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February 28, 2005

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By Hand

Ms. Gerrily Kress
Director
District of Columbia Office of Zoning
441 – 4th Street, N.W., Suite 210 South
Washington, DC 20001

Re: *BZA Appeal No. 17285*

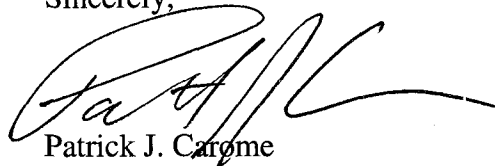
Dear Ms. Kress:

Enclosed please find Appellant's Submission Regarding Timeliness of Appeal and Standing and Volume 3 of Appellant's Appendix of Exhibits in the above referenced matter.

We will file twenty copies of these materials by hand tomorrow.

Please let me know if you have any questions.

Sincerely,



Patrick J. Carome

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Encl.

cc: By Hand
Richard L. Aguglia, Esq.
Toye Bello
Lisa Bell, Esq.

BZA

Case No. 17285
Exhibit No. 34

Board of Zoning Adjustment
District of Columbia
CASE NO. 17285
EXHIBIT NO. 34A1

A

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Appeal of Patrick J. Carome

of Building Permit
No. B460927

4825 Dexter Terrace, NW
Frank & Dina Economides, Owners

BZA Appeal No. 17285

Hearing Date: March 1, 2005

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**APPELLANT'S SUBMISSION REGARDING
TIMELINESS OF APPEAL AND STANDING**

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BZA
Case No. 17285
Exhibit No. 34-A

On February 25, less than two business days before the hearing scheduled on this Appeal for March 1, Frank and Dina Economides submitted a brief in which they assert for the first time that the Appellant, Patrick Carome, did not commence this Appeal in a timely fashion (Econ. Opp. at 2, 4, 9-10) and that he lacks standing to pursue this Appeal (*id.* at 2, 11). Each of these assertions is without merit, and this Board should have little difficulty dispensing with them at the outset of the March 1 hearing. Appellant respectfully submits this brief written response in the hopes that it will shed light on, and expedite the Board's consideration of, these preliminary issues.

I. THIS APPEAL WAS COMMENCED WITHIN THE TIME SPECIFIED IN SECTION 3112.2 OF THE ZONING CODE.

Appellant commenced this Appeal on Monday, December 13, 2004, and specifically alleged in his initial filing that the Appeal is timely under 11 DCMR § 3112.2. (Appeal ¶ 8.) Appellant made that filing less than 60 days after he first had notice or knowledge of DCRA's issuance of the Building Permit at issue and less than 60 days from when he "reasonably should have had [such] notice or knowledge." Moreover, he commenced the Appeal during the pendency of Stop Work Orders and an official Order to Correct that DCRA had issued to the Economides in connection with the construction of the "retaining wall." At that time, DCRA purportedly was engaged in a thorough review of all construction activity on the Dexter Terrace site, including the construction of the "wall." Indeed, during the week *after* the Appeal was filed, DCRA and the Economides still were scrambling to try to complete the administrative process that was supposed to have occurred before the Building Permit for the "wall" could be issued. So, far from being untimely, this Appeal was on the books *before* DCRA had even finished the permitting process. For all of these reasons, this Appeal clearly is timely.

A. The “Under Roof” Prong of Section 3112.2 Cannot Render This Appeal Untimely.

The Economides’ first argument relating to supposed untimeliness is that the structure in question was “under roof” as of November 14, 2004. (Econ. Opp. at 9-10.) Based on this obviously erroneous predicate, they argue that the Appeal is untimely pursuant to Section 3112.2(b), which provides that no appeal may be brought more than 10 days after the structure in question is “under roof.” (*Id.*) The event that the Economides claim was the “roofing” of the structure was the “capping off” of the walls on that day, an assertion for which the Economides cite no evidentiary support. This argument is wrong for many reasons, including the following:

First, the Economides argue elsewhere that the so-called “retaining wall” is not a building because it has no “roof.” (Econ. Opp. at 15.) Obviously, they cannot have it both ways on this point.

Second, if the structure at issue has a “roof,” then the roof would be the uppermost layer of the expansive level “platform” or “terrace” that four mesa block walls and twenty layers of geogrid fabric are supporting. As noted in Appellant’s opening brief, the Code defines “structures” to include “platforms.” (Ex. 6.) *Webster’s* defines a platform as “a natural or constructed terrace” (Ex. 21), and *Webster’s* in turn defines terrace as a “relatively level paved or planted area adjoining a building” (*id.*). (App. Br. at 41-44.) If a terrace can be thought of as having a “roof,” then clearly its “roof” would have to be its “paved or planted” surface. The Economides did make a curious dash to place sod on top of the uneven, soggy surface of the wall-supported terrace, but they did not do that until the second or third week of December 2004. (Carome Aff., Ex. 71 ¶ 18.) A photograph taken on December 2, 2004, one day *after* the

structure would have to have been “under roof” to render the Appeal untimely, shows that sodding activity had not even begun yet.^{1/} (Carome Aff., Ex. 71 ¶ 19 and Exs. 40 & 33.)

Third, the supposed “capping” of the exterior walls on November 14, 2004, occurred during the pendency of Stop Work Orders and an Order to Correct that DCRA had issued to the Economides on November 2, 2004 and November 8, 2004, respectively. (App. Br. at 42-49 and Exs. 46, 64-66, & 72.) DCRA officials assured Appellant and advised Mrs. Economides that the stop work directive prohibited any work on the site, including on the “retaining wall” (Ex. 73) and the outer jacket of the file for the retaining wall permit bore the words “STOP WORK” (Ex. 51). Accordingly, any claimed “capping” of the structure on November 14, 2004, would have been in *violation* of the Building Code. 12 DCMR § 114.3. It is inconceivable that such a *criminal act*, during a period of when DCRA had informed Appellant that it was conducting a full review of the situation, could strip Appellant of his right to pursue this appeal.

B. This Appeal Is Timely Within the Meaning of Section 3112.2’s 60-Day Rule.

The Economides contend that the Appeal is untimely under the 60-day rule set forth in Section 3112.2 of the Zoning Code. (Econ. Br. at 10.) That provision states as follows:

An appeal shall be filed within sixty (60) days from the date the person appealing the administrative decision *had notice or knowledge of the decision complained of, or reasonably should have had notice or knowledge of the decision complained of*, whichever is earlier.

11 DCMR § 3112.2(a) (emphasis added). The Economides assert three reasons why they believe this appeal was untimely under this rule, but each of them is totally meritless.

^{1/} Because December 11 and 12, 2004 were on a weekend, an appeal filed on December 13, 2004 would have been timely even if the “roof” on the terrace had been fully installed on December 1, 2004. 11 DCMR § 3110.2

First, the Economides erroneously assert that knowledge in the local community that they had illegally graded and clear cut trees on their property and the federal parkland in summer 2002, and that they had suddenly razed their existing house starting on a Sunday afternoon in December 2002, proves that Appellant was regularly monitoring “the progress of all construction at the site” two years later, in mid-2004. (Econ. Opp. at 10.) This is nonsense for a host of reasons:

- Even if Appellant was fully knowledgeable of all of these events in 2002 (which he was not (Carome Aff., Ex. 71 ¶ 7)), that would hardly indicate that he was paying any attention to what was happening on the site after construction of the wall allegedly began “at the end of June 2004.” (Econ. Opp. at 10 & Ex. I ¶ 10.)
- Ironically, what the Economides are really saying is that construction activity that they conducted illegally in 2002 *without any valid building permits* — including a razing performed under the guise of a *totally fabricated permit* (*see* App. Br. at 19-20 and Exs. 53 & 54) — necessarily made Appellant instantly aware not just that the Economides were building a wall two years later, but that in this instance (unlike in 2002) the Economides had gone to the trouble of getting DCRA to issue a permit.
- In fact, aside from having a vague sense that construction was still happening off and on a lot across the heavily wooded park, Appellant was not monitoring what was going on at 4825 Dexter Terrace during summer and early fall of 2004. Nor was he aware that a new structure was going up on or near the rear border of the site, much less that a new building permit had been issued by DCRA purporting to authorize such a structure. This is hardly surprising, because in the summer and early fall of 2004 (as in previous summers), the foliage and plant growth within Wesley Heights Park was so dense that the Dexter Terrace construction site was not visible from Fulton Street (where Appellant lives) and because Appellant had long since stopped using the park due to his disgust at what persons as-yet unknown to him had done to damage the park in 2002. (Carome Aff., Ex. 71 ¶ 12.)
- In fact, Appellant never heard or saw anything about a retaining wall permit (or any other construction permit relating to 4825 Dexter Terrace), until some time after October 13, 2004, when his wife first looked for and obtained some permitting records from DCRA. (Carome Aff., Ex. 71 ¶ 13.)

Second, the Economides assert that Appellant must have known of the challenged permit more than 60 days before he appealed because “[t]he retaining wall permit was posted in the window of the house on the subject property in April of 2004.” (Econ. Opp. at 10.) While the

Economides have submitted two documents that they suggest are evidence that the permit was posted as the Code explicitly requires, these documents are each highly suspect. Indeed, there is overwhelming evidence that, contrary to law, the Economides failed to post the “retaining wall” permit (or any other construction permits) until late November or early December 2004.

The Economides’ “evidence” that the permit was posted starting in April 2004 consists solely of (a) a page showing two *undated* close-up photographs of permits taped to the inside of several window panes (Econ. Ex. E at 10) and (b) a lone affidavit from a stone mason claiming that he recalls seeing the retaining wall permit posted on the front window of the owner’s house “when I started this job in June 2004.” (Ardon Aff., Econ. Ex. I ¶ 11.) Obviously, undated photos, without more, prove nothing about *when* a permit was posted. And it is curious, to say the least, that the Economides would rely on a stone mason to prove a fact that, if it were true, surely would be readily within their first-hand knowledge. In fact, extensive evidence shows that no building permits, including the “retaining wall” permit, were posted on the front of the Economides house *until after November 29, 2004*, after DCRA and the police department made a fuss about the absence of posted permit. This evidence includes the following:

- The photos of permits shown in Economides Exhibit E appear to be in precisely the same window locations as photos that Appellant took on January 8, 2005 and February 27 and 28, 2005. (Carome Aff., Ex. 71 ¶¶ 21-23 & Ex. 74.) But Appellant also has earlier dated photos, from November 3 and 6, 2004, which show *those very same windows with no permits* taped to them. (Carome Aff., Ex. 71 ¶ 22 & Ex. 75.)
- A letter from DCRA to the Economides dated December 15, 2004, states that one of the reasons it had issued Stop Work Orders on November 2, 2004 was that DCRA inspectors had found them to be pursuing construction activity “*without posting the proper permits.*” (Ex. 73.)
- A letter from the Economides to DCRA, dated November 8, 2004, attempts to provide an explanation for why “the permits associated with the construction of our home . . . were not available” when the inspectors had come looking for permits on November 2, 2004. The letter blames the unavailability of the permits on the fact that “[r]ecently, we were robbed at the trailer, twice in a week, and we were in the process

of returning the office back to normal.” (Ex. 76.) If this excuse is true, it means that the permits were kept somewhere else altogether, because there was no such “trailer” at or near the Dexter Terrace site in or around early November or late October 2004. (Carome Aff., Ex. 71 ¶ 17.)

- An email message from police officer Adrian Sanders to DCRA, dated November 26, 2004, states that earlier that day he had investigated work being performed at the Dexter Terrace site in violation of Stop Work Orders. Sanders noted in the email that “I noticed the *conspicuous absence of work permits* posted at or near the front door” and that “after searching the construction plan area, *I still could not find any work permits.*” (Ex. 77 (emphasis added).)

Third, the Economides make the absurd assertion that, because Appellant has submitted an “extremely detailed brief including pictures of the site,” it is “inconceivable” that Appellant did not know that of the construction of the retaining wall more than 60 days before the Appeal was filed. (Econ. Opp. at 10.) Appellant, a lawyer working diligently with the assistance and support of a large law firm, has indeed been able to assemble a great deal of information about the DCRA’s and the Economides’ unlawful activities, but he has done all this work over the past few months. Appellant had not spent *any* time investigating these matters prior to late October 2004, shortly after he first realized that a large wall structure was being erected in the vicinity of Wesley Heights Park. (Carome Aff., Ex. 71 at ¶ 15.)

In sum, the Economides’ grounds for alleging that Appellant was aware of either the construction of the retaining wall or the DCRA’s issuance of a permit before mid-October are specious, and do nothing to undermine Appellant’s testimony that he neither knew nor had reason to know of the permitting decision any earlier than October 13, 2004. This is hardly surprising, for this case bears none of the hallmarks of the rare case in which this Board or the D.C. Court of Appeals has deemed an appellant to have had constructive knowledge of a permitting decision before he or she actually knew of the permit. Such constructive knowledge arises from widespread communication of the administrative decision or actual viewing of the

challenged construction. *Georgetown Residents Alliance v. Dist. of Columbia Bd. of Zoning Adjustment*, 816 A.2d 41, 50 (D.C. 2003) (Residents Alliance charged with knowledge of University's construction plans where University representatives had gone door-to-door *three times* to inform neighbors of those plans and ANC members testified that neighbors were aware of those plans approximately seven months before Residents Alliance filed appeal); Appeal No. 15129 of Richard B. Nettler (BZA 1989) (appellant charged with notice because he could see construction on site eight months prior to filing his appeal and other evidence pointed to his actual awareness of permitting decisions). This case, quite plainly, bears none of those hallmarks.

C. The Economides' Pattern of Deceptive and Misleading Conduct Meant That No Reasonable Person Could Equate Construction Activity with Permit Issuance.

Even if, contrary to all of the foregoing, the Economides could show that Appellant should have been aware that a wall of some sort was being erected in the Economides' backyard at some time earlier than mid-October 2004, in the extreme circumstances of this case that would be a very far cry from showing that Appellant "reasonably" should also have known that DCRA had issued a building permit authorizing such construction. By the end of June 2004, when construction of the "retaining wall" supposedly commenced (Econ. Ex. I, Ardon Aff. ¶ 10), the Economides were more than two years into a course of conduct in which (a) the commencement of construction work virtually never coincided with the issuance of a corresponding building permit and (b) the appearance of a permit application or permit in DCRA's files almost never corresponded accurately to the work that the Economides were planning to perform or performing.

As described more fully in the background section of Appellant's opening brief (App. Br. at 12-26), the discordance between construction activity on the ground and what was reflected in

DCRA's files of its administrative decisions includes the following facts, none of which

Economides has seriously contested:

- In Spring 2002, Economides trucked fill dirt onto the property and engaged in illegal grading and tree-clearing, *all without any of the required permits*. (Exs. 49, 50 & 78.)
- In August 2002, apparently as an effort to retroactively gain permission for the Spring activity so as to avoid legal sanctions, the Economides applied for and obtained a permit for minor grading and filling in their back yard. This permit falsely stated the owners had no plans for other activity on the same site within the next three years that would require a building permit. (Exs. 56 & 57.)
- In September 2002, the Economides applied for and obtained a permit for a "renovation and addition," but the plans they had developed and submitted to DCRA obviously showed that they intended to demolish the existing house and construct an *entirely new*, and much larger, house. (Exs. 25, 58-59.)
- Starting in December 2002, the Economides illegally razed their house without ever applying for or obtaining a permit. (Exs. 2, 47, 48, 65 & 73.) To help them falsely stage this razing as an unexpected emergency, someone within DCRA faxed to "Frank E." a bogus "emergency raze" permit that someone had fraudulently fabricated from an authentic emergency permit issued in mid-2002 to a different property owner in a different location. (Exs. 2, 53 & 54.)
- A few weeks later, on January 16, 2003, the Economides submitted the forged "emergency raze" permit to DCRA in order to obtain the first electrical permit for the construction of the planned new house. Both the application and the permit that DCRA issued on the basis of the application falsely stated that the type of work being performed was "remodeling." (Ex. 79.)
- During the first six months of 2003, the Economides unlawfully commenced and pursued the construction of an entirely new house at the Dexter Terrace site. They had no permit to do so. (Exs. 47, 55 & 73.)

An ideally informed "reasonable citizen," faced with this persistent history of unlawful and unpermitted construction activity and all of the false information crammed into DCRA's administrative files would have had no reason to believe that the initiation of some further phase of construction on Dexter Terrace was an indicator that DCRA had issued a building permit meant to authorize that activity. Indeed, the ideally informed citizen might well have been lulled into complete complacency all the way through August 2005 based on the indication in the

Economides' first permit application that they had no plans to do anything more than minor grading for the next three years. (Ex. 56.)

Further preventing any reasonable person from deducing in mid-2004 that DCRA might have issued a new Building Permit relating to the Dexter Terrace site is the fact that since early 2002 it had continuously been an ongoing construction site with absentee owners. It seems that throughout those two-plus years, a whole range of different construction activities were being performed, with little apparent rhyme or reason. Deducing that any given activity might be associated with some new permitting decision would also have been especially difficult in this case because a reasonable observer might naturally have assumed the activity in question was covered by some overall plan that had been authorized in some coordinated fashion from the outset. Here, of course, the Economides' piecemeal and deceptive approach further disguised what was really happening and deprived the community of any roadmap for assessing what was happening. *See Sisson v. Dist. of Columbia Bd. of Zoning Adjustment*, 805 A.2d 964, 971 (D.C. 2002) (holding that owner's piecemeal and deceptive approach to permitting process enabled an aggrieved neighbor to appeal permit decisions made as much as eight months before the appeal was filed).

All of the foregoing circumstances further confirm that this Appeal is timely because Appellant neither knew nor should have known of the administrative decision being challenged any earlier than October 13, 2004. Alternatively, even if the 60-day rule would otherwise have barred Appellant's Appeal, the foregoing circumstances constitute "exceptional circumstances that are outside of the appellant's control and could not have been reasonably anticipated [and] that substantially impaired the appellant's ability to file an appeal to the Board." 11 DCMR §

3112.2(d). *Id.* To hold otherwise would perversely reward the Economides for a two-and-a-half year scheme to run roughshod over applicable laws.

D. The Pendency of the Stop Work Orders and DCRA's Associated Review Tolloed the 60-Day Period For at Least 40 Days.

Yet another reason why this Appeal cannot be deemed untimely is that the 60-day clock was not even running on or after November 2, 2004, when DCRA issued Stop Work Orders prohibiting all construction activity on the Dexter Terrace site and commenced a site-wide review of all prior permits and all construction activities being performed on the property.

This Board has recognized that administrative deliberation within the DCRA, such as stop work orders and/or DCRA special reviews, will toll the 60-period for filing an appeal. In *Appeal No. 16764 of Darrel J. Grinstead* (BZA 2001), for example, the Board found that the clock for appeal did not begin to run until the DCRA reviewing officer responded by letter to the appellant's complaint. *Id.* at 11. While the appellant was working with the DCRA to resolve his concerns about the disputed building project and "[w]ith the DCRA stop work order . . . , [he] had reason to believe that his concerns were being addressed and that DCRA had not yet made a final decision." *Id.* at 12. For this reason, the Board tolled the 60-day clock while the DCRA investigation continued, and found the appellant to have "acted in a timely manner to file an appeal" by filing within 60 days "[o]nce DCRA clarified the status of its review." *Id.* at 6. As a matter of fundamental fairness and administrative efficiency, the Board's holding in *Grinstead* makes sense. As the Board recognized there, "[t]o rule otherwise" and require appellants to file an appeal despite ongoing DCRA investigations "would mean that DCRA would not be given the opportunity to correct its errors internally before the appeal process begins — an opportunity that promotes administrative efficiency, the prompt correction of errors, and the resolution of disputes." *Id.* at 11. In other words, tolling the regulatory deadline during the pendency of a

DCRA investigation allows appellants to rely reasonably on the responsiveness of the DCRA, which in many instances is able to solve disputes without requiring the complainants and the Board of Zoning Adjustment to commit the time and expense of filing an appeal.

In the present case, shortly after Appellant first learned of the permit for the “retaining wall,” he and his wife began a series of communications with DCRA that led to the imposition of multiple Stop Work Orders on November 2, 2004, and one or more further Stop Work Orders on November 29, 2004. As noted above, these orders and the associated review encompassed and concerned the “retaining wall” as well as the house, and they were not lifted until a full week *after* Appellant filed the Appeal. (Ex. 66.) Throughout the pendency of the review, Appellant and his wife engaged in numerous communications with DCRA officials and others within the District government in hopes of obtaining relief, and officials at DCRA repeatedly assured Appellant, the ANC, and others in the community that the entire matter was under serious review. (Ex. 80.) Indeed, on December 13, 2004, the very day that Appellant commenced this Appeal, the then-head of DCRA advised D.C. Council Member Kathy Patterson and numerous other District and federal government officials that starting that day DCRA would send to Council Member Patterson a weekly report on the Dexter Terrace situation, for her to “distribute[] to the community.” (Ex. 81.)

In these circumstances, there can be no question that tolling of the 60-day period began no later than November 2, 2004 and continued until this Appeal was commenced. This pushes back to at least September 3, 2004 the date for measuring Appellant’s actual or constructive knowledge regarding the issuance of the permit at issue. Given that the construction work relating to the wall supposedly did not commence until “the end June 2004” (Ardon Aff., Econ. Ex. I ¶ 10), that Appellant was out of town for substantial portions of July and August 2004

(Carome Aff., Ex. 71 ¶ 11), and that the foliage in the park between Appellant's home and the construction site was at its most dense during the nine weeks between July 1, 2004 and September 3, 2004, the period in which Appellant could have acquired even constructive knowledge of the permitting decision is vanishingly small.

E. The Appeal Cannot Be Deemed Untimely Under Any Rule or Analysis Because DCRA's Decisionmaking Concerning Zoning Issues Relating to the Retaining Wall Was Still Ongoing Even After the Appeal Began.

DCRA has just disclosed evidence revealing that the "administrative decision complained of" — that is, its decision to permit the Economides to erect the so-called "retaining wall" — was still *in the process of being made* as late as December 15, 2004. On that date, two days *after* this Appeal commenced, DCRA advised the Economides that because required inspections of the wall had not been performed, it was necessary for them to "provide a structural certification from a DC registered professional engineer" attesting to the wall's compliance with the D.C. Building Code. (Ex. 73.) The following day, December 16, 2004, DCRA faxed to Frank Economides a blank version of the engineering certification form for the pre-construction wall design that a qualified engineer was required to have provided — but obviously had not — *before* DCRA was even allowed to process the Economides application for a permit for the wall. (Econ. Ex. L.) There is no evidence in DCRA's records that the Economides ever returned a properly completed version of this certification to DCRA.^{2/}

^{2/} The Economides curiously have submitted as their Exhibit L a partially completed version of an engineer's pre-permitting certification, purportedly signed by engineer William K. Ryan and notarized on December 17, 2004, four days *after* the appeal commenced. (Econ. Ex. L.) This document does not even purport to identify what plans Mr. Ryan was certifying, nor are any plans attached to it. There is no evidence that the Economides ever submitted this partial document to DCRA, and no version of it was included among the FOIA records that DCRA belatedly released last week.

The question of whether the pre-construction plans for the retaining wall in fact complied with the D.C. Building Code was critical to assessing whether the wall could be built in required rear and side yards. 11 DCMR § 2503.3 (only a fence or retaining wall “constructed in accordance with the D.C. Building Code may occupy any [required] yard”). It is now clear that DCRA was trying to resolve this key zoning issue for the first time *after* this Appeal was commenced. In lifting the Stop Work Orders on December 20, 2004, DCRA (at least *de facto*) made a new decision that this zoning issue was satisfactorily resolved. The present Appeal properly encompasses that new decision and therefore cannot be untimely under any part of Section 3112.2. *See Sisson*, 805 A.2d at 968 (noting Board’s conclusion that, due to piecemeal and incomplete permitting history, appellant “was not chargeable with notice of the entire scope of work performed at [the subject] property until all of the permits were issued”).

II. APPELLANT CLEARLY HAS STANDING TO PROSECUTE THIS APPEAL.

The Economides’ contention that Appellant lacks standing to bring this appeal is frivolous. Under District law, “[a]ny person aggrieved by any order, requirement, decision, determination or refusal made by an administrative officer or body . . . may file a timely appeal with the Board.” 11 DCMR § 3112.2. The Economides read this provision to limit appeals only to those persons owning property “adjacent to the subject property [or] within 200 feet of it.” (Econ. Opp. at 11.) Yet such limitation appears nowhere in the D.C. Code, in Board decisions, in D.C. case law, or in zoning law generally.^{3/}

^{3/} Perhaps the Economides borrowed this 200-foot limitation from the Code’s requirement that, before hearing an application for a variance, the Board notify in writing owners of property within 200 feet of property for which a variance is sought. 11 DCMR § 3113.13. This notice requirement, related to a wholly separate set of Board proceedings, cannot be read to arbitrarily limit appeals of administrative decisions to owners of property within 200 feet of offending use.

The Economides cite *Lujan v. Defenders of Wildlife*, 504 U.S. 555 (1992), and *Friends of Tilden Park v. Dist. of Columbia*, 806 A.2d 1201 (D.C. 2002), as limiting standing to plaintiffs demonstrating “injury in fact” to concrete and particularized legal interests. The standing those cases address is the standing to sue in federal or District of Columbia courts. Appellant, of course, has demonstrated such an injury: at this time of the year, he can peer upon the offending structure’s bizarre 175-feet long, 30-feet high northern wall from every window in the front of his home; and his and his family’s ability to enjoy Wesley Heights Park, one of their prime reasons for moving to the neighborhood, has been greatly diminished due to the structure’s grotesque, looming presence over the parkland and its numerous other deleterious environmental impacts. These injuries are not “hypothetical” or “conjectural,” so as to prevent standing under *Lujan*, 504 U.S. at 560. They are not generalized grievances but personal injuries to Appellant’s interests and would provide standing to sue under federal and D.C. law.

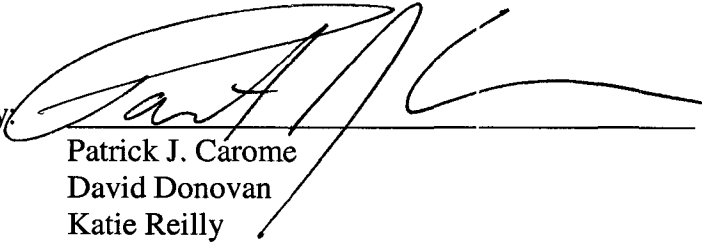
It is important to note, however, that the Economides’ citation of the federal judicial standard for standing is inapposite in this administrative appeal. The D.C. Court of Appeals distinguishes between “the issue of standing to appeal an administrative decision to higher administrative authority” and the “standing that judicial review would require.” *Goto v. Dist. of Columbia Bd. of Zoning Adjustment*, 423 A.2d 917, 921 n.8 (D.C. 1980). Because the context and purpose of administrative hearings diverge from those of federal court litigation, a “statute permitting aggrieved persons to appeal [an administrative decision] is to be liberally construed.” EDWARD H. ZIEGLER, JR., RATHKOPF’S THE LAW OF ZONING AND PLANNING § 37.03 (4th ed. 1999) (quoted in *Carolina Cement Co. v. County of Warren*, 52 Va. Cir. 6, 10 (Va. Cir. Ct. 2000)). Interpreting a statute containing language identical to 11 DCMR § 3112.2, a Virginia Circuit Court held that owners of property as far as 5,325 feet from the property subject to the

appeal had standing because their property was “in close proximity” to the subject property and the challenged use of the subject property could be “seen, smelled, or heard” from the property of the complaining landowners. *Carolina Cement*, 52 Va. Cir. at 8. This Board has granted standing to property owners located “across the street” from, *Hilton Hotels Corp. v. Dist. of Columbia Bd. of Zoning Adjustment*, 363 A.2d 670, 671 (D.C. 1976), “in the immediate and the general area” of, *Goto*, 423 A.2d at 921, and “within two blocks” of, *Downtown Cluster of Congregations v. Dist. of Columbia Bd. of Zoning Adjustment*, 675 A.2d 484, 490 (D.C. 1996), property giving rise to an appeal. Clearly, the Appellant, whose home is located across the Park from, and in within clear view of the structure in winter, has standing to bring this appeal.

CONCLUSION

For the reasons set forth above and those set forth in his initial appeal filing and his opening brief, Appellant respectfully requests that the Board determine at the outset of the hearing on this Appeal that the Appeal was commenced in a timely fashion and that Appellant has standing to pursue this Appeal.

Respectfully submitted,

By: 

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David Donovan

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Dated: February 28, 2005

B

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APPENDIX OF EXHIBITS TO BRIEF OF APPELLANT
PATRICK J. CAROME VOL 3 OF 3

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David Donovan
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Counsel for Appellant

February 28, 2005

BZA
Case No. 17285
Exhibit No. 34-B

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Appeal of Patrick J. Carome, BZA Appeal No. 17285

Exhibits in Support of Appeal

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Exhibit 72.....	Letter from BLRA to Dina. Economides re Stop Work Orders (Nov. 8, 2004)
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**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Appeal of Patrick J. Carome

of Building Permit
No. B460927

4825 Dexter Terrace, NW
Frank & Dina Economides, Owners

BZA Appeal No. 17285

Hearing Date: March 1, 2005

AFFIDAVIT OF PATRICK J. CAROME

I, Patrick J. Carome, being duly sworn, depose and say:

1. My name is Patrick J. Carome. I am the Appellant in the above-captioned Appeal. I reside with my wife and two children at 4747 Fulton Street, N.W., Washington, D.C. I am a partner in the law firm of Wilmer Cutler Pickering Hale and Dorr LLP. Although I am a lawyer licensed to practice law in the District of Columbia, I have not previously handled any significant matters involving the District's zoning laws.
2. I am submitting this Affidavit in this Appeal in order to respond to various assertions that I believe to be false or erroneous that were made in the "Opposition of the Property Owners" and accompanying materials, submitted to the Board of Zoning Adjustment (the "Board") by counsel for Frank and Dina Economides on or about February 25, 2005.
3. I filed the Appeal in this matter by personally hand-delivering the appropriate form and attachment to the Board's office on Monday, December 13, 2004. This was not more than 60 days after I first learned anything at all about the existence or substance of the building permit decision that is the subject of this Appeal.
4. My home is at the corner of Fulton and 49th Streets, N.W. The property that is directly across Fulton Street in front of my home is Wesley Heights Park, a heavily wooded and steeply sloped segment of parkland that is part of the Rock Creek Park system of federal parkland. The park is bounded by Fulton Street on its north, Foxhall Street on its east, 49th Street on its west, and a string of private residences (including 4825 Dexter Terrace) on its south. A running creek or stream extends the length of Wesley Heights Park, flowing east to west toward the Potomac River. The property that is directly across 49th Street from my house is Battery Kemble Park, which is a larger park that is also part of the Rock Creek Park system. Wesley Heights Park used to be fairly heavily used for recreational purposes, especially by persons walking, jogging or running along the trail

that runs through the middle of the park, linking Batter Kemble Park to the west with Glover Archibald to the east, across Foxhall Road.

5. After my family and I first moved to our house on Fulton Street in the Spring of 2001, we enjoyed taking walks along the walking/jogging trail that runs through the middle of Wesley Heights Park.
6. The garage and driveway of my home is on the 49th Street side of the house. When going anywhere by car from my house, I very rarely drive on Fulton Street because the easiest exits from the neighborhood are from Garfield Street (which has a traffic light at its intersection with Foxhall Road) and Ashby Street, which connects 49th Street to MacArthur Blvd.
7. I generally recall that, some time in Spring of 2002, there was an episode in which someone felled some large old-growth trees in the wooded area on the side of the ravine in Wesley Heights Park that is opposite from the front of my home. Only much later did I learn from public sources that the person who was responsible for that destruction was a man named Frank Economides who used to live at 4825 Dexter Terrace, N.W.
8. I was astonished to see the razing of the pre-existing house at 4825 Dexter Terrace, N.W. on the afternoon of Sunday, December 15, 2002. I recall that event clearly because it occurred during a Christmas party at my home, and the children in attendance were fascinated by it. Because this was winter time, the foliage on the trees in Wesley Heights Park was gone and it was possible to see the razing activity from our house.
9. I generally recall that, in very late 2003 and early 2004, when there was again little or no foliage on the trees in Wesley Heights Park, construction activity was continuing on a new house in the general area where the old house had been razed starting in December 2002.
10. Other than having a vague sense that construction was still happening off and on a lot across the heavily wooded Wesley Heights Park from my home, I was not monitoring whatever construction activity may have been going on at 4825 Dexter Terrace, N.W. during summer and early fall of 2004. Nor was I aware during that time period that a new structure was going up on or near the rear border of that lot, much less that a building permit had been issued by DCRA purporting to authorize the building of the exterior walls of such a structure.
11. My wife and I were out of town during significant portions of July and August 2004, including every weekend in July 2004 and the entire period of July 30 through August 14, 2004. During the parts of July and August 2004 when I was not out of town, I was extremely busy at work and was at home during daylight hours for only very limited periods of time.
12. In the summer and early fall of 2004 (as in previous summers), the foliage and plant growth within Wesley Heights Park prevented me from observing any construction activity that may have been going on in the rear yard of 4825 Dexter Terrace, N.W., from

my home on Fulton Street. As of that time frame, I had ceased to make regular visits into Wesley Heights Park, and had instead formed a habit of regularly walking in Battery Kemble Park, which is across 49th Street from my house. A principle reason for this is that I was angry and disgusted at the damage caused to Wesley Heights Park two years earlier because of the felling of old-growth trees in or near the park.

13. Before either mid or late October 2004, I was totally unaware that any building permit had been issued by the Department of Consumer and Regulatory Affairs (“DCRA”) purporting to authorize the construction of a retaining wall or other structure in the rear yard of the property 4825 Dexter Terrace. The fact that such a permit was issued came to my attention from my wife, Elsie Carome, who, I later learned, first went to DCRA’s permit center on October 13, 2004 to look for construction permits relating to 4825 Dexter Terrace. To the best of my knowledge, I was not aware that my wife had done this until some time after October 13, 2004, and I did not learn about or see the construction permit at issue in this Appeal until the latter part of October 2004.
14. I do not recall seeing any construction permits posted or displayed anywhere on the construction site at 4825 Dexter Terrace, N.W.
15. During the second half of 2004, I did not spend any time investigating or monitoring construction activity at the 4825 Dexter Terrace site before the latter half of October, which was shortly after I first realized that a wall structure was being erected in the vicinity of Wesley Heights Park.
16. To the best of my knowledge, I never saw or communicated with Frank Economides or even knew who he was — before I introduced myself to him on the afternoon of Saturday, October 23, 2004.
17. I do not recall ever seeing any sort of construction “trailer” (i.e., a manufactured movable facility of a sort that might serve as an office at a commercial construction site) at or near the construction site at 4825 Dexter Terrace, including during the period of late October and early November when first I began to closely monitor construction activity there.
18. As of early December 2004, as I was preparing the initial filing in this Appeal and attempting to keep track of whether the Economides were continuing to violate the Stop Work Orders that were in effect at 4825 Dexter Terrace, I was paying close attention to whether construction activity was progressing on the massive walled terrace structure that the Economides have been erecting in their rear yard. At that time of the year, this was something that I could observe from the front windows of my home. I specifically recall that, as of the first weekend in December 2004, the top surface of the structure was brown, bare fill material. Some time shortly after that, and in close proximity to when I filed the Appeal, I noticed that the top of the structure was green and appeared to have been hurriedly covered with sod.
19. The photograph depicted on the first page of Exhibit 40 to my opening brief in this Appeal is a fair and accurate depiction of what the upper surface of the Walled Platform Structure looked like late in the day on December 2, 2004. As is true for all of the

photographs I have submitted as Exhibits in this Appeal (other than those shown in Exhibit 31), this photograph was taken with a camera that stores the date and time the photograph was created along with the digital image. The date and time that this digital image was created, according to the file itself, was December 2, 2004 at 4:34 p.m.

20. The photograph depicted in Exhibit 33 to my opening Brief is a fair and accurate depiction of what the upper surface of the Walled Platform Structure looked like as of February 2005. This is a view of the upper surface of the structure as seen from an area to the west of the Economides property, looking to the north; in the background are trees that stand in Wesley Heights Park and houses (including Appellant's) on Fulton Street.
21. On December 2 and 11, 2004, January 8, 2005, and February 27 and 28, 2005, I took digital photographs showing copies of what appear to be permit documents displayed in the bay window to the right of the front entrance of the partially constructed new house at 4825 Dexter Terrace. True copies of those photographs, which fairly and accurately depict the appearance of some or all of the panes of that window on the dates indicated, as well as blown-up details of some portions of some of those photographs, are included as Exhibit 74 in Volume 3 of Appellant's Appendix of Exhibits.
22. On November 3, 6, and 26, 2004, I took digital photographs of the front of the house being constructed at 4825 Dexter Terrace which happened to capture images of some of the same window panes that displayed building permits as described in the prior paragraph of this Affidavit. True copies of those photographs, which fairly and accurately depict the appearance of some or all of the panes of that window on the dates indicated, as well as blown-up details of some portions of some of those photographs, are included as Exhibit 75 in Volume 3 of Appellant's Appendix of Exhibits.
23. Today I examined the permits that are posted in the bay window to the right of the doorway of the new dwelling constructed at 4825 Dexter Terrace. The partially obscured document that reads "Mr. Permit" in the upper right-hand corner bears a facsimile footprint of December 13, 2004. This appears to be the same "Mr. Permit" document that is shown in Exhibit E to the Economides Opposition. A photograph of this "Mr. Permit" document that was taken today is shown on the last page of Exhibit 74 in Volume 3 of Appellant's Appendix of Exhibits. Based on the foregoing, I believe that the photographs of permits in Exhibit E were first taken after that date.
24. The photographs depicted in Exhibit 29 of Appellant's Appendix of Exhibits are fair and accurate representations of the appearance of the land in Wesley Heights Park in the areas immediately to the north of the Walled Platform Structure, as of December 2004 or early 2005.
25. The photograph depicted in Exhibit 30 of Appellant's Appendix of Exhibits is a fair and accurate representation of the current view of the Walled Platform Structure from the adjacent Tate residence, with the new dwelling at 4825 Dexter Terrace also visible in the background.

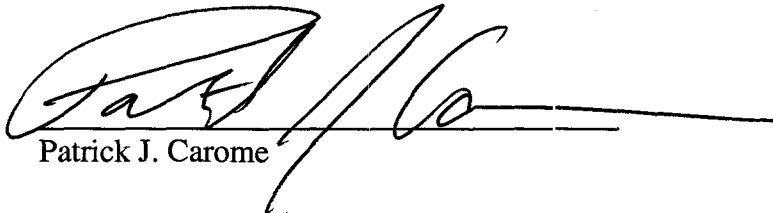
26. The photograph depicted in Exhibit 32 of Appellant's Appendix of Exhibits is a fair and accurate representation of the view of the upper surface of the Walled Platform Structure as viewed from a location off to the side of the 4825 Dexter Terrace site, with my home visible in the background. This photograph was taken on December 2, 2004.
27. The photograph depicted in Exhibit 33 of Appellant's Appendix of Exhibits is a fair and accurate representation of the recently sodded top surface of the Walled Platform Structure as of February 2005.
28. The photographs depicted in Exhibit 34 of Appellant's Appendix of Exhibits are a fair and accurate representation of how certain exterior areas of the mesa block wall of the Walled Platform Structure have appeared in recent months. The moist brown substance is mud or some similar substance that seems to have oozed through the cracks between the blocks.
29. The photographs depicted in Exhibit 35, 36, and 41 of Appellant's Appendix of Exhibits are fair and accurate representations of portions of the exterior walls of the Walled Platform Structure as seen during recent weeks.
30. The photographs depicted in Exhibit 37 and 38 of Appellant's Appendix of Exhibits are fair and accurate representations of individually tagged mesa blocks in the outer walls of the Walled Platform Structure. Each tagged block contains a visible crack. These photos were taken on February 12 and 13, 2005. I counted more than 100 distinct cracked blocks on those days. Exhibit 39 of Appellant's Appendix of Exhibits is a graphic depiction of the locations of those cracked blocks.
31. The photographs depicted in Exhibit 42 of Appellant's Appendix of Exhibits are fair and accurate representations of the house that is under construction at 4825 Dexter Terrace. The second page of this exhibit is a photograph that was taken from my property on Fulton Street on February 12, 2005.
32. The photographs depicted in Exhibit 45 of Appellant's Appendix of Exhibits are a fair and accurate representation of the proximity of the north-facing exterior wall of the Walled Platform Structure to boundary markers of the U.S. National Park Service. These photographs were taken in mid-February, 2005.
33. The second and third photographs depicted in Exhibit 46 of Appellant's Appendix of Exhibits depict workmen engaged in what I understand and believe was illegal and unpermitted work at or near 4835 Dexter Terrace in early December 2004, during the pendency of Stop Work Orders issued by DCRA.
34. Exhibit 67 of Appellant's Appendix of Exhibits is a true and accurate copy of a Freedom of Information Act request that I submitted to DCRA on January 10, 2005. Aside from the document that is Exhibit 24 of Appellant's Appendix of Exhibits, I did not receive any documents in response to this FOIA request until February 21, 2005, when I received approximately 200 pages of documents, and February 25, 2005, when I received at least 200 additional pages of documents.

35. Exhibit 68 of Appellant's Appendix of Exhibits is a true and accurate copy of a written set of questions I sent to officials within DCRA on January 10, 2005. To the best of my knowledge, I have never received any response whatsoever to this request.
36. The photographs depicted in the first 3 pages of Exhibit 82 of Volume 3 of Appellant's Appendix of Exhibits are a fair and accurate representation of exterior portions of a parking garage attached to a high-rise apartment complex at 2801 New Mexico Ave., N.W. The Economides' counsel has contended (including in Exhibit E to their Opposition to my Appeal) that this parking garage is actually a retaining wall. The photograph depicted on the last page of Exhibit 82 of Volume 3 of Appellant's Appendix of Exhibits is a fair and accurate depiction of the structure that is depicted from another angle in a photograph contained in Economides' Exhibit E. This structure is a swimming pool that is attached to a 12-story apartment complex at 4101 Cathedral Avenue. There are no single-family dwellings near this complex.
37. The photographs depicted in Exhibit 83 of Volume 3 of Appellant's Appendix of Exhibits are a fair and accurate representation of what appears to be a walled platform structure behind a recently constructed residence at 4635 Dexter St., N.W. The Economides' counsel has contended (including in Exhibit 1D within the set of documents that are Exhibit 70 to my Appendix of Exhibits) that this other structure shows that there is precedent for the Economides' Walled Platform Structure. Unlike the Walled Platform Structure at 4825 Dexter Terrace, however, the structure at 4635 Dexter St. is set back many feet (much more than 25 feet) from the rear boundary of the lot as marked by the National Parks Service boundary marker shown in some of the photographs. I am not presently aware of whether this other structure was approved or permitted by DCRA or any other governmental agency.
38. The photographs depicted in Exhibit 84 of Volume 3 of Appellant's Appendix of Exhibits are a fair and accurate representation of what appears to be a tennis court or similar paved platform supported by masonry walls, located in the rear area of a huge lot located at 2620 Foxhall Road, N.W. The Economides' counsel appears to be contending (including in Exhibit E to their Opposition to my Appeal) that this structure is similar to the structure at issue in this appeal.
39. Since my Appeal was filed, I have twice gone to the D.C. Surveyor's Office and examined all available records of wall checks for Square 1381. I did this most recently on January 28, 2005. On both occasions, I located documentation for wall tests for the prior dwelling (purportedly performed in 1950) and the dwelling currently under construction (purportedly performed on August 28, 2003) at 4825 Dexter Terrace. True and accurate copies of that documentation is contained in Exhibit 28 to my Appendix of Exhibits.
40. I have reviewed all of the documents pertaining to 4825 Dexter Terrace that DCRA released to me last week pursuant to my January 10, 2005 FOIA request. I have looked particularly for any and all evidence that any inspections were ever performed by anyone associated with either DCRA or the Economides on the Walled Platform Structure at any

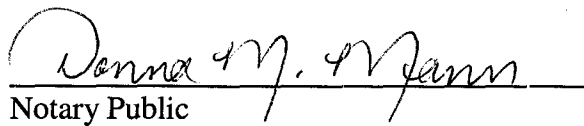
time since its construction commenced. I have not found any such evidence amid such documents.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this ~~28~~¹² day of February, 2005.


Patrick J. Carome

SUBSCRIBED AND SWORN TO before me, this 28th day of February, 2005.


Notary Public

My Commission Expires 06/14/05

2

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



DCRA/OGC FOIA *ASnb*
PUBLIC RECORDS

**Building and Land Regulation Administration
Office of the Administrator**

November 8, 2004

Constandina Economides
4825 Dexter Terrace, N.W.
Washington, D.C. 20007-1020

Dear Mr. Economides:

Re: Stop Work Orders
4825 Dexter Terrace, N.W.

Pursuant to DCMR Title 12 (Section 105.1), Stop Work Orders (SWO) were issued on November 2, 2004 by the Building and Land Regulation Administration (BLRA), Plumbing Inspection Branch and the Electrical Inspection Branch.

The Stop Work Orders were issued for working beyond the scope of the permits obtained and progressing with the construction of the building without the necessary inspections for each stage.

You are hereby required to submit plans and a D.C. Surveyor's Plat for the full scope of the project. This will enable the issuance of a Building Permit that satisfies the needs of the project. The scope of the project will require additional supplemental permits for example, Electrical, Plumbing, HVAC, to be obtained by the respective contractors.

You will need to consult with Chief Building Inspector Abdullahi Barrow, telephone number (202)-442-4558, to determine a path through the existing inspection problems.

The Stop Work Orders will remain in place until all permits are obtained and the inspection needs are met to the point that matches the stage of completion of the building.

Pursuant to 12 DCMR § 112.1, you have a right to appeal this Stop Work Order. That section provides:

APPEALS WITHIN THE DEPARTMENT: The owner of a building or structure or any other person may initiate an appeal, within the Department from official order, interpretations, refusals to grant approval or modifications, and other official actions or decisions, including appeals related to the D.C. Fire Prevention Code. Claimants shall appeal using a form provided by the code official, on which they shall state the grounds for the appeal, which shall be based on a

941 North Capitol Street, N.E., Suite 2000, Washington, D.C. 20002
Phone: (202) 442-4455 Fax: (202) 442-4863

DCRA-FOIA-00376

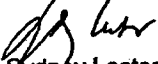
-2-

claim that the true intent of the Construction Codes or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of the Construction Codes do not fully apply, or that an equally good or better form of construction can be used. The appeal shall be filed within 15 days from the date of the written letter.

In order to exercise this right you must request an appeal, on the enclosed appeal Request Form, mailed within three (3) calendar days of service of this notice on you. The Appeal Request Form should be mailed first class postage pre-paid to the Reviewing Official. Mr. Denzil Noble, Acting Zoning Administrator, Building and Land Regulation Administration, Department of Consumer and Regulatory Affairs, 941 North Capitol Street, N.E., Suite 2000, Washington, D.C. 20002. Alternatively, you may hand-deliver the Appeal Request Form to the Reviewing Official at the same address, within three (3) calendar days of service of this notice on you. A copy of your Appeal Request Form and of any other pleading or other relevant communication in this case should also be delivered or sent to Ms. Julie Lee, General Counsel, Department of Consumer and Regulatory Affairs, 941 North Capitol Street, N.E., Suite 9400, Washington, D.C. 20002.

Within three (3) working days of the Department's receipt of your appeal, the reviewing official shall affirm, modify, or reverse the Department's previous action or decision. If the reviewing official affirms or modifies the previous action or decision, the claimant may request a review of the matter by the Director. Further, if the reviewing official does not act upon the appeal within three (3) working days, the decision will be deemed approved and the claimant may proceed to request the review by the Director. The appeal may be submitted by mail or in person, in the manner described above for the initial appeal, to the Director, Department of Consumer and Regulatory Affairs, 941 North Capitol Street, N.E., Suite 9100, Washington, D.C. 20002. The Director will act on the appeal within three (3) working days after receipt. The decision of the Director shall be the final decision of the Department. If the Director does not act within the three (3) working day period, or denies the appeal, you may further appeal the matter to the District of Columbia Board of Appeals and Review by filing an appeal by mail or in person, in the manner described above for the initial appeal, addressed to the Board of Appeals and Review, 441 Fourth Street, N.W., Suite 540 South, Washington, D.C. 20001, within three (3) working days of the Director's decision.

Sincerely,



Sydney Lester
Acting Administrator

cc: Theresa Lewis
Denzil L. Noble
Julie Lee

IQ# 188772

DCRA-FOIA-00377

7
DCRA/OGC FOIA# 5176

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



Building and Land Regulation Administration
Office of the Administrator

December 15, 2004

Frank and Dina Economides
4825 Dexter Terrace, NW
Washington, DC 20018

Re: Stop Work Order at 4825 Dexter Terrace, NW

Dear Mr. Economides and Ms. Economides:

Pursuant to District of Columbia Municipal Regulations (DCMR) Title 12, §102.2, a Stop Work Order (SWO) was issued November 29, 2004, for unauthorized construction subsequent to the issuance of three previous SWOs.

You will recall a SWO was issued November 2, 2004, by Inspector Juan Scott for working without posting the proper permits. The SWO was issued also because a review of the permit file revealed that no record existed that permitted the razing of the existing building and that a building permit for new construction was improperly issued to you as a revised permit.

Therefore, and in accordance with the agreement reached with you in the meeting November 30, 2004, which included staff of the Building and Land Regulation Administration, the Zoning Administrator's Office, the Environmental Division of the Department of Health (DOH), you are hereby required to submit plans and a DC Surveyor's Plat for a comprehensive review of the proposed new construction. Additionally, you are required to submit a Raze Permit Application for review.

DOH staff expressed a concern about erosion problems at the construction site, therefore, has given permission to do the following:

"Stabilize all disturbed/denuded areas by sodding, as outlined in the approved Soil Erosion and Sediment Control Plan. When completed, you must then call the Watershed Protection Division of the Department of Health at 535-2977 for final inspection."

DCRA-FOIA-00326

Page 2

Please be advised, that pursuant to the instructions above, all pertinent review of the building permit application and plans filed by you with this department has been completed with the exception of Public Space Review. The Department has it on confirmed inspection reports that illegal construction was continued on subject premises notwithstanding an effective SWO, to the extent that you excavated and constructed drive way access to your property involving work in public space without the required public space permit. Consequently, the Public Space Division is unable to complete review of the building permit application pending your filing of proper and required Public Permit Application for the illegal driveway under construction.

Please be further advised, that because the construction of the retaining wall was not inspected in stages of construction, this letter serves as notice that you are required to provide a structural certification from a DC registered professional engineer stating that all walls has been constructed in accordance with approved plans and that the retaining wall is structurally sound. As your professional engineer ought to be aware, the construction of this type of retaining wall requires continuous monitoring during construction. This includes proper block and pin placement, proper tensioning of the Geogrids reinforcement, and proper backfilling of back of the wall with suitable soil materials. The retainer soils should be compacted and tested to the required degree on compaction.

Therefore, the inspection report should contain all the specifications set forth on the design manual from Ryan & Associates, sections from 2.01 to 3.15. The SWO will remain in effect, other than site work permitted by DOH, until the review and subsequent approval of the required plans are completed.

You are herein put on notice, again, that the SWO of November 29, 2004, is still in full force and effect, and that no construction activity, other than as permitted by the DOH and stated above is permitted.

Pursuant to 12 DCMR §112.1, you have a right to appeal this SWO. That section provides:

APPEALS WITH THE DEPARTMENT: The owner of a building or Structure or any other person may initiate an appeal, within the Department from official orders, interpretations, refusals to grant approval or modifications, and other official actions or decisions, including appeals related to the DC Fire Prevention Code. Claimants shall appeal using a form provided by the Code Official, on which they shall state the grounds for the appeal, which shall be based on a claim that the true intent of the Construction Codes or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of the Construction Codes do not fully apply, or that an

Page 3

equally good or better form of construction can be used. The appeal shall be filed within 15 days of the written letter.

In order to exercise this right, you must request an appeal, on the enclosed Appeal Request Form, mailed within three (3) calendar days of service of this Notice on you. The Appeal Request Form should be mailed first class postage prepaid to the Reviewing Official, Denzil L. Noble, Administrator, Building and Land Regulation Administration, Department of Consumer and Regulatory Affairs, 941 North Capitol Street, NE, Suite 2000, Washington, DC 20002. Alternatively, you may hand deliver the Appeal Request Form to the Reviewing Official at the same address, within three (3) calendar days of service of this Notice to you. A copy of your Appeal Request Form and any other pleading or other relevant communication in this case should also be delivered or sent to Julie Lee, Acting General Counsel, Department of Consumer and Regulatory Affairs, 941 North Capitol Street, NE, Suite 9400, Washington, DC 20002.

Within three (3) working days of the Department's receipt of your appeal, the Reviewing Official shall affirm, modify, or reverse the Department's previous action or decision. If the Reviewing Official affirms or modifies the previous action or decision, the claimant may request a review of the matter by the Director. Further, if the Reviewing Official does not act upon the appeal within three (3) working days, the decision will be deemed approved and the claimant may proceed to request the review by the Director. The appeal may be submitted by mail or in person, the manner described above for the initial appeal, the Director, Department of Consumer and Regulatory Affairs, 941 North Capitol Street, NE, Suite 9100, Washington, DC 20002. The Director will act on the appeal within three (3) working days after receipt. The decision of the Director shall be the final decision of the Department. If the Director does not act within the three (3) working day period, or denies the appeal, you may further appeal the matter to the District of Columbia Board of Appeals and Review by filing an appeal by mail or in person, in the manner described above for the initial appeal, addressed to the Board of Appeals and Review, 441 - 4th Street, NW, Suite 540 South, Washington, DC 20001, within three (3) working days of the Director's decision.

Sincerely,



Abdullahi Barrow
Acting Chief, Building Inspection Division

cc: Theresa D. Lewis
Denzil L. Noble
Toye Bello
Julie Lee



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Closer detail of
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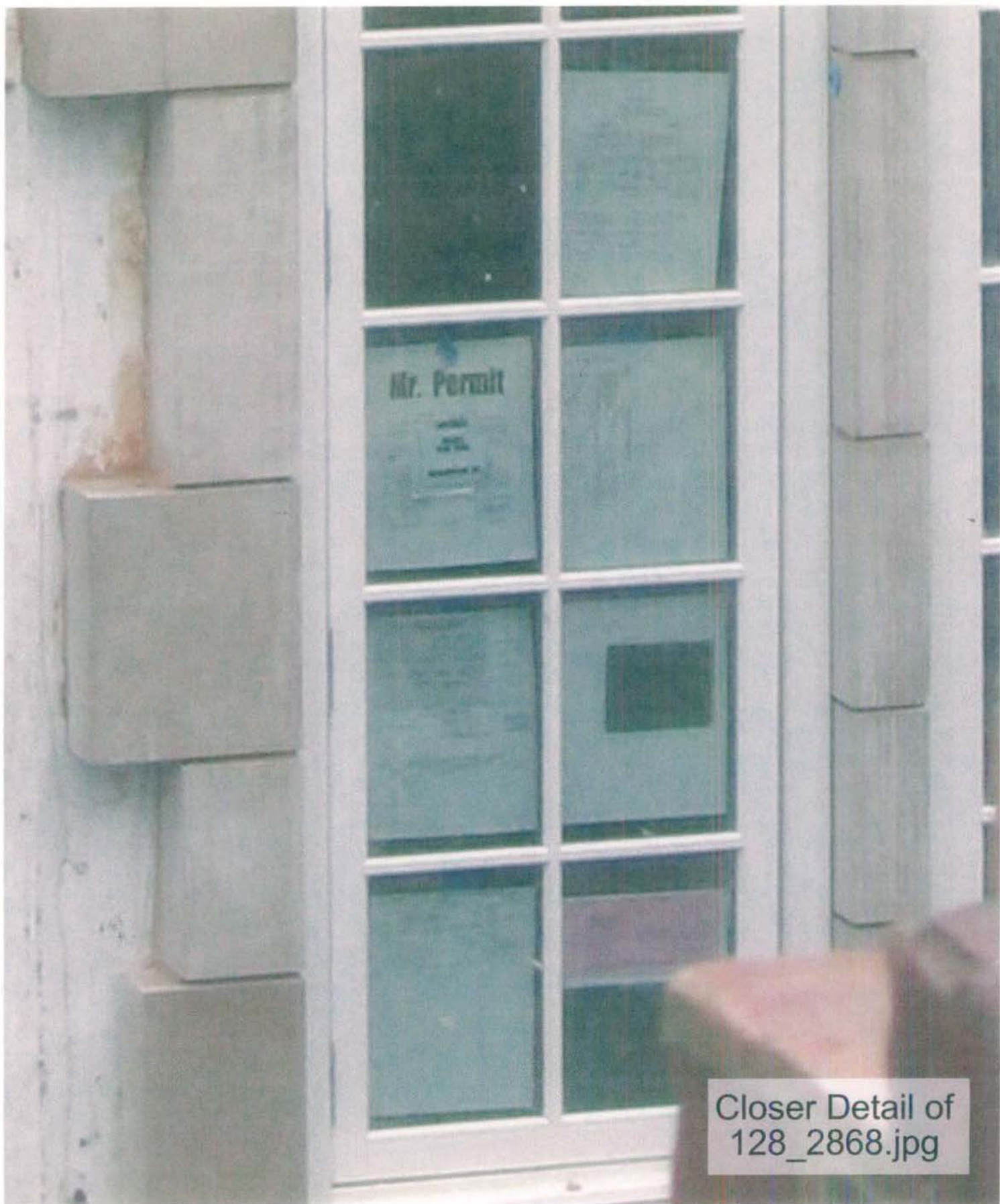
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Detail of
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Closer Detail of
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Closest Detail of
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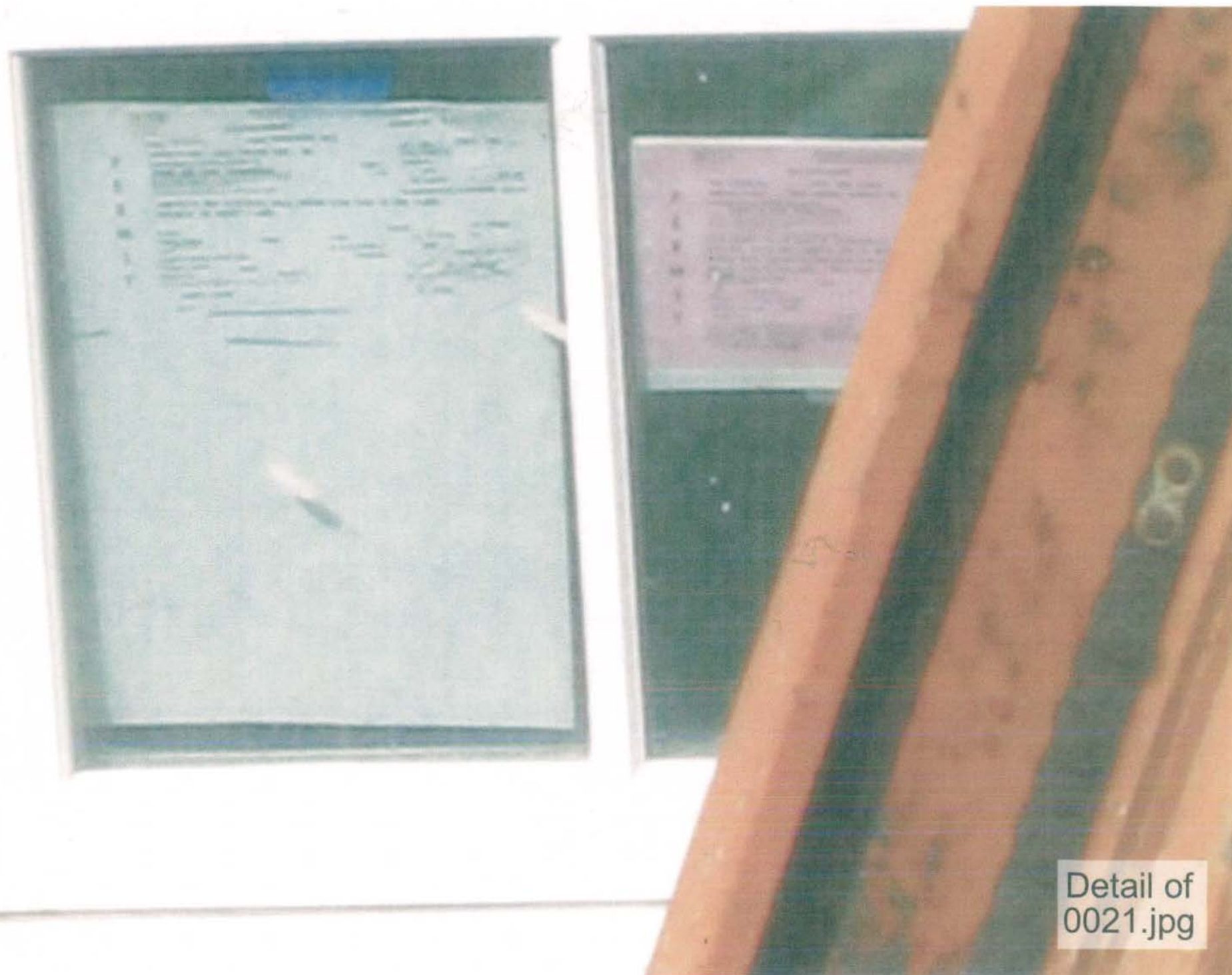


Mr. Permit

SAVINGS
MADE
FOR YOU

MARVIN VL

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Detail of
0021.jpg

Mr. Permit

**SAVINGS.
MADE
FOR YOU.**

MARVIN

APPROVED

2/28/2005
9:09:52 AM

footprintfaxed 12/13/04



7/2/03

Mr. Permit

Attached below is your Public Space Permit.

NOTE: THIS PERMIT EXPIRES

MAJOR SAVINGS.

THE DATE ISSUED.

The office of Mr. Permit
Please provide one (1)
renewal.

on a monthly basis.
DO NOT want a

This permit may
any additional

**MADE
FOR YOU.**

ew along with

U.S. Department of
Transportation
Office of the
Secretary

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Date 11/23

Address of work

Permittee is to

CONSTANT

to perform the

BOTH sides of a

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THE PERMIT EXPIRES

1/23/05

DAVID CLARE

PERMIT

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Form 327A-15
(Rev. 8/2001)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. **8468560**

Date **12/20/04**

(Type) **NEW CONST.**

Address of work

4825 DEXTER TERRACE NW

Lot **0806** Square **1381**

Permission is hereby granted to

FRANK & DINA ECONOMIDES

who is authorized to perform the work described herein in the
address shown above in strict accordance with the conditions
listed on BC11a sides of this permit.

Owner

NO

DATE

FEE PAYABLE

\$ 2,000.00

FOR INSPECTIONS CALL **311** OR **641-4641**

THIS PERMIT IS ON FILE TO TECHNICALLY CORRECT PERMIT
8452180, WHICH WAS GRANTED FOR AN AMENDED ALTERATION & REPAIR PERMIT, BUT WHICH
SHOULD HAVE INDICATED NEW BLDG. CONST. ALL OTHER ELEMENTS ABOUT PERMIT 8452180
ARE TO REMAIN THE SAME. NOTE THAT THE PLANS FOR THIS PERMIT CAN BE FOUND FILED
IN PERMIT 8452180.

Area of Work

Length

Height

No. of Stories

Area **WOOD/RIA**

Height of terrace above grade

To be occupied as

Projections

SFD

Address of owner **SAME**

Deposit No.

Amount \$

THIS PERMIT AUTHORIZES CONSTRUCTION BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM
MONDAY THRU SATURDAYS. AFTER HOURS PERMITS ARE REQUIRED FOR TIMES AFTER
7:00 PM AND SUNDAYS.

DIRECTOR **D. CLARK**

2/28/2005
9:10:24 AM

Fax footprint dated 12/13/04 DRC

Mr. Permit

Attached below is your Public Space Permit.

NOTE: THIS PERMIT EXPIRES

**1.1.04
SAVINGS.**

THE DATE ISSUED

The City of Mr. Permit
Please provide one (1)
renewal.

and monthly fees.
DO NOT want a

This permit may
not additional.

**MADE
FOR YOU.**

new design with

P
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Date: 11/22

Expiry Date: 11/22

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MARVIN

Windows and Doors

EXPIRATION DATE TO 11/22/04
NO PERMIT REMAINS IN EFFECT
THE ORIGINAL PERMIT MUST
BE CALE AT ANYTIME AT THE
PUBLIC DIV.

[Signature]
PERMIT

Photo taken 2/28/05

2/28/2005
9:10:09 AM

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DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION
Form BLA-15
(Rev. 9/2004)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. 6452810

Date 7/2/03 (Type) MISC.
Address of work 4825 DEXTER TERRACE N.W.

Permission is hereby granted to
FRANK & DIANA ECONOMIDES

to construct and occupy the work described herein at the
address shown above in strict accordance with the conditions
stated on BOTH sides of this permit.

Authorized work and conditions of performance thereof
REVISION TO BLDG. PERMIT. #6425076.

REVISE DESCRIPTION OF WORK TO READ CONSTRUCT NEW SFD AS PER PLANS AND DC INSPECTOR

(Owner)
NO.

Lot 1381
Square 1381
TOTAL PERMIT FEE
FILING FEE
DATE
FEE PAYABLE \$ 75.00

FOR INSPECTIONS CALL 442-4641

Builder -
Width of Bldg.
Zone
Height of terrace above grade
Address of owner SAME
Deposit No.

Length
Amount \$

Height
To be occupied as
Projection:

Value \$
No. of Stories 2 1/2
SFD

E. DYER
By

D. CLARK

32301

HCEA Job# -

Sticker # B-286

Date: 5/3/04

Re-inspection - Ref.#

Page 1 of /

Job Name: _____

Address of Inspection: 9825 DEXTER TERRACE PLANE

Area being inspected, Column lines and level: 1st and 3rd floor FLOOR -

Permit Number: 8425076 OLD -
13 952810 New

Requestor: GREEN - G/H

Inspection Discipline: ☒ Bldg. ☐ Plumb. ☐ Mech.
☐ Elec. ☐ Fire ☐ Other: _____

Type of Inspection: ☐ Groundwork ☐ Rough-in ☒ Concealment ☐ Final
☐ Occupancy ☐ Other: _____

Inspection Results:

Approved

Additional comments on back of this sheet: Yes _____ No X

Action Required:

None

☒ Approved ☐ Disapproved ☐ Unable to inspect ☐ Canceled

☐ Other: _____

Approved plans on site: ☒ Yes ☐ No ☐ N/A
Items matched plans: ☒ Yes ☐ No ☐ N/A
Is revision required? ☐ Yes ☒ No ☐ N/A
As-builds required: ☐ Yes ☒ No ☐ N/A

Inspected by: [Signature] Date: 5/3/04

Received by: [Signature] Date: 5/3/04

Reviewed by: _____ Date: _____

P

PLUMBING PERMIT

THIS PERMIT IS VALID ONLY FOR THE PREMISES
OF THE PROJECT ADDRESS

BLDG PMT: B452810

DATE: 11/12/2004

PLBG 87000

ADDRESS OF PROJECT:

4625 DEXTER TERR NW

PRCLID:

WARD:

(in years)

(lot)

ZONE:

OWNER'S NAME:

ECONOMEDES

OWNER'S ADDRESS:

OWNER'S TELEPHONE NO.

CONTRACTOR'S NAME:

DAVID HAHN

CONTRACTOR'S ADDRESS:

308 EAST CAPITOL ST
WASHINGTON
DC

CONTRACTOR'S PHONE NO.

BUS. (202) 206-8595 x.

FAX.

MASTER PLUMBER:

DAVID HAHN

LICENSE #

0000001311

1 SHOWERS

4 SINKS

1 SEWER EJECTOR

3 GAS FIREPLACE

2 HOSE BIB

2 SUMP PUMP

DESCRIPTION OF WORK:

FEE

\$266.00

PROPOSED USE:

R4 DETACHED SINGLE FAMILY

TYPE OF WORK:

NEW WORK

This permit authorizes the contractor to perform the work described herein at the address shown above, under the conditions stated on this permit. THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK UNTIL WORK IS COMPLETED. For all plumbing inspections, call 202-442-4642 or fax your request to 202-442-4863.

David A. Clark
DIRECTOR

PERMIT CLERK:

DORIS MINOR

EXPIRATION DATE:

Nov - 12 - 2005

DCRA/DCR/FOIA

11/12/2004 03:39 PM

Submitted By

PUBLIC RECORDS

Page 1

Trn # 104695
Customer DAVJD.HAHN
DBA
Address 308 EAST CAPITOL ST
WASHINGTON, DC

Trn Date 11/12/2004 15:39 Template Type BLDG A/P # 87000
Cash Payment
Cash 265.00

GAS FIREPLACE - FIRST	D_32302-1008-3014	26.00
GAS FIREPLACE - OTHERS	D_32302-1008-3014	40.00
HOSE BIB	D_32302-1008-3014	40.00
SEWAGE-EJECTOR	D_32302-1008-3014	20.00
SHOWER	D_32302-1008-3014	20.00
SINKS	D_32302-1008-3014	80.00
SUMP PUMP	D_32302-1008-3014	40.00

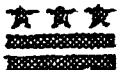
Total Amount 265.00

Amount Paid 265.00

Total Amount Due 0.00

Department of Consumer & Regulatory Affairs
DCRA
District of Columbia Government

DCRA-FOIA-00337



GOVERNMENT OF THE DISTRICT OF COLUMBIA

DCRA/06C FOIA #5176

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION
BUILDING INSPECTION DIVISION

PUBLIC RECORDS

PERMIT WORK / OCCUPANCY APPROVAL FORM

☒ Permit Work

☐ Occupancy

☐ Core Approval Form

P87000

Permit Address: 4421 Porter Terr.

Permit # P54330, P26363

Intended Use of Structure: SFD Floors: Suite:

Check One: ☒ Approved

☐ Denied

PLUMBING

☐ Site Work

☐ Sanitary

☐ Storm

☐ Water

☐ Sub-Floor

☐ Drain

☐ Sanitary

☐ Storm

☐ Service

☐ Hot Water

☐ Gas

☐ Cold Water

☐ Steam

☒ Close In

☐ Fixtures

☐ W/C No. 1111

☐ SK No. 111

☐ Lav No. 1111

☐ SH No. 111

☒ Tub No. 111

☐ DF No.

☒ Other 1111

☐ Gas Appl/Equip

☒ RNG No. 1

☐ HWII No.

☐ BLR No.

☒ FUR No. 111

☒ Fireplace or Gas Logs 1111

☐ Piping

☐ HW ft

☐ CW ft

☐ Gas ft

☐ Steam ft

☐ Medical Gas

☐ Finishes

☐ WC No.

☐ SK No.

☐ Lav No.

☐ SH No.

☐ Other

DCRA-FOIA-00338

☐ Final

☐ Other

Comments:

Inspector's Signature: [Signature] Date of Test / Inspection: 11-15-04

Tel: (202) 442-9557

☐ Contingency ☐ Due Date:

*** GOVERNMENT OF
THE
DISTRICT OF
COLUMBIA
FD-340
(Rev. 1-2)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION
BUILDING INSPECTION DIVISION

P54380
P86363 P87000

APPROVED

ADDRESS: 4825 Dexter Terr. NW

TYPE OF INSPECTION: Close-in

☐ CONSTRUCTION
(202) 442-4641

☐ ELECTRICAL
(202) 442-4643

☒ PLUMBING
(202) 442-4642

☐ ELEVATOR
(202) 442-4644

TIME

DATE

11-15-04

OFFICIAL

Building and Land Regulation Administration
941 North Capitol St., NE
Washington, DC 20002
Phone # of Third Party Inspection Program - 442-9557
Fax # - 442-4862

DCRA/066 FOIA #5174
PUBLIC RECORDS

Third Party Inspection Request Form

Individual or Company Name: <u>ECONOMIDES DEVELOPMENT</u>	Date of Request <u>4-6-04</u>						
Address: <u>5610 Shearer Pl.</u>	Telephone: <u>240-576-3511</u>						
City/State/Zip <u>NW WASHINGTON DC</u>	Fax # (Required) <u>301-695-1357</u>						
Name of Company Representative <u>Gren B...</u>							
Project Name (If Applicable) <u>4825 DEXTER</u>							
Project Address (Required, please indicate specific suite #, if applicable) <u>4825 DEXTER TOWER NW WASH DC 20007</u>							
Indicate the Building Trade(s) for which you propose to pay Third Party Inspection(s) <table border="0"><tr><td>☐ Electrical</td><td>☒ Plumbing</td><td>☐ Mechanical (HVAC)</td></tr><tr><td>☐ Elevator</td><td>☐ Fire</td><td>☐ Construction</td></tr></table>		☐ Electrical	☒ Plumbing	☐ Mechanical (HVAC)	☐ Elevator	☐ Fire	☐ Construction
☐ Electrical	☒ Plumbing	☐ Mechanical (HVAC)					
☐ Elevator	☐ Fire	☐ Construction					
Name of Proposed Third Party Agency: <u>LOCANIO Insp</u>							
Indicate the Type of Inspection <table border="0"><tr><td>☐ Final</td><td>☐ Other</td><td>Date of Inspection</td></tr></table>		☐ Final	☐ Other	Date of Inspection			
☐ Final	☐ Other	Date of Inspection					
Permit #(s) <u>PLB654380</u>							
Has a BLRA Inspector from the trade indicated above previously conducted inspections at the site? ☐ yes ☐ no							
If yes, please list Name Date of Inspection							
I CERTIFY THAT ALL OF THE STATEMENTS ON THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AGREE TO COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS OF THE DISTRICT OF COLUMBIA. THE MAKING OF FALSE STATEMENTS ON THIS APPLICATION IS PUNISHABLE BY CRIMINAL PENALTIES UNDER D.C. CODE § 22-2104.							
SIGNATURE OF OWNER/OFFICER <u>[Signature]</u>	DATE <u>4-6-04</u>						

Forward pursuant to Third-Party Certification for:

Structural ☐ Mechanical ☒ Plumbing ☒
Electrical ☐ Fire ☐ Other ☐

By [Signature]

CRIS F...

TOTAL P. 01

DCRA-FOIA-00340

Department of Consumer and Regulatory Affairs
Building and Regulation Administration
941 North Capitol Street, N.E., Room 2100
Washington, D.C. 20002
Tel: 202-442-4470 Fax: 202-442-4882

P

PLUMBING PERMIT

THIS PERMIT IS VALID ONLY FOR THE PREMISES
OF THE PROJECT ADDRESS.

BLDG PMT 3452810

DATE 3/25/2004

PLBG-72980

ADDRESS OF PROJECT

4825 DEXTER TER NW

PRCLID

1381

0000

0805

WARD

3

ZONE

R1A

OWNER'S NAME

FRANK ECONOMIDES

OWNER'S ADDRESS

4825 DEXTER TER NW

OWNER'S TELEPHONE NO.

CONTRACTOR'S NAME

METROPOLITAN FIRE PROTECTION

CONTRACTOR'S ADDRESS

7479 OLD ALEXANDRIA FERRY ROAD

CLINTON

MD

Zip 20735

CONTRACTOR'S PHONE NO.

BUS (301)868-0005

FAX

MASTER PLUMBER

METROPOLITAN FIRE PROTECTION

LICENSE #

00000081

DESCRIPTION OF WORK

103 FIRE SPRINKLER/13

PROPOSED USE

RE DETACHED SINGLE FAMILY

TYPE OF WORK

NEW WORK

This permit authorizes the contractor to perform the work described herein at the address shown above, under the conditions stated on this permit. THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK UNTIL WORK IS COMPLETED. For all plumbing inspections, call 202-442-4642 or fax your request to 202-442-4882.

David A. Clark
DIRECTOR

PERMIT CLERK

DOUGLAS MAJOR

EXPIRATION DATE

MAY 25 2005

Page 2 (PLBG-72980)

P

PLBG-86363

PLUMBING PERMIT

THIS PERMIT IS VALID ONLY FOR THE PREMISES
OF THE PROJECT ADDRESS

PUBLIC RECORDS #5712

BLDG PMT. b425076

DATE: 11/3/2004

ADDRESS OF PROJECT:

4825 DEXTER TER NW

PRCLID: 1381 -0000- 0806

WARD: 3 ZONE: R1A

OWNER'S NAME:

FRANK ECONOMIDES

OWNER'S ADDRESS:

4825 DEXTER TER NW

OWNER'S TELEPHONE NO.

CONTRACTOR'S NAME:

DAVID HAHN

CONTRACTOR'S ADDRESS:

308 EAST CAPITOL ST
WASHINGTON

CONTRACTOR'S PHONE NO.

BUS. (202)206-8595 x

FAX:

MASTER PLUMBER:

DAVID HAHN

LICENSE #

0000001311

- 4 BATH TUBS
- 2 SHOWERS
- 8 WATER CLOSETS
- 1 WASHER BOX
- 2 SINKS
- 8 BASINS
- 1 GARBAGE DISPOSAL
- 1 DISHWASHER
- 1 LAUNDRY TUB(S)

- 3 WATER HEATERS
- 1 GAS RANGE
- 5 GAS FURNACE
- 4 GAS FIREPLACE
- 1 GAS GRILL
- 3 HOSE BIB

DESCRIPTION OF WORK:

FEE
\$916.00

PROPOSED USE:

DETACHED SINGLE FAMILY

TYPE OF WORK:

REMODEL

This permit authorizes the contractor to perform the work described herein at the address shown above, under the conditions stated on this permit. THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK UNTIL WORK IS COMPLETED. For all plumbing questions, call 202-442-4642 or fax your request to 202-442-4863.

David A. Clark
DIRECTOR

PERMIT CLERK:

DORIS MINOR

EXPIRATION DATE:

Nov - 3 - 2005

P

PLBG 54380

PLUMBING PERMIT

PUBLIC RECORDS BLDG PMT. B425076

THIS PERMIT IS VALID ONLY FOR THE PREMISES
OF THE PROJECT ADDRESS

DATE: 5/13/2003

ADDRESS OF PROJECT:

4825 DEXTER TER NW

PRCLID: 1381 -0000- 0806

WARD: 3 ZONE: R1A

OWNER'S NAME:

FRANK ECONOMIDES

OWNER'S ADDRESS:

4825 DEXTER TER NW

OWNER'S TELEPHONE NO.

CONTRACTOR'S NAME:

DAVID HAHN

CONTRACTOR'S ADDRESS:

308 EAST CAPITOL ST
WASHINGTON
DC

CONTRACTOR'S PHONE NO.

BUS. (202) 206-8595 x

FAX:

MASTER PLUMBER:

DAVID HAHN

LICENSE #

0000001311

1 WATER AND/OR SEWER LINE CUTS

2 BATH TUBS

2 WATER CLOSETS

2 BASINS

1 SEWER LINE CUT

DESCRIPTION OF WORK:

FEE

\$172.00

PROPOSED USE:

R4 DETACHED SINGLE FAMILY

TYPE OF WORK:

NEW WORK

This permit authorizes the contractor to perform the work described herein at the address shown above, under the conditions stated on this permit. THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK UNTIL WORK IS COMPLETED. For all plumbing inspections, call 202-442-4642 or fax your request to 202-442-4863.

David A. Clark
DIRECTOR

PERMIT CLERK

LUCRETIA BARKSDALE

EXPIRATION DATE:

May - 13 - 2004

DCRA/066 FOIA #517p
PUBLIC RECORDS

E

ELECTRICAL PERMIT

BLDG PMT. B445054

PERMIT NO.

THIS PERMIT IS VALID ONLY FOR THE PREMISES
OF THE PROJECT ADDRESS

DATE: 1/16/2003

EL 47650

4825 DEXTER TER NW

PRCLID : 1381
(square)

-0000- 0806
(sq)

WARD: 3

ZONE: R1A

OWNER NAME

FRANK ECONOMIDES

OWNER ADDRESS

4825 DEXTER TER NW

OWNER'S TELEPHONE NO.

CONTRACTOR'S NAME:

C & A INC

CONTRACTOR'S ADDRESS:

4208 48TH ST.
BLADENSBURG
MD

Zip: 20710-1

CONTRACTOR'S PHONE NO.

BUS. (301)277-8370 x

FAX.

MASTER ELECTRICIAN:

RODOUSKKIS CONSTANTIN

LICENSE #

DM0000000009

PHONE NO.

☐ NEW ☒ RENEW ☐ REPLACEMENT ☐ REPAIR

CURRENT USE:

R3 ONE & TWO FAMILY DWELLINGS

PROPOSED USE:

DESCRIPTION OF WORK:

temp 200amp service for 90 days

FLOOR NUMBERS:

FEE:

\$42.00

This permit authorizes the contractor to perform the work described herein at the address shown above, under the conditions stated on this permit. THIS PERMIT MUST ALWAYS
BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK UNTIL WORK IS COMPLETED. For all electrical inspections, call 202-442-4843 or fax your request to 202-442-4863.

David A. Clark
DIRECTOR

PERMIT CLERK:

L. BARKSDALE

EXPIRATION DATE:

Jan - 16 - 2004

DCRA-FOIA-00344

DCRA/06C FUI
PUBLIC RECORDS

ELECTRICAL PERMIT

BLDG PMT. B452810

PERMIT NO.

THIS PERMIT IS VALID ONLY FOR THE PREMISES
OF THE PROJECT ADDRESS

EL 58152

DATE: 7/15/2003

4825 DEXTER TER NW

PRCLID: 1381

-0000-

0806

WARD: 3

ZONE: R1A

OWNER'S NAME

FRANK ECONOMIDES

OWNER'S ADDRESS

4825 DEXTER TER NW

OWNER'S TELEPHONE NO.

CONTRACTOR'S NAME

C & A INC

CONTRACTOR'S ADDRESS

4206 48TH ST.
BLADENSBURG
MD

Zip: 20710-1

CONTRACTOR'S PHONE NO.

BUS. (301)277-8370-x

FAX:

MASTER ELECTRICIAN

RODOUSKIS CONSTANTIN

LICENSE #

DM0000000009

PHONE NO.

☒ NEW ☐ RENOV ☐ REPAIRMENT

CURRENT USE

R4 DETACHED SINGLE FAMILY

PROPOSED USE

DESCRIPTION OF WORK
1-400AMP SERVICE (UG)

3 Floor(s)

\$647.00

190 OUTLETS

80 LIGHTS

2 CENTRAL A/C

1 CLOTHES DRYER

1 GARBAGE DISPOSAL

1 DISH WASHER

1 SERVICE/METER 201-400 AMP

0

0

This permit authorizes the contractor to perform the work described herein at the address shown above, under the conditions stated on this permit. THIS PERMIT MUST ALWAYS
BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK UNTIL WORK IS COMPLETED. For all electrical inspections, call 202-623-4239 or fax your request to 202-642-4863.

David A. Clark
DIRECTOR

PERMIT CLERK:

L. BARKSDALE

EXPIRATION DATE:

Jul - 15 - 2004

DCRA-FOIA-00345

LOURENCO CONSULTANTS

5016 Connecticut Avenue, NW
Washington, DC 20008-2023

(202) 966-0042
(202) 966-1534 Fax
DC3P@Lourenconsult.com

DCRA/066 FOIA 4576
PUBLIC RECORDS

Inspection Report # 050304

Rev 04/04

LCI Project # _____

Date: 5/3/04

Address of Inspection: 4825 Dexter Suite _____

Permit Number: PLRG 54380 Requestor: _____

Inspection Discipline: ☐ Bldg ☒ Plbg. ☐ Mech. ☐ Elec.
☐ Fire ☐ F/A only ☐ F/S only
☐ Other: _____

Type of Inspection: ☐ Groundwork ☒ Rough-in ☐ Concealment ☐ Final
☐ Occupancy ☐ Other: _____

Inspection Results: Not on test

Action Required: _____

☐ Approved ☐ Disapproved ☒ Could not inspect ☐ Canceled
☐ Other: _____ Approval Sticker # _____

Approved plans on site: ☒ Yes ☐ No ☐ N/A
Items matched plans: ☒ Yes ☐ No ☐ N/A
Is revision required? ☐ Yes ☒ No ☐ N/A
"As-built" plans required: ☐ Yes ☒ No ☐ N/A

Inspected by: RW O'Connell Date: 5/3/04

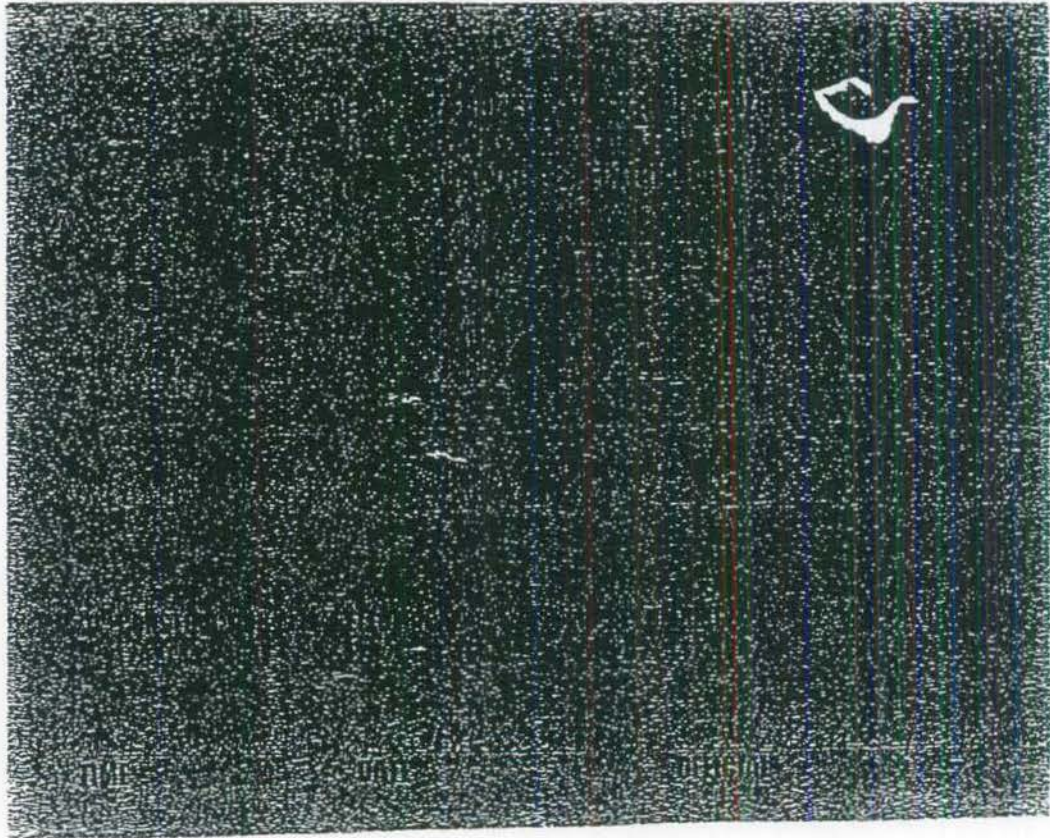
Professional-In-Charge: _____ Date: _____

Received by: _____ Date: _____

Reviewed by: _____ Date: _____

DCRA-FOIA-00346

DCRA/OGC FOIA #570
PUBLIC RECORDS



DCRA-FOIA-00347

WASHINGTON D.C.

DCRA/OGC FOIA #5176
PUBLIC RECORDS

CERTIFICATION OF COMPLIANCE
MODEL ENERGY CODE AND
BUILDING CODE ROOF INSTALLATION

BUILDER DATA

SITE DATA

NAME: ECONOMIDES
ADDRESS: 4825 DEXTER TERR
NW WASHINGTON DC
PHONE #: 240-876-3511
LICENCE#: _____ CLASS: _____

MODEL #: _____
PERMIT#: B-452810
ADDRESS: 4825 Dexter terr
SUBDIVISION: _____
LOT # 866
MAP PAGE: _____

ITEM	DATE	TYPE INSULATION/GLASS	R-VALUE/STC RATING
SLAB			
CRAWL SPACE			
FLOORS			
WALLS		<u>KRAFT BATT</u>	<u>R-19 / R-13</u>
CEILING		<u>BATT / BLOWN Fiberglas</u>	<u>R-30</u>
WINDOWS			
DOORS			
BSMT		<u>KRAFT BATT</u>	<u>R-11</u>

INSULATION CONTRACTOR: Quality Building Products CONTRACTOR LIC. # 27010312549

HVAC CONTRACTOR: _____ CONTRACTOR LIC. # _____

Model Energy Code: I certify that the above items are in conformance with Certified Load Calculation Sheet submitted for the listed model and meet or exceed the requirements of the C-ABO Model Energy Code, referenced edition: that sections pertaining to air leakage are complied with by caulking, gasketing, weather-stripping or other materials in an approved manner.

Building Code: I certify that the roof has been constructed to comply with the requirements of the building code which includes the provisions to protect from roof ice buildup/ice damming.

JOB SUPERINTENDENT [Signature] DATE: 5-2-01
(SIGNATURE)

RECEIVED BY: _____ (PWC INSPECTOR)

12/11/2003 18:22 2023383501

ECONOMIDES DEVTIC

PAGE 11/01

Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration
941 North Capitol St., NE
Washington, DC 20002

Phone # of Third Party Inspection Program - 442-9557

Fax # - 442-4860

Third Party Inspection Request Form

DCRA/060 FOIA 45176
PUBLIC RECORDS

Individual or Company Name <u>Economides Development</u>	Date of Request <u>11-4-03</u>
Address <u>4825 Dexter Terr</u>	Telephone <u>240-876-3511</u>
City/State/Zip <u>NW WASHINGTON DC 20007</u>	Fax # (Required) <u>202-338-3506</u>
Name of Company Representative <u>Hillis-Carries</u>	
Project Name (If Applicable)	
Project Address (Required) please indicate specific suite #, if applicable <u>4825 DEXTER TERR. NW. WASH. DC 20007</u>	

Indicate the Building Trade(s) for which you propose to use Third Party Inspection(s)

☐ Electrical	☐ Plumbing	☐ Mechanical (HVAC)
☐ Elevator	☐ Fire	☒ Construction

Name of Proposed Third Party Agency

Hillis-Carries
Indicate the Type of Inspection

☐ Final ☒ Other AL. Insp. Date of Inspection _____

Permit # B452810

Has a BIRA Inspector from the trade indicated above previously conducted inspections at the site? ☐ yes ☐ no

If yes, please list Name/Date of Inspection _____

I CERTIFY THAT ALL OF THE STATEMENTS ON THIS APPLICATION ARE TRUE AND COMPLETE. TO THE BEST OF MY KNOWLEDGE AND BELIEF I AGREE TO COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS OF THE DISTRICT OF COLUMBIA. THE MAKING OF FALSE STATEMENTS ON THIS APPLICATION IS PUNISHABLE BY CRIMINAL PENALTIES (DC CODE SEC. 22-2511)

SIGNATURE OF OWNER/OFFICER

DATE

Approved pursuant to Third-Party Certification for:

☒ Structural	☐ Mechanical	☐ Plumbing
☐ Elevator	☐ Electrical	☐ Zoning
☐ Fire Protection	☐ Other	

Approved per
Cris Fleck

DCRA-FOIA-00349

11-4-03
12/18/03

PRE-FILE NUMBERS	ZONING DISTRICT	FILE NUMBER	PERMIT NUMBER
PAGE NO.	DATE	DATE	DATE
DATE	DATE	DATE	DATE

★ ★ ★ GOVERNMENT
OF THE DISTRICT
OF COLUMBIA
BLRA-33
(Rev. 10/91)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION; PERMIT PROCESSING DIVISION (72-7050)

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY

(PRINT IN INK OR TYPE; DO NOT WRITE IN SHADED AREAS OR ON PAGE 4)

ERASING, CROSSING OUT, WHITING OUT, OR OTHERWISE ALTERING ANY ENTERED INFORMATION WILL VOID THIS APPLICATION

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 27

1. Address of Proposed Work: 4825 Dexter Terrace, NW	Suite No.: 806	2. Lot: 1381	3. Square: 9/26/02	4. Application Date: 9/26/02
5. Owner of Building or Property: Frank & Dina Economides	6. Address: (include Zip): 4825 Dexter Terrace, NW Washington, DC 20007	7. Phone: Work: 202-321-3334 Home:		
8. Agent for Owner: (if applicable) Tom Hromada	9. Address: (include Zip): RAPID PERMIT SERVICE 7711 Garrison Road #200 Landover Hills, MD 20784 301-731-4767	10. Phone: Work: 301-731-4767 Home:		
11. Type of Proposed Work (check all applicable boxes):				

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

APPLICANT'S SIGNATURE: **FRANK & DINA ECONOMIDES**

DATE: **9/26/02**

OFFICE COPY

23. Is the area of disturbed earth more than 50 sq. ft.? ☒ Yes; answer q. 24-25 ☐ No, SKIP q. 24-25	24. Soil Erosion Control Methods: Silt silt fence	25. Area of Offsite Drainage: sq. ft.	26. No. of Footings or Columns: sq. ft.	27. Size of Footings of Columns:
--	---	--	--	----------------------------------

ALWAYS SIGN THE APPLICATION ON PAGE 3 (SECTION I).

Complete Section B if the proposed work is new building, addition or alteration. (Page 2)
Complete Section C if the proposed work is razing a building. (Page 2)
Complete Section D if the proposed work is a retaining wall. (Page 2)
Complete Section E if the proposed work is a fence. (Page 3)
Complete Section F if the proposed work is a shed/garage. (Page 3)
Complete Section G if the proposed work is an awning. (Page 3)
Complete Section H if the proposed work is a sign. (Page 3)

5-0307 and 5-373

Mr. Permit

PUBLIC SPACE DEPOSIT RECEIPT

Attached below is your receipt for a deposit required by DDOT for your permit activity. This is the record that will reside with the District of Columbia, and at the conclusion of the work activity, you are to call 202-645-7050 to arrange for your refund. This is the refund office for the District of Columbia DDOT. Don't expect there to be any rapid refunds, the office must send out an Inspector to verify there is no damage to the area covered, and then they must process a refund that can take several months. We do not and will not process your refund for you under any circumstances. Note it is a good idea to take photographs of the work area before your begin work with date stamped film or digital photographs to substantiate the conditions of the sidewalk or alley or street before the work was started, especially in those areas where there are poor field conditions before starting work. This way maybe you can avoid having to pay for damage not caused by you.

F-41 (3-82)

(Tel# (202) 365-6090)

Government of the District of Columbia
District Treasury
Standard Deposit Ticket

Deposit of funds collected by Department/Agency:

Dept/Agency:

Burr/DIV:

4825 Dexter Terr. NW

Date:

Agency Code:

Bureau Code:

9/28/04

BA

TRDO 7060

Treasury Use Only	Revenue/Trust Fund Name	Resp. Center	Revenue Source/ Balance Sheet Account	Amount
	Dexter			
	Streets	100	1333	300.00
	Sidewalk			
	Repair			
	Cash Holding Account			
	Grants			
	Refund of Expenditure			
	Optional Coding			
	Total Collection			300.00

Cash Count	Amount	Bag/ Check Count
Currency	300.00	
Coin		
Checks/Money Orders		
Frank Economides		
4825 Dexter Terr.		
Washington D.C. 20007		
(202) 665-3334		
52-2226090		
Total Deposit	300.00	

Prepared By:

Phone:

Received From:

WHITE - Treasurer's Copy

CANARY - Bank Copy

PINK - Accounting Unit Copy

GOLDENROD - Collection Unit Copy

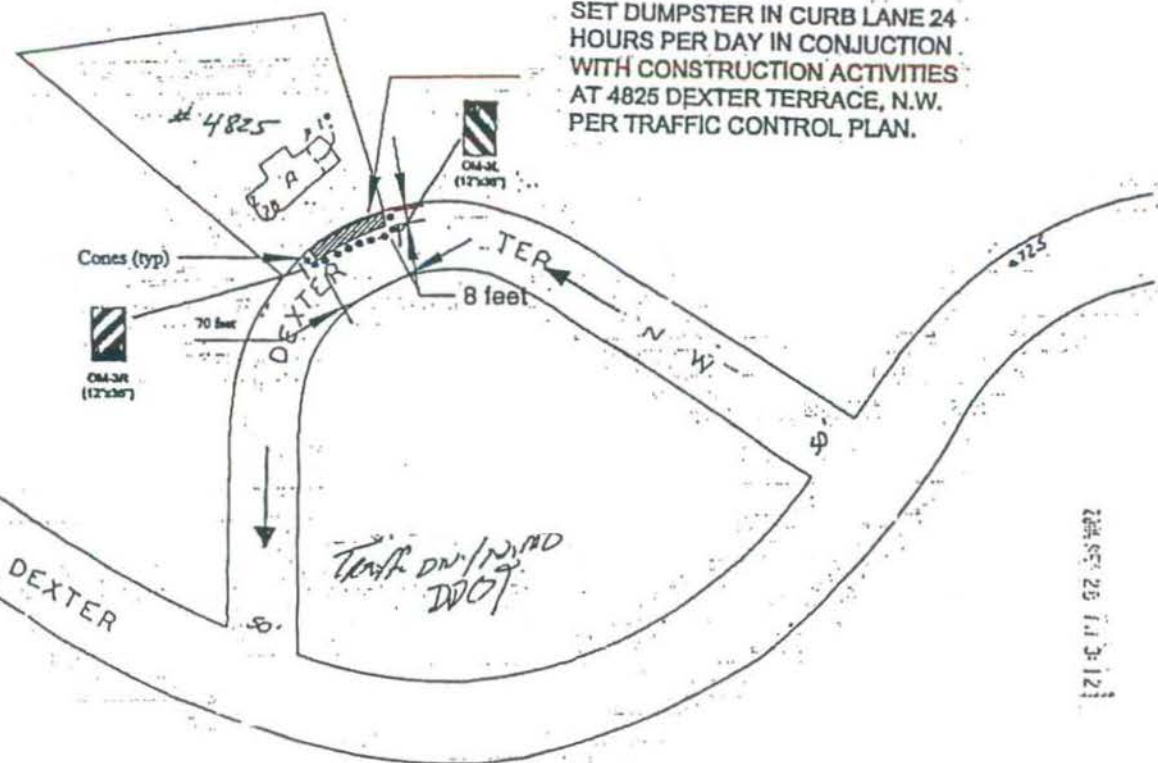
6 Logan Circle, N.W., Suite 3
Washington, D.C. 20005

E-mail: MrPermit@aol.com

202-462-7662
Fax: 202-328-1333



SET DUMPSTER IN CURB LANE 24 HOURS PER DAY IN CONJUNCTION WITH CONSTRUCTION ACTIVITIES AT 4825 DEXTER TERRACE, N.W. PER TRAFFIC CONTROL PLAN.



***DUMPSTERS IN PARKING LANE ONLY.**

PLEASE label or indicate the following on Traffic Control Plan(s). Label N/A if not applicable.

1. Direction of travel on each street.
2. Number of lanes in each direction.
3. Actual location of dumpster.
4. Available parking on both sides of street.
5. Location of 36 inch high reflective cones.
6. Indicate number of all cones placed.
7. Indicate number of cones of each size.
8. Meter indication (number, size).
9. Location of pedestrian control signage.
10. Indication to affected motorists, pedestrians, and bicyclists.
11. Add permanent/semi-permanent and existing signs.

NOTES:

- 1. WHEN PLACING A DUMPSTER IF ANY BE SET BACK IN FT. SIDE.
- 2. MAKE THIS OCCURANCE FOR THE APPROX. DATE.
- 3. 10 FT. From Hwy. Med.
- 4. 10 FT. From Fire Hydrant & Sign.

4825 Dexter Terrace, NW
Traffic Control Plan

DISTRICT OF COLUMBIA GOVERNMENT OFFICE OF THE SURVEYOR

Washington, D.C., August 12, 2002

Plat for Building Permit of SQUARE 1381 LOT 806

Scale: 1 inch = 30 feet: Recorded in A & T Book Page 2389

Receipt No.: 00067

Furnished to: MR. PERMIT

[Signature]
Surveyor, D.C.

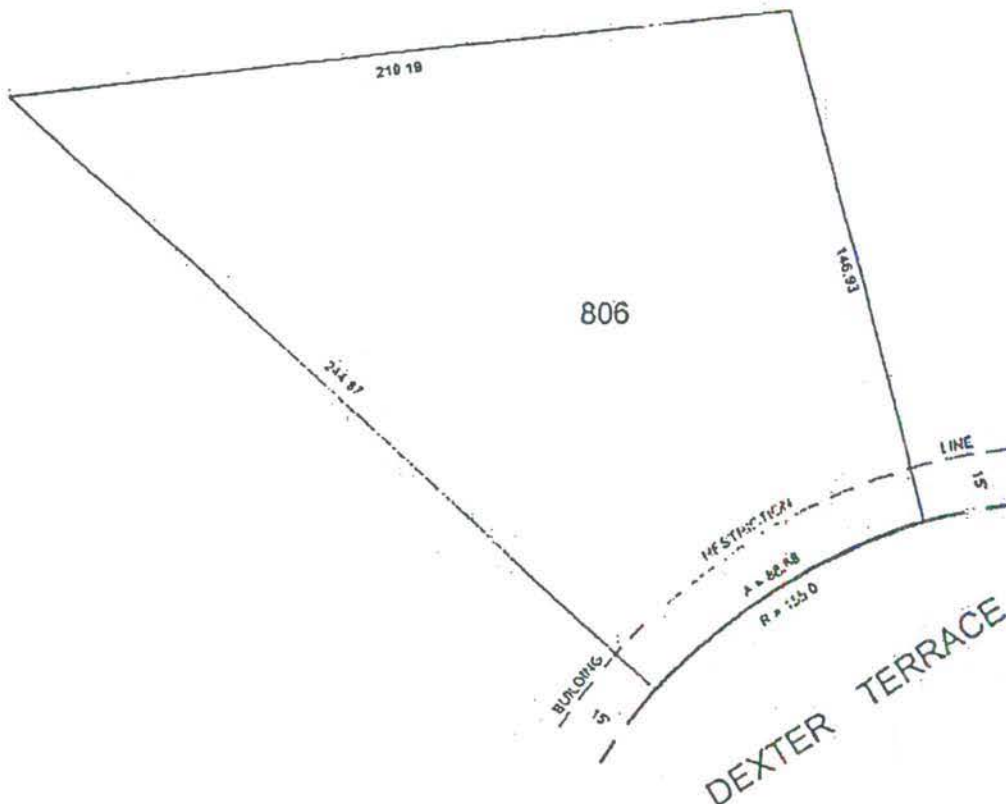
By: L.E.S. *[Signature]*

I hereby certify that all existing improvements shown herein, are completely dimensioned, and are correctly plotted; that all proposed buildings of construction, or parts thereof, including proposed parking, are correctly dimensioned and plotted and agree with plans accompanying the application; that the foundation plans as shown herein 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 herein the size of any adjoining lot or parcels is not decreased to an area less than is required by the Zoning Regulations for light, air and ventilation; and I further certify and agree that adequate parking area is required by the Zoning Regulations will be required in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned herein. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department's approved curb and alley grade will not exceed in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or less, 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 Line or Parcel are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



SN 0018717021

DCRA/066 FOIA#5176

PUBLIC RECORD

Mr. Permit

Attached below is your Public Space Permit.

NOTE: THIS PERMIT EXPIRES THIRTY (30) DAYS FROM THE DATED ISSUED.

The office of Mr. Permit will automatically renew this permit for you on a monthly basis. Please provide one (1) week before the expiration date notice if you DO NOT want a renewal.

This permit must be displayed on the front of the building in full public view along with any additional permits.

*** GOVERNMENT
DEPARTMENT OF THE
DISTRICT OF COLUMBIA
BLNA-12
(Rev. 11/01)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

PUBLIC SPACE PERMIT
(Type) OCCUPY

U.C. NO. P626599
PERMIT NO.

Date 9/28/04

Address of work 4825 DEXTER TERR. NW.

Lot 806 Square 1381

Permission is hereby granted to:

CONSTANDINA ECONOMIDES

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

SET DUMPSTER IN CURB LANE 24HRS PER DAY IN CONJ. W/CONSTRUCTION

ACTIVITIES AT 4825 DEXTER TERR. NW. PER TRAFFIC CONTROL PLANS.

70' X 8'. THIS PERMIT DOES NOT AUTHORIZE CROSSING PUBLIC SIDEWALK W/TRUCKS.

THIS PERMIT IS REVOCABLE AT ANYTIME AT THE DISCRETION OF THE TRANSPORTATION DEPT

D.C. POLICE DEPARTMENT OR TRAFFIC DIV. NIMO. SUPPOSE THAT IS TAKEN BE TRIM TO BE SHIT STON

D.H. Drawing No.

Job No.

THIS PERMIT EXPIRES: 10/28/04

PUBLIC SPACE OFFICE
SURFACE 662-4670 SUBSURFACE 335-2206

DAVID CLARK

DIRECTOR

Chief, Permit Issuance Branch
E. ZINGO
PERMIT CLERK

6 Logan Circle, N.W., Suite 3
Washington, D.C. 20005

E-mail: MrPermit@aol.com

202-462-7662
Fax: 202-328-1333

DCRA-FOIA-00354

Mr. Permit

Attached below is your Public Space Permit.

NOTE: THIS PERMIT EXPIRES THIRTY (30) DAYS FROM THE DATED ISSUED.

The office of Mr. Permit will automatically renew this permit for you on a monthly basis. Please provide one (1) week before the expiration date notice if you DO NOT want a renewal.

This permit must be displayed on the front of the building in full public view along with any additional permits.

P E R M I T	DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS BUILDING AND LAND REGULATION ADMINISTRATION	U.C. NO. P627127	
	PUBLIC SPACE PERMIT (Type) OCCUPY RENEWAL	PERMIT NO. 1	
	Date 10/25/04	Lot 0806 Square 1381	
	Address of work 4825 DEXTER TERR. NW.	PERMIT FEE \$ 7.00	
	Permission is hereby granted to:	CONSTANDINA ECONOMIDES	
	TO PERFORM THE WORK DESCRIBED HEREIN AT THE ADDRESS SHOWN ABOVE IN STRICT ACCORDANCE WITH THE CONDITIONS STATED ON BOTH SIDES OF THIS PERMIT.		
	REVISE PUBLIC SPACE PERMIT P626599 TO CHANGE THE EXPIRATION DATE TO 11/25/04		
	ALL RESTRICTIONS AND CONDITIONS SPECIFIED ON THE ABOVE PERMIT REMAIN IN EFFECT AND ARE A PART OF THIS PERMIT. BOTH THIS PERMIT AND THE ORIGINAL PERMIT MUST BE ON THE JOB SITE AT ALL TIMES. THIS PERMIT IS REVOCABLE AT ANYTIME AT THE DISCRETION OF THE TRANS. DEPT., POLICE DEPT. OR TRAFFIC DIV.		
	SET DUMPSTER IN CURB LANE 24 HRS PER DAY IN CONJ. W/CONSTRUCTION ACTIVITIES AT 4825 DEXTER TERR. NW. PER TRAFFIC CONTROL PLANS.		
	THIS PERMIT EXPIRES: 11/25/04		
DAVID CLARK DIRECTOR		PERMIT CLERK	

6 Logan Circle, N.W., Suite 3
Washington, D.C. 20005

E-mail: MrPermit@aol.com

202-462-7662
Fax: 202-328-1333

MAR-24-2004 WED 03:12 PM

VINTAGESECURITY

703 689 2767

P. 02

Department of Consumer and Regulatory Affairs
Baltimore, Maryland 21201
Tel: (410) 290-1800
Fax: (410) 290-1800

ELECTRICAL PERMITPERMIT NO.
EL 72810THIS PERMIT IS VALID ONLY FOR THE PREMISES
OF THE PROJECT AND NOT FOR

BLDG. PMT. B452810

DATE: 3/24/2004

ADDRESS OF PROJECT

PROJECT ID

138

CDDO

0808

4825 DEXTER TER NW

WARD

ZONE: R1A

OWNER NAME

OWNER ADDRESS

OWNER TELEPHONE NO.

FRANK ECONOMIDES

4825 DEXTER TER NW

CONTRACTOR NAME

CONTRACTOR ADDRESS

CONTRACTOR PHONE NO.

VINTAGE SECURITY LLC

COLUMBIA

FAX

OWNER SIGNATURE

LICENSE NO.

FREDERICK W. BROOK III

0000000000

☒ X-1

SUNSHINE USE

R4 DETACHED SINGLE FAMILY

REMOVED USE

R4 DETACHED SINGLE FAMILY

170-ACQUINT SYSTEMS

THIS PERMIT IS VALID ONLY FOR THE PREMISES OF THE PROJECT AND NOT FOR OTHER PREMISES. IT IS NOT VALID FOR ANY OTHER PROJECTS. IT IS NOT VALID FOR ANY OTHER PROJECTS. IT IS NOT VALID FOR ANY OTHER PROJECTS.

David S. Lichten

PERMIT CODE

B MINOR

EXPIRATION DATE

MAY 24, 2005

Columbia Gas

\$340.00

DCRA-FOIA-00356

P. 01

703 689 2767

VINTAGESECURITY

NOV-04-2004 THU 08:08 AM

WHEREAS, 21 DCMR §§534.2, 534.3 AND 534.4 require that the Owner execute

and record with the Recorder of Deeds of the District this Declaration;

NOW, THEREFORE, for and in consideration of the issuance of construction permits and approval of his or her plans by the District; and for the benefit of and limitation upon the Owner and all future owners of the Property, and for the benefit of the District, the Owner for itself, its successors and assigns, does hereby covenant and agree as follows:

1. The Owner (shall construct) (~~has constructed~~) and shall perpetually maintain, at its sole expense, the above-referenced storm water management facility in strict accordance with the plan approved by the District. The approved plan requires, among other things, adherence to the following maintenance schedule.

INFILTRATION TRENCH MAINTENANCE SCHEDULE

DURING THE FIRST YEAR AFTER CONSTRUCTION OF THE INFILTRATION SYSTEM SHOULD BE MONITORED ON A QUARTERLY BASIS AND AFTER SIGNIFICANT STORMS. A LOG BOOK SHALL BE MAINTAINED AND SHALL INDICATE: DATE, TIME, AND DEPTH OF WATER IN THE OBSERVATION WELL AT 8 TO 12 HOUR INTERVALS FOR 72-HOUR PERIODS. ONCE THE PERFORMANCE CHARACTERISTICS OF THE SYSTEM HAVE BEEN VERIFIED, THE MONITORING SCHEDULE CAN BE REDUCED TO AN ANNUAL BASIS.

SEDIMENT BUILD-UP IN THE TOP FOOT OF STONE AGGREGATE AND IN ALL UPSTREAM STORM DRAIN INLETS SHOULD BE MONITORED ON THE SAME SCHEDULE AS THE OBSERVATION WELL. SEDIMENT DEPOSITS SHALL NOT BE ALLOWED TO BUILD UP TO THE POINT WHERE THEY NEGATIVELY IMPACT THE ABILITY OF THE INFILTRATION SYSTEM TO FUNCTION PROPERLY.

2. The Owner shall, at its sole expense, make such changes or modifications to the storm water management facility as may, in the District' discretion, be

determined necessary to insure that the facility is properly maintained and continues to operate as designed and approved.

3. The District, its agents, employees and contractors shall have the right to enter the Property and the right to inspect, at reasonable times and in a reasonable manner, the storm water management facility in order to insure that the facility is being properly maintained and is continuing to perform in an adequate manner.
4. The Owner also understands and agrees to the following:
 - a. Should the Owner fail to correct any defects in the above described facility after notification by the District; or
 - b. Should the Owner fail to maintain the facility in accordance with the approved design standards and with the law and applicable regulations; or
 - c. Should there be an emergency as determined by the District in its sole discretion,the District is authorized to enter the Property to make all repairs, and to perform all maintenance, construction and reconstruction the District deems necessary. The District shall then assess the Owner for the cost of the work and applicable penalties.
5. The provisions of this Declaration shall be deemed covenants running with the land and shall bind and inure to the benefit of the Owner and the District, their respective heirs, successors and/or assigns. When the Owner ceases to own an interest in the Property, the rights and obligations under this Declaration shall become the rights and obligations of the successor-in-ownership and interest as to the Property.

6. The Owner shall, at its cost and expense, properly record this Declaration with the Recorder of Deeds and furnish the District's Department of Health with a copy of this Declaration certified by the Recorder of Deeds as a true copy of the recorded instrument.
7. The owner shall indemnify and save harmless the District of Columbia and all its officers, agents, and employees against all claims or liability arising from, based on, or which might result from: (1) the owner's undertaking of any action required under this covenant and (2) any act, omission, or default of the District, its officers, agents, and employees in the performance of, or in connection with any action authorized by this covenant, or by the regulations pursuant to which it is entered, including, but not limited to, any action authorized by paragraph four (4) herein.
8. The provisions of this Declaration may not be modified, amended, or terminated without the prior written consent of the District, such agreement to be evidenced by a document duly executed and delivered in recordable form and recorded with the Recorder of Deeds at no expense to the District.
9. The District has the right to specifically enforce this Declaration.
10. This Declaration shall be governed by, construed and enforced in accordance with the laws of the District of Columbia.

In Testimony Whereof, FRANK C. ECONOMIDES & CONSTANTIN ^{A. Economides} the Owner, and
_____, has executed this Declaration of Covenants
as of this 22 day of OCTOBER, 2002.

FOR THE OWNER:

[Signature]
(Signature)

[Signature]
(Signature)

Frank C. Economides
(Printed Name and Title)

Constandina A. Economides
(Printed Name and Title)

Signed or attested before me on OCTOBER 22 2002

By: Frank C. Economides & Constandina A. Economides
[Signature]
(Signature of Notary)

SEAL:

STEVEN M. BUCKMAN
NOTARY PUBLIC, DISTRICT OF COLUMBIA
My Commission Expires September 30, 2005

My commission expires: _____

FOR CORPORATE OWNERS:

In testimony whereof, _____
(Name of Corporation)

has caused this Declaration of Covenants to be signed by _____
(Name)

_____, and has appointed _____
(Title) (Name)

Its attorney in fact to acknowledge and deliver these presents as the act and deed of

_____. According to law, as of the day and year first written
(Name of Corporation)

above.

(Name) (Title)
(Corporate Seal)

Signed or attested before me on _____

By: _____

(Signature of Notary)

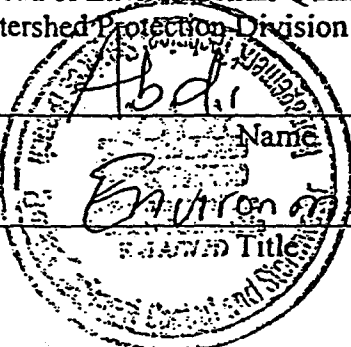
SEAL:

Title (and Rank)

My commission expires: _____

APPROVED AS TO TECHNICAL SUFFICIENCY:

District of Columbia
Department of Health
Environmental Health Administration
Bureau of Environmental Quality
Watershed Protection Division


Abdi Musse
Name
Environmental Engineer
Title

Date: 11/18/02

DCRA/OGC FOIA #5176
PUBLIC RECORDS

Scott, Juan (DCRA)

From: Carter, Elizabeth (DCRA)
Sent: Friday, November 26, 2004 2:09 PM
To: Sanders, Adrian (MPD); Carter, Elizabeth (DCRA); Scott, Juan (DCRA); Lewis, Theresa (DCRA); Noble, Denzil (DCRA); Barrow, Abdullahi (DCRA)
Cc: ERROR@aol.com
Subject: RE: Economides Home Construction - 4825 Dexter Ter. NW
Importance: High

Dear Officer Sanders:

Thank you for your e-mail inquiry. I am forwarding your e-mail to the Department of Consumer and Regulatory (DCRA), Building and Land Regulation Administration (BLRA), Supervisor of the BLRA Construction Branch, Inspector Juan Scott and Deputy Director of DCRA's Operations, Theresa Lewis who are monitoring this situation very closely. By copy of this e-mail, I am asking Inspector Scott to respond to you directly.

Cordially,

Elizabeth Carter
 Special Assistant to
 Denzil Noble
 The Building and Land Regulation Administrator

-----Original Message-----

From: Sanders, Adrian (MPD) [mailto:adrian.sanders@dc.gov]
Sent: Friday, November 26, 2004 12:42 PM
To: elizabeth.carter@dc.gov
Cc: ERROR@aol.com
Subject: Economides Home Construction - 4825 Dexter Ter. NW

Dear Ms. Carter,

By way of introduction, I am a police officer assigned to the Second Police District. I received an assignment to assess work permits for construction at 4825 Dexter Steet NW on Friday, November 26, 2004.

I first met with the Corons at their home, 4747 Fulton Street NW. The Corons provided a history of the Dexter Terrace house, and indicated that DCRA had issued a Stop Work Order (SWO) on the Dexter Terrace house, and that work was proceeding nevertheless in violation of the SWO.

I responded to the house at approx. 10:30am, and found about a half dozen carpenters and painters working. I noticed the conspicuous absence of work permits posted at or near the front door. After searching the construction plan area, I still could not find any work permits. I asked the workers to cease work temporarily. They complied and were courteous.

Greg Bray, the on-site supervisor for the Economides's contractor arrived on scene. He produced a spiral bound notebook with photocopies of a variety of work permits, some easier to read than others. He reported that the site had been shut down earlier in the month, and that the deficiencies had been corrected. He indicated that DCRA inspectors removed two red SWO placards, allowing work to resume on the site.

11/27/2004

DCRA-FOIA-00446

I allowed work to continue, but with hesitation. Neither party could provide authentic evidence of a SWO, or an order to resume work. I am seeking clarification, as the current status of whether workers are allowed to proceed or not is ambiguous. I advised Mr. Bray that his firm and or the Economides could be subject to Metropolitan Police Department citation if I determined that he was working or causing work to proceed in violation of the SWO.

Further, access to the house was precarious and unsafe, down a steep, muddy (slippery and thick) driveway. In order to gain access into the house, I had to walk down an elevated, steep 2x10 (possibly 12) plank to the front door, which seems like an unnecessary safety risk. I also noticed that the staircases and landings lacked temporary rails to prevent a fall. I don't know if this precaution is required in the code.

In conclusion, please provide assistance to this issue as soon as possible: Was a SWO in effect for 4825 Dexter Terrace NW on November 26, 2004? Please feel free to contact me on my cell phone anytime:
202-486-7000.

Thank you for your assistance,

Adrian M. Sanders, #2332
Police Officer
District of Columbia Metropolitan Police Department

DCRA/OGG FOIA #5176
PUBLIC RECORDS

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CRIMINAL DIVISION

CLERK OF
SUPERIOR COURT OF THE
DISTRICT OF COLUMBIA
CRIMINAL DIVISION

L-2
USC
No. 105-04

District of Columbia ss:

Defendant's Name: Frank Constantine Economides

(First)

(MI)

(Last)

(PDID)

02016506

(CCNO)

Address: 4825 Dexter Terrace, Northwest, Washington DC

2004 APR 31 P 12:41

RECEIVED

A On or about May 21, 2002, within the District of Columbia, Frank Constantine Economides maliciously did injure, break, and destroy certain property, that is, Trees in Wesley Heights Park, property of Economides Development LLC, causing damage in the amount of \$200 or more. (Destroying Property, in violation of 22 D.C. Code, Section 303 (2001 ed.))

Co-Defendants:

[Signature]
Affiant's Name

Subscribed and sworn to before me this 4 day of June, 2003

[Signature]
(Judge) (Deputy Clerk)

WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:

WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for Frank Constantine Economides

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued

6-4-03

[Signature]

Judge

Superior Court of the District of Columbia

Sex: Male	DOB: 03/04/1953	CCN: 02016506	PDID:
Papering Officer: Det. Jonathan Crichfield			Badge No.: #445

OFFICER MUST EXECUTE RETURN

Officer's Name: <u>[Signature]</u>	Date / Time:
AUSA Signature: <u>[Signature]</u> 5/1/04	Fel. I ☐ AFTC ☐ Domestic ☐
<u>W0468771</u>	

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION
INFORMATION

No. F0277804

The United States Attorney for the District of Columbia informs the Court that within the District of Columbia:

Defendant's Name: Frank C Economides	562261	04012851	03/04/1953
(First) (MI) (Last)	(PDID)	(CCNO)	(DOB)

Address: 5610 SHERIER PLACE NW, WASHINGTON DC

1 On or about May 21, 2002, within the District of Columbia, Frank C Economides maliciously did injure, break, and destroy certain property, that is, a tree, property of the United States Department of Interior, National Parks Service, causing damage in the amount of less than \$200. (Destroying Property, in violation of 22 D.C. Code, Section 303 (2001 ed.))

2 On or about May 21, 2002, within the District of Columbia, Frank C Economides maliciously did injure, break, and destroy certain property, that is, a tree, property of the United States Department of Interior, National Parks Service, causing damage in the amount of less than \$200. (Destroying Property, in violation of 22 D.C. Code, Section 303 (2001 ed.))

3 On or about May 21, 2002, within the District of Columbia, Frank C Economides maliciously did injure, break, and destroy certain property, that is, a tree, property of the United States Department of Interior, National Parks Service, causing damage in the amount of less than \$200. (Destroying Property, in violation of 22 D.C. Code, Section 303 (2001 ed.))

4 On or about May 21, 2002, within the District of Columbia, Frank C Economides maliciously did injure, break, and destroy certain property, that is, a tree, property of the United States Department of Interior, National Parks Service, causing damage in the amount of less than \$200. (Destroying Property, in violation of 22 D.C. Code, Section 303 (2001 ed.))

Co-Defendants:

United States Attorney for the District of Columbia

By: Assistant United States Attorney

Date:

May 18, 2004

By Officer: J Crichfield

Badge No.: 445

Superior Court of the District of Columbia

CRIMINAL DIVISION

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

USW No.:

105-04

DEFENDANT'S NAME: Frank Constantine ECONOMIDES				SSN: 220-58-6134		CCR: 02-016506		PDID:	
SEX: Male	RACE: White	D.O.B: 03/04/1953	HEIGHT:	WEIGHT:	EYES:	HAIR: Black	COMPLEXION: Medium		
DEFENDANT'S HOME ADDRESS: 4825 Dexter Terrace, NW Washington DC 20007						TELEPHONE NUMBER: (202) 365-3334			
DEFENDANT'S BUSINESS ADDRESS: Economides Development LLC 4400 Dexter Street, NW Washington DC 20007						TELEPHONE NUMBER: (202) 337-2850			
COMPLAINANT'S NAME: Detective Jonathan Crichfield, United States Park Police									
LOCATION OF OFFENSE: 4825 Dexter Terrace, NW Washington DC 20007					DATE OF OFFENSE: 05/21/2002		TIME OF OFFENSE: 0900		
GIVE BRIEF DESCRIPTION OF WHAT HAPPENED: Your affiant is Detective Jonathan Crichfield, a member of the United States Park Police since 1987. Your affiant has been assigned to the Criminal Investigations Branch Environmental Crimes Unit since 1998. On May 29, 2002, at approximately 1100 hours, the affiant responded to the 4800 block of Dexter Terrace, NW Washington DC for a report of destruction to trees in Wesley Heights Park, a unit of the National Park Service, adjacent to Dexter Terrace, NW. The affiant's investigation revealed that a park neighbor, Frank Constine ECONOMIDES, wishing to improve his own property, directed a tree cutting company named Lee's Tree Service, to fell 6 trees owned by the United States government. To the affiant, the tree service foreman, Craig SULLIVAN, related that on May 13, 2002 Frank ECONOMIDES had shown SULLIVAN the back property boundary line and had claimed to own the trees to be cut. SULLIVAN stated that, in the presence of ECONOMIDES, he personally spray painted the trees to be felled with either an orange "x" or "dot" and that ECONOMIDES directed the marking of each tree to be felled. SULLIVAN stated that after the trees were felled, ECONOMIDES paid Lee's Tree Service via a check for the amount of \$10,000.00. In a non-custodial interview between Frank ECONOMIDES and the affiant, ECONOMIDES stated he was attempting to clear his backyard and had the trees cut down to make a play area for his children. ECONOMIDES acknowledged he knew where the park boundary had been and confirmed he had shown SULLIVAN which trees to cut. Since the time of the interview, the affiant has learned that ECONOMIDES, paid for the tree cuttings via check issued by a company called "Big Ball LLC" for the amount of \$10,000. The check was signed by Frank ECONOMIDES. The affiant's investigation determined that ECONOMIDES had directed tree company's sawyers to cut down government owned trees on May 21 and May 22, 2002. Additionally, the affiant determined that Frank ECONOMIDES had not obtained permission from the National Park Service to cut the government's trees. Furthermore, the affiant has learned that the National Park Service had designated Wesley Heights Park as a riparian environment, thus protecting the trees from destruction. The affiant has learned that the Chief Horticulturist for the National Park Service National Capital Region, Robert Defeo, appraised the value of the felled trees, owned by the United States government, at \$5,039.50. In view of the above listed facts and circumstances, your affiant believes that the defendant, did deprive, take and dispose beyond recovery, from the United States government without authority, the property of six trees valued in excess of \$250.00.									

TO: WARRANT CLERK
PLEASE ISSUE A WARRANT FOR:

Frank Constantine ECONOMIDES

Charge With: Destruction of Property (F)Cynthia D. Wacziarg 6/3/03
ASSISTANT UNITED STATES ATTORNEY

AFFIANT'S SIGNATURE:

X [Signature]

SUBSCRIBED AND SWORN TO BEFORE ME THIS:

47 DAY OF June 20 03R. R. Winters
(JUDGE) (DEPUTY CLERK) SUPERIOR COURT
OF THE DISTRICT OF COLUMBIA

Superior Court of the District of Columbia

NOTICE TO RETURN TO COURT

ST 9:00
YOUR CASE IS SET FOR 9:00 (A.M.) (P.M.) ON 2/28 ~2005
BEFORE JUDGE 2MC ~IN COURTROOM NUMBER 210 ON
THE _____ LEVEL, SUPERIOR COURT OF THE DISTRICT OF
COLUMBIA, 500 INDIANA AVENUE, N. W. FAILURE TO APPEAR PROMPTLY MAY RESULT IN THE
ISSUANCE OF A WARRANT FOR YOUR ARREST.

IMPORTANT

It is your responsibility to appear on time in the proper courtroom. Your name should be listed on the court's calendar posted at the courtroom entrance. If it is not, please check with the Clerk in the courtroom before court begins or with the Pretrial Services Agency in Room C-225, or with a Clerk at the Information Window in the lobby of the courthouse, to find out if your case will be handled in a different courtroom.

[Signature]
Signature of Defendant

4825 DEXTER TER NW,
Address of Defendant

****Penalties for failure to appear for a pending
Felony charge: 5 years or \$5,000 fine.**

****Penalties for failure to appear for a pending
Misdemeanor/Traffic charge: 180 days or
\$1,000 fine.**

[Signature]
Deputy Clerk

2/10/05
Date

Original - Court
Canary - Defendant

DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS
 BUILDING AND LAND REGULATION ADMINISTRATION; PERMIT CENTER
 941 NORTH CAPITOL STREET N.E. 2nd FL
 WASHINGTON D.C. 20002

FOIA #5116
 PUBLIC RECORDS

APPLICATION TO INSTALL SUPPLEMENTAL ELECTRICAL SYSTEMS IN BUILDINGS

E				ELECTRICAL PERMIT APPLICATION		BLDG PERMIT NUMBER: B445054
APPLICATION MUST BE COMPLETE IN ITS ENTIRETY.						
ADDRESS OF PROPOSED WORK: 4825 DEXTER TERR. N.W			SUITE/ROOM:	LOT: 852	SQUARE: 1427	APPLICATION DATE: 1/16/03
OWNER OF BUILDING: FRANK ECONOMIDES			ADDRESS OF OWNER: SAVE			PHONE: (202) 337-2943
OWNER OF BUSINESS:			BUSINESS OWNER'S ADDRESS:			PHONE:
TYPE OF WORK:	IS THE WORK INTENDED TO CHANGE THE USE OF THE BUSINESS?	PROPOSED USE (CURRENT USE IF NO CHANGE):				
a. ☐ New	☐ YES ☐ NO	a. ☐ Single Family e. ☐ Restaurant l. ☐ Office				
b. ☐ Replacement		b. ☐ Two Family Flat f. ☐ Store j. ☐ Garage				
c. ☒ Remodeling		c. ☐ Rooming House g. ☐ Shop k. ☐ Other (specify) _____				
d. ☐ Repair		d. ☐ Apartment h. ☐ Theater				
NO OF ROOMS:	NO. OF FLOORS:	Specify all proposed electrical work: (Note that plans are required when more than 10 outlets will be installed). ESTIMATED COST OF WORK \$ 1000 -				

ELECTRICAL

NUMBER	ITEM	FEE	NUMBER	ITEM	FEE
	OUTLETS			Motors (list)	
	LIGHTS I. Inside _____ watts II. Outside _____ watts			Service & Meter Equipment (list)	
	Central Air Conditioner:			Other (list)	
	Electric Range				
	Clothes Dryer				
	Garbage Disposal				
	Dishwasher				
	Hot Water Heater				
1	Temp Use of Current for 90 days.				
Is current being used in building? ☒ Yes ☐ No		Electrical Contractor: C+A INC.			
Lic. No. 655	Address: 4208 48TH STR. BLADENSBURG, MD 20710		Phone No: (301) 277-8370		By: _____
Master Electrician Signature: Courten G. Rothenstein			Lic. No. 200009		Date: _____

**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.**

DCRA-FOIA-00290

2007-0007

PERMIT

To: Frank E.

DCRA-FOIA-00291

DCRA/OGC FOIA #716
PUBLIC RECORDS

E

ELECTRICAL PERMIT

BLDG PMT. B445054

PERMIT NO.

THIS PERMIT IS VALID ONLY FOR THE PREMISES
OF THE PROJECT ADDRESS

DATE : 1/16/2003

EL 47650

4825 DEXTER TER NW	PRCLID : 1381 (square)	-0000- 0806 (sq)
	WARD: 3	ZONE: R1A

OWNER'S NAME: FRANK ECONOMIDES	OWNER'S ADDRESS: 4825 DEXTER TER NW	OWNER'S TELEPHONE NO.
---	--	------------------------------

CONTRACTOR'S NAME: C & A INC	CONTRACTOR'S ADDRESS: 4208 48TH ST. BLADENSBURG MD Zip: 20710-1	CONTRACTOR'S PHONE NO. BUS. (301)277-8370 x FAX.
---	---	---

MASTER ELECTRICIAN: RODOUSKKIS CONSTANTIN	LICENSE # DM0000000009	PHONE NO.
--	---	------------------

☐ NEW ☒ REMODEL ☐ REPLACEMENT ☐ REPAIR	DESCRIPTION OF WORK: temp 200amp service for 90 days
CURRENT USE: R3 ONE & TWO FAMILY DWELLINGS	FLOOR NUMBERS:
PROPOSED USE:	FEE: \$42.00

This permit authorizes the contractor to perform the work described herein at the address shown above, under the conditions stated on this permit. THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK UNTIL WORK IS COMPLETED. For all electrical inspections, call 202-442-4643 or fax your request to 202-442-4863.

David A. Clark DIRECTOR	PERMIT CLERK: L. BARKSDALE	EXPIRATION DATE: Jan - 16 - 2004
--	---	---

DEPT OF CONSUMER & REGULATORY AFFAIRS

941 NORTH CAPITOL STREET, N.E.
WASHINGTON, DC 20002
(202)442-4460

Remittance Source Document

Report Date 01/16/2003 02:58 PM

Submitted By

DCRA/OGC FOIA #5116

Page 1

Trn # 59331 Trn Date 01/16/2003 14:58 PUBLIC RECORDS A/P # 47650
Customer C & A INC
DBA
Address 4208 48TH ST.
BLADENSBURG MD 20710-1
Cash Payment
Cash 42.00

Fees Item	Dest Budget #	Amount
GROUP 11, ITEM 01	D_32303-1009-3015	42.00
	Total Amount	42.00
	Amount Confirmed	0.00
	Total Amount Due	42.00

PAYMENT MUST BE MADE IN FULL

REMITTANCE SOURCE DOCUMENT

Trn Date 01/16/2003 14:58
Customer C & A INC
DBA

A/P # 47650

000059331000000004200

000059331000000004200

DCRA-FOIA-00293

Concerns, Dcra (DCRA)

From: Clark, David (DCRA)
Sent: Thursday, November 04, 2004 2:14 PM
To: Concerns, Dcra (DCRA); Lewis, Theresa (DCRA); Noble, Denzil (DCRA)
Subject: FW: DCRA & 4825 Dexter Terrace, NW

We need to check this out and get a response to the customer.

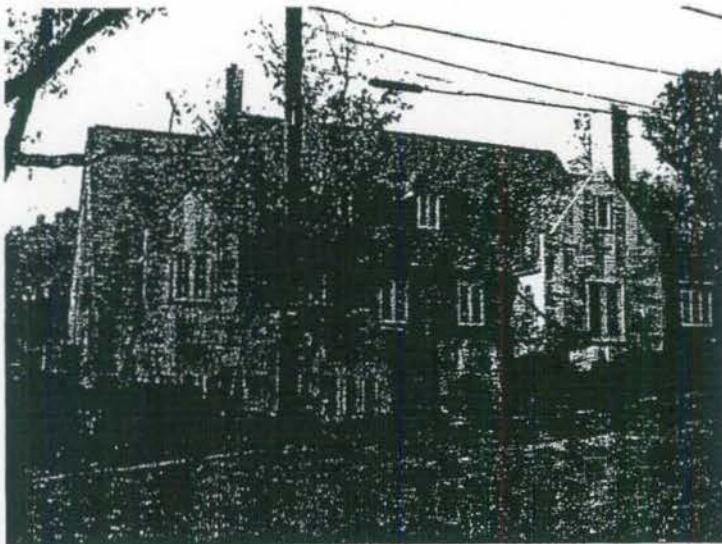
Dave

-----Original Message-----

From: EEORR@aol.com [mailto:EEORR@aol.com]
Sent: Thursday, November 04, 2004 1:42 PM
To: AHG71139@aol.com; davida.clark@dc.gov
Cc: EEORR@aol.com
Subject: DCRA & 4825 Dexter Terrace, NW

Dear Mr. Clark,

I have faxed you information in regards to what I know about 4825 Dexter Terrace to date. Mr. and Mrs. Economides feel they are above the law at the expense of others and the fragile parkland that borders their property. Please take a moment to look at these pictures. Review the files and read my notes. I am sure the DCRA permitting officers did not have had enough information when permits were issued for this wall. Sincerely,
Elsie Carome



House permitted for 2.5 floors and 8,000 sq ft, now has 4 floors living space and more than 8,000 sq ft.

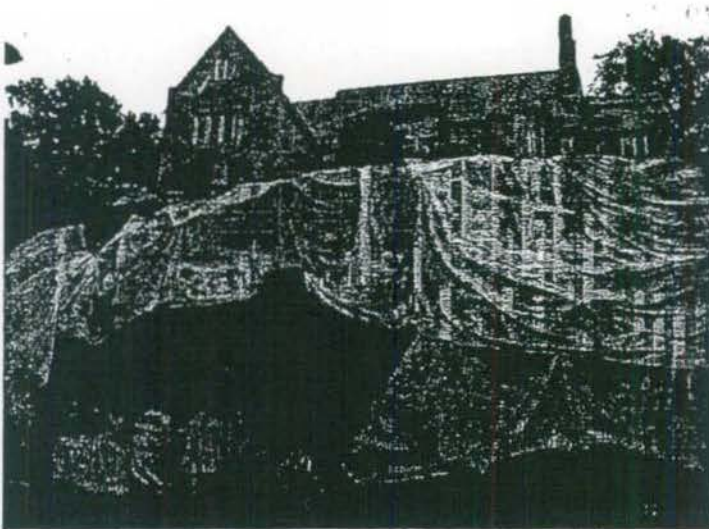
NOV 5 AM 8:39

[Handwritten signature]

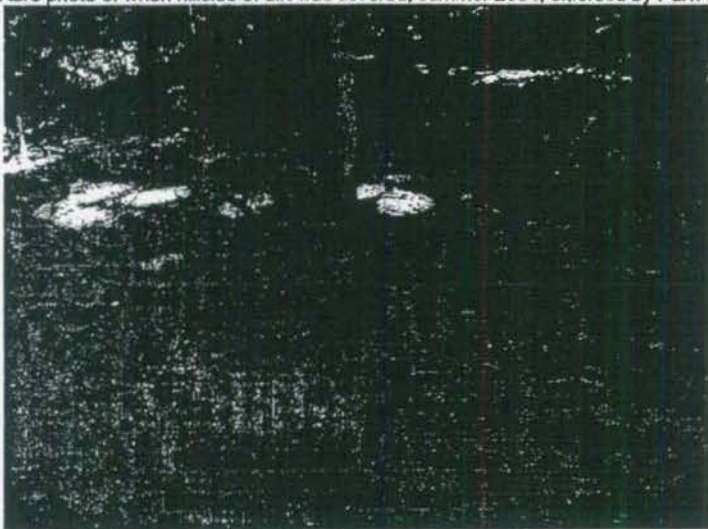
11/4/2004

DCRA-FOIA-00371

DCRA/06E FOIA #5176
PUBLIC RECORDS



Rare photo of when hillside of dirt was covered, summer 2004, enforced by Park Service



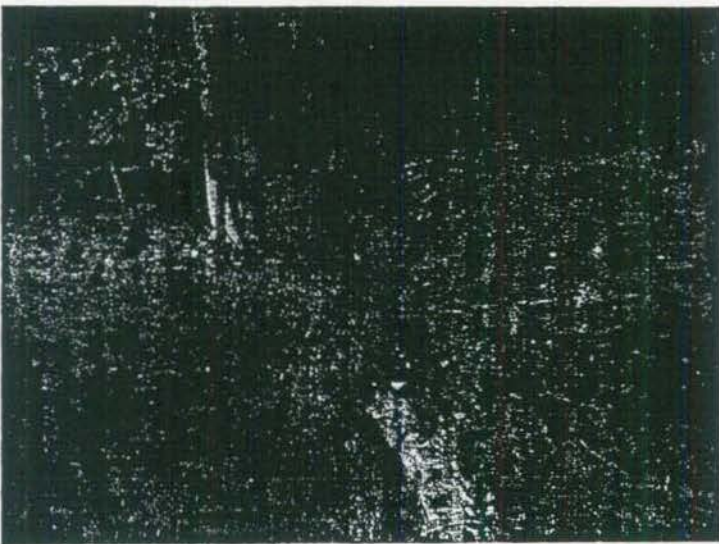
Silt damage photographed early fall 2004

11/4/2004

DCRA-FOIA-00372

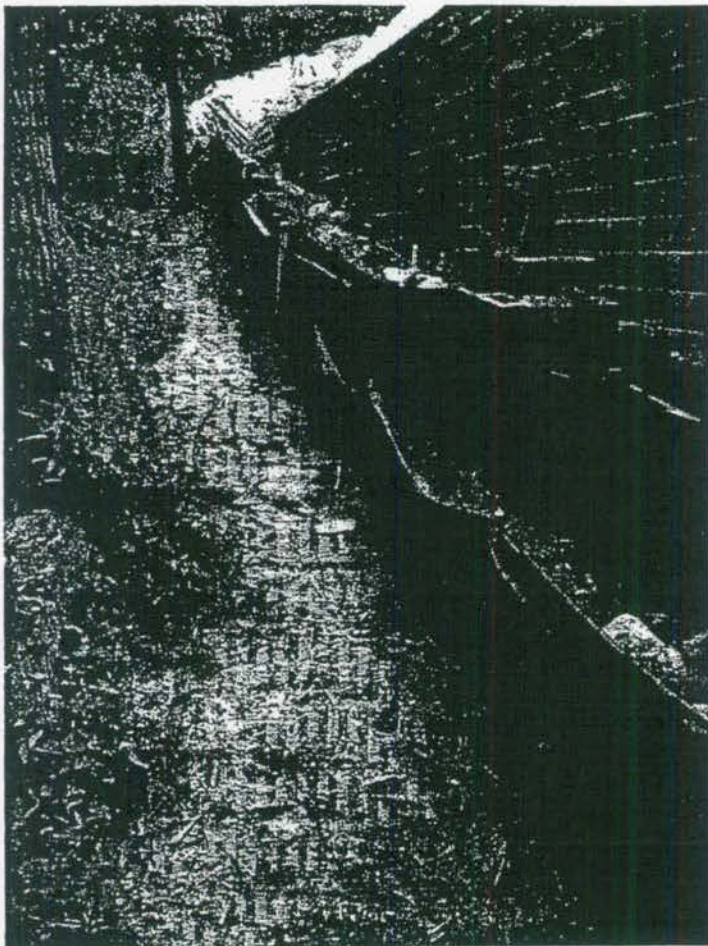


DCRA/DOE FOIA #5176
PUBLIC RECORDS



11/4/2004

DCRA-FOIA-00373



Silt fence on Parkland, notice park tree at top of photo.

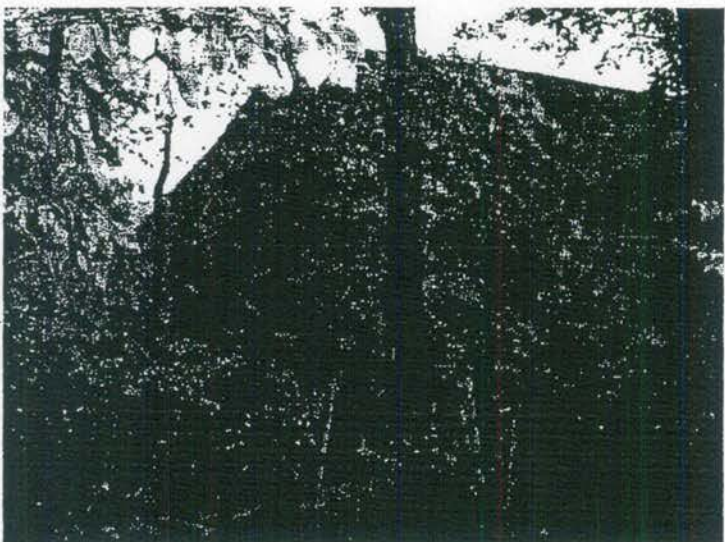
DCRA/OGC FOIA #5176
PUBLIC RECORDS

11/4/2004

DCRA-FOIA-00374



Silt puddle early fall 2004, during one of the many silt fence breaks.



The wall stands 27 feet tall at the corner of Parkland and Tate property on 49th St

DCRA/OGC FOIA#5176
PUBLIC RECORDS

11/4/2004

DCRA-FOIA-00375

Scott, Juan (DCRA)

DCRA/066 FOIA 45176
PUBLIC RECORDS

From: EEORR@aol.com
Sent: Friday, November 05, 2004 10:29 AM
To: theresa.lewis@dc.gov; juan.scott@dc.gov; davida.clark@dc.gov
Subject: 4825 DEXTER TERRACE

Dear Ms. Lewis, Mr. Scott & Mr. Clark:

The homeowners of Wesley Heights and the Palisades are thankful and 100% supportive of your efforts to hold Mr. Economides responsible for his actions both past and present. We of Fulton Foxhall 49th & Dexter St/Terrace, and the homeowners of Macomb Street in the Palisades have suffered two years of Mr. Economides blatant disregard for his neighbors, National Park land, the permitting processees, the DCRA and the DC Government in general.

It would benefit your case and it's prosecution immensely if you were to visit the Dexter Terrace Site, 4825 Dexter Terrace, and to walk into the park and view the Wall and it's construction. I would be happy to walk with you if you call ahead. Elsie Carome 202-966-5892.

In addition to contacting you I also made contact with:

– National Park Service, Detective Critchfield - over the past six months and two years ago when the trees were felled.

–DC Noise Control - Inspector Lowery was called to measure the sound of the two bulldozers working 7-7 six days a week from June - October. Unfortunately they weren't working at the time of his visit.

– DC Watershed - Please get the watershed people involved in this. They need to investigate the silt damage to the creek and to the collapsed drainpipe that runs under 49th Street.

In addition, these people are very anxious to talk to you, while you are preparing your case.

2002 - 2004 - MacArthur Blvd. Economides Construction Site - silt damage onto private property from worksite, etc.

MacArthur Blvd./Macomb Street Contacts:

Caroline Quandt
5320 Macomb Street NW
202-363-6388

Mike Leavech
5304 Macomb Street NW

As I have viewed the permit file in mid October and am aware of the timeline of construction and destruction as well. My neighbors and I would like to offer our full cooperation in providing any information necessary to help you build a strong case.

Please, please, do not let Mr. and Mrs. Economides get away with this anymore.

Sincerely, Elsie Carome eeorr@aol.com 202-966-5892 202-251-6993

DCRA-FOIA-00440

11/9/2004

11/5/04

Scott, Juan (DCRA)

DCRA/OGC FOIA #5176
PUBLIC RECORDS

From: EEORR@aol.com
Sent: Friday, November 05, 2004 4:33 PM
To: theresa.lewis@dc.gov; juan.scott@dc.gov; davida.clark@dc.gov
Subject: RE: Red Flag, 4825 Dexter Terrace, Wall is leaking
Follow Up Flag: Follow up
Flag Status: Red

Dear Ms. Lewis:

Please note - Franky has covered the window that has the red stickers with a piece of masonite. Allowing people to work the site. The toxic chemicals still sit on the wall at the driveway. There are now two dumpsters on the street, presumably to block the neighbors view of any work being done. (I recalled that Mr. Scott said that he had ordered the dumpster removed. We also think that a bulldozer parked in the park on 49th Street between Dexter St. and BK Place belongs to Frank and was moved off site, but not out of the neighborhood.



11/9/2004

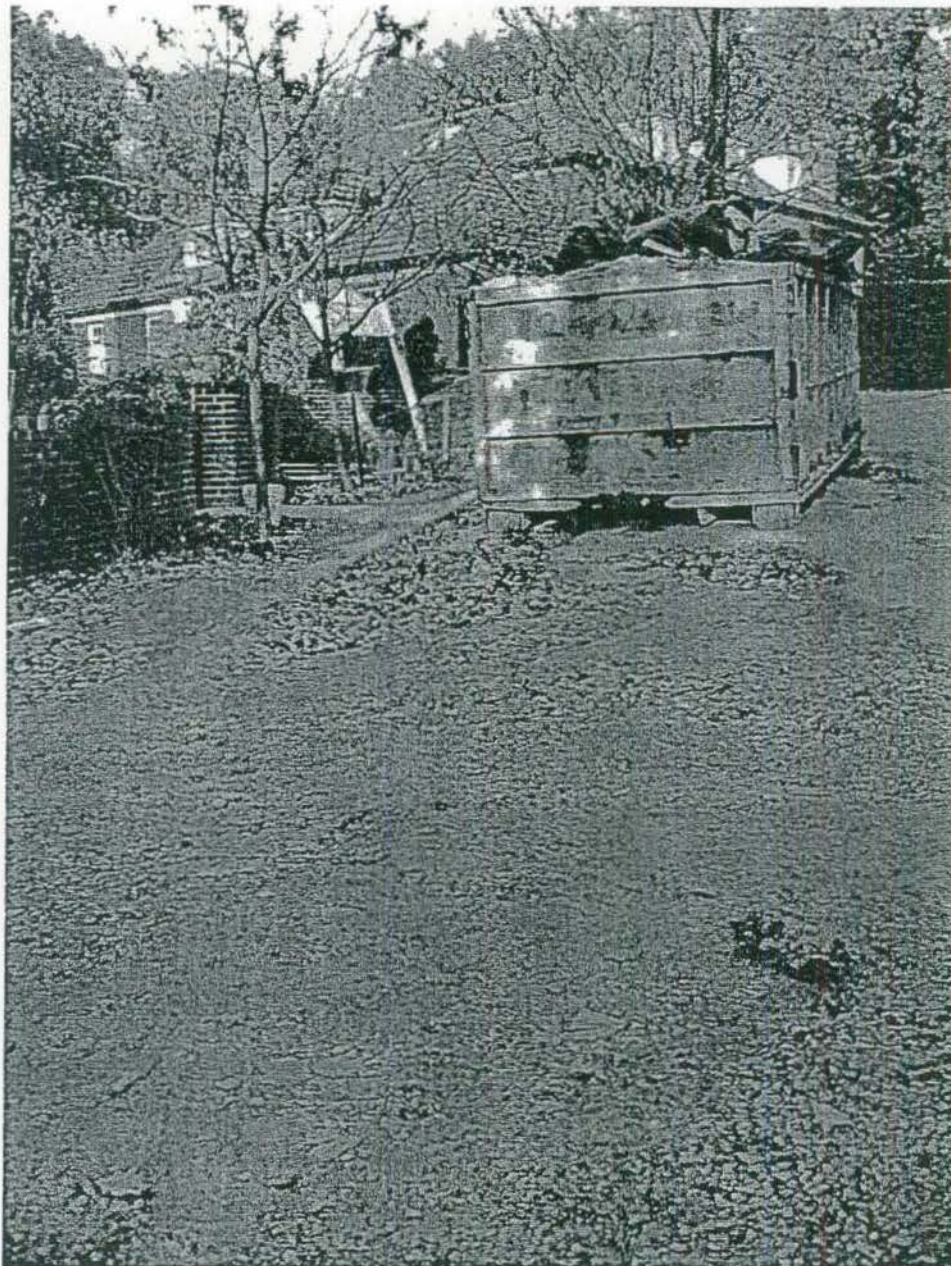
DCRA-FOIA-00434

DCRA/060 FOIA #5176
PUBLIC RECORDS



11/9/2004

DCRA-FOIA-00435



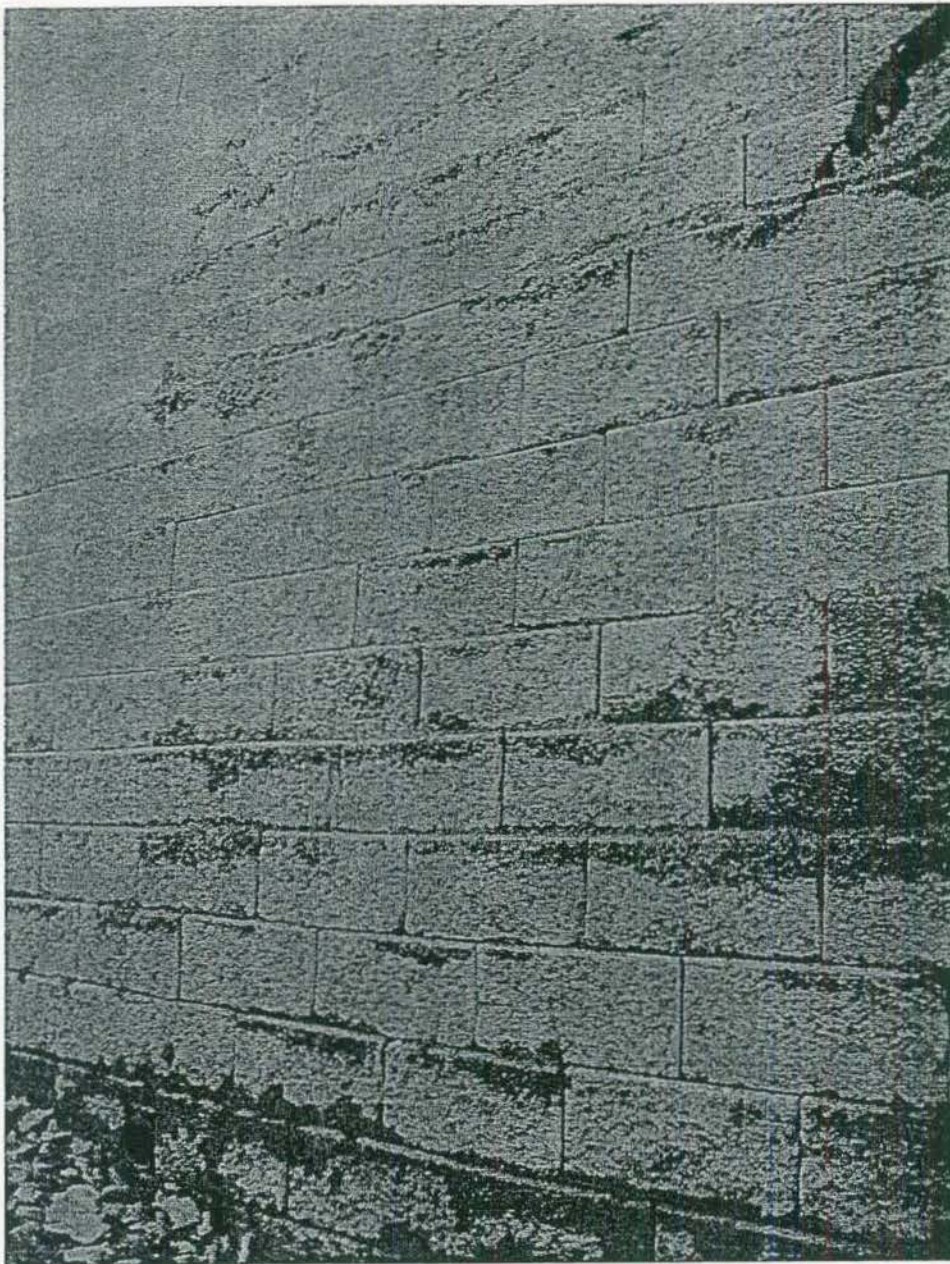
DCRA/UGC FOIA #5176
PUBLIC RECORDS

Re: THE WALL on Archibald Glover/Rock Creek Park

After the heavy rains of Thursday, 11/04/04 the wall leaked water and clay, questioning it's stability. Photos taken 11/5/04 - 11:30 am

11/9/2004

DCRA-FOIA-00436



DCRA/06C FOIA #5176
PUBLIC RECORDS

DCRA-FOIA-00437

11/9/2004



DCRA/OGC FOIA #5116
PUBLIC RECORDS





DCRA/OGC FOIA *AS170*
PUBLIC RECORDS

11/9/2004

DCRA-FOIA-00439

Scott, Juan (DCRA)

DCRA/OGC FOIA #176
PUBLIC RECORDS

From: EEORR@aol.com
Sent: Monday, November 08, 2004 12:23 PM
To: theresa.lewis@dc.gov; juan.scott@dc.gov; davida.clark@dc.gov; CBQuandt@dc.gov
Subject: 4825 DEXTER TERRACE, Saturday, November 6, 2004

In violation of STOP WORK ORDER dated 11/02/04? 4825 Dexter Terrace, NW

Construction workers from Flooring and Roofing Company were seen on site Saturday Morning, November 6, 2004

9:30 am - MPD dispatcher #6759 sent a patrol car to the site.

10:45 am - Officers spoke with workers & left

11:00 am - Workers used cell phones and left the site.

(Photos of workers on site were taken.)

Elsie Carome (please refer to me as "a concerned citizen" to Mr. Economides)

DCRA-FOIA-00449

11/9/2004

Scott, Juan (DCRA)DCRA/OGC FOIA #17P
PUBLIC RECORDS

From: Lewis, Theresa (DCRA)
Sent: Friday, November 12, 2004 11:27 AM
To: Scott, Juan (DCRA)
Cc: Noble, Denzil (DCRA); Clark, David (DCRA)
Subject: FW: Frank Economides
Importance: High

Do not lift Stop Work Order until you have briefed me on all of the issues.

Theresa D. Lewis
Deputy Director for Operations/Chief of Staff
Department of Consumer and Regulatory Affairs
941 North Capitol Street, NE
Washington, D.C. 20002
Office: (202) 442-8947
e-mail: Theresa.Lewis@dc.gov
Fax: (202) 442-9445

-----Original Message-----

From: Lewis, Theresa (DCRA)
Sent: Friday, November 12, 2004 11:25 AM
To: 'AHG71139@aol.com'; Lewis, Theresa (DCRA)
Cc: Clark, David (DCRA); Bello, Olutoye (DCOZ); hbsclub@erols.com; ahaas212@comcast.net; hughmullane@yahoo.com; aheuer3344@earthlink.net; SpringValleyDC@starpower.net; tanyahamilton@longandfoster.com
Subject: RE: Frank Economides
Importance: High

Ms. Gates - I am coordinating and reviewing all of the documentation and actions regarding this matter. When I have completed this process and finalized this agency's approach, I shall contact you for a meeting.

Sincerely,

Theresa D. Lewis
Deputy Director for Operations/Chief of Staff
Department of Consumer and Regulatory Affairs
941 North Capitol Street, NE
Washington, D.C. 20002
Office: (202) 442-8947
e-mail: Theresa.Lewis@dc.gov
Fax: (202) 442-9445

-----Original Message-----

From: AHG71139@aol.com [mailto:AHG71139@aol.com]
Sent: Friday, November 12, 2004 8:27 AM
To: theresa.lewis@dc.gov
Cc: DavidA.Clark@dc.gov; olutoye.bello@dc.gov; AHG71139@aol.com; hbsclub@erols.com; ahaas212@comcast.net; hughmullane@yahoo.com; aheuer3344@earthlink.net; SpringValleyDC@starpower.net; tanyahamilton@longandfoster.com
Subject: Frank Economides

11/17/2004

DCRA-FOIA-00489

Good Morning Theresa Lewis.

DCRA/OGC FOIA #5174
PUBLIC RECORDS

At its monthly meeting ANC 3D heard from several neighbors who have been impacted by the construction of Frank Economides on MacArthur Boulevard and Dexter Terrace, NW. The scope of the impact leads the commission to believe there has been improper oversight of this developer by DCRA and BLRA. He has exhibited total disregard for the property and integrity of other members of this community. In the course of his projects he has destroyed federal parkland, public streets and an alley and has done so with the apparent blessing of your department. Therefore, it is time for a discussion with you to determine the best course of action. Some immediate questions I have are: What steps have been taken to ensure that all permits have been obtained?

What inspections have been done?

Have approved plans been required for all inspections?

What steps have been implemented to ensure there are no impacts on the immediate neighbors and federal parkland?

Has there been any coordination with the National Park Service with regard to the 30+ foot retaining wall that abuts parkland?

Does the amount of backfill at 4825 constitute a landfill?

Unfortunately, this community has been impacted significantly by Frank Economides and will continue to be impacted by his likes until he is put on a "watch" list by your department. I would hope that happens immediately and I want to ensure that any and all appropriate enforcement begins with your office and there is no further burden on the community. It is wrong for residents to spend every day waiting for some relief for a department of the DC Government. I am willing to take whatever measures are appropriate and necessary and to work with you to ensure the residents of this community can live in peace, that their property is not impacted and that federal parkland is not destroyed.

I would appreciate hearing from you with a meeting date.

Alma Gates
Chair, ANC 3D
202/338-2218

DCRA-FOIA-00490

11/17/2004

Scott, Juan (DCRA)

DCRA/066 FOIA #517b
PUBLIC RECORDS

From: EEORR@aol.com
Sent: Friday, November 12, 2004 3:18 PM
To: theresa.lewis@dc.gov; juan.scott@dc.gov
Subject: 4825 Dexter Terrace

Mr. Scott,

Thank you for your tremendous efforts in making sure the Economide's do the work required for their inspections.

When you go back for the "final inspection" can you check the wall. It seems to leak mud on the exterior surface after a heavy rain, like the one we had on Friday.

Can you tell me what sub-contractors, if any, will be allowed on the E. property this weekend. We will call 311 if there is any work on Sunday.

Sincerely, and thank you again,
Elsie Carome

DCRA-FOIA-00451

11/17/2004

Scott, Juan (DCRA)

DCRA/OGC FOIA #5176
PUBLIC RECORDS

From: Carter, Elizabeth (DCRA)
Sent: Friday, November 12, 2004 5:32 PM
To: Scott, Juan (DCRA); Lewis, Theresa (DCRA)
Cc: Bennett, Loraine (DCRA); Lester, Sydney (DCRA); Carter, Elizabeth (DCRA)
Subject: IQ # 188821 (Elsi Carome-4825 Dexter Terrace NW)
Importance: High

IQ# 188821

Theresa, Juan

I have an IQ from Ms. Elsie Carome concerning 4825 Dexter Terrace NW that is due 11/18/04. I have been told that you and Juan Scott were working on this complaint personally. Can I get with you on Monday to get an appropriate response to the IQ? The complaint was addressed to the Director.

As always thanks,

Liz Carter
X4549

DCRA-FOIA-00450

11/17/2004

DCRA/OGC FOIA #5176
PUBLIC RECORDS

Scott, Juan (DCRA)

From: EEORR@aol.com
Sent: Monday, November 15, 2004 9:33 AM
To: juan.scott@dc.gov; theresa.lewis@dc.gov
Cc: david.clark@dc.gov
Subject: RE: 4825 DEXTER TERRACE SHUT DOWN & CITATIONS ISSUED

November 15, 2004

Dear Ms. Lewis, Mr. Scott,

Thank you for taking such swift action in regards to my letters dated November 2, 2004. I have spoken with Mr. Scott re: actions taken by the building inspectors.

But I have not recieved a written report from your office as to actions taken and citations issued for the inspection violations.

I appreciate how you have taken this matter seriously as Mr. Economides has a long record of violations with this property since 2002.

- a) felling of old growth US Park trees into the park 2002
- b) Demolition of a 4,000+ square foot house and removal of said rubble on a Sunday without DCRA approval or a permit.
- c) Pouring of a foundation without a permit (cited and fined by Juan Scott)

I believe "The Wall" is illegal, (too tall as to conform to Wesley Heights overlay) was not inspected, because original remodeling plans indicated they would install a super silt fence to control mud and dirt. (There is NO SUPER SILT/CHAIN LINK FENCE on the property line.) I believe the wall was not constructed properly or inspected and that it will not stand the pressure of the earth behind it.

Please, please help me, my neighbors and the citizens of DC against aggressive developers like Mr. Economides. When we build additions we faithfully obtain the correct permit and pay the correct fee. Why, why shouldn't he?

Please monitor carefully Mr. Economides actions throughout the city.

Please help me to believe the DCRA is for all the citizens of the District of Columbia, not just the developers..

Sincerely, Elsie Carome 202-966-5892

DCRA-FOIA-00452

11/17/2004

Scott, Juan (DCRA)

DCRA/DCG FOIA #516
PUBLIC RECORDS

From: EEORR@aol.com

Sent: Tuesday, November 16, 2004 8:35 AM

To: juan.scott@dc.gov; theresa.lewis@dc.gov; elizabeth.carter@dc.gov; liz.carter@dc.gov

Cc: davida.clark@dc.gov; mayor@dc.gov; AHG71139@aol.com; kpatterson@dcouncil.us; CBQuandt@aol.com

Subject: Status Report of 4825 Dexter Terrace, NW 11/16/04

November 15, 2004

re: 4825 Dexter Terrace, NW

Dear Ms. Lewis and Mr. Scott,

Thank you for your vigilant work in upholding the law and the DC construction codes at 4825 Dexter Terrace, NW. Thank you for taking such swift action in regards to my letters dated November 2, 2004 by placing 4 stop work orders on the property in regards to construction, mechanical, electrical and plumbing violations. Was Mr. Economides cited for not having inspections on construction, mechanical, electrical and plumbing before walls were up? (I understand that there were various people on the property removing sprinkler heads, tearing out walls, etc so that you could get a clearer look at the work? I assume you also let them on the property to bring the building up to code)

I also look forward to the written report from your office and Mrs. in regards to the following actions taken by Mr. Scott...

1) Information regarding lack of third party inspection certificates for work completed on building, mechanical, electrical and plumbing.

a) Fines assessed/legal action taken/penalties for each violation

2) Information regarding owner/builder having incomplete file and plans on site for inspectors.

a) Fines assessed/legal action taken/penalties for each violation

3) Itemized electrical, plumbing, construction and mechanical code violations you found and citations issued.

a) Fines assessed/legal action taken/penalties for each violation

4) Back permitting for work already completed. David Hahn, plumber, filed for permit on 11/02/04 and was granted it on 11/03/04. How he could install 4 bathtubs 8 water closets, 8 basins, etc. etc. on a property with a stop work order is beyond me? And how can he call it a remodel when it is new construction?

5) One dumpster has been on the site without permits and overflowing for three months.

– It was my understanding the owner/builder was to remove said dumpster as of 11/02/04.

– He did not remove it and brought an additional dumpster to the site.

– Now there have been two dumpsters on the site since 11/02/04.

a) Fines assessed/legal action taken/penalties for each violation

5) Information regarding illegal construction activity on the site after the stop work permit on Saturday 11/06/04. Flooring and roofing contractors. Stop work order signs posted in window were covered by 4 x 8 plywood. Police sent to scene, report filed.

a) Fines assessed/legal action taken/penalties for each violation

6) Assessment of the construction of the highly illegal "retaining wall/2.5 story illegal commercial building" located in a residential area filled with dirt of questionable origin.

a) CONTINUE A STOP WORK ORDER on this part of the project as we maintain that it is in complete violation of the Wesley Heights Overlay.

(From Fulton Street, it looks like a Target Store is opening in Wesley Heights.)

I appreciate how you have taken this matter seriously as Mr. Economides has a long record of violations with this

11/17/2004

DCRA-FOIA-00453

DCRA/066 FOIA #516
PUBLIC RECORDS

property since 2002.

a) felling of old growth US Park trees into the park 2002 (see attached case no: I-02-12061, DC vs. Economides Development & Frank Economides)

b) Demolition/Razing of a 4,000+ square foot house and removal of said rubble on a Sunday without a permit.

c) Pouring of a foundation without a permit (cited and fined by Juan Scott, when?)

d) Constructing a 27 ft X 200 ft retaining wall. (It is a structure, not a retaining wall) on WHO tree slope with vague plans. Were plans submitted to all of the appropriate agencies?

e) Current violations, including release of mud into USPS land and DC Watershed because of lack of super silt fence, as per plans, and multiple failures of teensy silt fence to leak mudslides into the park and creek.

f) Overbuilding of house in violation of Wesley Heights overlay. Permitted for 8,000 sq feet. 2.5 story house. It is at least 4, possibly 5 finished levels. Hearsay has it's liveable square feet is close to 10,000 square feet.

Please help me, my neighbors and the citizens of DC against aggressive developers like Mr. Economides.

When normal citizens build additions, we faithfully obtain the correct permit, pay the correct fee. Stop work at each phase and wait for inspectors before we put the walls up. Why, why shouldn't Mr. Economides?

Please help me to believe that the DCRA represents all the hardworking, taxpaying citizens of the District of Columbia, not just the developers. You will see your tax base dwindle if people like myself and my neighbors move out of the district because of residential developers who push the envelope, like Mr. Economides.

Sincerely, Elsie Carome 202-966-5892

DCRA-FOIA-00454

11/17/2004

**DISTRICT OF COLUMBIA
DOH OFFICE OF ADJUDICATION AND HEARINGS**

DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH
Petitioner,

v.

ECONOMIDES DEVELOPMENT and
FRANK ECONOMIDES
Respondents

Case No.: I-02-12061

FINAL ORDER

I. Introduction

On July 2, 2002, the Government served a Notice of Infraction on Respondents Economides Development and Frank Economides, alleging that they violated 21 DCMR 502.1, by failing to obtain a permit before engaging in land disturbing activities, and 21 DCMR 539.4, by failing to have adequate erosion control measures in place before and during exposure. The Notice of Infraction alleged that the violations occurred on June 4, 2002 at 4825 Dexter Terrace, N.W. The Government sought a fine of \$500 for the § 502.1 violation and a fine of \$100 for the § 539.4 violation.

Respondents filed a timely answer with a plea of Deny, and I issued an order setting a hearing on September 19, 2002 at 9:30 AM. Peter Nwangu, the inspector who issued the Notice of Infraction, appeared at the hearing on behalf of the Government. There was no appearance for Respondents. After waiting for approximately fifteen minutes, the deputy clerk telephoned Mr. Economides, who told her that he thought the hearing was scheduled for September 20, and requested a continuance, as he obviously would not be able to appear for the scheduled hearing.

The Civil Infractions Act, D.C. Official Code § 2-1802.03(b), provides:

If a respondent fails, without good cause, to appear at a hearing of which the respondent has been served a notice, the administrative law judge or attorney examiner may proceed with the hearing and enter a final order in the case.

If a party receives proper notice of a hearing date, his or her mistake about the date of the hearing does not constitute "good cause" for failing to appear. *Gardner v. District of Columbia Department of Employment Servs.*, 736 A.2d 1012 (D.C. 1999). The Case Management Order, filed July 30 2002, informs Respondents that the hearing was "scheduled for September 19, 2002 at 9:30 AM" (underlining in original). Setting a new hearing date would inconvenience both the Government and this administrative court and Respondents' carelessness is an insufficient reason for imposing such inconveniences. "[C]ontinuances can upset an agency's attempts to control its workload and to dispose of the cases before it expeditiously." *Ammerman v. District of Columbia Rental Accommodations Comm.*, 375 A.2d 1060, 1063 (D.C. 1977) (footnote omitted). Accordingly, I exercised the discretion granted by § 2-1802.03(b) to proceed with the hearing in Respondents' absence.

Based upon the testimony of the Government's witness, my evaluation of his credibility, and the exhibits admitted into evidence, I now make the following findings of fact and conclusions of law.

II. Findings of Fact

On June 4, 2002, Mr. Nwangu inspected the property at 4825 Dexter Terrace, N.W. in response to a complaint. The property is occupied by a detached, single-family house. The rear of the property slopes downward toward a stream. Several large trees had been cut down on the property, and Mr. Nwangu observed a large pile of dirt on the property. Respondent Frank

Economides, a principal in Respondent Economides Development, was present during Mr. Nwangu's inspection, and admitted to Mr. Nwangu that he had arranged for truckloads of dirt to be brought to the property. There were no erosion control measures, such as silt fences, straw bales or plastic covering on the dirt, to prevent erosion of the dirt from the pile into the nearby stream. Mr. Nwangu subsequently checked with the records custodians at the Department of Consumer and Regulatory Affairs, and determined that no building permit had been issued authorizing the deposit of dirt at the property.

III. Conclusions of Law

The first rule at issue is 21 DCMR 502.1, which provides:

No person may engage in any land disturbing activity on any property within the District unless that person has secured a building permit from the District. Approval of a building permit shall be conditioned upon submission by the permit applicant of an erosion and sedimentation plan which has been reviewed and approved by the Department.

The definition of "land disturbing activity" includes "filling of land," 21 DCMR 599.1. In turn, "landfilling" (the equivalent of "filling of land") is defined as "any act by which soil is deposited, placed or pushed, where it had not previously been located." *Id.* Therefore, depositing a pile of soil at a property is "land disturbing activity" within the meaning of § 502.1, and must be authorized by a building permit. *DOH v. Keen*, OAH No. I-00-10183 at 3 (Final Order, June 5, 2001); *DOH v. Sheriff Mews ("Sheriff Mews I")* OAH No. I-00-10009 at 6 (Final Order, September 8, 2000). Because Respondents did not have such a permit, they violated § 502.1 by arranging for the deposit of the pile of dirt at the property. The fine for violating § 502.1 is \$500 for a first offense. 16 DCMR 3234.1(a); 16 DCMR 3201. I will impose a fine in that amount.

The second rule at issue is 21 DCMR 539.4, which provides:

Adequate erosion control measures shall be in place prior to and during the time of exposure.

This section requires appropriate erosion control measures to be in place before erodible materials are exposed to the elements. *See also* 21 DCMR 539.1. ("Erosion and sediment control measures shall be applied to erodible material exposed by any project activity.") Because there were no erosion controls in place to prevent the dirt from being washed into the nearby stream, Respondents violated § 539.4. Pursuant to 16 DCMR 3234.2(y), and 16 DCMR 3201, the fine for a first violation of that rule is \$100, and I will impose a fine in that amount.

IV. Order

Based upon the foregoing findings of fact and conclusions of law, it is, this _____ day of _____, 2003:

ORDERED, that Respondents, who are jointly and severally liable, shall pay a total of **SIX HUNDRED DOLLARS (\$600)** in accordance with the attached instructions within 20 calendar days of the mailing date of this Order (15 days plus 5 days service time pursuant to D.C. Official Code §§ 2-1802.04 and 2-1802.05); and it is further

ORDERED, that if Respondents fail to pay the above amount in full within 20 calendar days of the date of mailing of this Order, interest shall accrue on the unpaid amount at the rate of 1½ % per month or portion thereof, starting from the date of this Order, pursuant to D.C. Official Code § 2-1802.03 (i)(1); and it is further

ORDERED, that failure to comply with the attached payment instructions and to remit a payment within the time specified will authorize the imposition of additional sanctions, including

the suspension of Respondents' licenses or permits pursuant to D.C. Official Code § 2-1802.03(f), the placement of a lien on real and personal property owned by Respondents pursuant to D.C. Official Code § 2-1802.03(i) and the sealing of Respondents' business premises or work sites pursuant to D.C. Official Code § 2-1801.03(b)(7).

/s/ 02/12/03

John P. Dean
Administrative Judge

Concerns, Dcra (DCRA)

DCRA/06E FOIA #576
PUBLIC RECORDS

From: McCarley, Joseph (DCRA)
Sent: Monday, November 22, 2004 4:50 PM
To: Concerns, Dcra (DCRA)
Subject: FW: Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW

-----Original Message-----

From: Clark, David (DCRA)
Sent: Monday, November 22, 2004 3:58 PM
To: Pagano, Penny (COUNCIL); McCarley, Joseph (DCRA)
Cc: Lee, Julie(DCRA); Lewis, Theresa (DCRA)
Subject: RE: Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW

I do not know the details of the case - staff is WELL aware of it through numerous emails etc, and have been dealing with it. I will not put myself into the position of meeting with the community when there are going to be, or already are, law suits attached - I'm sure you'd agree this is not a risk position you'd care to put the agency into. I will be happy to send staff to the meeting to listen and participate to the extent they can but given that this is/will be a legal matter, I will not personally get involved and put the agency at undue risk -

Dave

-----Original Message-----

From: Pagano, Penny (COUNCIL)
Sent: Monday, November 22, 2004 3:55 PM
To: Clark, David (DCRA); McCarley, Joseph (DCRA)
Subject: FW: Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW

Mr. Clark,
Councilmember Patterson would like to meet with you and concerned neighbors about 4825 Dexter Terrace, NW, and the various issues surrounding this development that are detailed in the attachments. Please let me know when you would be available for this meeting?
Penny Pagano

-----Original Message-----

From: EEORR@aol.com [mailto:EEORR@aol.com]
Sent: Wednesday, November 17, 2004 11:06 AM
To: Subject: Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW

<< Message: Untitled Attachment >> << File: 12061 DOH v Econ.pdf >>

S.T.
NOV 26 AM 11:04

Concerns, Dcra (DCRA)

From: McCarley, Joseph (DCRA)
Sent: Monday, November 22, 2004 4:50 PM
To: Concerns, Dcra (DCRA)
Subject: FW: Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW

DCRA/OGC FOIA #5176
PUBLIC RECORDS

-----Original Message-----

From: Pagano, Penny (COUNCIL)
Sent: Monday, November 22, 2004 3:55 PM
To: Clark, David (DCRA); McCarley, Joseph (DCRA)
Subject: FW: Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW

Mr. Clark,
Councilmember Patterson would like to meet with you and concerned neighbors about 4825 Dexter Terrace, NW, and the various issues surrounding this development that are detailed in the attachments. Please let me know when you would be available for this meeting?
Penny Pagano

-----Original Message-----

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Sent: Wednesday, November 17, 2004 11:06 AM
To: Subject: Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW



Untitled Attachment 12061 DOH v
Econ.pdf (98 KB)

Concerns, Dcra (DCRA)

DCRA/OGC FOIA AS7C
PUBLIC RECORDS

Dear Mr. Burrell, Mr. Nwangu, Mr. Barrow and Administrative Judge Dean:

I am representing the neighbors of Fulton & 49th Streets, NW. We are blessed to have Wesley Heights/Rock Creek Park, a little bit of heaven, across the street from our homes.

Unfortunately, we have witnessed first hand the destruction to the watershed and creek by Mr. Frank Economides of 4825 Dexter Terrace, NW. First in June of 2002 with the felling of six park trees and illegal filling and grading of his property and again in the summer of 2004. Attached is a document in regard to Mr. Nwangu's investigation and Administrative Judge, John P. Dean's decision of that incident that occurred on June 4, 2002.

While awaiting the hearing with Administrative Judge John P. Dean, case #1-02-12061, Mr. Economides obtained *Building Permit #B422839 on 9/05/02 For filling and regrading rear yard. (was this legal to obtain a permit while his case was pending?)*

Somehow the "Plans application and approval" for the permit was completed and initiated by zoning, erosion control and structural engineering in one day 8/28/02. The application was incomplete and did not indicate that this property was part of the Wesley Heights Overlay or adjoining the watershed. Mr. Economides proceeded to grade and bring fill dirt to the property.

He then

- 1) Obtained a permit to remodel his existing house with super silt fence erosion control
- 2) with NO PERMIT - He razed his 4,000 sq ft. house on Sunday 12/15/02 (no precautions were taken to protect the environment, the park or the health of his neighbors
- 3) with NO PERMIT he Poured a new foundation (was fined \$4,000 by Juan Scott)
- 4) Obtained permit for a new construction 7/02/03
- 5) Obtained a permit to build a "retaining wall"(warehouse) on three sides of his property line. This building now stands 200 feet long x 27 feet high and is filled with dirt of unknown origin.

Somehow his plan for the warehouse (retaining wall) was approved by DCRA & DOH Watershed Protection Division file #04-1113.

Mr. Economides did not provide adequate protection to the watershed during the construction and destruction of his houses and of this wall/warehouse. He did not build a super silt fence with wire mesh and 36 " fence posts as indicated on his drawings presented to your office. The silt fence he did build failed numerous times and you will see the results in this e-mail.

I believe he never contacted your offices 24 hours prior to the start of the grading activity for your people to inspect the "Super Silt Fence" as per plans, because there was no "Super Silt Fence" of wire mesh and 36' posts in place.

The silt fence failed so miserably under the tons and tons of fill dirt that it collapsed into and filled the basin of Wesley Heights Park at 49th Street. I believe the dirt entered the stream bed and caused the creek to back up which caused the 2 ft. drain pipe under 49th Street to fail.

Mr. Burrell and Mr. Nwanga, Mr. Barrow and Judge Dean, I know your office didn't want more damage to occur in this watershed which is why you brought Mr. Economides to court in 2002.

Mr. Economides knowingly failed to protect the DC Watershed. The damage to the park is enormous. We will not know the full effects for a long time. As you can see, hill's were eroded, tree roots and ground cover were smothered. Park animals lost their source of food and the park was turned into a sludge dump. It was heartbreaking.

All summer, I was mistakenly speaking with the Park Service Manager, Joe Kish, about my concerns, when now I know I should have contacted you the first time I saw the damage in midsummer 2004. I did contact and speak with Melinda Church in early October. She was not interested, as the event occurred in the late summer, but the damage is still there. The silt fence continues to leak.

11/23/2004

DCRA-FOIA-00365

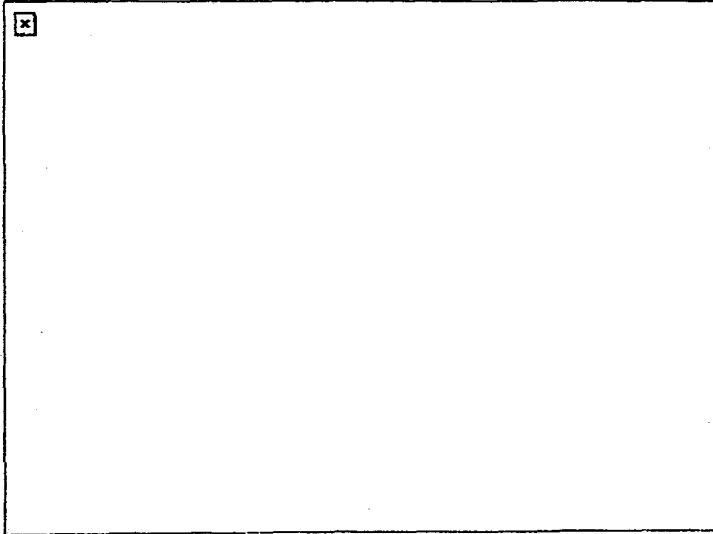
I believe the 2004 fill dirt on 4825 Dexter Terrace was illegal. (The fill permit 9/05/02 was not renewed annually.) The massive quantities of dirt caused the two inadequate silt fences to fail and caused irreparable damage to this watershed. *In response to the dirt being released into the park, USPS constructed their own silt fence to try to protect the park.

DCRA/OIGC FOIA AS:1p
PUBLIC RECORDS

Mr. Economides did not follow through in good faith on the submitted plans to protect the watershed. I believe he did not call your office prior to grading in the summer of 2004.
Please help see that he is held responsible.

I am not a lawyer, I am an artist/volunteer mom who loves the park, it's fragile vegetation and it's animals. Please help us protect our dwindling resources. Please take action and do more than just a fine.

Sincerely,
Elsie Carome, representative of the neighbors of Fulton & 49th Street
and all of the Citizens of DC interested in protecting this valuable watershed
202-966-5892
eeorr@aol.com



House permitted for 2.5 floors and 8,000 sq ft, now has 4 floors living space and more than 10,000 sq ft. Shut down by Juan Scott 11/2/04 - 11/16/04 for violations in plumbing, mechanical, electrical and construction.

11/23/2004

DCRA-FOIA-00366

Scott, Juan (DCRA)

DCRA/066 FOIA #5176
PUBLIC RECORDS

From: Lewis, Theresa (DCRA)
Sent: Monday, November 22, 2004 4:01 PM *LAST*
To: Scott, Juan (DCRA)
Cc: Clark, David (DCRA)
Subject: FW: Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW

Importance: High

Juan -

I need to be briefed on this matter, including copies of violation notices and permits issued.

Theresa D. Lewis
Deputy Director for Operations/Chief of Staff
Department of Consumer and Regulatory Affairs
941 North Capitol Street, NE
Washington, D.C. 20002
Office: (202) 442-8947
e-mail: Theresa.Lewis@dc.gov
Fax: (202) 442-9445

-----Original Message-----

From: Clark, David (DCRA)
Sent: Monday, November 22, 2004 3:58 PM
To: Pagano, Penny (COUNCIL); McCarley, Joseph (DCRA)
Cc: Lee, Julie(DCRA); Lewis, Theresa (DCRA)
Subject: RE: Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW

I do not know the details of the case - staff is WELL aware of it through numerous emails etc, and have been dealing with it. I will not put myself into the position of meeting with the community when there are going to be, or already are, law suits attached - I'm sure you'd agree this is not a risk position you'd care to put the agency into. I will be happy to send staff to the meeting to listen and participate to the extent they can but given that this is/will be a legal matter, I will not personally get involved and put the agency at undue risk -

Dave

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Sent: Monday, November 22, 2004 3:55 PM
To: Clark, David (DCRA); McCarley, Joseph (DCRA)
Subject: FW: Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW

Mr. Clark,
Councilmember Patterson would like to meet with you and concerned neighbors about 4825 Dexter Terrace, NW, and the various issues surrounding this development that are detailed in the attachments. Please let me know when you would be available for this meeting?
Penny Pagano

-----Original Message-----

From: EEORR@aol.com [<mailto:EEORR@aol.com>]
Sent: Wednesday, November 17, 2004 11:06 AM
To: **Subject:** Watershed Wesley Heights/Rock Creek Pk - 4825 Dexter Terrace, NW

<< Message: Untitled Attachment >> << File: 12061 DOH v Econ.pdf >>

Carter, Elizabeth (DCRA)

DCRA/066 FOIA #3176
PUBLIC RECORDS

From: Carter, Elizabeth (DCRA)
Sent: Wednesday, November 24, 2004 4:11 PM
To: 'EEORR@aol.com'; Concerns, Dcra (DCRA)
Cc: Alston, Joyce (DCRA); Thigpen, Sarah (DCRA); Carter, Elizabeth (DCRA); Dorsey, Diana (DCRA); Scott, Juan (DCRA); Lewis, Theresa (DCRA); Noble, Denzil (DCRA)
Subject: IQ# 188821 (4825 Dexter Street NW)
Importance: High

November 24, 2004

Subject: Status Report-4825 Dexter Terrace NW

Dear Ms. Carome:

This is in response to your faxed letter of November 2, 2004 and subsequent e-mail of November 16, 2004 regarding the illegal construction activity at 4825 Dexter Terrace NW. You stated that you are bringing this to the Department of Consumer and Regulatory Affairs' (DCRA) attention because you do not think that there is any construction in NW Washington that is this bad. As you are aware DCRA's Deputy Director for Operations Theresa Lewis and Juan Scott, Supervisor of DCRA's Construction Branch are personally handling this investigation. Inspector Scott informed me that he has spoken with you on several occasions to keep you apprised of the actions taken by DCRA and the Economides, the property owners of 4825 Dexter Terrace, NW. Ms. Alma Gates, Chair, ANC 3D has also brought this matter to our attention and requested appropriate enforcement from DCRA.

As you shared in your November 16, 2004 e-mail Inspector Juan Scott along with other DCRA Inspectors visited 4825 Dexter Terrace, NW on November 2, 2004 and posted a Stop Work Order (SWO) at the site. The SWO will remain in effect until all of the violations are abated.

An official 'Order to Correct' was issued to the property owner of record, Constandina Economides, on November 8, 2004 informing her that the SWO was issued for working beyond the scope of the permits obtained and progressing with the construction of the building without the necessary inspections for each stage of the work as required by the DC code and regulations. This order instructed Ms. Economides to submit plans and a D. C. Surveyor's Plat for the full scope of the project. Ms Economides was also informed that the SWO will remain in place until all permits are obtained and the inspection needs are met to the point that matches the stage of completion of the building.

Inspector Scott has put processes in place to ensure that no further permits are issued to this property and no further inspections are conducted on this property until the property owner has come into compliance with all applicable codes and regulations.

Once the required plans and the D.C. Surveyor's plats are received and reviewed by the appropriate DCRA, Environmental, Water/Sewer disciplines, we will be in a better position to respond to all of your questions. In the interim, Inspector Scott will continue to monitor this site to ensure no further construction activity takes place until the property owner has taken the corrective actions as required. DCRA will keep you informed of the actions take to ensure compliance to all applicable codes and regulations.

Thank you for taking the time to alert us of this violation. The vigilance of concerned citizens like you helps us to ensure the health, safety and economic welfare of District residents.

Cordially,

Elizabeth Carter

11/24/2004

Special Assistant to
Denzil Noble, Administrator
Department of Consumer and Regulatory Affairs
The Building and Land Regulation Administration

IQ# 188821

DCRA/0006 FOIA #5176
PUBLIC RECORDS

11/24/2004

DCRA-FOIA-00381

Alston, Joyce (DCRA)

DCRA/OGC FOIA 1514
PUBLIC RECORDS

From: EEORR@aol.com
Sent: Thursday, November 25, 2004 8:22 AM
To: Elizabeth.Carter@dc.gov
Cc: Dcra.Concerns@dc.gov; Joyce.Alston@dc.gov; Sarah.Thigpen@dc.gov; Diana.Dorsey@dc.gov; Juan.Scott@dc.gov; Theresa.Lewis@dc.gov; Denzil.Noble@dc.gov; AHG71139@aol.com; dickhiggins@msn.com
Subject: Re: IQ# 188821 (4825 Dexter Street NW)

Thanksgiving
November 25, 2004

Dear Mrs. Carter, Ms. Lewis, Mr. Scott, Mr. Noble, Ms. Alston, Ms. Thigpen, Ms. Dorsey:

Re: 4825 Dexter Terrace. Your letter was a blessed thanksgiving, but unfortunately as I told Inspector Scott last night

The owners, who do not deserve a name, have ripped down the red signs and have been working on the property, day and night. We believe they started back to work partially Monday, November 8 and in full force Monday, November 15, 2004. Lights have been blazing every night since November 10.

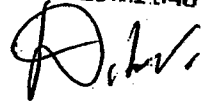
PLEASE ENFORCE THIS SHUT DOWN. Inspector Scott took photographs when they were first shut down. Please have him take photographs now so that it can be proven that they worked during a shut down Nov. 2 - Nov. 25, 2004.

These people should not be allowed to do business in the District of Columbia.

Thank you again for your efforts to support the citizens of Wesley Heights.

Sincerely,
Elsie Carome

NOV 29 AM 11:46



11/26/2004

DCRA-FOIA-00367

DCRA/866 FOIA #5176
PUBLIC RECORDS

Scott, Juan (DCRA)

From: EEORR@aol.com
Sent: Thursday, November 25, 2004 8:22 AM
To: Elizabeth.Carter@dc.gov
Cc: Dcra.Concerns@dc.gov; Joyce.Alston@dc.gov; Sarah.Thigpen@dc.gov; Diana.Dorsey@dc.gov; Juan.Scott@dc.gov; Theresa.Lewis@dc.gov; Denzil.Noble@dc.gov; AHG71139@aol.com; dickhiggins@msn.com
Subject: Re: IQ# 188821 (4825 Dexter Street NW)

Thanksgiving
November 25, 2004

Dear Mrs. Carter, Ms. Lewis, Mr. Scott, Mr. Noble, Ms. Alston, Ms. Thigpen, Ms. Dorsey:

Re: 4825 Dexter Terrace. Your letter was a blessed thanksgiving, but unfortunately as I told Inspector Scott last night

The owners, who do not deserve a name, have ripped down the red signs and have been working on the property, day and night. We believe they started back to work partially Monday, November 8 and in full force Mondat, November 15, 2004. Lights have been blazing every night since November 10.

PLEASE ENFORCE THIS SHUT DOWN. Inspector Scott took photographs when they were first shut down. Please have him take photographs now so that it can be proven that they worked during a shut down Nov. 2 - Nov. 25, 2004.

These people should not be allowed to do business in the District of Columbia.

Thank you again for your efforts to support the citizens of Wesley Heights.

Sincerely,
Elsie Carome

DCRA-FOIA-00479

11/27/2004

DCRA/OGC FOIA #5116
PUBLIC RECORDS**Scott, Juan (DCRA)**

From: Lewis, Theresa (DCRA)
Sent: Monday, November 29, 2004 7:37 AM
To: Carter, Elizabeth (DCRA); Sanders, Adrian (MPD); Scott, Juan (DCRA); Noble, Denzil (DCRA); Barrow, Abdullahi (DCRA)
Cc: 'ERROR@aol.com'
Subject: RE: Economides Home Construction - 4825 Dexter Ter. NW
Importance: High

Juan – Clearly Frank Economides is ignoring the Stop Work Order — Was he issued a fine?

Theresa D. Lewis
Deputy Director for Operations/Chief of Staff
Department of Consumer and Regulatory Affairs
941 North Capitol Street, NE
Washington, D.C. 20002
Office: (202) 442-8947
e-mail: Theresa.Lewis@dc.gov
Fax: (202) 442-9445

-----Original Message-----

From: Carter, Elizabeth (DCRA)
Sent: Friday, November 26, 2004 2:09 PM
To: Sanders, Adrian (MPD); Carter, Elizabeth (DCRA); Scott, Juan (DCRA); Lewis, Theresa (DCRA); Noble, Denzil (DCRA); Barrow, Abdullahi (DCRA)
Cc: ERROR@aol.com
Subject: RE: Economides Home Construction - 4825 Dexter Ter. NW
Importance: High

Dear Officer Sanders:

Thank you for your e-mail inquiry. I am forwarding your e-mail to the Department of Consumer and Regulatory (DCRA), Building and Land Regulation Administration (BLRA), Supervisor of the BLRA Construction Branch, Inspector Juan Scott and Deputy Director of DCRA's Operations, Theresa Lewis who are monitoring this situation very closely. By copy of this e-mail, I am asking Inspector Scott to respond to you directly.

Cordially,

Elizabeth Carter
Special Assistant to
Denzil Noble
The Building and Land Regulation Administrator

-----Original Message-----

From: Sanders, Adrian (MPD) [<mailto:adrian.sanders@dc.gov>]
Sent: Friday, November 26, 2004 12:42 PM
To: elizabeth.carter@dc.gov
Cc: ERROR@aol.com
Subject: Economides Home Construction - 4825 Dexter Ter. NW

DCRA-FOIA-00460

11/30/2004

DCRA/OGC FOIA #574
PUBLIC RECORDS

Dear Ms. Carter,

By way of introduction, I am a police officer assigned to the Second Police District. I received an assignment to assess work permits for construction at 4825 Dexter Steet NW on Friday, November 26, 2004.

I first met with the Corons at their home, 4747 Fulton Street NW. The Corons provided a history of the Dexter Terrace house, and indicated that DCRA had issued a Stop Work Order (SWO) on the Dexter Terrace house, and that work was proceeding nevertheless in violation of the SWO.

I responded to the house at approx. 10:30am, and found about a half dozen carpenters and painters working. I noticed the conspicuous absence of work permits posted at or near the front door. After searching the construction plan area, I still could not find any work permits. I asked the workers to cease work temporarily. They complied and were courteous.

Greg Bray, the on-site supervisor for the Economides's contractor arrived on scene. He produced a spiral bound notebook with photocopies of a variety of work permits, some easier to read than others. He reported that the site had been shut down earlier in the month, and that the deficiencies had been corrected. He indicated that DCRA inspectors removed two red SWO placards, allowing work to resume on the site.

I allowed work to continue, but with hesitation. Neither party could provide authentic evidence of a SWO, or an order to resume work. I am seeking clarification, as the current status of whether workers are allowed to proceed or not is ambiguous. I advised Mr. Bray that his firm and or the Economides could be subject to Metropolitan Police Department citation if I determined that he was working or causing work to proceed in violation of the SWO.

Further, access to the house was precarious and unsafe, down a steep, muddy (slippery and thick) driveway. In order to gain access into the house, I had to walk down an elevated, steep 2x10 (possibly 12) plank to the front door, which seems like an unnecessary safety risk. I also noticed that the staircases and landings lacked temporary rails to prevent a fall. I don't know if this precaution is required in the code.

In conclusion, please provide assistance to this issue as soon as possible: Was a SWO in effect for 4825 Dexter Terrace NW on November 26, 2004? Please feel free to contact me on my cell phone anytime:
202-486-7000.

Thank you for your assistance,

Adrian M. Sanders, #2332
Police Officer
District of Columbia Metropolitan Police Department

DCRA-FOIA-00461

11/30/2004

DCRA/UGC FOIA #576
PUBLIC RECORDS

DCRA/OSCE FOIA #5176
PUBLIC RECORDS

Scott, Juan (DCRA)

From: Scott, Juan (DCRA)
Sent: Monday, November 29, 2004 10:52 AM
To: Lewis, Theresa (DCRA)
Cc: Clark, David (DCRA); Carter, Elizabeth (DCRA); Scott, Juan (DCRA); Barrow, Abdullahi (DCRA)
Subject: RE:

Ms Lewis

To date the only inspection needed is Construction. I have not preformed my inspection because no one has contacted me to do a re-inspection therefore, the Stop Work Order has not been lifted. However, Mr Economides did obtain the proper permits to clear him for continuants by Plumbing,Electrical & Fire.

Juan

From: Lewis, Theresa (DCRA)
Sent: Monday, November 29, 2004 7:40 AM
To: Scott, Juan (DCRA); Carter, Elizabeth (DCRA)
Cc: Clark, David (DCRA)
Subject: RE:
Importance: High

Juan -- Has all required and proper permits been issued

Theresa D. Lewis
Deputy Director for Operations/Chief of Staff
Department of Consumer and Regulatory Affairs
941 North Capitol Street, NE
Washington, D.C. 20002
Office: (202) 442-8947
e-mail: Theresa.Lewis@dc.gov
Fax: (202) 442-9445

-----Original Message-----

From: Scott, Juan (DCRA)
Sent: Wednesday, November 24, 2004 9:01 PM
To: Lewis, Theresa (DCRA); Carter, Elizabeth (DCRA)
Cc: Scott, Juan (DCRA); Clark, David (DCRA)
Subject:

Report for 4825 Dexter Terrace NW

On or before November 01, 2004 I received an e-mail from Ms Elsie Carome. Ms Carome had issues about a neighbor who had built a wall beyond the height restrictions and had exceeded the scope of their permits. On November 02,2004 a five-member team of inspectors went to 4825 Dexter Terrace NW to perform an inspection at the above-mentioned property belonging to Mr Frank Economides.

DCRA-FOIA-00463

11/30/2004

DCRA/UGC FOIA #5176
PUBLIC RECORDS

The team found several issues of concern:

1. The Plumbing Inspector found that the plumbing permit did not correspond with the work being preformed (working out of the scope of the permit 108.7) and no inspections for the walls & ceilings to be concealed (104.4).
2. The Electrical Inspector found that the electrical permit did not correspond with the work being preformed (working out of the scope of the permit 108.7) and no inspections for the walls & ceilings to be concealed (Inspections 104.4).
3. The Fire Inspector found that no inspections had been preformed for the walls & ceilings to be concealed (104.4).
4. Construction Inspector found that no inspections had been preformed for the walls & ceilings to be concealed (104.4). No raze permit for razing building (working without permits 108.4).

All the codes were taking from the DCMR 12 2003. A Stop Work Order was placed on the above mention address and a one thousand dollar fine was imposed.

On November 8, 2004 a meeting was held on the 2nd floor of BLRA. In attendance were Mr & Mrs Frank Economides, Mr Abdul Barrows, Mr Juan Scott, Mr Neil Letren, Mr Mark Nutter and Mr Chris Flack. At that time Mr & Mrs Economides were informed of what need to take place before the Stop Work Order could be removed and they could resume work. A re-inspection was preformed on November 11, 2004. The fire Inspector approved and cleared for continuance. The Electrical Inspector approved and cleared for continuance. The Plumbing Inspector did not complete his inspection due to the time involved, so his inspection was completed, approved and cleared for continuance on November 15, 2004.

To date the only inspection needed is Construction. I have not preformed my inspection because Ms Lewis informed me not to lift the Stop Work Order. If I may be of any further assistance, please contact me .

Juan Scott

DCRA-FOIA-00464

11/30/2004

DCRA/OGC FOIA #5110
PUBLIC RECORDS

Scott, Juan (DCRA)

From: Scott, Juan (DCRA)

Sent: Monday, November 29, 2004 12:43 PM

To: Lewis, Theresa (DCRA)

Cc: Clark, David (DCRA); Carter, Elizabeth (DCRA); Washington, Carol (DCRA); Noble, Denzil (DCRA); Bello, Olutoye (DCOZ); Davis, Gwen L. (DCRA); Barrow, Abdullahi (DCRA)

Ms Lewis

Today two Inspectors (Electrical & Fire) went to the above mention address and posted another Stop Work Order at 11:55am. Mr Economides was not on site at the time, however, I did received a call from Mr Economides asking why was his job stopped. I informed him to contact Ms Lewis or Mr Noble for any information.

Juan

DCRA-FOIA-00465

11/30/2004

DCRA/066 FOIA #5116
PUBLIC RECORDS

Scott, Juan (DCRA)

From: EEORR@aol.com
Sent: Tuesday, November 30, 2004 6:51 PM
To: AHG71139@aol.com; theresa.lewis@dc.gov; juan.scott@dc.gov; davida.clark@dc.gov; elizabeth.carter@dc.gov; kpatterson@dccouncil.us; ppagano@dccouncil.us; collin.burrell@dc.gov; peter.nwangu@dc.gov
Cc: dickhiggins@msn.com; CBQuandt@aol.com; CARESTAK@aol.com; aiches@aichesdesign.com; GEWatson3d@aol.com
Subject: 4825 Dexter Terrace, NW - THE WALL

To the people of DCRA and DOH Watershed Protection:

Thank you for your support in realizing the enormity of the situation at 4825 Dexter Terrace, NW and the importance of sending a strong message to all aggressive developers. The decisions and determinations made now will affect the lives of the next generation of children who visit Wesley Heights Park.



Six old growth Wesley Heights/Rock Creek Park trees grew where the "warehouse" now stands. A protective fence will top it off, making the wall 35 - 40 ft high x 200 ft. long. We will have a prison on rock creek park.

DCRA-FOIA-00466

12/2/2004

DCRA/OGC FOIA #5716
PUBLIC RECORDS

Concerns, Dcra (DCRA)

From: EEORR@aol.com
Sent: Tuesday, November 30, 2004 9:32 AM
To: Elizabeth.Carter@dc.gov; Dcra.Concerns@dc.gov
Cc: Joyce.Alston@dc.gov; Sarah.Thigpen@dc.gov; Diana.Dorsey@dc.gov; Juan.Scott@dc.gov;
Theresa.Lewis@dc.gov; Denzil.Noble@dc.gov
Subject: Re: IQ# 188821 (4825 Dexter Street NW - illegal work on property)

Mrs. Carter:

Yesterday the police were called to the site as a construction truck was stuck in the mud. By the time they arrived the driver and his buddy had left in a silver pickup.

There will be a police report regarding this.

Today they have moved and are operating the bulldozer, which was to be removed along with the other two earth movers in the front of the property.

Damn it.

You all are supposed to stop this abuse of DC Building codes.

Most sincerely frustrated,

Elsie Carome

11/30/2004

DCRA-FOIA-00378

Scott, Juan (DCRA)

DCRA/066 FOIA #5176
PUBLIC RECORDS

From: Alan Z Aiches [aiches@aichesdesign.com]
Sent: Wednesday, December 01, 2004 6:40 AM
To: EEORR@aol.com
Cc: peter.nwangu@dc.gov; David Clark; George Watson; Alma Gates; CARESTAK@aol.com; elizabeth.carter@dc.gov; theresa.lewis@dc.gov; dickhiggins@msn.com; Penny Pagano; collin.burrell@dc.gov; CBQuandt@aol.com; juan.scott@dc.gov; kpatterson@dccouncil.us
Subject: Re: SPAM-LOW: 4825 Dexter Terrace, NW - THE WALL

That he got away with building something like this is just about the most preposterous thing imaginable, an egregious violation and perhaps the most significant zoning/building code error on the part of the DCRA where residential property is concerned.

I have one question, and one question only; how does this stuff keep happening?

On Nov 30, 2004, at 6:50 PM, EEORR@aol.com wrote:

To the people of DCRA and DOH Watershed Protection:

Thank you for your support in realizing the enormity of the situation at 4825 Dexter Terrace, NW and the importance of sending a strong message to all aggressive developers. The decisions and determinations made now will affect the lives of the next generation of children who visit Wesley Heights Park.

<image.tiff>

Six old growth Wesley Heights/Rock Creek Park trees grew where the "warehouse" now stands. A protective fence will top it off, making the wall 35 - 40 ft high x 200 ft. long.

We will have a prison on rock creek park.

Alan Z Aiches

Aiches Design

5839 Sherier Place NW

Washington, DC 20016

12/2/2004

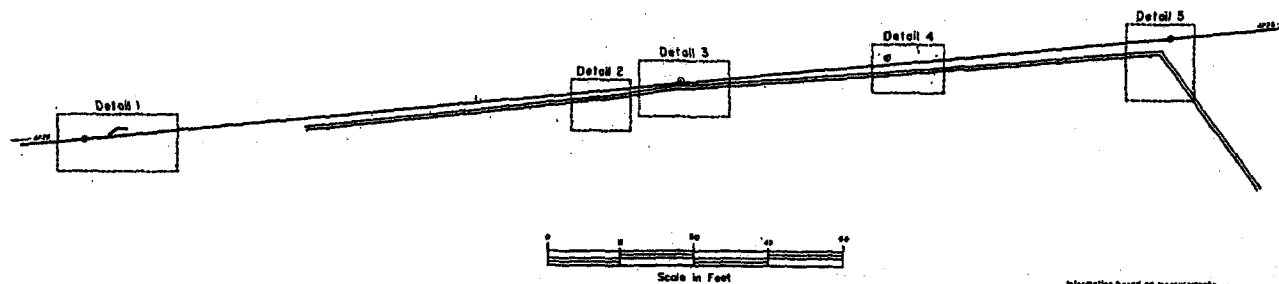
DCRA-FOIA-00467

202.364.2412

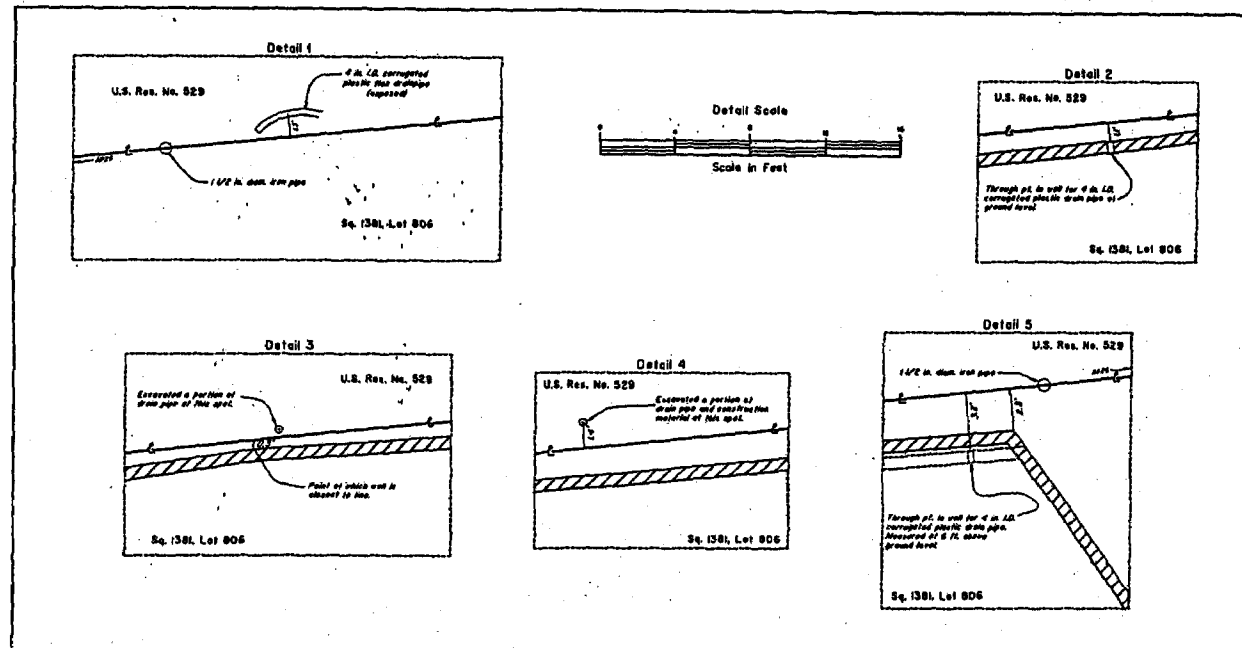
aiches@aichesdesign.com

www.aichesdesign.com

DCRA/OGC FOIA ⁴⁵¹¹⁶
PUBLIC RECORDS



Information based on measurements taken on February 1, 1958 at the request of Joe Kim, NPS.
 ±1 measurement taken at ground level unless otherwise noted.
 For information purposes only.



KCE STRUCTURAL ENGINEERS, P.C.**CONSULTING ENGINEERS • 1818 JEFFERSON PLACE, N.W. • WASHINGTON, D.C. 20036 • 202-833-8622****FAX: 202-833-3877****<http://www.kcestructural.com>****DATA: 202-833-8160****FACSIMILE COVER SHEET****TO: Patrick Carome****FAX NO: 202-663-6363****DATE: February 17, 2005****FROM: Allyn Kilshelmer****RE: 4825 Dexter Terrace N.W****Job No: 2005-00-16****NUMBER OF PAGES (INCLUDING FAX COVER):** 2**COMMENTS: Please find attached letter.****cc:****Prepared by: MGH @ 11:07 AM EST****Sent by: J @ 12:00 AM/PM EST**

KCE STRUCTURAL ENGINEERS, P.C.**CONSULTING ENGINEERS • 1818 JEFFERSON PLACE, N.W. • WASHINGTON, D.C. 20036 • 202-833-8622**

FAX: 202-833-3877

Web Site: <http://www.kcestructural.com>

February 16, 2005 – (Revised February 17, 2005)

Wilmer Cutler Pickering Hale and Dorr LLP
2445 M Street NW
Washington, DC 20037

Attn: Patrick J. Carome

Re: 4825 Dexter Terrace N.W.

Job No. 2005-00-16

Gentlemen:

You have asked that we review the large wall structure constructed along park service property at the subject project.

The structure is a large geostructure type wall relying on earth characteristics and gravity for support in an acceptable bootstraps approach.

We noted several items of importance regarding this structure:

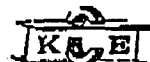
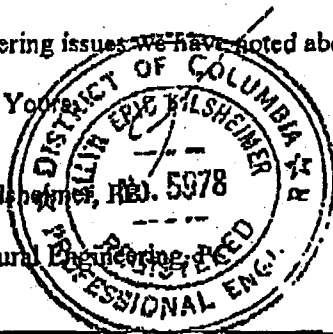
- Was a gravel drainage course installed along the back of the wall as it was constructed with a fabric drainage protective layer?
- Was the backfill material of a classification that was as required by the design?
- Are the weep hole drains (very limited) acceptable to the design engineer for the wall?
- Has the design engineer for the wall viewed the broken wall components especially at the base of the tallest section of the wall?
- We understand the "bulges" evident in the wall have occurred over time and may be increasing overtime in magnitude and number- has the design engineer reviewed the problem?

Our concern with a wall of the height and proximity to a running path is that, should it experience a failure, not only would it affect the space and people below but also the houses and their environs at the high grade behind the wall.

The engineering issues we have noted above should be carefully reviewed and responded to.

Very Truly Yours,

Allyn E. Kilshner, P.E.
President
KCE Structural Engineering, P.C.
AEK/mgh



PROFESSIONAL REGISTRATIONS: COLORADO, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, ILLINOIS, LOUISIANA, MARYLAND, MASSACHUSETTS, MISSOURI, N.C.E.E., NEW JERSEY, NEW YORK, NORTH CAROLINA, OHIO, PENNSYLVANIA, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VIRGINIA, WEST VIRGINIA, WISCONSIN

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION
INSPECTION SCHEDULING AND COMPLAINT UNIT
941 NORTH CAPITOL ST., N.E., SUITE 2000
WASHINGTON, D.C. 20002
(202) 442-4615

INSPECTION SCHEDULING & COMPLAINT FORM

Date Received: Jan 28, 2005

Complaint Number: _____

Source of Complaint ☐ Telephone ☐ Mail ☒ Walk-in ☐ Internal ☐ Public Index Inquiry Control Correspondence. No.: _____ ☐ Referred to another Administration (Identify) _____	TYPE OF COMPLAINT ☒ Construction ☐ Plumbing ☐ Electrical ☐ Mechanical ☐ Elevator ☒ Structural ☒ Private Home ☐ Business ☐ Vacant Lot ☐ Vacant Building ☒ Zoning
--	---

PROPERTY ADDRESS:

4825 Dexter St. N.W., Wash-DC 20007

Number	Street	Suite/Apt. No.	City
<u>Wash DC</u>	<u>20007</u>		
State	Zip Code		

COMPLAINANT INFORMATION:

PATRICK J. CAROME

Complainant's Full Name

4747 Fulton St. N.W.

Number	Street	Suite/Apt. No.	City
<u>Washington</u>	<u>DC</u>	<u>20007</u>	
State	Zip Code		

Telephone No.:

Home: _____ Work: 202-663-6610 Mobile: _____Cell: _____ Fax: 202-663-6363ANONYMOUS COMPLAINANT ☐

Nature of Complaint: No wall check appears in surveyors records for large "retaining wall" structure that is being erected along side and rear perimeter of subject property. Also, wall appears unstable and is bulging and cracking. Also, I believe wall encroaches across lot lines and into Parkland. Please perform inspection and provide me with a full written report ASAP.

Inspector's Decision: ☐ Approved
☐ Disapproved _____

If you have a written complaint, you may attach it. If additional space is required, please attach a separate sheet.

Complaint Processed By: _____
 Date Complaint Forwarded to Division: _____
 Scheduled Inspection Date: _____ Actual Inspection Date: _____
 Assigned Inspector's Name: _____

Neubauer Consulting Engineers
7825 TUCKERMAN LANE
POTOMAC, MD 20854
PHONE: 301-299-7617
FAX: 301-299-6547

FAX

TO: PAT CAROMIE

FROM: PETER NEUBAUER

ATTN:

DATE:

FAX 202.663.6363

PAGES: 3 (INCLUDING FAX)

RE:

CC:

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY

• COMMENTS:

REPORT // RE: RETAINING WALL C4825 DEXTER
TERRAVE