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ANC 1A04 - Betty Pair
ANC 1A05 - Anne Theisen

ANC 1A06 - Samuel Johnson
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ANC 1A08 - Janisha Richardson
ANC 1A09 - Donny Gonzalez
ANC 1A10 - Lenwood Johnson
ANC 1A11 - Dotti Love Wade

October 9, 2007

Vertical stamp: RECEIVED OCT 11 2007

Board of Zoning Adjustments
One Judiciary Square, NW
Washington, DC 20001

To Whom It May Concern:

The enclosures constitute supporting documentation for BZA Case 17671 regarding the project located at 1432 Monroe Street, NW and filed by ANC1A on 5/11/07. The hearing date is scheduled for the afternoon of October 23rd, 2007.

Sincerely,

Anne Theisen
Commissioner, ANC1A05
Vice Chair, ANC1A
Chair, ANC1A Planning and Zoning Committee

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17671
EXHIBIT NO. 13

May 11, 2007 (Corrected October 8, 2007: See correction in #2 below)

Re: Building Permit # 90426, 1432 Monroe Street, NW

Appeal of the November 6, 2006 Decision of the Zoning Administrator to permit:

Conversion of 1432 Monroe Street, NW from Residential One/Two Family to Residential Multi-Family in the R-5-B zone

Summary of Grounds for Appeal:

1. Allowable height exceeded (Section 400.1)

The height of residential buildings or structures in an R-5-B district shall not exceed 50 feet.

The permitted drawings indicate a building height exceeding 50 feet with a cornice line that is "variable" and a building section that incorrectly reflects the relationship of the top of the sidewalk to the building dimensions.

Rooftop elements not set back from exterior walls. (Section 400.7)

Additionally, rooftop elements exceeding 50 feet in height are not properly setback from the exterior walls.

2. Allowable Lot Occupancy exceeded (Section 403.2)

The allowable lot occupancy for a multi-family structure in the R-5-B zone is 60%. The proposed building as permitted exceeds the allowable 60% lot occupancy because the applicant's calculations incorrectly portray both the size of the building lot and the footprint of the proposed building.

Additionally, because the closed court ~~exceeds~~ is smaller in width and area than the minimum required dimensions, it should also be counted toward lot occupancy. We calculate the actual lot occupancy to be approximately 70%.

3. No parking indicated in plans (Section 2100.2):

No application for a building permit for a building or structure to be erected on or after May 12, 1958 shall be approved unless there is included with the plans for the building or structure a parking plan showing the location, dimensions, and grades of all parking spaces and approaches thereto in accordance with the provisions of this chapter.

Parking Requirement (Section 2101.1)

An apartment house or multiple dwelling in the R-5-B zone requires one parking space for every two dwelling units. The project includes four dwelling units, and therefore requires two parking spaces.

The plans do not indicate that any parking will be provided, although two spaces are required in this zone.

4. Minimum Dimensions of a Closed Court not met (Section 406):
R-5-B All other structures: Minimum width of closed court is 4" per foot of height, but not less than 15 feet. The area must be twice the square of the required width, but not less than 350 square feet. A closed court of only 78 square feet is being provided, when the minimum allowed is 300 square feet.

(Section 406.4)

In the case of an alteration affecting the amount of light and ventilation required in an existing building in a Residence District by other municipal law or regulation, no legally required window shall be permitted to open onto a court that does not comply with the dimensions given in 406.1.

Additionally, required egress windows lead to this closed court that does not meet the minimum width and square footage requirements, which is not allowed by the zoning regulations. The egress windows also lead to a court that does not allow escape from the property, but requires egress across the neighboring property and egress is therefore dependent upon the neighboring property owner not building a wall along the property line in the future.

5. Allowable Floor Area Ratio Exceeded (Section 402):
The allowable floor area ratio for all structures in an R-5-B zone is 1.8.

Because the site grades are inaccurately reflected on the drawings relative to the building sections, the cellar is actually a basement and should be included in the floor area ratio calculation. Also, the cellar contains the only bedroom and bathroom areas for the two units entered from the first floor, and this space should be counted toward floor area ratio. Additionally, the closed court does not meet the minimum required dimensions and should also be included in the floor area calculations (definition of building area, Section 199). Finally, the rooftop stair tower should be included in the FAR calculation. Therefore, the proposed floor area ratio exceeds 1.8.

6. Minor Flexibility by Zoning Administrator's Ruling (R) (Section 401.1):
Note that the zoning administrator is not authorized to permit a deviation in the allowable building height or floor area ratio, and is limited to deviation from other requirements of the zoning regulations as follows:

The Zoning Administrator is authorized to permit a deviation not to exceed two percent (2%) of the area requirements of 401 and 403 (minimum lot dimensions and maximum percentage of lot occupancy); and a deviation not to exceed ten percent (10%) of the linear requirements of 404 and 405 (minimum rear yard and minimum side yard requirements); and a deviation from the requirements of 406 (minimum court dimensions), not to exceed either two percent (2%) of the area standard or ten

percent (10%) of the width standard; provided, that: (a) A building shall be allowed to deviate from the requirements of no more than two (2) of the sections identified in this subsection; and (b) The deviation or deviations shall be deemed by the Zoning Administrator not to impair the purpose of the otherwise applicable regulations.

History of Neighborhood involvement:

Timely Filing: This appeal is filed on May 11, 2007, approximately 35 days following the time we first attempted to view the permitted drawing set for this project and within a week after we became reasonably certain of a problem with the permit upon reviewing the drawings, and thus the appeal is timely filed.

Detailed History:

1. The Zoning Administrator approved the project for zoning on November 6, 2006.
2. The project received final permits on December 15, 2006.
3. **Construction activity became apparent at the site during the first week of April 2007.**
4. On April 3, 2007, the residents of Monroe Street became aware of construction activities at 1432 Monroe Street that we suspected might not meet the requirements of the R-5-B zoning in effect for that lot. The entire back of the building had been removed and the contractor began to lay out a foundation that extended to the rear property line at the alley. Additionally, the foundation wall along the adjacent property appeared to encroach on the neighbor's property.
5. On April 4, 2007, I contacted the zoning administrator asking for his help in securing the drawings or in answering our concerns about the project.
6. On April 5, 2007, the residents of Monroe Street contacted DCRA to make an appointment to view the drawings for the project; the appointment was scheduled for April 9, 2007 by an employee named Mabel.
7. On April 9, 2007, we arrived for our scheduled appointment at DCRA to review the drawings for the project. Mabel indicated when we arrived that she had no knowledge of our appointment or her agreement to pull the drawings for our review. At that point in time, she searched in the office for the drawings, but was able to produce only a partial set while we waited. We reviewed the partial set, which left us unable to determine whether the project met the applicable zoning, although the building appeared to be too tall and too large for the site based on the dimension strings noted on the drawing set.
8. Also on April 9, 2007, I once again left messages for the zoning administrator who put me in contact with Ms. Jeanette Anderson of his office. Ms. Anderson contacted me and assured me that an inspector would be sent out within a week, but I never heard back. When I phoned the following week, I got voice mail, and played telephone tag with Ms. Anderson for the next week. I called the illegal construction inspection office directly on April 19, 2007, inquiring about the inspection that was supposed to have occurred and left a message for Tomeka Jones. I never heard back from Ms. Jones. Finally, I appealed to the mayor's office and to Councilmember Mary Cheh. At that point we got a response.

9. Between April 19, 2007 and May 4, 2007, we worked with DCRA to get the drawings and developed a dialog of the problem. When we finally received the drawings, we realized that no plat was included, and the drawings have confirmed what we suspected, which is that the project exceeds allowable height, lot occupancy, floor area ratio, does not provide any parking, and additionally violates the zoning requirements for minimum dimensions of a closed court. Additionally, there appears to be a problem with provisions for emergency egress from the structure, as egress is required to be made through the closed court, through which there is no escape from the property.
10. Although DCRA posted a stop work order on the property on April 23, 2007, it was removed by the developer on April 30, 2007, and construction resumed in full force that morning. In response to our protest, a new stop work order was posted the same day. The zoning administrator has admitted that the work under construction does not comply with the permitted drawing set, but has still not made a determination of whether the project drawings themselves are properly permitted.
11. Although DCRA managed to find a full set of drawings on April 24, 2007 for their own review, Jeanette Anderson of DCRA refused to make them available to us for copy and directed us back to the same counter where Mabel was unable to provide the drawings earlier in the month. **On May 4, 2007, we were finally provided with a copy of the project drawings by DCRA and we reviewed them immediately.**
12. On May 9, 2007, DCRA provided a copy of the plat that was used in reviewing the project.
13. On May 9, 2007, ANC 1A voted to appeal the decision of the zoning administrator in approving this project.

In order to preserve our rights for a timely appeal, and because we believe that the project has not been properly permitted, and in the absence of a determination from the zoning administrator as to whether this project has been properly permitted, we are filing this appeal of the zoning administrator's decision to permit this construction.

Proof of Grounds for Appeal will be provided by:

Our analysis of the permitted drawing set for the project, annotated photographs of the site, evidence of measurements taken at the site, and copies of correspondence with DCRA about the project.

Anne K. Theisen
ANC 1A05
1514 Monroe Street, NW
Washington, DC 20010
(202) 328-2242
aktheisen@verizon.net

From: Rogers, Eric (DCRA) [Eric.Rogers@dc.gov]
Sent: Monday, April 30, 2007 11:20 AM
To: davidlevy@speakeasy.net; Anne Theisen User
Cc: Argo, Linda (DCRA); Majett, Nicholas (DCRA)
Subject: 1432 Monroe ST.,NW

David:

Our zoning office completed their investigation of 1432 Monroe. The investigation included field visits by zoning inspectors as well as a re-review of plans that were approved by DCRA. The review was completed on Friday, April 27, 2007. Below is the text of their findings.

"History: The property owner submitted a permit application on 3/7/07 to convert a single family dwelling to 4-Unit apartment building. Building permit #90426 was granted on 12/15/06. The set-down to apply for a zoning change from r-5-b to r-4 occurred on 7/24/06, published on 3/9/07. Public hearing of case#06-36 was heard on 2/8/07 with final action on 4/9/07. Final order has not been published yet.

Since the owner applied prior to the set-down date, he was grandfathered to adhere to the r-5-b regulations and not r-4. On April 23, 2007 [a DCRA zoning reviewer] received field inspection reports from [zoning inspectors]. The inspectors were asked to observe concerns about height, lot occupancy and floor to area ratio (FAR).

Re-review: The plans depict a conversion from an existing SFD to a 4-unit apartment building to include basement, 4th floor mezzanine, 1 open terrace, 1 roof deck and parking pad for 2 vehicles.

- 1) The construction does not comply with DCMR 11-403. Percentage of 60% lot occupancy. Property is allowed 1,145 sqft and conversion plus 1,1147. 2 feet in excess may be granted through DCMR 11-407 (Minor flexibility by Zoning Administrator's ruling not to exceed 2% of the maximum lot occupancy requirement)
- 2) The construction does not comply with DCMR 11-406. Minimum area of a closed court can not be less than 350 sqft. Proposed roof deck is 255 sqft.
- 3) The construction does not comply with DCMR 11-400.7. A structure shall be set back from all exterior walls a distance at least equal to the height above the roof upon which it is located.
- 4) Property owner needs to show proposed stair for roof access on Drawings a-4-1 and a-4-2.
- 5) The construction does not comply with DCMR11-410.10. Submission of DC Office of Planning report. No report found in application file."

As soon as I receive next steps, I will let you know. Typically though, we send out "notice to correct/abate" which informs the owner of the problems and a time by which to have them resolved. Since this is an administrative action, the owner does have certain appeal rights which if initiated and taken to highest level allowed by law can result in a hearing by an administrative law judge in the Office of Administrative Hearings or action in DC Superior Court. I hope this is helpful, again once I receive info on the next course I'll let you know.

Eric

DCRA Acknowledges on 4/30/07 that permitted plans do not comply with zoning.

4/30/2007

Department of Consumer and Regulatory Affairs
 Building and Land Regulation Administration
 941 North Capitol Street N.E. Room 2100
 Washington D.C. 20002

B

Tel: (202) 442-4470


Fax: (202) 442-4862

Building Permit

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

PERMIT NO. 90426

DATE: 12/15/2006

ADDRESS OF PROJECT: 1432 MONROE ST NW		S.S.L:	SQ: 2676	SK:	LOT: 762
DESCRIPTION OF WORK: RENOVATION, ADDITION & CONVERSION OF EXISTING SFD TO A 4 UNIT APT. BLDG, NEW ELEC, PLBG, & HVAC.		WARD: 4 - ZONE R5B			
PERMIT TYPE: ADDITIONAL ALTERATION/REPA	PLANS (Y/N): Y	EXISTING USE: RESIDENTIAL ONE/TWO FAMILY	PROPOSED USE: Residential One/Two Family		
PERMISSION IS HEREBY GRANTED TO OWNER: PETER DABROWSKI		PERMIT FEE: \$3,355.00			
AGENT NAME: JAMES PHILLIPS 202-518-8720					
CONDITIONS / RESTRICTIONS: ALL CONSTRUCTION DONE ACCORDING TO THE CURRENT BUILDING CODES ; ALL CONSTRUCTION DONE ACCORDING TO THE CURRENT ZONING REGULATIONS ; SEPERATE ELECTRICAL, PLUMBING AND MECHANICAL INSTALLATION PERMITS ARE REQUIRED ;					
TO REPORT WASTE, FRAUD OR ABUSE BY ANY D. C. GOVERNMENT OFFICIAL, CALL THE D.C. INSPECTOR GENERAL AT 1-800-521-1639.					
Interim DIRECTOR:  Lisa M. Morgan	PERMIT CLERK:		EXPIRATION DATE: 12/15/2007		

*
Incorrect
Use
Specified
on
Permit

COPY COPY

CONDITIONS: As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all the work authorized by this permit and to require any change in construction which may be necessary to insure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under the Permit must start within one (1) year of the date appearing on this permit or this permit is automatically void. If work is not started, any application for partial refund must be made within six months of the date appearing on this permit.

THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT ADDRESS OF WORK UNTIL WORK IS COMPLETED.
 NOTIFY THE BUILDING INSPECTOR THE DAY THE WORK STARTS. PHONE: (202) 442-4641 941 NORTH CAPITOL ST NE WASHINGTON DC 20002

A separate permit is required for all Plumbing, Refrigeration, Gas Fitting, and Electrical Work.



From: Rogers, Eric (DCRA) [Eric.Rogers@dc.gov]
Sent: Wednesday, May 09, 2007 5:11 PM
To: davidlevy@speakeasy.net
Cc: Argo, Linda (DCRA); Cheh, Mary (COUNCIL)
Subject: 1432 Monroe

Attachments: SDOC2702.pdf



SDOC2702.pdf
(163 KB)

David:

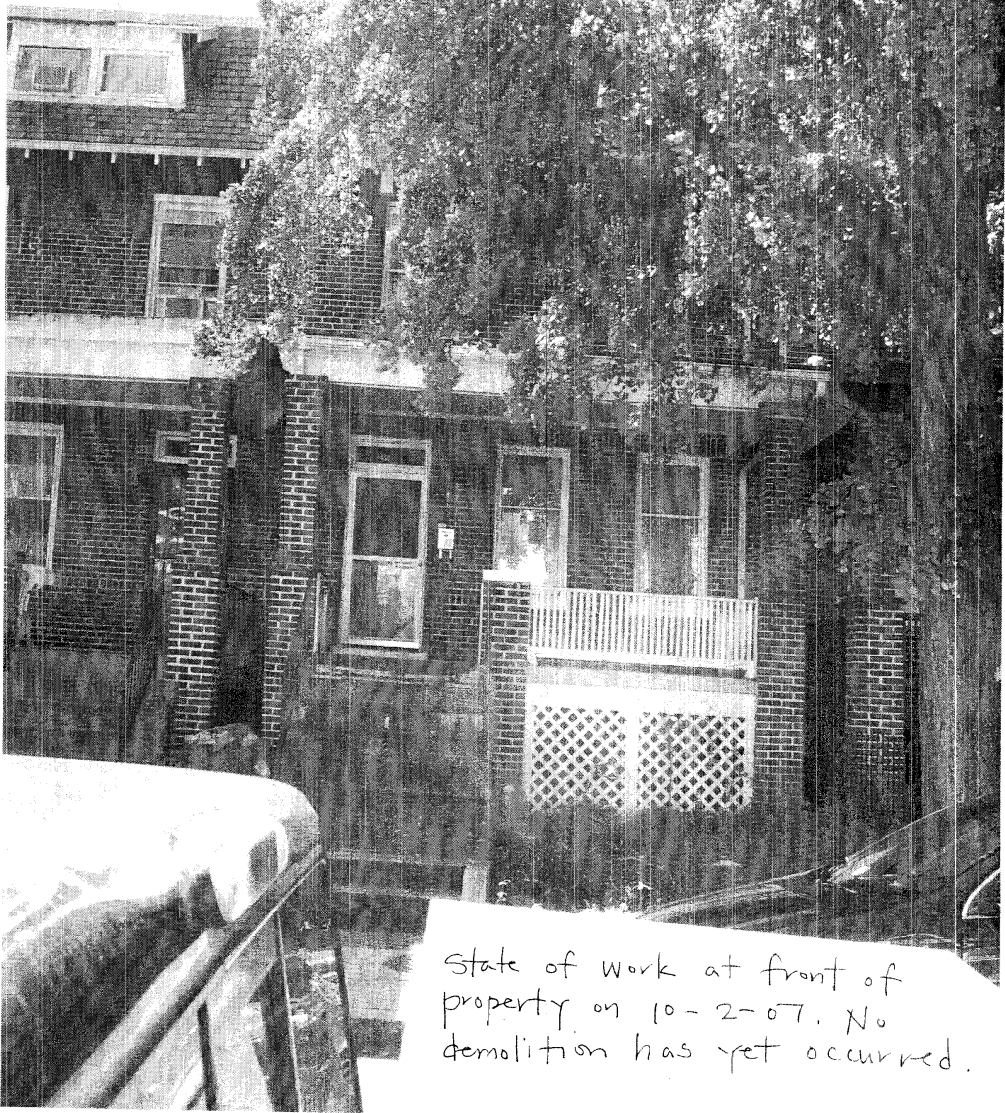
I've been told that we will have a final decision on the property no later than Monday. We are waiting for a wall check (a survey to show new construction boundaries in relation to the plat.) Also, I located the plat and have attached it to this email. I'll speak to you soon.

Eric

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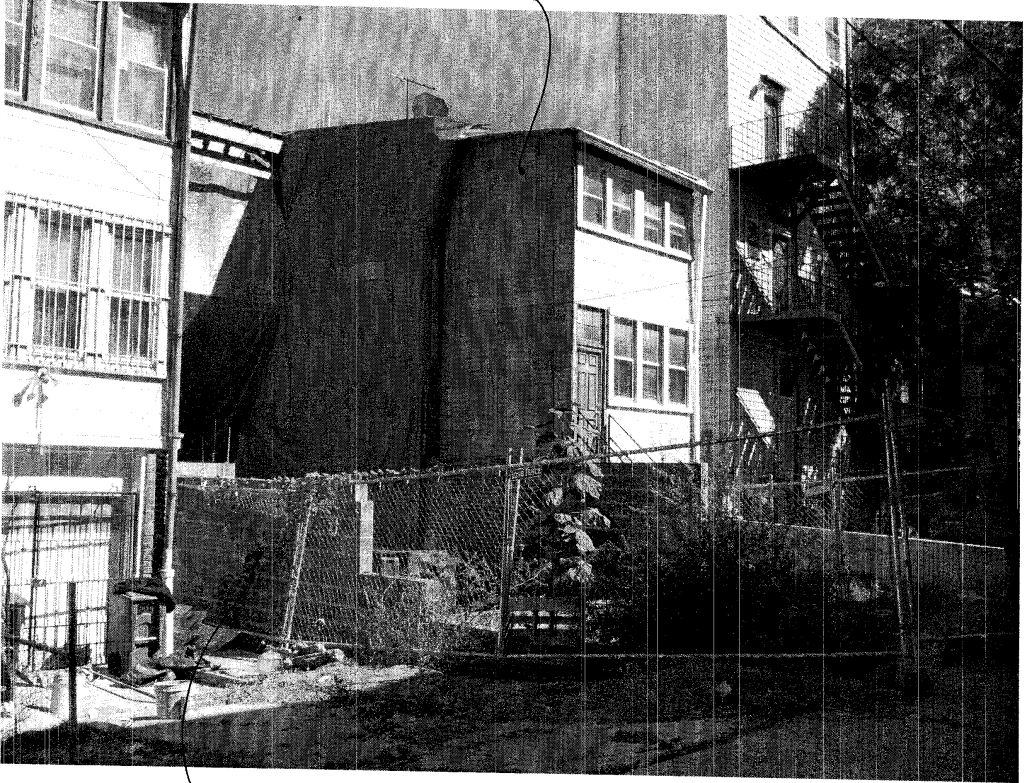
D.C. CITY RECORDING

2007 OCT -09 PM 1:29



State of work at front of
property on 10-2-07. No
demolition has yet occurred.

NEIGHBORING PROPERTY BEYOND

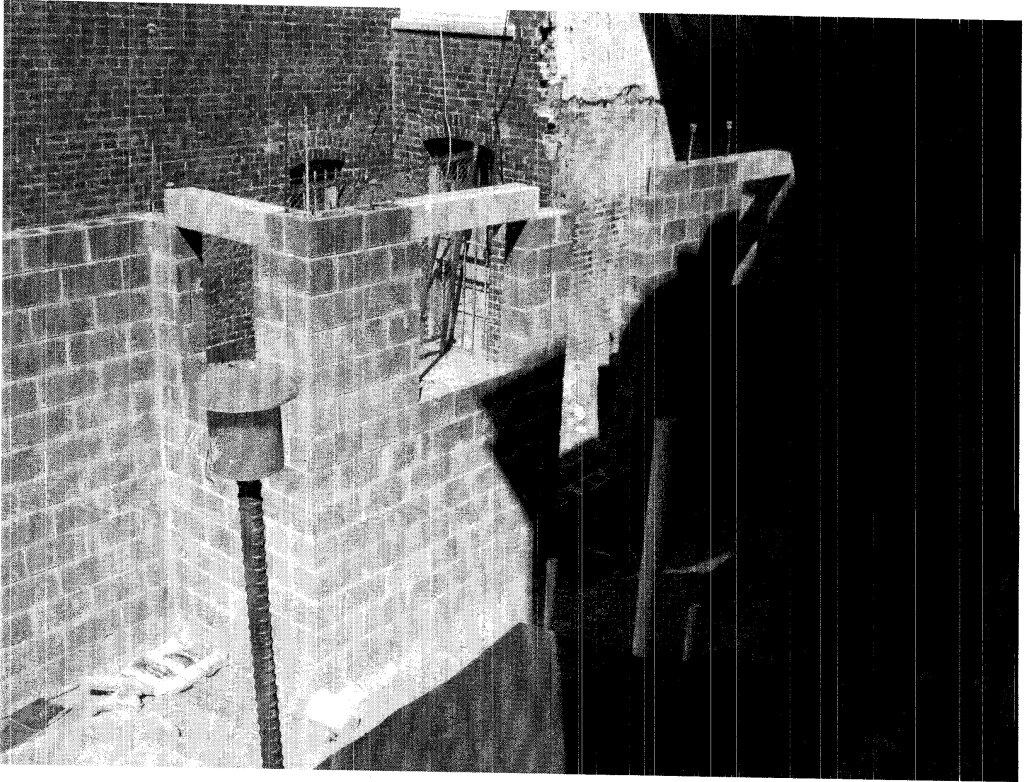


STATE OF CONSTRUCTION AS OF 10-2-07



State of work at rear of
property on 10-2-07

(Note construction crosses
neighbor's property line)

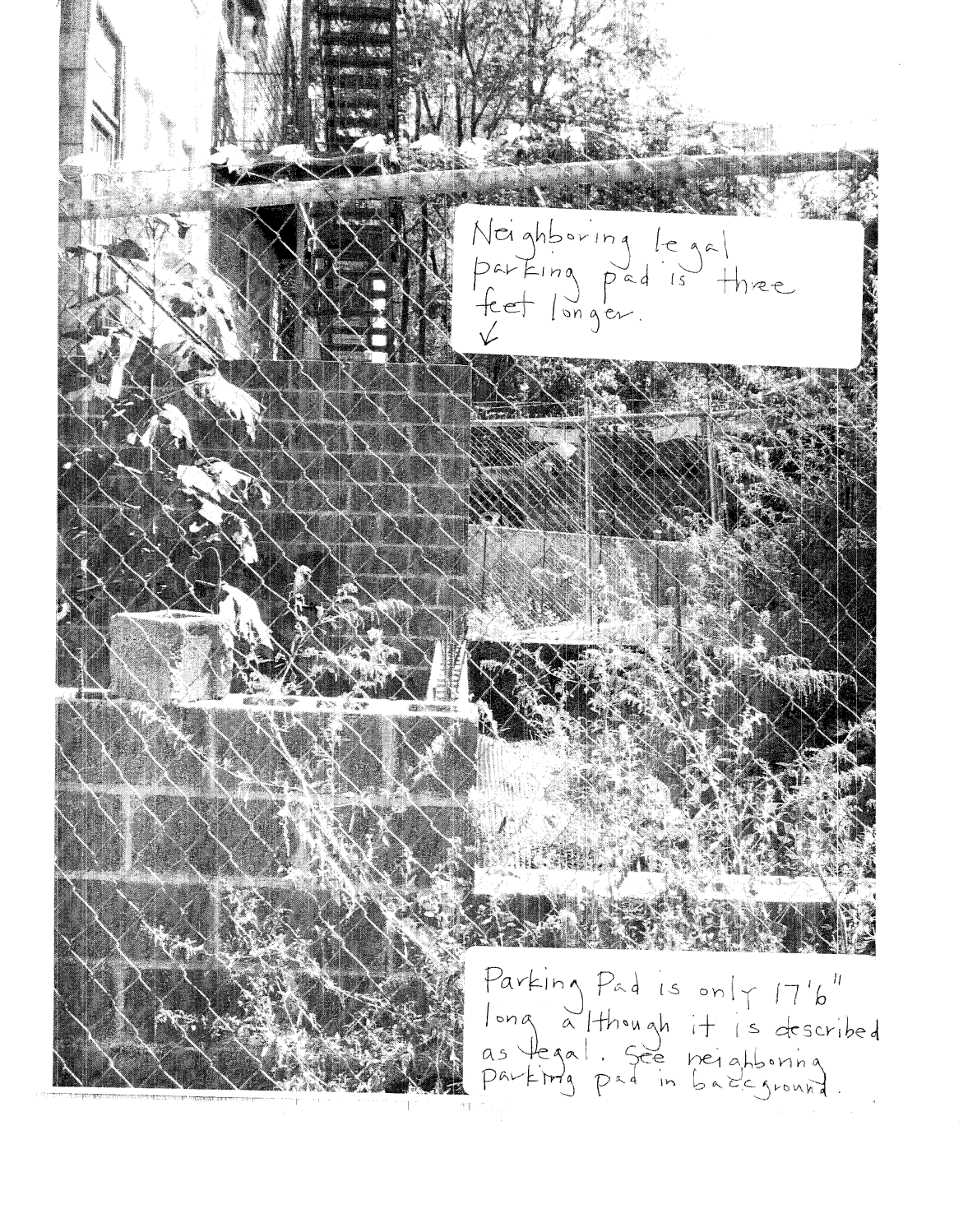


CLOSED COURT CONSTRUCTED IN FIELD
(NOTE THERE IS NO WAY TO ESCAPE
FROM CLOSED COURT - BEDROOM WINDOWS
FACE CLOSED COURT) 10-2-07 PHOTO



Exterior wall of new construction is built across property line of neighbor.

10-2-07 photo



Neighboring legal
parking pad is three
feet longer.
↓

Parking Pad is only 17'6"
long although it is described
as legal. See neighboring
parking pad in background.

1432 MONROE ST, NW



Height of first floor above sidewalk is 5'6"

Do Not Remove

Do Not

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION
341 North Capitol Street, N.E., Suite 2000, Washington, D.C. 20002

Remove

2nd Notice

STOP WORK ORDER

It is hereby Ordered that you IMMEDIATELY STOP any and ALL work being performed at the building or structure located at:

1432 Monroe St. NW

regardless of whether the work is subject to building permit.

- You are performing work in violation of the Construction Code.
- You are performing work in an unsafe and dangerous manner.

Code Section(s)	Violation(s)	Corrective Action(s)
12 th DCMR	Unauthorized	Do Not
114-1	Removal	Remove
114-7	Unlawful	Stop Work
	Continuance	All Work

You SHALL NOT work at the premises until you have:

- Obtained and posted the permit.
 - Corrected the violation(s).
 - Obtained approval from the Code Official to resume work.
- Electrical
 Plumbing
 Construction
 Boiler
 Fire
 Elevator

WARNING

The immediate removal of a posted stop work order is a violation of the Construction Code and subject to the penalties provided in D.C. Official Code § 6-1406 and an injunctive relief. D.C. Official Code § 6-1405. See also, 12A DCMR § 114.2. A stop work order issued in violation of the Construction Code shall remain in effect until all work at the building or structure, in violation of the Construction Code, is corrected and the building permit is obtained. The Code Official may provide for temporary access to all the premises on which the stop work order has been posted, subject to the approval of the Code Official to enter the property for enforcement. 12A DCMR § 114.2. A stop work order shall remain in effect until a structure owner and the Code Official have agreed in writing to a stop work order, except work as has been approved and allowed to resume in violation or unsafe condition, shall be subject to the penalties set forth in D.C. Official Code § 6-1406. See also 12A DCMR § 114.10. The owner shall be subject to an injunctive relief as set forth in D.C. Official Code § 6-1405. See also 12A DCMR § 114.10.

RIGHT TO APPEAL

You have the right to appeal this Order within 15 days of posting of the Notice of the premises to the Chief Building Inspector (the owner, Official, 12A DCMR § 113). You may contact the Chief Building Inspector at (202) 442-3100 or (202) 442-3101. A hearing request must be posted up at the stop work order and the Chief Building Inspector at 341 North Capitol Street, N.E., Suite 2000, Washington, D.C. 20002. If the hearing request does not appear on an order within 15 working days of receipt of the stop work order, you may appeal to the Director. If you appeal to the Director as directed by no action is taken within 15 working days of receipt of the appeal, you may appeal to the District of Columbia Office of Administrative Hearings at 2000 R Street, N.W., Washington, D.C. 20002. Please be advised that if you do not request a hearing within the time and in the manner set forth in this notice, you will be deemed to have waived your right to appeal this Order and you will become final and enforceable.

Issued Official: *[Signature]*

Date: 4/30/07 11:10 AM

Telephone: 202-442-STOP

Stop Work order was reposted on 4-30-07 after owner removed 4-23-07 stop work order improperly.

From: MonroeStreetAssoc@yahoogroups.com on behalf of Joseph Finneran
[jfinneran@groupincorporated.com]
Sent: Friday, April 20, 2007 3:30 PM
To: Bill.Crews@dc.gov
Cc: monroestreetassoc@yahoogroups.com; Jim Graham; robert.deberardinis@dc.gov
Subject: [MonroeStreetAssoc] 1432 Monroe Street, Zoning Violations (?)
Importance: High

Mr. Crews,

The owner/developer of the condo-conversion at 1432 Monroe Street NW seems to be violating DC zoning laws with what's evident from current construction at the site. At a minimum this would seem to be true in terms of lot coverage, as he is building a walled structure behind the house that goes right up to the edge of the rear alley.

David Levy has made several attempts to access the plans used for the approval of this project, only to find that it was granted a permit based on an incomplete plan set -- another very troubling issue obviously. Mr. Levy has also requested and (as far as I know) been promised that an inspector would visit the site in the last few weeks, though none has ever shown up. Attempts to get access to all plans has been met with delays and (apparently) bureaucratic red-tape. At this point it seems that DCRA staff are simply avoiding and/or failing to return his calls.

All the while a seemingly over-built structure that is very likely violating several zoning restrictions continues to go up. If you note the tentative nature or these stated concerns, it's specifically because as residents we are not in a position to personally verify anything -- that's what your office is for. We understand that DCRA is going through a leadership transition and you have a whole city to deal with, but nonetheless the homeowners of Monroe Street deserve and request your agency's attention on this critical issue - immediately.

You and Councilmember Graham have done great service in the past to our residents in the Casa Furniture matter, and we need that kind of care and focused attention once again. It would seem that our only alternative to quickly address this problem project is to file an immediate appeal, at a fairly great cost to the residents. That we would have to come out of pocket simply because the City and DCRA in particular are not willing or able to carry out their appropriate inspection function seems quite unjust.

Thanks for anything you and your staff can do to address this problem immediately.

Best regards,
Joseph Finneran
1418 Monroe St., NW

10/8/2007

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much more!

Subject: RE: 1432 Monroe Street

Date: Friday, April 20, 2007 4:57 PM

From: Rogers, Eric (DCRA) <Eric.Rogers@dc.gov>

To: Anne Theisen User <aktheisen@verizon.net>, "Crews, Bill (DCRA)"

<Bill.Crews@dc.gov>

Cc: Jim Graham <grahamwone@gmail.com>, Mary Cheh <mcheh@dccouncil.us>, <amfenty@hotmail.com>, "Freeman, Angela D (DCRA)" <AngelaD.Freeman@dc.gov>

Conversation: 1432 Monroe Street

I will ask for a zoning inspection for this property on Monday or Tuesday of next week. As soon as I get the results I will forward to you.

Eric

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

From: Anne Theisen User [mailto:aktheisen@verizon.net]

Sent: Friday, April 20, 2007 4:20 PM

To: Crews, Bill (DCRA)

Cc: Rogers, Eric (DCRA); Jim Graham; Mary Cheh; amfenty@hotmail.com; ANCLA

Subject: 1432 Monroe Street

Dear Bill,

How soon can we get someone out to inspect 1432 Monroe Street, NW? Residents of Monroe Street have requested such an inspection and have been told that it would occur, yet nothing has been done.

The remodeling of this former two-story row house should be in compliance with R-5-B zoning (though we have just received word that Monroe Street has been rezoned R-4, this particular project will be grandfathered in).

The plans for the building indicate that it will be 52 feet in height; although, R-5-B zoning limits building height to 50'. Lot coverage in R-5-B is limited to 60%; however, it appears that this building is being extended in the rear to the full length of the lot, clearly exceeding lot coverage. FAR in R-5-B is limited to 1.2%, but with the building exceeding height and lot coverage, it is clear that it will also exceed FAR. It also appears that the basement is going to be turned into an underground garage. It is my understanding that this, coupled with the height, would further lead to the property exceeding FAR. While I am not certain that the basement will be used as a garage, there seems no other alternative with the construction as it presently appears. With a four unit complex, two parking spaces will be required, and with construction extending the length of the lot, there would be no other possible location for the cars than in the basement.

Please have someone come out to inspect this property with all due haste.

Subject: RE: 1432 Monroe Street, NW
Date: Friday, April 20, 2007 5:04 PM
From: Cheh, Mary (COUNCIL) <MCheh@DCCOUNCIL.US>
To: Anne Theisen User <aktheisen@verizon.net>
Conversation: 1432 Monroe Street, NW
Category: Government

Anne: I wrote the new Director, Linda Argo, this afternoon requesting that action be taken promptly on this. Thanks for keeping me in the loop, and please let me know if we can be of further assistance.

Regards,
Mary Cheh

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

From: Anne Theisen User [mailto:aktheisen@verizon.net]
Sent: Friday, April 20, 2007 4:13 PM
To: Cheh, Mary (COUNCIL)
Subject: 1432 Monroe Street, NW

Dear Councilmember Cheh,

Thank you so much for your prompt response to my last email regarding this property. Unfortunately, I have not heard from anyone on your staff regarding the matter, and the Zoning Administrator has been equally unresponsive to community requests to inspect this property.

The remodeling of this former two-story row house should be in compliance with R-5-B zoning (though we have just received word that Monroe Street has been rezoned R-4, this particular project will be grandfathered in).

R-5-B zoning limits building height to 50'; however, the plans show a building with the height of 52'. Lot coverage in zonine R-5-B is limited to 60%; however, it appears that this building is being extended in the rear to the full length of the lot, clearly exceeding lot coverage. FAR in R-5-B is limited to 1.2%, but with the building exceeding height and lot coverage, it is clear that it will also exceed FAR.

Please help us to have the Zoning Administrator come out to this property with all due haste. The project continues every day, and each day it proceeds it will become more difficult to undo the damage.

Thank you for your assistance, Commissioner Anne Theisen ANC1A05

From: MonroeStreetAssoc@yahoogroups.com on behalf of Peter Dabrowski [ski4500@yahoo.com]
Sent: Sunday, April 22, 2007 10:17 PM
To: MonroeStreetAssoc@yahoogroups.com
Subject: [MonroeStreetAssoc] Response from the Owner - 1432 Monroe Street, Zoning Violations

Dear Neighbors,

The walls that you see abutting the alley are retaining walls for the driveway. Those walls will go no higher than what is in place at 1428. Lot coverage, FAR and all requirements of the city have been met through the permit process. The city has a complete set of drawings on file.

As far as the inspector is concerned, I have met with him already. He has seen the plans and understands the layout and the purpose of the retaining walls. Since there is so much construction going on in the Columbia Heights area, he is frequently in the alley checking on Monroe Street and Park Road projects.

If there are questions or concerns in the future, please take the time to ask me or the contractors on site and we will do our best to provide a thorough answer. The silver lining to all those that are filled with hatred for this project is that there is a very good chance you will end up with some friendly new neighbors when it is complete. Now that's a reason to smile.

Best Regards.

Ahhh...imagining that irresistible "new car" smell?
 Check out [new cars at Yahoo! Autos.](#)

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10/8/2007

From: MonroeStreetAssoc@yahoogroups.com on behalf of Joseph Finneran [jfinneran@groupincorporated.com]
Sent: Sunday, April 22, 2007 11:39 PM
To: Peter Dabrowski; MonroeStreetAssoc@yahoogroups.com
Subject: Re: [MonroeStreetAssoc] Response from the Owner - 1432 Monroe Street, Zoning Violations

Dear Mr. Dabrowski,

We appreciate your offer to discuss the project and would like very much to meet with you and review the full drawing set. Speaking for David and myself (and I'm sure many of our neighbors) our interest has nothing to do with being filled with hatred about anything, but simply wanting to assure that all projects in our immediate neighborhood respect and comply with all relevant codes and regulations.

Thanks again for your willingness to meet. Please phone us at your earliest convenience to arrange a time or please provide us with a number at which we can reach you.

Best regards,
 David Levy and Joseph Finneran
 202.222.8710

At 8:29 PM -0700 4.22.07, Peter Dabrowski wrote:

>Dear Neighbors,
 >
 >The walls that you see abutting the alley are retaining walls for
 >the driveway. Those walls will go no higher than what is in place at
 >1428. Lot coverage, FAR and all requirements of the city have been
 >met through the permit process. The city has a complete set of
 >drawings on file.
 >
 >As far as the inspector is concerned, I have met with him already.
 >He has seen the plans and understands the layout and the purpose of
 >the retaining walls. Since there is so much construction going on in
 >the Columbia Heights area, he is frequently in the alley checking on
 >Monroe Street and Park Road projects.
 >
 >If there are questions or concerns in the future, please take the
 >time to ask me or the contractors on site and we will do our best to
 >provide a thorough answer. The silver lining to all those that are
 >filled with hatred for this project is that there is a very good
 >chance you will end up with some friendly new neighbors when it is
 >complete. Now that's a reason to smile.
 >
 >Best Regards.
 >

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10/8/2007

From: Anne Theisen User [aktheisen@verizon.net]
Sent: Monday, April 23, 2007 8:19 AM
To: Crews, Bill (DCRA)
Cc: Rogers, Eric (DCRA); Mary Cheh; Jim Graham; amfenty@hotmail.com
Subject: 1432 Monroe Street, NW

Dear Bill,

The contractors performed a lot of work over the weekend, and the residents of Monroe Street are extremely concerned about the size of this project and believe that it exceeds lot coverage and far. In addition, it appears that the basement, though ceiling heights are too high, has been considered a cellar and, therefore, may be incorrectly omitted from FAR.

Is there any chance that you will be able to get someone out to inspect this property today?

Thank you for following up, Anne Theisen Commissioner, ANClA

From: MonroeStreetAssoc@yahoo.com on behalf of Jeremy Grant [gnevasound@yahoo.com]
Sent: Monday, April 23, 2007 3:11 PM
To: MonroeStreetAssoc@yahoo.com
Subject: [MonroeStreetAssoc] Re: Response from the Owner - 1432 Monroe Street, Zoning Violations

Yes, by all means Peter, I'd love to see the plans as well. Since we've tried to get them from the city only to be told by them that the plans they have on file are incomplete -- not exactly an atypical response with things in this city -- I'd welcome the opportunity for you to help us shed some sunshine on the matter.

Based on your last email, it sounds like you are confident that our concerns are very misplaced and that everything is in order and in full accordance with the zoning rules. Given this -- and given these issues that keep popping up -- it seems that by far the best way for you to avert any further conflict with those of us watching this project closely would be to set up a time to share the project's plans with us.

Please follow up with David and Joseph about this and I'll coordinate with them to make sure I can be there.

Many thanks!

-Jeremy Grant

--- In MonroeStreetAssoc@yahoo.com, Joseph Finneran <jfinneran@...> wrote:
 >
 > Dear Mr. Dabrowski,
 >
 > We appreciate your offer to discuss the project and would like very
 > much to meet with you and review the full drawing set. Speaking for
 > David and myself (and I'm sure many of our neighbors) our interest
 > has nothing to do with being filled with hatred about anything, but
 > simply wanting to assure that all projects in our immediate
 > neighborhood respect and comply with all relevant codes and
 > regulations.
 >
 > Thanks again for your willingness to meet. Please phone us at your
 > earliest convenience to arrange a time or please provide us with a
 > number at which we can reach you.
 >
 > Best regards,
 > David Levy and Joseph Finneran
 > 202.222.8710
 >
 > At 8:29 PM -0700 4.22.07, Peter Dabrowski wrote:

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10/8/2007

From: Anne Theisen User [aktheisen@verizon.net]
Sent: Tuesday, April 24, 2007 12:44 AM
To: Argo, Linda (DCRA)
Cc: Rogers, Eric (DCRA); Majett, Nicholas (DCRA); Lamboy, Monica (DCRA); Mary Cheh; Dee Smith; Dotti Love Wade
Subject: Re: 1432 Monroe Street, NW

Dear Ms. Argo,

Thank you very much for so promptly sending an inspector out to check on 1432 Monroe Street, NW. I was happy to see that a stop work order has been imposed while plans are reviewed.

I do have a few questions regarding the project. One of my constituents did get a chance to look at the plans for this project at DCRA; however, they were incomplete, which is worrisome. One thing that he was able to determine, though, was that the building height - according to plan - was fifty-two feet. It is my understanding that the height restriction for R-5-B is fifty feet. If, indeed, the plans call for a 52 foot building, can you explain why such a permit would be issued?

I am also concerned that the basement may have been incorrectly determined to be a cellar, and therefore not counted against FAR. However, if the cellar is to be used as part of a residential unit, must it not be defined as a basement and therefore included in the FAR calculations?

In addition, I am concerned that the lot coverage may be too high, and if this is the case, coupled with the height overage, FAR could easily be exceeded.

I am also wondering if the property lines between 1432 and 1434 are being respected. It is difficult for us me to determine property lines, but the new foundation being laid seems very close to the neighbors property. It also appears that there may have been some brick damage done to the house next door.

The galley walkway to the rear entrance has also been mostly closed off. Is this change to the building footprint legal? The closure of this walkway will have a dramatic affect on the neighbor's access to sunlight, given that his windows will not look out onto a 50 foot building that will be much closer to his house than the former structure used to be.

I was recently informed that the property owner of 1432 was originally fined \$4,000.00 for a permit violation regarding the plumbing work being done and that the fine was subsequently reduced to \$500.00. Considering the additional violations imposed on him and that a stop work order has again been issued against his project, I hope that future fines will be imposed in their full amount.

Thank you for following up so promptly on this matter. I look forward to hearing from you or Mr. Rogers very soon.

Sincerely, Anne Theisen Commissioner, ANCI A05 202-328-2242

> From: "Argo, Linda (DCRA)" <Linda.Argo@dc.gov>
> Date: Mon, 23 Apr 2007 08:36:27 -0400
> To: "'amfenty@hotmail.com'" <amfenty@hotmail.com>, Anne Theisen User
> <aktheisen@verizon.net>
> Cc: "Argo, Linda (DCRA)" <Linda.Argo@dc.gov>, "Rogers, Eric (DCRA)"
> <Eric.Rogers@dc.gov>, "Majett, Nicholas (DCRA)"
> <Nicholas.Majett@dc.gov>, "Lamboy, Monica (DCRA)"
> <Monica.Lamboy@dc.gov>
> Subject: RE: 1432 Monroe Street, NW
>
>

From: Anne Theisen User [aktheisen@verizon.net]
Sent: Tuesday, April 24, 2007 12:46 AM
To: amfenty@hotmail.com
Cc: Argo, Linda (DCRA)
Subject: Re: 1432 Monroe Street, NW

Dear Mayor Fenty,

Ms. Argo has, indeed, contacted me and an inspector has been sent to the property. A stop work order has been issued while the plans are reviewed.

Thank you for your assistance on this matter.

Sincerely, Anne Theisen Commissioner, ANCI1A05 202-328-2242

> From: <amfenty@hotmail.com>
> Reply-To: <amfenty@hotmail.com>
> Date: Mon, 23 Apr 2007 12:26:51 +0000
> To: Anne Theisen User <aktheisen@verizon.net>
> Cc: Linda Argo <linda.argo@dc.gov>
> Subject: Re: 1432 Monroe Street, NW

> Copying Interim Director Argo for immediate action. Thanks. A. F.

> -----Original Message-----

> From: Anne Theisen User <aktheisen@verizon.net>
> Date: Mon, 23 Apr 2007 08:20:45
> To: "amfenty@hotmail.com" <amfenty@hotmail.com>
> Subject: 1432 Monroe Street, NW

> Dear Mayor Fenty,

> I am hoping that you will be able to step in to assist us in getting
> response from DCRA to inspect the construction on 1432 Monroe Street, NW.
> The construction is proceeding quickly now that the weather is nice,
> and the residents of this street have been working for months to try
> to have DCRA review the plans to see if they are within the zoning
> restrictions. We were told two weeks ago that someone would be out as
> soon as possible, and still we wait.

> Any help you can provide will be greatly appreciated.

> Sincerely, Anne Theisen Commissioner, ANCI1A05

From: Anne Theisen User [aktheisen@verizon.net]
Sent: Tuesday, April 24, 2007 5:18 PM
To: David Levy
Subject: Re: 1432 Monroe Street, NW

FYI, someone from zoning was out today taking photos. She said that they will be reviewing the work and comparing it to the plans to see if it exceeds the scope of work permitted.

Anne

> From: David Levy <davidlevy@speakeasy.net>
> Date: Tue, 24 Apr 2007 17:35:02 +0000
> To: <jeannetteB.Anderson@dc.gov>
> Subject: Fwd: 1432 Monroe Street, NW

>
> Jeannette-
> I appreciate you reviewing the plans relative to our concerns. We
> would also like to know how we can obtain a copy of the plan set.
> When I visited DCRA, I was told it was not possible to obtain a copy,
> and they were unable to even find a full set that included a plat.
> Thanks, David Levy

>
> From: Anderson, JeannetteB (DCRA) [mailto:JeannetteB.Anderson@dc.gov]
> Sent: Tuesday, April 24, 2007 1:27 PM
> To: Rockett, Yvonne (DCRA)
> Cc: LeGrant, Matt (DCRA); Majett, Nicholas (DCRA); Vargas, Heather
> (DCRA); Freeman, Angela D (DCRA); Davidson, William (DCRA); Walker,
> Antoine (DCRA); Rogers, Eric (DCRA); Crews, Bill (DCRA); Levy, David
> W.; joel.lawson@dc.gov; amfenty@hotmail.com; aktheisen@vertizon.net;
> Anderson, JeannetteB (DCRA); Rogers, Eric (DCRA)
> Subject: RE: 1432 Monroe Street, NW

> Yvonne -

> I have the plans, I will do a re-review on what was permitted on 12/15/06.

> -----
> From: Rockett, Yvonne (DCRA)
> Sent: Tuesday, April 24, 2007 10:26 AM
> To: Anderson, JeannetteB (DCRA)
> Cc: LeGrant, Matt (DCRA); Majett, Nicholas (DCRA); Vargas, Heather
> (DCRA); Freeman, Angela D (DCRA); Davidson, William (DCRA); Walker,
> Antoine (DCRA); Rogers, Eric (DCRA); Crews, Bill (DCRA)
> Subject: RE: 1432 Monroe Street, NW

> Jeannette,

>
> Can you or Matt respond to the complainant. Specifically addressing
> the concerns of the building height being 52 feet in height in an
> R-5-B zone. The rear addition extending to the full length of the
> lot, exceeding the 60% lot occupancy and exceeding the 1.2% FAR.

From: Anderson, JeannetteB (DCRA) [JeannetteB.Anderson@dc.gov]
Sent: Wednesday, April 25, 2007 9:53 AM
To: David Levy
Cc: Anderson, JeannetteB (DCRA)
Subject: RE: 1432 Monroe Street, NW

I am sorry that is not possible. I must return them to its property holder, Records Management.

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

From: David Levy [mailto:davidlevy@speakeasy.net]
Sent: Wednesday, April 25, 2007 9:50 AM
To: Anderson, JeannetteB (DCRA)
Cc: linda.argo@dc.gov
Subject: Re: 1432 Monroe Street, NW

Jeannette-

It would be very helpful if we could obtain a copy of the plans directly through your office when you are finished with your review, so that we don't have to go through the process of pulling them again. Please let me know if that is possible. Thank you, David

> -----Original Message-----

> From: Anderson, JeannetteB (DCRA) [mailto:JeannetteB.Anderson@dc.gov]
> Sent: Tuesday, April 24, 2007 05:52 PM
> To: 'David Levy'
> Cc: 'Anderson, JeannetteB (DCRA)'
> Subject: RE: 1432 Monroe Street, NW

>
> Once the plans are returned to records, ask to speak to Cheryl,
> Records Manager. Inform her that you came on such in such day/date
> and were told this and that. Advise her that you would like the plans
> to be sent to DCRA's designated copy location (I think Blue Boy) to
> have the plan/plat copied. I will be holding on to the plans for the
> next few days until I

am
> finished with my re-review. I will e-mail findings to all.

>
> -----Original Message-----

> From: David Levy [mailto:davidlevy@speakeasy.net]
> Sent: Tuesday, April 24, 2007 1:35 PM
> To: jeannetteB.Anderson@dc.gov
> Subject: Fwd: 1432 Monroe Street, NW

> Jeannette-

> I appreciate you reviewing the plans relative to our concerns. We
> would also like to know how we can obtain a copy of the plan set.

> When I
> visited

> DCRA, I was told it was not possible to obtain a copy, and they were
> unable

> to even find a full set that included a plat. Thanks, David Levy

>
> From: Anderson, JeannetteB (DCRA) [mailto:JeannetteB.Anderson@dc.gov]

> Sent: Tuesday, April 24, 2007 1:27 PM
> To: Rockett, Yvonne (DCRA)
> Cc: LeGrant, Matt (DCRA); Majett, Nicholas (DCRA); Vargas, Heather
> (DCRA); Freeman, Angela D (DCRA); Davidson, William (DCRA); Walker,
> Antoine
> (DCRA);
> Rogers, Eric (DCRA); Crews, Bill (DCRA); Levy, David W.;
> joel.lawsone@dc.gov; amfenty@hotmail.com; aktheisen@vertizon.net;

From: David Levy [davidlevy@speakeasy.net]
Sent: Friday, April 27, 2007 3:26 PM
To: Levy, David W.
Subject: Fwd: 1432 Monroe Street, NW

Begin forwarded message:

From: David Levy <davidlevy@speakeasy.net>
Date: April 27, 2007 3:26:04 PM EDT
To: "Rogers, Eric (DCRA)" <Eric.Rogers@dc.gov>
Cc: Anne Theisen User <aktheisen@verizon.net>, "Argo, Linda (DCRA)" <Linda.Argo@dc.gov>, "Majett, Nicholas (DCRA)" <Nicholas.Majett@dc.gov>, "Lambo, Monica (DCRA)" <Monica.Lambo@dc.gov>, Mary Cheh <MCheh@DCCOUNCIL.US>, Dee Smith <DSmith@DCCOUNCIL.US>, Dotti Love Wade <luvuwade@aol.com>, amfenty@hotmail.com
Subject: Re: 1432 Monroe Street, NW

Eric-

Do you expect that we will have a response to our zoning questions this week? Please update us on your progress. Thanks, David

On Apr 26, 2007, at 5:04 PM, Rogers, Eric (DCRA) wrote:

I believe the review is almost complete. We will just need tomorrow to serve the owner, if necessary, any notices that might be required.

Eric

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

From: David Levy [mailto:davidlevy@speakeasy.net]
Sent: Thursday, April 26, 2007 4:59 PM
To: Rogers, Eric (DCRA); David Levy; Anne Theisen User; Argo, Linda (DCRA)
Cc: Rogers, Eric (DCRA); Majett, Nicholas (DCRA); Lambo, Monica (DCRA); Mary Cheh; Dee Smith; Dotti Love Wade; amfenty@hotmail.com
Subject: Re: 1432 Monroe Street, NW

Thanks Eric. Anne and I can pass the word along to the other residents of the street. Do you anticipate needing more time to complete the review? Linda Argo originally indicated that the review would be done no later than today. Thanks, David

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

From: Rogers, Eric (DCRA) [mailto:Eric.Rogers@dc.gov]

10/8/2007

From: Gisele Grayson [gragrayson@yahoo.com]
Sent: Monday, April 30, 2007 8:36 AM
To: David Levy
Subject: they're at work at 1432

Hey there - They're hard at work at 1432 this morning. I think somebody scraped away the stop work order. I don't know what the deal is, but they're there.

g

From: Joseph [jfinneran@groupincorporated.com]
Sent: Monday, April 30, 2007 9:01 AM
To: David Levy
Subject: Sorry...

I was late to the appt and they were already a little annoyed with me.

Now I'm all numbed-up, but on a break. Haven't seen an email from you...did send one myself to Nick Majett for good measure.

Here's the text of that - to which I've yet to are a response:

Subject: 1432 Monroe NW

Memo:

Dear Mr. Majett,

There has been a stop work order on this property for about a week, as plans were being "re-reviewed." It seems very likely that it will be uncovered that the current plan substantially exceeds permissible lot coverage.

As we await the determination of the review process - was to be completed last week - the stop work sign has been tampered with. Moments ago I observed a young gentleman with a crew cut and a blue hooded sweatshirt attempting to peel the stop work sign off the front window of the property.

I can only assume that this is a member of the contractor's crew, but have no idea if they've been authorized to take this action.

Please advise.

Thanks,
Joseph Finneran
1418 Monroe
Sent wirelessly via BlackBerry from T-Mobile.

From: David Levy [davidlevy@speakeasy.net]
Sent: Monday, April 30, 2007 9:19 AM
To: mcch@dccouncil.us; amfenty@hotmail.com
Cc: linda.argo@dc.gov; nicholas.majett@dc.gov; monica.lambo@dc.gov; dsmith@dccouncil.us; luvuwade@aol.com; aktheisen@verizon.net; davidlevy@speakeasy.net; jfinneran@groupincorporated.com; eric.rogers@dc.gov
Subject: Fwd: 1432 Monroe Street, NW (Please assist us with DCRA)

Mayor Fenty and Councilmember Cheh-

We did not receive the promised response last week from Linda Argo regarding our zoning concerns at 1432 Monroe Street, yet the stop work order was from the property this morning and the contractor has fully remobilized.

We are perplexed by the fact that a developer from Virginia has greater access to a city agency than the tax-paying residents of our street. We would appreciate your help in having our questions answered by DCRA. We believe that the project violates the zoning for the lot.

Thank you, David Levy and Anne Theisen

On Apr 26, 2007, at 5:04 PM, Rogers, Eric (DCRA) wrote:

I believe the review is almost complete. We will just need tomorrow to serve the owner, if necessary, any notices that might be required.

Eric

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

From: David Levy [mailto:davidlevy@speakeasy.net]
Sent: Thursday, April 26, 2007 4:59 PM
To: Rogers, Eric (DCRA); David Levy; Anne Theisen User; Argo, Linda (DCRA)
Cc: Rogers, Eric (DCRA); Majett, Nicholas (DCRA); Lambo, Monica (DCRA); Mary Cheh; Dee Smith; Dotti Love Wade; amfenty@hotmail.com
Subject: Re: 1432 Monroe Street, NW

Thanks Eric. Anne and I can pass the word along to the other residents of the street. Do you anticipate needing more time to complete the review? Linda Argo originally indicated that the review would be done no later than today. Thanks, David

From: Rogers, Eric (DCRA) [Eric.Rogers@dc.gov]
Sent: Thursday, May 03, 2007 2:33 PM
To: David Levy
Subject: RE: 1432 Monroe ST.,NW

David

I got the plans. Please come to 941 N. Capitol suite 9500 before 4:45 or tomorrow morning at 8:15. They'll be at the front desk.

eric

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

From: David Levy [mailto:davidlevy@speakeasy.net]
Sent: Thursday, May 03, 2007 8:44 AM
To: Rogers, Eric (DCRA); Joseph Finneran; Rogers, Eric (DCRA); David Lévy
Cc: amfenty@hotmail.com; Argo@smtp3-22.dc.gov; Linda@smtp3-22.dc.gov;
Majett@smtp3-22.dc.gov; Nicholas@smtp3-22.dc.gov; Lamboy@smtp3-22.dc.gov;
Monica@smtp3-22.dc.gov; dsmith@dcccouncil.us; luvuwade@aol.com; aktheisen@verizon.net;
madaba@verizon.net; carl.bruch@rona.unep.org; genevasound@yahoo.com;
patricklaraby@gmail.com; gragrayson@yahoo.com; cherylbutler45@comcast.net; acd@drone.net;
Crews, Bill (DCRA); robert.deberardinis@dc.gov; anderson.lea@epamail.epa.gov
Subject: Re: 1432 Monroe ST.,NW

Good morning Eric. Could you please provide us with an update of DCRA's progress on 1432 Monroe Street, and also let us know if the drawings will be ready for us to pick up today. Thanks for your continued good work on this.
David Levy

> -----Original Message-----

> From: Rogers, Eric (DCRA) [mailto:Eric.Rogers@dc.gov]
> Sent: Tuesday, May 1, 2007 07:40 PM
> To: 'Joseph Finneran', 'Rogers, Eric (DCRA)', 'David Levy'
> Cc: amfenty@hotmail.com, Argo@smtp3-22.dc.gov, Linda@smtp3-22.dc.gov,
> Majett@smtp3-22.dc.gov, Nicholas@smtp3-22.dc.gov,
> Lamboy@smtp3-22.dc.gov, Monica@smtp3-22.dc.gov, dsmith@dcccouncil.us,
> luvuwade@aol.com, aktheisen@verizon.net, madaba@verizon.net,
> carl.bruch@rona.unep.org, genevasound@yahoo.com,
> patricklaraby@gmail.com, gragrayson@yahoo.com,
> cherylbutler45@comcast.net, acd@drone.net, 'Crews, Bill (DCRA)',
> robert.deberardinis@dc.gov, anderson.lea@epamail.epa.gov
> Subject: RE: 1432 Monroe ST.,NW
>
> I certainly will Joseph.
>
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> strictly prohibited. If you have received this email in error, please

> delete immediately."

>
> -----Original Message-----
> From: Joseph Finneran [mailto:jfinneran@groupincorporated.com]
> Sent: Tuesday, May 01, 2007 3:37 PM
> To: Rogers, Eric (DCRA); David Levy
> Cc: amfenty@hotmail.com; Argo@smtp3-22.dc.gov; Linda@smtp3-22.dc.gov;
> Majett@smtp3-22.dc.gov; Nicholas@smtp3-22.dc.gov;
> Lamboy@smtp3-22.dc.gov; Monica@smtp3-22.dc.gov; dsmith@dccouncil.us;
> luvuwade@aol.com; aktheisen@verizon.net; madaba@verizon.net;
> jfinneran@groupincorporated.com;
> carl.bruch@rona.unep.org; genevasound@yahoo.com;
> patricklaraby@gmail.com; gragrayson@yahoo.com;
> cherylbutler45@comcast.net; acd@drone.net; Bill.Crews@dc.gov;
> robert.deberardinis@dc.gov;
> anderson.lea@epamail.epa.gov
> Subject: RE: 1432 Monroe ST.,NW
> Importance: High

> Eric,

>
> Let me add my thanks for all your continuing work on this, as David
> has mentioned and I know you know, time is very critical here...I
> understand that David is out on Friday so if that's the day these
> drawings are available I would be happy to come by and pick them up.

>
> David is available late Thursday.
> I am available early Friday and end of day Friday.

>
> As soon as you know the time and day they will be available please let
> us know!

> Thanks again.
> Joseph Finneran
> 1418 Monroe St., NW
> 202.588.9899, Ext. 4

> At 1:44 PM -0400 5.1.07, Levy, David W. wrote:
> >Eric-
> >I am happy to come by and pick them up. Please let me know when they
> >are available. And thank you. David

> >
> >-----Original Message-----
> >From: Rogers, Eric (DCRA) [mailto:Eric.Rogers@dc.gov]
> >Sent: Tuesday, May 01, 2007 1:42 PM
> >To: David Levy
> >Subject: RE: 1432 Monroe ST.,NW

> >
> >That's probably because it was with one of the managers. I should
> >have a copy of the plans for you by Thursday or Friday. WE have to
> >send them out for copying.

> >
> >-----Original Message-----
> >From: David Levy [mailto:davidlevy@speakeasy.net]
> >Sent: Monday, April 30, 2007 5:48 PM
> >To: Rogers, Eric (DCRA); David Levy; Rogers, Eric (DCRA); Rogers,
> >Eric
> >(DCRA)
> >Cc: mcheh@dccouncil.us; amfenty@hotmail.com; Argo, Linda (DCRA);
> >Majett, Nicholas (DCRA); Lamboy, Monica (DCRA); dsmith@dccouncil.us;
> >luvuwade@aol.com; aktheisen@verizon.net; madaba@verizon.net;
> >jfinneran@groupincorporated.com; carl.bruch@rona.unep.org;
> >genevasound@yahoo.com; patricklaraby@gmail.com; gragrayson@yahoo.com;
> >cherylbutler45@comcast.net; acd@drone.net
> >Subject: Re: 1432 Monroe ST.,NW
> >
> >Thank you for this additional information Eric. We would very much

> >appreciate your assistance in obtaining a copy of the permitted
> >drawing set.
> >We have been unable to obtain it through the normal process at DCRA,
> >as they were not able to locate a full set for us to review or copy
> >at the counter.
> >David
> >
> >> -----Original Message-----
> >> From: Rogers, Eric (DCRA) [mailto:Eric.Rogers@dc.gov]
> >> Sent: Monday, April 30, 2007 08:08 PM
> >> To: 'David Levy', 'Rogers, Eric (DCRA)', 'Rogers, Eric (DCRA)'
> >> Cc: mcheg@dccouncil.us, amfenty@hotmail.com, 'Argo, Linda (DCRA)',
> >> 'Majett, Nicholas (DCRA)', 'Lambo, Monica (DCRA)',
> >> dsmith@dccouncil.us,
> >> luvuwade@aol.com, aktheisen@verizon.net, madaba@verizon.net,
> >> jfinneran@groupincorporated.com, carl.bruch@rona.unep.org,
> >> genevasound@yahoo.com, patricklaraby@gmail.com,
> >> gragrayson@yahoo.com, cherylbutler45@comcast.net, acd@drone.net
> >> Subject: RE: 1432 Monroe ST.,NW
> >>
> >> We will definitely work to make the owner come into compliance.
> >> This morning we sent inspectors out to stop the work again. If
> >> work
> >> continues,
> >> let me know, as we might have to get MPD involved to help us
> >> enforce
> >> the
> >> SWO
> >> if this owner decides to disobey the order.
> >>
> >> On another note from the information I have, DCRA did not issue
> >> the
> >> permit
> >> in error rather the owner took the liberty of doing work outside
> >> of
> >> what
> >> he
> >> was permitted for. I will confirm with the building code official
> >> for
> >> a
> >> definitive ruling and let you know.
> >>
> >> > Eric
>

From: David Levy [davidlevy@speakeasy.net]
Sent: Wednesday, May 09, 2007 12:46 PM
To: Eric.Rogers@dc.gov; MCheh@DCCOUNCIL.US; Bill.Crews@dc.gov;
obert.deberardinis@dc.gov; nicholas.majett@dc.gov
Cc: Joseph Finneran; Levy, David; amfenty@hotmail.com; linda.argo@dc.gov;
monica.lamboym@dc.gov; dsmith@dccouncil.us; luvuwade@aol.com; aktheisen@verizon.net;
madaba@verizon.net; bruch@eli.org; genevasound@yahoo.com; patricklaraby@gmail.com;
gragrayson@yahoo.com; cherylbutler45@comcast.net; acd@drone.net;
anderson.lea@epamail.epa.gov
Subject: Please provide an Update:1432 Monroe St. NW

Eric-

Have you been able to locate a plat for this project, and have you made a determination about how DCRA plans to proceed on this? Do the permitted plans meet the R-5-B zoning? Please let us know what are the next steps and time line for implementing next steps by DCRA?

Thanks, David

> Date: Mon, 7 May 2007 15:52:37 -0400
> To: "Rogers, Eric (DCRA)" <Eric.Rogers@dc.gov>, "Cheh, Mary (COUNCIL)"
> <MCheh@DCCOUNCIL.US>, davidlevy@speakeasy.net
> From: Joseph Finneran <jfinneran@groupincorporated.com>
> Subject: RE: Update:1432 Monroe St. NW
> Cc: amfenty@hotmail.com, linda.argo@dc.gov, monica.lamboym@dc.gov,
> dsmith@dccouncil.us, luvuwade@aol.com, aktheisen@verizon.net,
> madaba@verizon.net, jfinneran@groupincorporated.com, bruch@eli.org,
> genevasound@yahoo.com, patricklaraby@gmail.com, gragrayson@yahoo.com,
> cherylbutler45@comcast.net, acd@drone.net,
> anderson.lea@epamail.epa.gov, Bill.Crews@dc.gov,
> robert.deberardinis@dc.gov, nicholas.majett@dc.gov
> Bcc:
> X-Attachments:
>
> Eric,
>
> Thanks for your continued help. As per the previous we'd greatly
> appreciate specific answers to the "what actions" and "what's the
> time-line for action" questions. We're hopeful that "correct the
> problems" means more specifically 'alter the project under
> construction to meet all zoning requirements,' though in the past
> that's not always been the pattern. The time-line issue continues to
> be raised as it's an active project that seems like it could resume
> construction at any moment. For the sake of all parties interests
> it's important that clear violations be called out and revisions be
> implemented ASAP.
>
> To help in the process, we completed a further review of the project
> drawings over the weekend and (given the absence of a plat) visited
> the site to take some key measurements. Through that process we have
> found the following:
>
> 1. The elevation of the sidewalk is inaccurately reflected relative
> to the building's roof and ceiling heights, and therefore the building
> height exceeds that allowed under the zoning, and the cellar may
> actually be a basement.
>
> 2. The building footprint exceeds allowable lot occupancy.
>

- > 3. The closed court in the rear of the building does not meet the
> required minimum dimensions.
- >
- > 4. The floor area ratio exceeds that allowed in the zone district.
- >
- > 5. No parking area is shown on the plans, although two spaces are
> required in the zone district.
- >
- > 6. Emergency egress from the building is accomplished through the
> closed court, requiring occupants to cross the property line to exit
> the structure. This condition relies on the neighboring property not
> building a wall along the property line in the future.

> We appreciate your continuing work to aggressively respond to these
> serious issues. As stated above - for all concerned, including the
> developer, timely action is required to avoid costly changes as well
> as to fix the serious neighborhood and safety impacts implicit in the
> project's current plans.

> Best regards,
> Joseph Finneran
> 1418 Monroe St., NW
> 202.588.9899, Ext. 4

> At 11:10 AM -0400 5.7.07, Rogers, Eric (DCRA) wrote:
> > I'm sorry I should have included it with the plans (senior moment);
> >I'll check with Bill on whether or not he has them with his files. I
> >do know that plats are a required document for approval. However,
> >Joe's right in that if we do determine the permit was issued in
> >error; we'll notify the owner that he has to correct the problems.
> >When I get something I will let everyone know.

>>
>>
>>Eric

>>>"This email transaction contains confidential information belonging
>>>to the sender, which is legally privileged. The information is
>>>intended for the use of the individual or entity named above. If you
>>>are not the recipient, you are hereby notified that any disclosure,
>>>copying, distribution, or taking of any action regarding the contents
>>>of this email information is strictly prohibited. If you have
>>>received this email in error, please delete immediately."

>>>>>>Original Message-----
>>>>>>From: Cheh, Mary (COUNCIL) [mailto:MCheh@DCCOUNCIL.US]
>>>>>>Sent: Monday, May 07, 2007 10:35 AM
>>>>>>To: Joseph Finneran; Rogers, Eric (DCRA); davidlevy@speakeasy.net
>>>>>>Subject: RE: Update:1432 Monroe St. NW

>>>>>>>Any news on this question since it was raised on Friday?
>>>>>>>
>>>>>>>Regards,
>>>>>>>Mary Cheh

>>

From: Theisen, Anne (ANC 1A05) [1A05@anc.dc.gov]
Sent: Monday, August 27, 2007 2:31 PM
To: LeGrant, Matt (DCRA)
Cc: davidlevy@speakeasy.net; jfinneran@groupincorporated.com; Rogers, Eric (DCRA); Cheh, Mary (COUNCIL)
Subject: RE: 1432 Monroe Street, NW

Dear Mr. LeGrant,

I have just returned from vacation and am wondering if there is any further update on this project.

In answer to your question, a stop work order was placed on this project on three different occasions. I am not certain what the first was for. The second was given because the plans were not on site. The third was for building beyond the scope of the plans.

In addition, I believe that the original plans were permitted incorrectly due to the fact that they exceed zoning restrictions for the R-5-B zoning designation. I am hoping that the permit will be reviewed and rescinded.

I look forward to hearing from you soon.

Sincerely,

Anne Theisen, ANC1A05
Vice Chair, ANC1A
Chair, ANC1A Planning and Zoning Committee

202-588-9898 (ANC1A Voice Mail Box)
202-328-2242 (home)

2905 11th Street, NW
Washington, DC 20001

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

From: LeGrant, Matt (DCRA) [<mailto:Matthew.LeGrant@dc.gov>]
Sent: Mon 8/13/2007 4:52 PM
To: Theisen, Anne (ANC 1A05)
Cc: davidlevy@speakeasy.net; jfinneran@groupincorporated.com; Rogers, Eric (DCRA); Cheh, Mary (COUNCIL)
Subject: RE: 1432 Monroe Street, NW

Anne Theisen, ANC1A05
Vice Chair, ANC1A
Chair, ANC1A Planning and Zoning Committee

Anne:

I am the appropriate point of contact given that I am now Acting Zoning Administrator. I am asking my staff to assemble information on this case, including to see if a "wall test" has been done, the usual method to ensure that a project is being built in compliance with the approved plans. My

10/8/2007

initial research shows that the latest building permit for this address was issued on 4/27/07.

I will attempt to get back to you by cob Wednesday August 15th. If you do not hear from me by then, please email me again!

Best Regards,

Matthew Le Grant

Acting Zoning Administrator

Dept of Consumer and Regulatory Affairs

Government of the District of Columbia

941 North Capitol St NE Suite 2000

Washington, DC 20002

Phone: 202 442-4652

FAX: 202 442-4871

Email: matt.legrant@dc.gov <<mailto:matt.legrant@dc.gov>>

<<http://dcoz.dc.gov/main.shtm>>

From: Theisen, Anne (ANC 1A05) [<mailto:1A05@anc.dc.gov>]

Sent: Friday, August 10, 2007 5:51 PM

To: LeGrant, Matt (DCRA)

Cc: davidlevy@speakeasy.net; jfinneran@groupincorporated.com; Rogers, Eric (DCRA); Cheh, Mary (COUNCIL)

Subject: 1432 Monroe Street, NW




Dear Mr. LeGrant,

I am writing about 1432 Monroe Street, NW and the status of its building permits. The neighbors near this property and myself are concerned that the plans were permitted in error, as they indicate changes to the building that exceed the height limits and perhaps lot coverage as well. I had been working with Bill Crews on this matter, but am now uncertain how to proceed. Please contact me at your earliest convenience regarding this matter.

I look forward to hearing from you soon.

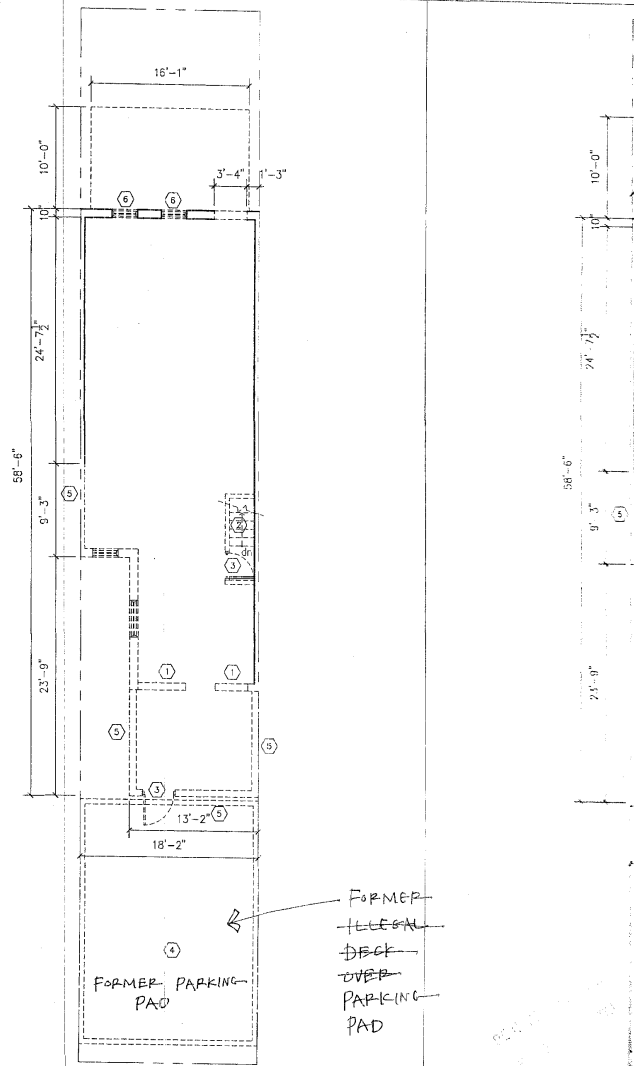
Anne Theisen, ANCI A05

10/8/2007

-  NEW CONSTRUCTION: 1HR FIRE RATED SEPARATION
- *SEE WALL TYPES FOR UL No.
-  DEMOLITION NOTE
-  PARTITION TYPE

-  REMOVE
-  EXISTING
-  REMOVE

1 LEGEND 2



1 DEMOLITION PLAN: CELLAR 2

SCALE: 1/8" = 1'-0"



2 REMOVE EXISTING STAIR.

3 EXISTING DOOR AND FRAME TO BE REMOVED.

4 REMOVE EXISTING CARPORT/DECK

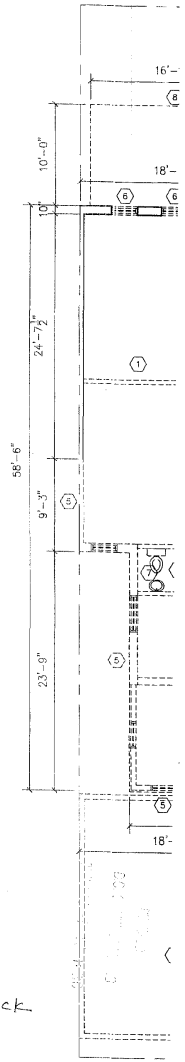
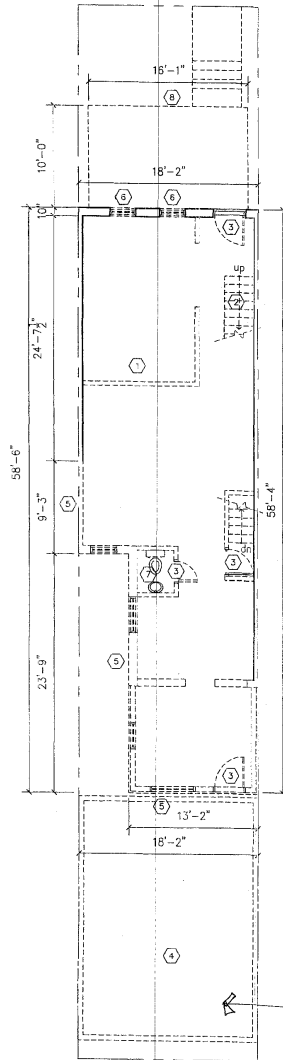
5 REMOVE AND REPLACE EXISTING WINDOW WITH NEW

7 REMOVE EXISTING FIXTURES FOR NEW CONSTRUCTION

8 REMOVE EXISTING PORCH

2

DEMOLITION NOTES



DISTRICT OF COLUMBIA
 PERMIT PROCESSING DIVISION
 STRUCTURAL WORK IN GENERAL APPROVED
 SUBJECT TO THE FURTHER
 APPROVAL OF CONSTRUCTION
 D.A.A.
 STRUCTURAL ENGR. SECTION
 DATE: 12/15/06

FORMER ILLEGAL DECK
 OVER PARKING PAD
 (DIMENSIONS UNKNOWN)

2

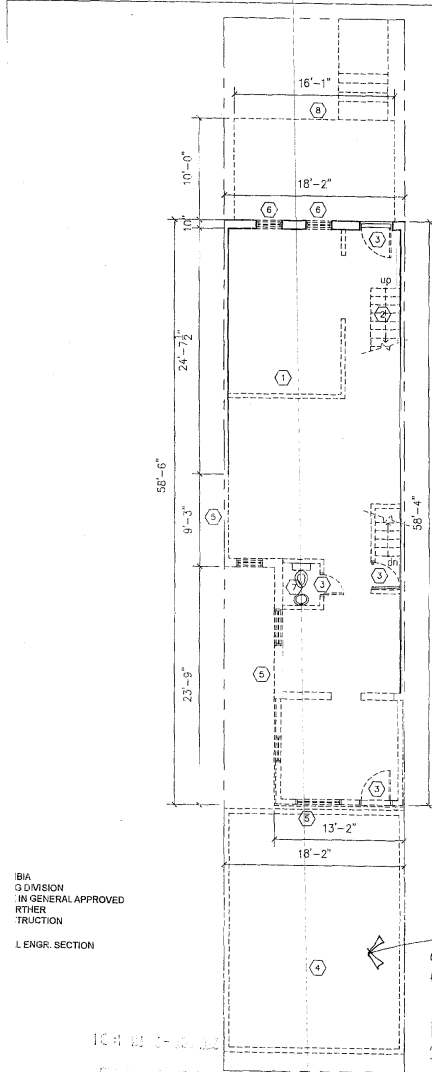
DEMOLITION PLAN: FIRST FLOOR
SCALE 1/8" = 1'-0"

3

DEMOLITION PLAN: E
SCALE 1/8" = 1'-0"

- ▷ REMOVE AND REPLACE EXISTING WINDOW WITH NEW
- ▷ REMOVE EXISTING FIXTURES FOR NEW CONSTRUCTION
- ▷ REMOVE EXISTING PORCH

TION NOTES



3 DEMOLITION PLAN: SECOND FLOOR
SCALE: 3/8" = 1'-0"

1432 MONROE STREET, NW
WASHINGTON, D.C. 20010

A.S. & R. ENGINEERS
43953 BRUCETON MILLS CIRCLE
ASHBURN, VA 20147
703.236.1802 PHONE



MOTO AXIS STUDIO LLC
1429 5TH STREET, NW SUITE 101
WASHINGTON, D.C. 20001
202.513.8720 PHONE
202.518.8799 FAX

ALL DRAWINGS AND REVISED MATERIALS, HEREIN CONSTITUTE THE ENTIRE AGREEMENT BETWEEN THE PARTIES AND NO OTHER AGREEMENTS, CONTRACTS, OR AGREEMENTS SHALL BE BINDING UNLESS SPECIFICALLY REFERRED TO BY NUMBER IN THIS AGREEMENT.

NOTES

REVISIONS

NO. REVISIONS	7 JULY 2006
---------------	-------------

DATE: 17 AUGUST 2006

SCALE: AS NOTED

DRAWN: _____

CHECKED: _____

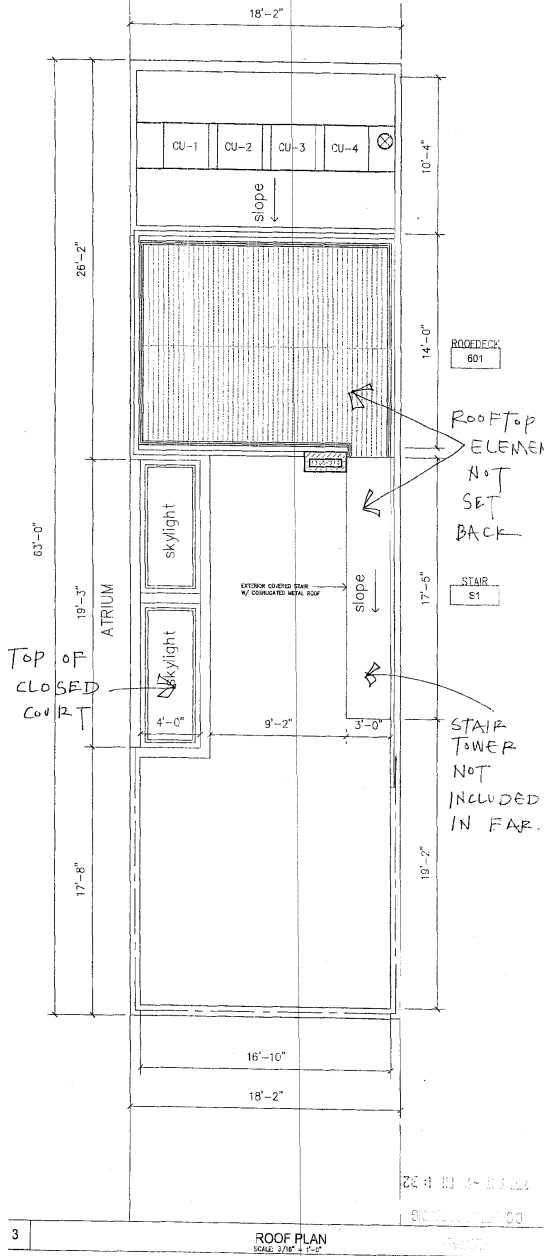
COMMISSION NO. _____

No
CONSTRUCTION
EXISTED
HERE (2nd floor)
PRIOR TO
DEMOLITION

DRAWING TITLE
DEMOLITION PLANS

SHEET NO.

A1.2



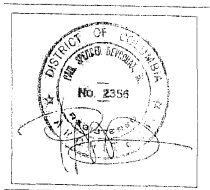
43963 BRUCE
 72
 MOTO AXIS
 1429 5TH STREET, NW
 WASHINGTON, DC
 202 518 8728
 202 518 8728

ALL DRAWINGS AND SPECIFICATIONS SUBJECT TO THE
 LATEST REVISIONS AND SPECIFICATIONS WHICH MAY BE
 PROMULGATED BY THE DISTRICT OF COLUMBIA

NOTES

REVISIONS
 DATE REVISIONS 7 JULY 2025

DATE 17 AUGUST 2025
 SCALE AS NOTED
 DRAWN
 CHECKED
 COMMISSION NO.



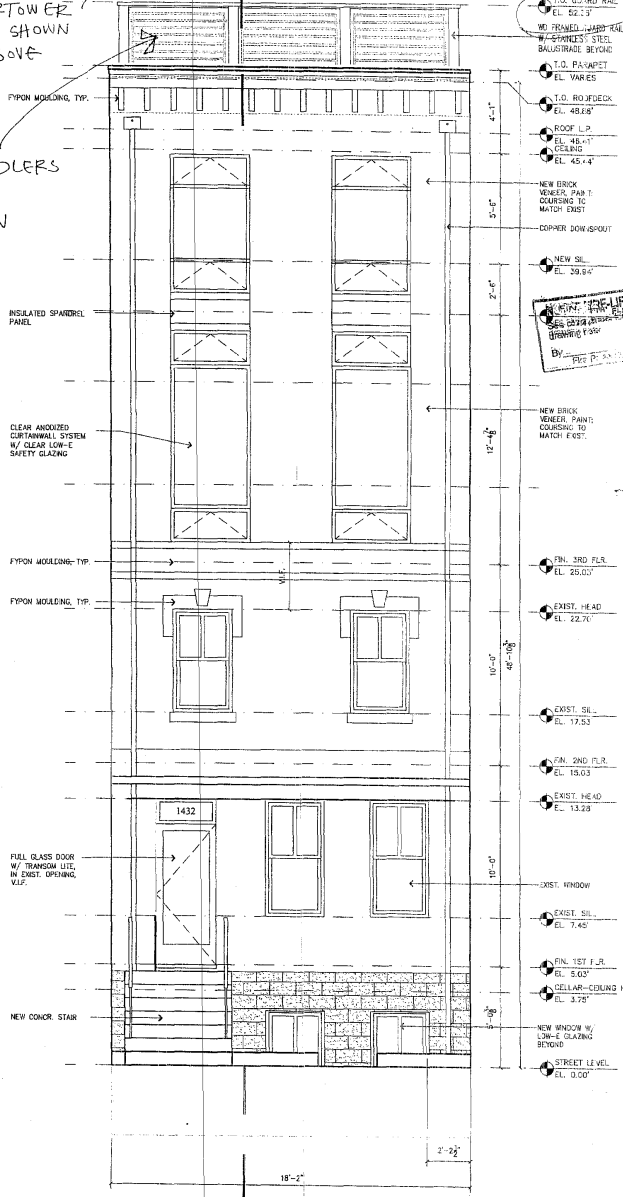
DRAWING TITLE
PROPOSED PLANS

SHEET NO.

STAIR TOWER
NOT SHOWN
ABOVE

AIR
HANDLERS
NOT
SHOWN

EXCEEDS
ALLOWABLE
HEIGHT
(EVEN
WITHOUT
STAIR-
TOWER
ABOVE)



REVISION: FIRE-LIFE SAFETY
SEE 2019 PERMIT SET #100
DRAWING 1304
BY: [Signature]

DISTRICT OF COLUMBIA
PERMIT PROCESSING
STRUCTURAL WORK
SUBJECT TO THE FULL
APPROVAL OF DCNS
STRUCTURE

DATE:

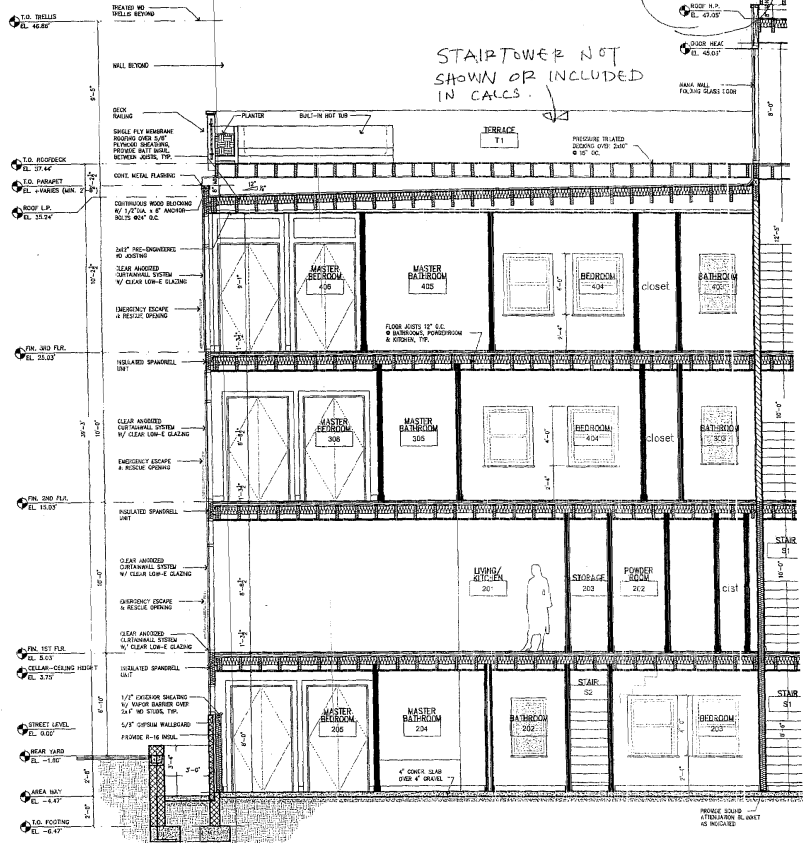
FRONT ELEVATION
SCALE: 1/8" = 1'-0"

1"

2

EXCEEDS ALLOWABLE
HEIGHT AND
NOT SET BACK

STAIR TOWER NOT
SHOWN OR INCLUDED
IN CALCS.

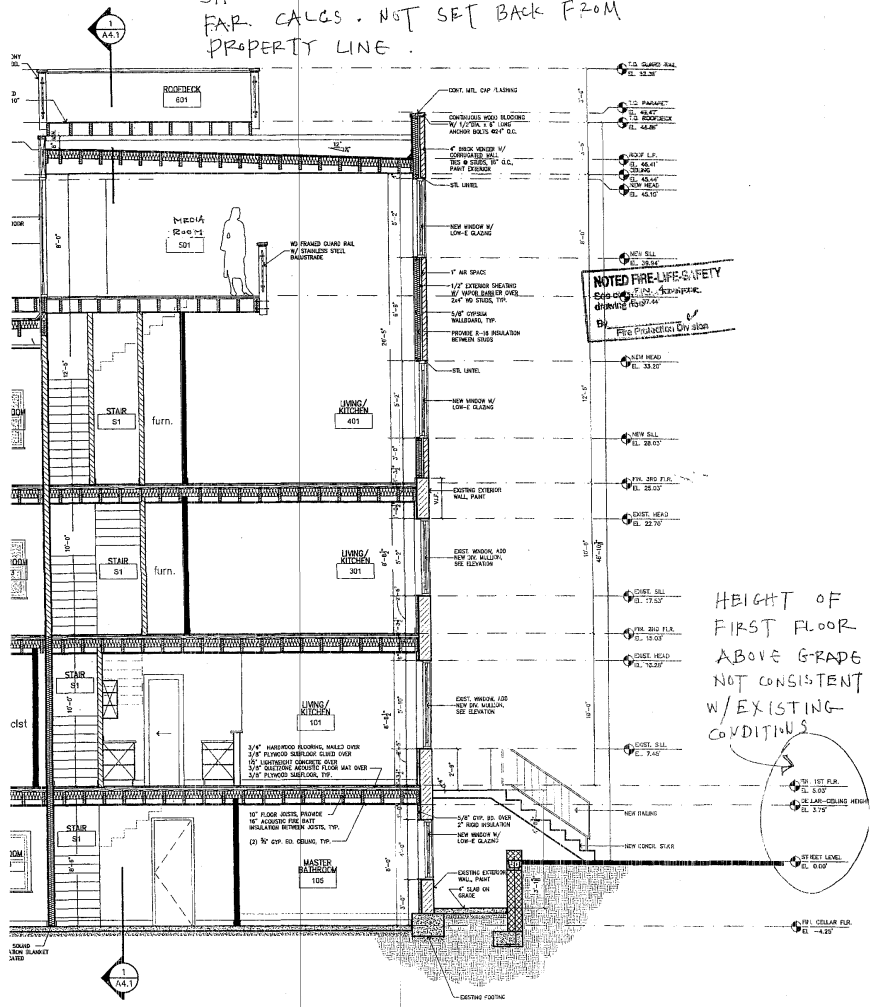


204 101 101 101

204 101 101 101

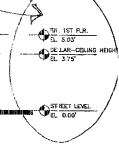
LONGITUDINAL
SCALE 1/4" = 1'-0"

TOP OF STAIR TOWER
 SHOWN OR INCLUDED IN HEIGHT OR
 FAR. CALCS. NOT SET BACK FROM
 PROPERTY LINE.



NOTED FIRE-LIFE-SAFETY
 See code of INT. FIRE-PROOFING
 drawings 10/27/14
 B
 FIRE PROOFING DIVISION

HEIGHT OF
 FIRST FLOOR
 ABOVE GRADE
 NOT CONSISTENT
 W/ EXISTING
 CONDITIONS



DISTRICT OF COLUMBIA
 PERMIT PROCESSING DIVISION
 STRUCTURAL WORK IN GENERAL APPROVED
 SUBJECT TO THE FURTHER
 APPROVAL OF CONSTRUCTION
 P.A.
 STRUCTURAL ENGR SECTION
 DATE: 12/17/10

LONGITUDINAL SECTION
 SCALE: 3/8" = 1'-0"

EXCEEDS BUILDING HEIGHT

(TOP OF STAIR TOWER NOT SHOWN OR INCLUDED IN CALCS.)

NOT SET BACK

- T.O. GUARD RAIL EL. 52.36
- 40 FRAMED GUARD RAIL W/ STAINLESS STEEL BALUSTRADE BEYOND
- T.O. ROOFDECK EL. 48.86
- ROOF H.P. EL. 47.18
- CEILING EL. 45.43



- CONT. MET. CAP FLASHING
- T.O. PARAPET (MIN. 2'-6") EL. VARIES
- CONTINUOUS WOOD BLOCKING 3" x 1 1/2" DIA. x 8" LONG AND/OR BOLTS 604" O.C.
- DOOR HEAD EL. 44.44
- 4" BRICK JOCKER W/ CURVED WALL 1 1/2" x 8" STUDS, 16" O.C., PAINT EXTERIOR

- T.O. ROOFDECK EL. 37.44

- EL. 37.44
- 1" AIR SPACE
- 1/2" EXTERIOR SHEATH W/ WOOD SHAKER OVER 2x4" NO STUDS, TYP.
- 5/8" GYPSUM WALLBOARD, TYP.
- PROVIDE R-10 INSULATION BETWEEN STUDS

- T.O. EXIST. WALL EL. V.I.F.

- T.O. LANDING EL. 29.48

- FIN. 3RD FLR. EL. 25.03

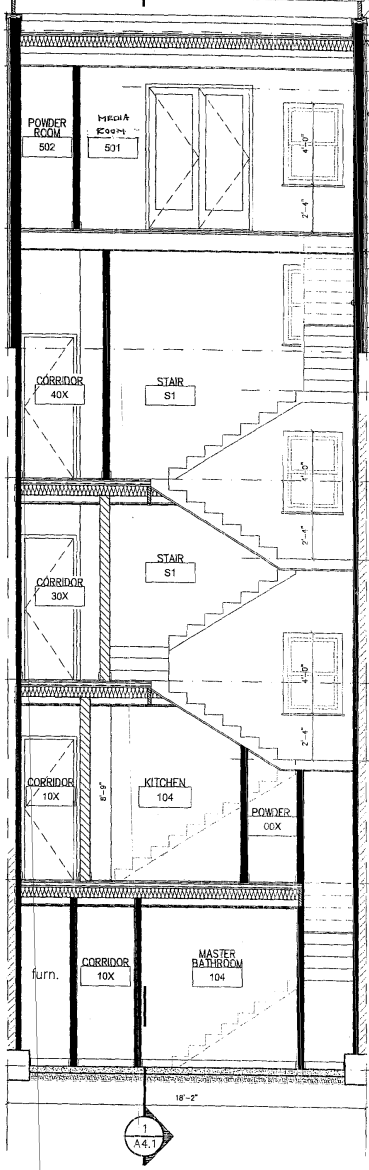
- T.O. LANDING EL. 21.15

- FIN. 2ND FLR. EL. 15.03

- T.O. LANDING EL. 11.15

- FIN. 1ST FLR. EL. 5.03

- FIN. CELLAR FLR. EL. -4.25



TRANSVERSE SECTION

