

**DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

| | | |
|------------------------------------|---|----------------------|
| In re: |) | |
| 1231 Morse Street, Inc., |) | |
| |) | |
| Appellant, |) | |
| |) | BZA Appeal No. 17657 |
| v. |) | |
| |) | |
| District of Columbia Department of |) | |
| Consumer and Regulatory Affairs, |) | |
| |) | |
| Appellee. |) | |
| _____ |) | |

2007 OCT 26 AM 10:33
DC OFFICE OF THE CLERK

**DISTRICT OF COLUMBIA'S
SUPPLEMENTAL WITNESS AND EVIDENCE LIST**

Appellee, the District of Columbia Department of Consumer and Regulatory Affairs, ("District" or "DCRA"), by and through undersigned counsel, hereby supplements its October 2, 2007 and October 12, 2007 Witness and Evidence Lists to include the following:

Witnesses:

- 1) Loniese Lee, owner of 1235 Morse Street, N.E.
- 2) Camilla Parker, occupant of 1235 Morse Street, N.E. for (10 years)
- 3) Henry Thomas owner of 1243 Morse Street, N.E.
- 4) Chris Alexander occupant of 1227 Morse Street, N.E.
- 5) Scott Jones owner of 1229 Morse Street, N.E.

Documents:

Statements from Neighbors of 1233 Morse Street, N.E.
District of Columbia Fire Department Incident Report dated February 20, 2006
Emails to former Zoning Administrator Bill Crews and from Loinesee Lee, neighbor


BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17657
EXHIBIT NO. 30

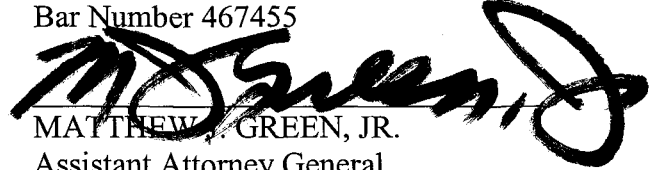
Board of Zoning Adjustment
District of Columbia
CASE NO. 17657
EXHIBIT NO. 30

Respectfully Submitted,

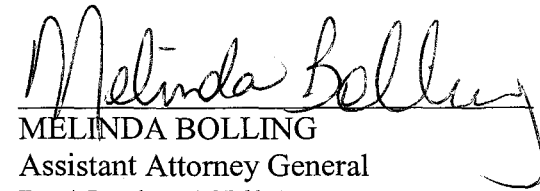
JILL STERN
General Counsel
Department of Consumer and
Regulatory Affairs



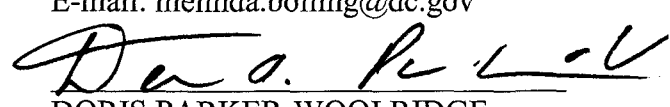
LORI S. PARRIS
Deputy General Counsel
Bar Number 467455



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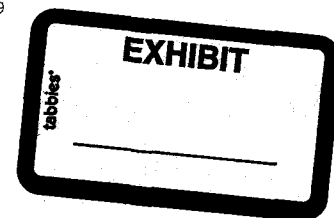
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(202) 442-9447 (fax)
E-mail: doris.parker-woolridge@dc.gov

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2007 a copy of the forgoing Amended Witness and Evidence Lists were personal served and e-mailed to John Patrick Brown, Esq. at 1620 L Street, N.W., Suite 900, Washington, D.C. 20036, Mr. William Shelton, Chairperson, ANC 5B at 1437 Montana Avenue, N.E., Suite 5, Washington, D.C. 20018 and Commissioner Elise Bernard, ANC 5B08 at 1220 Florida Avenue, N.E., Washington, D.C. 20002.



Lauren N. Goss

**Written Testimony re:****Demolition, Fall & Construction of Property @ 1233 Morse St., NE**

By: Camilla Parker – 10/16/07

Demolition:

The first activity I noticed was that of cleaning out the contents of the original house and removing them. Then the property began to be torn down from the back first and then towards the front portion. The actual time frame of demolition I do not specifically recollect. However, it was over a period of days with the use of a large refuse receptacle mounted on the street directly in front of the house.

Afterwards, the land had been cleared with the exception of the smaller front portion of the house known as the "sitting room." This room was not the same height of the original house but much shorter and protruding from the left side of the original house if one were facing the front of the house. This "sitting room" was all that was left of the original house and left leaning to the right (towards Montello Ave.) over the weekend preceding President's Day 2/20/2006. I saw how several people would stop and observe it as the leaning structure brought attention to itself.

Last night (10/15/07) I saw where I had circled on my old calendar, President's Day of 2006 and wrote house fell. This is what alerted me to the actual date because I would otherwise not have remembered the actual day of the fall of the sitting room as described above. I do know for sure that the whole house had been taken down except the small room left leaning. It fell and the tremor caused us to go outside to see its cause. The street lights and neighborhood houselights were out and shortly afterwards, fire trucks occupied the entire block. The firefighters made there way through the rubble as people gathered near to see. Someone constructed what appeared to be a light on a crane in front of the house for viewing and a local TV news station interviewed me as I was leaving for work the next morning. I told them what happened but never saw the televised coverage.

After the subsequent cleanup, construction began and upon making several calls to the zoning dept., we discovered that the building permit was void. E-mail correspondence with Bill Crews and at least one phone call to/from him alerted us to let him know right away if any construction resumed. He said it was good that we complained before the roof was constructed. We alerted him several times as construction resumed on and off periodically. Each time the construction ceased for a while. Sometime later the structure was roofed. I kept no on-going record regarding timeframe of events, except the "fall of the sitting room."



October 15, 2007

To Whom It May Concern:

I, Loniese Lee attest that for at least 2-3 days the builder had workers with equipment to tear down the house located at 1233 Morse St, NE. I noticed also the builder did not secure the construction area so the neighborhood children would not be playing around and in the area. Every evening I came home from work another part of the building was gone until Friday, February 17, 2006. On that day upon returning home from work, I saw that the house was gone but the sitting room still remained. The sitting room, however, was not stable because it was leaning toward the hole where the house formerly sat. The builder left the sitting room leaning toward the hole over the holiday weekend. The very next day which was President's Day and Monday, the sitting room fell that night leaving live wires exposed, water pipes broken and the fire department along with all utility companies were on the scene. This knocked out electricity in some of the surrounding area including my house and street lights on my block.

This event was the subject of local TV news coverage. Cameras and news reporters were interviewing local residents, one of whom was my God sister, Camilla Parker.

I did make contact with Mr. Bill Crews on several occasions regarding this property prior to the roof's construction. Please find attached emails of our correspondences.

Loniese Lee

Incident Report

Washington, DC Fire & EMS Dept

2005-0021037-000

EXHIBIT

tabbles

Basic

| | | |
|-----------------------------------|---|---------------------------|
| Alarm Date and Time | 20:36:34 | Monday, February 20, 2006 |
| Arrival Time | 20:39:53 | |
| Controlled Date and Time | | |
| Last Unit Cleared Date and Time | 22:53:04 | Monday, February 20, 2006 |
| Response Time | 0:03:19 | |
| Priority Response | Yes | |
| Completed | Yes | |
| Fire Department Station | 10 | |
| Incident Type | 461 - Building or structure weakened or collapsed | |
| Initial Dispatch Code | COLL | |
| Aid Given or Received | N - None | |
| Alarms | 1 | |
| Action Taken 1 | 86 - Investigate | |
| Apparatus - Suppression | 13 | |
| Apparatus - EMS | 4 | |
| Personnel - Suppression Personnel | 41 | |
| Personnel - EMS Personnel | 6 | |
| Property Loss | \$0.00 | |
| Contents Loss | \$0.00 | |
| Property Value | \$0.00 | |
| Contents Value | \$0.00 | |
| Property Use | 419 - 1 or 2 family dwelling | |
| Location Type | Address | |
| Address | 1235 MORSE ST NE | |
| City, State Zip | WASHINGTON, DC 20002 | |

Authority

| | |
|-------------------|-------------------------------------|
| Reported By | 002886 - MCCOY, DANIEL W |
| | 00:47:06 Tuesday, February 21, 2006 |
| Officer In Charge | 000151 - CALLAHAN, ROBERT J |
| | 00:47:10 Tuesday, February 21, 2006 |
| Reviewer | - |

Narratives

| | |
|----------------|--|
| Narrative Name | CAD Narrative |
| Narrative Type | CAD Narrative |
| Author | - |
| Narrative Text | <p>F060021037 E Type: Sub Type: COLL</p> <p>STRUCTURAL COLLAPSE Disp:</p> <p>COMMENTS:</p> <p>MPD 1293 ALSO HAS WATER RUNNING INTO THE BLDG FROM A BROKEN PIPE...THE HOUSE NEXT TO ADDRESS HAS CONSTRUCTION BEING DONE. DUPLICATE EVENT: LOCATION = 1272 MORSE ST NE DC, CROSS STREET 1 = MONTELLO AVE NE TRINIDAD AVE NE, CROSS STREET 2 = TRINIDAD AVE NE, ALARM LEVEL = 0. END OF DUPLICATE EVENT DATA. BC2 REPLACE T15 WITH T13.....T15 IN SERVICE...BC2 REPORTS THAT WALLS HAVE COLLAPSE...HOLDING ALL UNITS...CHECKING TO MAKE SURE NO ONE IS IN</p> |

Incident Report

Washington, DC Fire & EMS Dept

2013-0021037-000

Narratives

THE BLDG...BC2 ESTABLISHING COMM...AT TRINIDAD AVE NE/MORRIS
STNE...WILL ADVISE TRANSFER: R2 TO R1 BC2 REQ
PEPC(WILLIFORD)@2054HRS WASH GAS(PAUL) 20 TO 25
MIN@2055WASA(BROOMFIELD) ETA 1 HR@2057HRS LATE ENTRY; T15 STILL
ON THE SCENE W/COMMD2 TRANSFERS: T04 TO T15@2107HRS COMMD2
REPORTS HOLDING ALL UNITS ON SCENE UNTIL FURTHER
NOTICE. WILL ADVISE@2118HRS.
@@
@@
PER BC2 NO VICTIM IN
BLDG...RETURNING ALL UNITS IN SERVICE...UNITS WILL STATIS WHEN
READY FOR SERVICE...HOLD BC2 AND SOBC ON THE SCENE...BC2 READY
FOR SERVICE.....

End of Report

Subj: RE: R-4 infringement 1233 Morse St NE
Date: 3/8/2006 9:21:10 P.M. Eastern Standard Time
From: Bill.Crews@dc.gov
To: Aroma1235@aol.com

I'll have to check on the status of the action against them. The building permit folks are taking the lead on this.

In the R-4 district, only conversions of existing buildings are allowed. Since the existing building no longer exist, I'm not willing to approve it from a zoning standpoint.

I check and get back to you

Best regards,

Bill Crews

Zoning Administrator for the District of Columbia
Department of Consumer and Regulatory Affairs
941 N. Capitol St. NE Suite 2000
Washington, DC 20002
202.442.4477
bill.crews@dc.gov

The Office of the Zoning Administrator is looking for additional zoning review technicians. If you or someone you know might be interested, please review the job description posting reference #3217 on the District Office of Personnel website

www.dcap.dc.gov and contact the Zoning Administrator

From: Aroma1235@aol.com [mailto:Aroma1235@aol.com]
Sent: Wednesday, March 08, 2006 7:14 AM
To: Bill.Crews@dc.gov
Subject: Re: R-4 infringement 1233 Morse St NE

Dear Bill Crews

Thank you for your prompt response to my inquiry regarding the construction at 1235 Morse St., NE. I sincerely apologize for the delay in my e-mail to you as I have since undergone some computer

problems now resolved. And there are no more issues regarding a permit to build upon a vacant lot. They have constructed a cinder block foundation throughout the land and have built four unrooted stories in addition to an underground (basement) level.

Thank you kindly for your expertise.

Thursday, March 23, 2006 America Online: Aroma1235

From: Arqma1235@aol.com

To: Bill.Crews@dc.gov

Subject: Re: R-4 infringement 1233 Morse St NE

Date: Wed, 8 Mar 2006 7:14 am

Dear Bill Crews,

Thank you for your prompt response to my inquiry regarding the construction at 1235 Morse St., NE. I sincerely apologize for the delay in my e-mail to you as I have since undergone some computer problems now resolved.

Are there any new issues regarding a permit to build upon a vacant lot. They have constructed a cinder block foundation throughout the land and have built four unroofed stories in addition to an underground (basement) level.

Thank you kindly for your expertise.

Loniese Lee
1235 Morse St., NE
Wash., D.C. 20002
(202) 257-1068 (cell)
(202) 397-5774 (home)

Re: construction at 1233 Morse St., NE

Page 1 of 2

From: aroma1235@aol.com
To: Bill.Crews@dc.gov
Subject: Re: construction at 1233 Morse St., NE
Date: Thu, 9 Nov 2006 6:45 am

Hello Mr. Crews,

I forgot to mention that the separate building in the back alongside the alley at 1233 Morse St., NE is made of what is now rain-soaked wood having been exposed to the elements since February. Windows are now placed on this structure. There is a safety issue at hand which I feel may adversely affect adjacent homes if allowed to manifest.

Loniese Lee

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

From: Bill.Crews@dc.gov
To: aroma1235@aol.com
Sent: Mon, 30 Oct 2006 8:42 AM
Subject: RE: construction at 1233 Morse St., NE

Sorry for the delay in responding, I did drive by there yesterday and am recommending that the building permit be revoked. I'll let you know how this is going.

Best regards,

Bill Crews

Zoning Administrator for the District of Columbia
Department of Consumer and Regulatory Affairs
941 N. Capitol St. NE Suite 2000
Washington, DC 20002
202.442.4576 Office
202.442.4871 Fax
bill.crews@dc.gov

From: aroma1235@aol.com [mailto:aroma1235@aol.com]
Sent: Monday, October 30, 2006 7:06 AM
To: BILL.CREWS@dc.gov
Subject: Fwd: construction at 1233 Morse St., NE

Loniese Lee

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

From: aroma1235@aol.com
To: BILL.CREWS@aol.gov; BILL.CREWS@dc.gov
Sent: Thu, 26 Oct 2006 7:36 AM
Subject: Re: construction at 1233 Morse St., NE

Hello Mr. Crews,

From: Crews, Bill (DCRA) <Bill.Crews@dc.gov>
To: aroma1235@aol.com
Subject: RE: construction at 1233 Morse St., NE
Date: Mon, 30 Oct 2006 9:43 am

Sorry for the delay in responding, I did drive by there yesterday and am recommending that the building permit be revoked. I'll let you know how this is going.

Best regards,

Bill Crews

Zoning Administrator for the District of Columbia
Department of Consumer and Regulatory Affairs
941 N. Capitol St. NE Suite 2000
Washington, DC 20002
202.442.4576 Office
202.442.4871 Fax
bill.crews@dc.gov

From: aroma1235@aol.com [<mailto:aroma1235@aol.com>]
Sent: Monday, October 30, 2006 7:06 AM
To: BILL_CREWS@dc.gov
Subject: Fwd: construction at 1233 Morse St., NE

Loniese Lee

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

From: aroma1235@aol.com
To: BILL_CREWS@aol.gov; BILL_CREWS@dc.gov
Sent: Thu, 26 Oct 2006 7:36 AM
Subject: Re: construction at 1233 Morse St., NE

Hello Mr. Crews,

I am writing to you because I am very disturbed at the knocking and banging going on at 1233 Morse St., Ne. The last time we communicated you told me if there is any movement or work being done at that construction site to make you aware of it. I noticed the first time yesterday that work was being done. This morning it is approximately 5 or more workers and 2 trucks with equipment. Has anything changed? Were permits given because I do not see any visible permits. Can you please send an inspector out to see what is going on? I look forward to hearing from you.

Thank you

Loniese Lee

Check out the new AOL. Most comprehensive set of free safety and security tools, free access to millions of high-quality videos from across the web, free AOL Mail and more.

Re: construction at 1233 Morse St., NE

Page 2 of 2

I am writing to you because I am very disturbed at the knocking and banging going on at 1233 Morse St., Ne. The last time we communicated you told me if there is any movement or work being done at that construction site to make you aware of it. I noticed the first time yesterday that work was being done. This morning it is approximately 5 or more workers and 2 trucks with equipment. Has anything changed? Were permits given because I do not see any visible permits. Can you please send an inspector out to see what is going on? I look forward to hearing from you.

Thank you

Loniese Lee

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