft Place, N.W., Square 2532, Lots 56 and 811. Are you ready to take the oath?

WHEREUPON,

STYLIANOS CHRISTOFIDES AND GUILLERMO RUEDA

were called as witnesses by Counsel for the Applicant and, having been first duly sworn, were examined and testified as follows:

MR. COLLINS: Good morning, Mr. Chairman.

CHAIRPERSON GRIFFIS: We'll take that for the record. As it's a morning case, you prefaced good morning.

MR. COLLINS: Sorry.

CHAIRPERSON GRIFFIS: It happens.

MR. COLLINS: Good day, Mr. Chairman and Members of the Board.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Form BLRA-15
(Rev. 9/30/91

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. B460054

PERMIT

Date 3/19/04 (Type) NEW CONST.

Address of work 3120 PENN AVE S.E.

Lot 0003 Square 5545

Permission is hereby granted to

MARANDA BROWN (Owner)

who is authorized to perform the work described herein at the address shown above in strict accordance with the conditions stated on BOTH sides of this permit.

NO.

DATE

TOTAL PERMIT FEE $

FILING FEE $

FEE PAYABLE $ 991.40

FOR INSPECTIONS CALL XXXXX 442-4641

Authorized work and conditions of performance thereof:

TO BUILD A NEW 3-STORY S.F.D. PER PLANS & PLAT. UNSTABLE SOILS. SOILS REPORT REQUIRED. THIS PERMIT DOES NOT AUTHORIZE CROSSING PUBLIC SIDEWALK W/TRUCKS. SEPARATE ELEC.,PLUMB., & MECH. INSTALLATION PERMITS ARE REQUIRED.

Builder—

Value $

No. of Bldgs.

Width of Bldgs.

Length

Height

No. of Stories 3

Zone R1B

To be occupied as SFD

Height of terrace above grade

Projections:

Address of owner 3122 PENN AVE S.E

Deposit No.

Amount $

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Chief, Permit Issuance Branch

By

Permit Clerk

D CLARK 32301
DIRECTOR

P D.C. GOVERNMENT
OTR/DCRA CASHIER OFFICE
941 N. CAPITOL ST. NE
WASHINGTON, DC 20002
202-727-1000

Store # 0001 Receipt # 073019
Reg. # 3 03/19/04 at 10:36
Cash In Clk# 40 Sale Clk# 40

EB22001215 BUILD.STRUCTURE & EQUIP
0 1 @ $ 991.40 $ 991.40

Sub-Total $ 991.40
Tax $ 0.00
Total Sale $ 991.40

Check Amount $ 991.40
Change Due $ 0.00

THANK YOU AND HAVE A NICE DAY

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DISTRICT DEPARTMENT OF TRANSPORTATION

Office of Public Space
Management Administration

Date: 4-2-04

Chairperson, ANC-7B
3200 S Street, SE
Washington, DC 20020

Pursuant to the District of Columbia Self Government and Governmental Reorganization Act, Section 738 (d), this is to notify you of an application to occupy public space for the propose of installing a New Driveway at premise 3120 Pennsylvania Ave, SE.

Enclosed is a drawing showing the proposed Driveway. It is requested that you indicate your comments on this memorandum and return it to this office within thirty (30) business days from the date you receive this notice and whether or not you offer any objections to such use.

If a response is not received within (30) business days, we will assume that you have no objections to the applicants request and we will proceed with its approval process.

Please Note: For your ANC response to carry "Great Weight," this request must be voted on by the commission as a whole.

If you have any questions, please feel free to contact Steve Kehoe at (202) 442-9515 or (202) 442-4670 (FAX: 202-442-4867 or 202-535-2221).

Kehoe granted by Extension
until May 26, 2004

Sincerely,

S. Kehoe

Steve Kehoe, Engineering Tech.
Public Space Permits and Records Branch
941 North Capitol Street
Washington, D.C. 20002

ENDORSEMENT

Date of ANC Vote: 5-20-2004
(attach resolution, if available)

To:

No Objection (✓) Signature: Kathy Chamberlain Date: 5-25-04
Objection ( ) (name & title)

Please State Objection:

NAYLOR DUPONT
Advisory Neighborhood Commission 7B

District of Columbia Government
3200 S Street, S.E.
Washington, D.C. 20020
email: *anc7b@pressroom.com*
web: *www.pressroom.com/~anc7b*
phone: (202) 584-3400 fax: (202) 584-3420

May 25, 2004

Mr. Steve Kehoe, Engineering Tech.
Public Space Permits and Records Branch
941 North Capitol Street
Washington, DC 20002

Subject: Application –New Driveway at premise 3120 Pennsylvania Ave., SE

Dear Mr. Kehoe:

This letter is in response to your letter dated April 2, 2004, regarding the above subject.

At a regularly scheduled public meeting of ANC 7B on May 20, 2004, with 6 of 7 commissioners present, ANC 7B commissioners voted unanimously to support the installation of a new driveway at premise 3120 Pennsylvania Avenue, S.E.

Sincerely,

Kathy Chamberlain

Kathy Chamberlain
Chair, ANC 7B

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

941 North Capitol Street, NE - Suite 2000 - Washington, DC 20001 - 202-442-4460

NOTICE OF VIOLATION AND NOTICE TO ABATE

ADDRESS OF VIOLATION: 3120 Pennsylvania Ave. SE	CONTROL NUMBER:
BUSINESS NAME: None	TYPE OF INSPECTION: ☒ CONSTRUCTION ☐ ELECTRICAL ☐ FIRE PROTECTION ☐ PLUMBING ☒ OTHER ZONING
OWNER'S NAME: Maranda Brown	
DATE OF INSPECTION: 08 / 31 / 04 — TIME OF INSPECTION: 12:54 PM	

An inspection of the ☒ Construction ☐ Electrical ☐ Fire Protection ☐ Plumbing ☐ _____ features at the above address was performed on the above date. The inspection revealed the violation(s) cited hereafter. The owner is required to abate the violation(s) by taking the corrective action(s) specified below:

CODE SECTION	VIOLATION	REQUIRED CORRECTIVE ACTION
DCMR11- 400	Height of Buildings or Structures (R)	Building must meet the height or number or stories for the zone. R-1-B
DCMR 12- 105A	Permits	You must obtain the required permits
	ALL WORK MUST STOP	
	AT ONCE	

The cited violation(s) must be abated as ordered within ☐ _____ hours
☒ 14 days _____ days from receipt of this notice. Failure to comply will result in this notice being forwarded to the Office of Compliance for enforcement action.

NAME OF PERSON NOTIFIED (PLEASE PRINT)	DATE OF RECEIPT OF NOTICE
SIGNATURE OF PERSON RECEIVING NOTICE	POSITION / TELEPHONE
INSPECTOR (PRINT): Juan R. Scott Per MR Noble	INSPECTOR's TELEPHONE: 202- 442-8687
INSPECTOR'S BADGE #: 201 — DATE OF NOTICE: 09 / 22 / 04	TIME OF RECEIPT OF NOTICE

TO REPORT WASTE, FRAUD OR ABUSE BY ANY D.C. GOVERNMENT OFFICE
OR OFFICIAL, CALL THE INSPECTOR GENERAL AT 1-800-521-1639.
ALL CALLS ARE CONFIDENTIAL.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

941 North Capitol Street, NE - Suite 2000 - Washington, DC 20001 - 202-442-4460

NOTICE OF VIOLATION AND NOTICE TO ABATE

ADDRESS OF VIOLATION: 3120 Pennsylvania Ave. SE	CONTROL NUMBER:
BUSINESS NAME:	TYPE OF INSPECTION: ☒ CONSTRUCTION ☐ ELECTRICAL ☐ FIRE PROTECTION ☐ PLUMBING ☒ OTHER ZONING
OWNER'S NAME: Maranda Brown	
DATE OF INSPECTION: 8/31/04 — TIME OF INSPECTION: 12:54 PM	

An inspection of the ☒ Construction ☐ Electrical ☐ Fire Protection ☐ Plumbing ☐ _____ features at the above address was performed on the above date. The inspection revealed the violation(s) cited hereafter. The owner is required to abate the violation(s) by taking the corrective action(s) specified below:

CODE SECTION	VIOLATION	REQUIRED CORRECTIVE ACTION
DCMR 11-400	Height of Buildings or structures (R)	building must meeeth the height or
		number or stories for zone. R-1-B
DCMR 12-105A	Permits	Must obtain the required permits
	ALL WORK MUST STOP AT ONCE	

The cited violation(s) must be abated as ordered within ☐ _____ hours
☒ 14 days from receipt of this notice. Failure to comply will result in this notice being forwarded to the Office of Compliance for enforcement action.

NAME OF PERSON NOTIFIED (PLEASE PRINT)	DATE OF RECEIPT OF NOTICE
SIGNATURE OF PERSON RECEIVING NOTICE	POSITION
	TELEPHONE
INSPECTOR (PRINT): Juan Scott per Denzil Noble	INSPECTOR'S TELEPHONE: 2/442-8687
INSPECTOR'S BADGE #: 201 — DATE OF NOTICE: 9/24/04	TIME OF RECEIPT OF NOTICE: typed 10:43

TO REPORT WASTE, FRAUD OR ABUSE BY ANY D.C. GOVERNMENT OFFICE OR OFFICIAL, CALL THE INSPECTOR GENERAL AT 1-800-521-1639. ALL CALLS ARE CONFIDENTIAL.

CHAPTER 4 RESIDENCE DISTRICT: HEIGHT, AREA, AND DENSITY REGULATIONS

Secs.

400 Heights of Buildings or Structures (R)
401 Minimum Lot Dimensions (R)
402 Floor Area Ratio (R)
403 Percentage of Lot Occupancy (R)
404 Rear Yards (R)
405 Side Yards (R)
406 Courts (R)
407 - 409 [Reserved]
410 Exceptions for R-5 Districts
411 Roof Structures (R)
499 Definitions

400 HEIGHT OF BUILDINGS OR STRUCTURES (R)

400.1 Except as specified in this chapter and in chapters 20 through 25, the height of buildings or structures in a Residence district shall not exceed that given in the following table:

DISTRICT	HEIGHT (Feet)	HEIGHT (Stories)
R-1-A, R-1-B, R-2		
R-3, R-4, R-5-A	40	3
R-5-B	50	No Limit
R-5-C	60	No Limit
R-5-D	90	No Limit
R-5-E	90	No Limit

400.2 Except as provided in §2510, the height of buildings or structures as specified in §400.1 may be exceeded in the instances provided in §§400.3 through 400.13.

400.3 A spire, tower, dome, pinnacle, or minaret serving as an architectural embellishment, or an antenna may be erected to a height in excess of that which this section otherwise authorizes in the district in which it is located.

400.4 A chimney or smokestack may be erected to a height in excess of that authorized in the district in which it is located when required by other municipal law or regulation.

400.5 A building or other structure may be erected to a height not exceeding ninety feet (90 ft.); Provided, that the building or structure shall be removed from all lot lines of its lot for a distance equal to the height of the building or structure above the natural grade.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Form BLRA-15
(Rev. 9/30/91

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. B466265

PERMIT

Date 9/29/04 (Type) MISC.

Address of work 3120 PENNSYLVANIA AVE. S.E.

Lot 3 Square 5545

Permission is hereby granted to MARANDA BROWN (Owner)

who is authorized to perform the work described herein at the address shown above in strict accordance with the conditions stated on BOTH sides of this permit.

NO.

TOTAL PERMIT FEE $

FILING FEE $

DATE

FEE PAYABLE $ 250.00

Authorized work and conditions of performance thereof:

REVISION TO PERMIT #B460054

FOR INSPECTIONS CALL [redacted] 442-4641

CHANGE PROPOSED ATTIC SPACE TO A MEZZANINE PER REVISED W/BZA #16929 DATED 11/22/02 NO PLBG. CHANGES.

SEPARATE ELECTRICAL AND MECHANICAL INSTALLATION PERMITS ARE REQUIRED.

Builder Value $ No. of Bldgs.

Width of Bldgs. Length Height No. of Stories 2 W/B & MEZZ.

Zone R-1-B To be occupied as NEW SFD.

Height of terrace above grade Projections:

Address of owner 3122 PA. AVE. SE.

Deposit No. Amount $

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Chief, Permit Issuance Branch

By Permit Clerk

D. CLARK
DIRECTOR

E. KING

D.C. GOVERNMENT
DTR/DCRA CASHIER OFFICE
941 N. CAPITOL ST. NE
WASHINGTON, DC 20002
202-727-1000

Store # 0001 Receipt # 121137
Reg. # 1 09/29/04 at 16:15
Cash In Clk# 30 Sale Clk# 30

EER2001215 BUILD,STRUCTURE & EQUIP
0 1 0 @ 250.00 = 250.00

Sub-Total $ 250.00
Tax $ 0.00
Total Sale $ 250.00

Check Amount $ 250.00
Change Due $ 0.00

THANK YOU AND HAVE A NICE DAY

Miranda R. Brown
3122 Pennsylvania Avenue S.E.
Washington D.C. 20020
Home 202 583-5177 Cell 202 549-4112 Office 202 616-5262

November 14, 2002

Toye Bello, Chief
Zoning Branch Review Branch
Department of Consumer and Regulatory Affairs (DCRA)

Subject: DCRA permits B460054 and B466265

Dr. Mr. Toye Bello:

This is a follow up of our conversation at approximately 11:00 a.m., on November 12, 2004, regarding DCRA Permits B460054 and B466265. During our conversation you emphasized to me and my architect Mr. Lenair Williams that even though, a mezzanine is pre-deemed compatible with the Zoning regulations for an R-1-B District, you have advised me that; I should seek a variance from the Board of Zoning Administration (BZA) to modify the interior architectural plans of my home from an attic to a mezzanine, since the original permit was issued based upon BZA Order No. 16929. It is also my understanding that you will instruct me as to the type of relief that I need to request.

While I am pursuing a hearing before the BZA regarding this matter, you have agreed not to issue a stop work order on my property because according to the records you reviewed, I have obeyed all instructions issued by both the BZA and DCRA zoning officials in regards to the construction of my house.

While I am in pursuit of a modification approval from the BZA, I will limit construction to the basement, first and second floor. The exterior of my home is 95% complete. Per you instructions, all work toward the completion of the architectural plans for the mezzanine as shown on DCRA permit B466265 will cease, until the BZA makes a final decision on the modification request I am pursuing. Your cooperation in this matter is greatly appreciated. If there is any thing else that I am required to do, please do not hesitate to contact me at the numbers cited above.

Sincerely,

Miranda R. Brown

ERNEST R. SINES, INC.
General Contractor
14621 Locustwood Lane ~ Silver Spring, Maryland 20905
Office: 301-384-6618 ~ Fax: 301-384-3819

October 14, 2004

Ms. Miranda Brown
3122 Pennsylvania Avenue
Washington, DC 20020

RE: Application for Payment #2

Dear Miranda:

Outlined below are the items I am requisitioning for Payment #2 on the residence being built at 3120 Pennsylvania Avenue, Washington, DC 20020.

Payment based on the Draw Items as outlined by Presidential Bank's draw schedule:

Contract amount			[redacted]
4.	Framing	15%	
5.	Roof & Trusses sheathed	5%	
6.	Roof shingles	2%	
7.	Doors & windows	5%	
15.	½ Brick	6%	
		33%	$114,833.40

Extras:

1.	Kitchen cabinets – upgrade	$ 1,000.00	
2.	Modification for mezzanine	4,780.00	
3.	Front door	378.00	
4.	HVAC 2nd unit in attic & metal cost	2,188.00	
		$ 8,338.00	$ 8,338.00
	Total Due:		**$123,171.40**

Please let me know when this check is available and I will pick it up. Thank you.

Sincerely,

Ernest R. Sines