

February 11, 2016

BY IZIS ELECTRONIC FILING (bzasubmissions@dc.gov)

Marnique Y. Heath, AIA
Chairperson
Board of Zoning Adjustment
441 4th Street, N.W., Suite 210
Washington, D.C. 20001

Re: Appellant's Dismissal with Prejudice
BZA Appeal No. 19092
1120 Park Street, N.E.
Square 0987, Lot 0008 ("Property")

Dear Chairperson Heath and Members of the Board:

On behalf of the Appellant, Ms. Patricia A. Schaub, please accept this letter as the Appellant's request to dismiss Appeal No. 19092 with prejudice. In accordance with the terms of the February 2, 2016 Settlement Agreement between the parties, the Property owners, Andrew J. Daly and Patricia E. Jordan, by attached letter dated February 4, 2016 have surrendered and voided Garage Permit No. G1500009 (May 20, 2015) to DCRA. Exhibit A. DCRA has formally acknowledged surrender and voiding of the Garage Permit.

As a result, this Appeal is now moot and can be dismissed with prejudice.

Very truly yours,

GREENSTEIN DELORME & LUCHS, P.C.



John Patrick Brown, Jr.



Kate M. Olson

Enclosure - Exhibit A

Marnique Y. Heath, AIA

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By Electronic Mail

cc: Ms. Patricia A. Schaub
Mr. Phil Toomajian, Chair, ANC 6A (6A02@anc.dc.gov)
Mr. Chris Ward, ANC 6A03 (6A03@anc.dc.gov)
S. Hayes Edwards, Jr., Esquire (hedwards@mcmillanmetro.com)
James M. Brault, Esq. (jmb@braultgraham.com)
Maxmilian L.S. Tondro, Esquire (maxmilian.tondro@dc.gov)
Gary Peterson, Esquire, CHRS (pgaryl@aol.com)

Exhibit A

McMillan Metro, P.C.

ATTORNEYS AT LAW

February 4, 2016

Via Certified Mail

Maximilian L.S. Tondro
Department of Consumer & Regulatory Affairs
1100 4th Street, SW, 5th Floor
Washington, DC 20024

S. Hayes Edwards Jr.

Direct: 240-778-2329
hedwards@mcmillanmetro.com

Maryland Bar
District of Columbia Bar

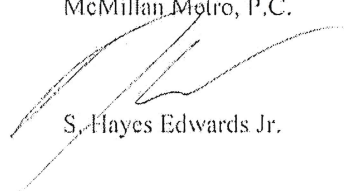
Re: Permit G150009-Andrew Daly & Patricia Jordan

Dear Max:

Please find enclosed the original Garage Permit G150009, which is being surrendered and voided subject to an agreement entered into by the Applicants Andrew Daly and Patricia Jordan with their neighbor Patricia Schaub. The Applicants plans to re-apply for a permit based on similar construction plans, once those plans have received full approval from HPRB and after the BZA has approved minor modifications to those plans based on the Applicant's prior zoning approval.

Sincerely,

McMillan Metro, P.C.



S. Hayes Edwards Jr.

Enclosures

Cc: John Patrick Brown, Esquire

Andrew Daly

Department of Consumer and Regulatory Affairs

Permit Operations Division

1100 4th Street SW

Washington DC 20024

Tel. (202) 442 - 4589

Fax (202) 442 - 4862



GARAGE PERMIT

THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK
UNTIL WORK IS COMPLETED AND APPROVED

PERMIT NO. **G1500009**

Date. 05/20/2015

Address of Project 1120 PARK ST NE		Suite No:	Zipcode: 20002	Zone	Ward: 6	Square: 0987	Suffix:	Lot: 0008
Description of Work construction of new garage with roof deck and railing with roll-up door including interior and exterior lighting.								
Permission Is Hereby Granted To: Andrew Daly		Owner Address 1120 PARK STREET NE 20002						
Contractors Name:		License Number:	Contractors Address:			PERMIT FEE: \$71.50.		
BZA No:		Type of Work:				No. Garages 1		
Material Roof: rubber membrane roofing over plywood		Material Sides: concrete block, brick, wood, glass; metal door				Color: red brick, brown wood, metal		
Length: 15	FT	Width: 9	FT	Area: 135 SQFT				
Conditions/ Restrictions. Historic Preservation Clearance for Exterior Work, Scope of approved exterior work is restricted only to drawings stamped by NPO. This permit expires if no construction is started within 1 year or if the last inspection is over 1 All construction done according to the current construction codes and zoning regulations; 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 work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund must be made within six months of the date appearing on this permit.								
Interim Director: Melinda Bolling		Permit Clerk: Wendy Watkins			Expiration Date: 05/20/2016			
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