

**BEFORE THE ZONING COMMISSION  
OF THE DISTRICT OF COLUMBIA**

**Appeal of ANC 6C**

**BZA Appeal No. 19550  
Hearing Date: September 19, 2018  
ANC 6C**

**PARTIAL CONSENT MOTION OF THE PROPERTY OWNER, ATLAS  
SQUARED, LLC TO INCORPORATE BUILDING PERMIT B1811245 INTO  
THIS APPEAL**

The Property Owner, Atlas Squared, LLC (“Atlas”), by and through undersigned counsel, respectfully submits this Partial Consent Motion to Incorporate Building Permit B1811245 into this Appeal.<sup>1</sup> In support of this Motion, Atlas states as follows:

**I. BACKGROUND**

1. On March 31, 2017, DCRA issued to Atlas Building Permit No. B1706219 (“Original Permit”) for 1125 7<sup>th</sup> Street, N.E.
  
2. On April 18, 2018, DCRA issued Building Permit No. 1805207 to Atlas for “Revision: Revise Building Permit B1706219 to renovate the converted single-family dwelling to a two-unit flat. No change or expansion to the building or zoning envelope.” (“Revised Permit”).
  
3. On August 2, 2018 DCRA issued Building Permit B1811245 to Atlas for “Revision to B1805207 [Revised Permit] TO REVISE FOOTERS AND ROOF HATCHES, FOOTERS PREVIOUSLY APPROVED UNDER B1706219 [ORIGINAL PERMIT]: AS-BUILT UPDATED TO REFLECT CONDITIONS IN THE FIELD [New Construction at 1127 7<sup>th</sup> Street, N.E.]” (Second Revised Permit”). The Second Revised Permit is attached as Exhibit A.

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<sup>1</sup> Atlas requested the other parties’ consent to this Motion. DCRA and ANC 6C have consented. Intervenor has not responded.

## **II. ARGUMENT**

This Appeal was filed by ANC 6C challenging the Original Permit. Subsequently, the Appeal was amended to incorporate the Revised Permit. The Second Revised Permit makes minor changes related to the Original Permit and Revised Permit which does not materially change the substance or scope of the current Appeal.

Specifically, the Second Revised Permit incorporates a sliding access roof hatch which moots the setback violation claims by ANC 6C. The Second Revised Permit also reverts to the footers approved in the Original Permit and documents the new construction at 1127 7<sup>th</sup> Street, N.E. which occurred after the Original Permit was issued – both Building Code, not zoning issues. Incorporation of the Second Revised Permit into the Appeal will allow the Board to efficiently and comprehensively review all the current and relevant zoning issues. No party will be prejudiced by the incorporation of the Second Revised Permit and there will be no delay in the proposed briefing schedule or the scheduled September 19, 2018 public hearing.

For the foregoing reasons, Atlas respectfully requests the Board to incorporate the Second Revised Permit in this Appeal.

Respectfully submitted,  
GREENSTEIN DELORME & LUCHS, P.C.

By:   
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Counsel for Atlas Squared, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on August 9, 2018, I served a copy of the foregoing Partial Consent Motion, along with the attachment, on the following persons by electronic mail:

Mr. Matthew Le Grant  
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John Patrick Brown, Jr.

# Exhibit A

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Department of Consumer and Regulatory Affairs

Permit Operations Division  
1100 4th Street SW  
Washington DC 20024

Tel. (202) 442 - 4589 Fax (202) 442 - 4862



**B**

**BUILDING PERMIT**

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

PERMIT NO. B1811245



Issue Date: 08/02/2018

Expiration Date: 08/02/2019

Address of Project: 1125 7TH ST NE		Zone: RF-1	Ward: 6	Square 0886	Suffix:	Lot: 0035
Description Of Work: Revision to B1805207 TO REVISE FOOTERS AND ROOF TOP HATCHES, FOOTERS PREVIOUSLY APPROVED UNDER B1706219. AS-BUILTS UPDATED TO REFLECT CONDITIONS IN THE FIELD.						
Permission Is Hereby Granted To: Atlas Squared Llc		Owner Address: 7926 JONES BRANCH DR STE 600 MC LEAN, VA 22102-3373			PERMIT FEE: <b>\$36.30</b>	
Permit Type: Alteration and Repair	Existing Use: Single Family Dwelling - R-3	Proposed Use: Two-Family Flat - R-3	Building Construction Type TYPE V - Any Materials Permitted		Plans:	
Agent Name: Stephanie Erwin	Agent Address: 9413 Gamba Ct Vienna, VA 22182	Existing Dwell Units: 2	Proposed Dwell Units: 2	No. of Stories: 3	Floor(s) Involved: All	
Conditions/ Restrictions:  <p>This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year.</p> <p>All Construction Done According To The Current Building Codes And Zoning Regulations;</p> <p>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.</p> <p>Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to <a href="http://ddoe.dc.gov">http://ddoe.dc.gov</a>, Lead and Healthy Housing.</p>						
Director: Melinda Bolling		Permit Clerk NRICE				
TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1639 FOR CONSTRUCTION INSPECTION INQUIRIES CALL (202) 442-9557 TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442-9557.						