dodstancioff

From: "Carter, Elizabeth (DCRA)" <Elizabeth.Carter@dc.gov>
To: <dodstancioff@hotmail.com>; "Concerns, Dcra (DCRA)" <Dcra.Concerns@dc.gov>
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Sent: Thursday, January 13, 2005 6:50 PM
Subject: IQ# 189814-1812 35th Street NW

January 13, 2005

Dear Ms. Stancioff:

This is in response to your e-mail inquiry of January 3, 2005 and my telephone conversation with you on January 12, 2005, regarding the alleged illegal construction activity at 1812 35th Street NW. As we discussed, I hac an opportunity to review the permit file and plans as well as a copy of the 'temporary restraining order' issued on December 22, 2005, by the Superior Court of the District of Columbia with Mr. Toye Bello, the DCRA Zoning Administrator. This TRO basically says the same thing that DCRA inspectors have shared with you and that is that you and your neighbor at 1812 should agree to proceed with due diligence to build a cement wall at the edge of the property and then fill in the hole on your property, repair your flagstone and return your property to its previous condition (or better). The court order requires the retaining wall to be completed before the preliminary injunction hearing on January 14, 2005. We greed that we would talk again after the hearing.

You were concerned that the property owners were using 60%, rather than the 40% allowed by zoning regulations and you also asked if zoning had given an exception to allow the 60% use. I have verified with zoning that an exception has not been granted and the permit file supports this fact.

DCRA, Building and Land Regulation Administration, sent an inspector to your address today to check on the pillar holding up your porch, that you reported has a large hole in it. The inspector reported that the pillar is structurally sound and not an imminent danger to you or the neighbors.

You also asked if DCRA measured the square for 1812 before giving them a permit. The answer is no, DCRA does not conduct measurements prior to issuing the permit, which is predicated on a set of plans and a certified surveyor's plat submitted by the property owner. As shared earlier, a wall test must be conducted by the property owner by a certified DC surveyor. The results of the wall test will be reviewed by the Office of Zoning against the original plans and permit. If the construction work is not in compliance with all applicable code and regulations, DCRA will disapprove the construction work and a Stop Work Order will be issued.

Ms. Stancioff, thank you for bringing this matter to our attention and please be assured that DCRA is committed to ensuring that the construction project at 1812 35th Street is in compliance with all applicable codes and regulations. DCRA will continue to keep you informed as we continue to monitor this property address. I have been assigned to serve as your contact for this matter and can be reached at 202-442-4549 or by email at elizabeth.carter@dc.gov.

Cordially,

Elizabeth Carter, Special Assistant for
Denzil Noble, Zoning Administrator and
Abdullahi Barrow, Chief Building Inspector

IQ# 189814

BZA
Case No. 17310
Exhibit No. 32

1/24/2005

Board of Zoning Adjustment
District of Columbia
CASE NO. 17310
EXHIBIT NO. 32