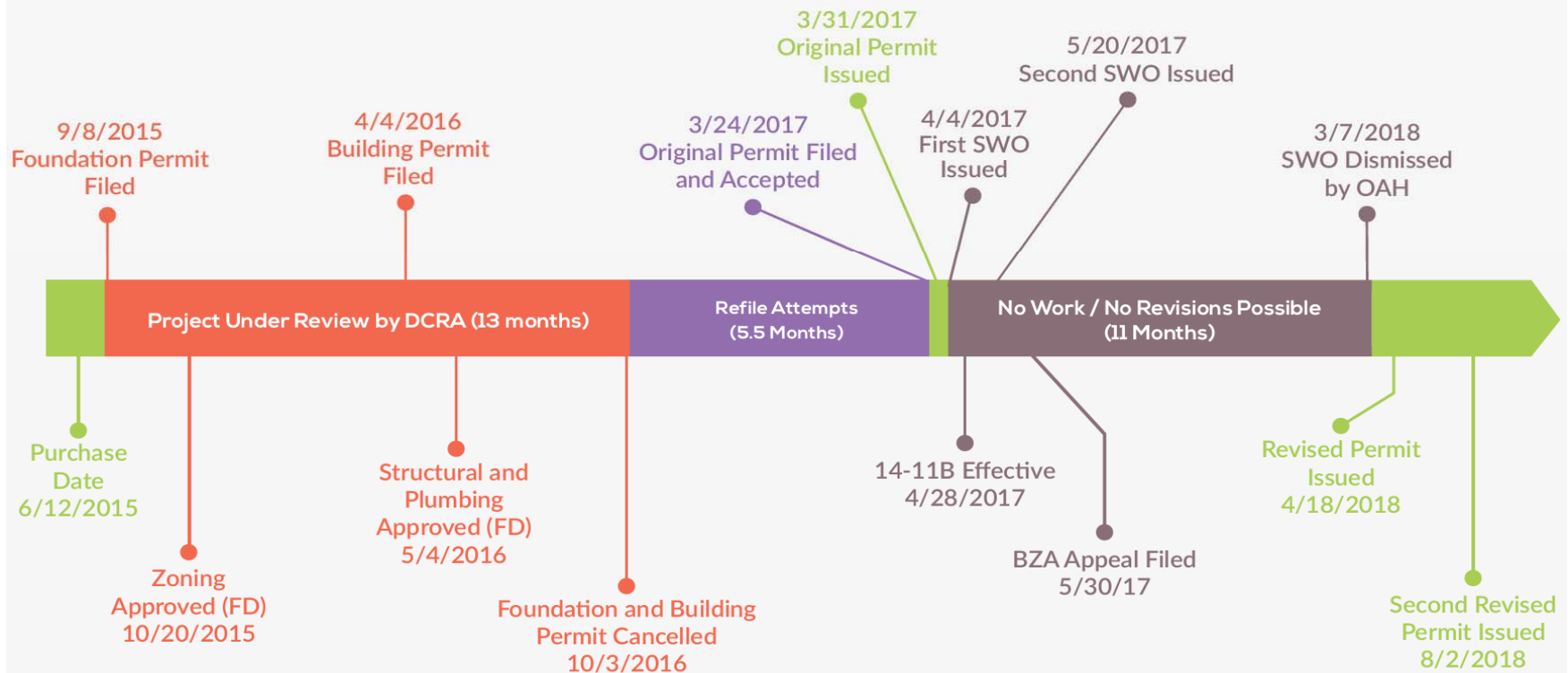


ATLAS SQUARED, LLC
PROPERTY OWNER OF 1125 7TH STREET, N.E.
OPPOSITION TO BZA APPEAL 19550 OF ANC 6C
OCTOBER 31, 2018
CLOSING ARGUMENTS

JOHN PATRICK BROWN, JR.
KATE M. OLSON
GREENSTEIN DELORME & LUCHS, P.C.

PERMITTING HISTORY

Permit Timeline Summary



CRITICAL DATES

MARCH 24, 2017

**ORIGINAL PERMIT
ACCEPTED AS COMPLETE
BY DCRA**

CRITICAL DATES

MARCH 31, 2017

**ORIGINAL PERMIT ISSUED,
INCLUDING:**

- **“TOTAL REMOVAL OF FRONT FAÇADE”**
- **REAR ADDITION GREATER THAN 10 FEET**
- **ROOFTOP GUARDRAIL PERPENDICULAR TO SIDE PARAPET WALL**

CRITICAL DATES

APRIL 28, 2017

**ZONING COMMISSION ORDER 14-11B
EFFECTIVE FOR:**

- **10 FOOT LIMIT ON REAR ADDITIONS**
- **“CORNICE” RULE**

CRITICAL DATES

MAY 30, 2017

ANC 6C FILES APPEAL OF ORIGINAL PERMIT, BUT DOES NOT CHALLENGE:

- **REMOVAL OF “ROOFTOP ARCHITECTURAL ELEMENT”, INCLUDING “TOTAL REMOVAL OF FRONT FAÇADE”**
- **ROOFTOP GUARDRAIL PERPENDICULAR TO PARAPET WALL**

CRITICAL DATES

APRIL 18, 2018

**REVISED PERMIT ISSUED WITH
NO CHANGE TO:**

- **APPROVED AND VESTED REAR ADDITION**
- **APPROVED AND VESTED REMOVAL OF FRONT FACADE**
- **APPROVED AND VESTED ROOFTOP GUARDRAIL**

CRITICAL DATES

AUGUST 2, 2018

**REVISED PERMIT ISSUED WITH
NO CHANGE TO:**

- **APPROVED AND VESTED REAR ADDITION**
- **APPROVED AND VESTED REMOVAL OF FRONT FACADE**
- **APPROVED AND VESTED ROOFTOP GUARDRAIL**

BOARD'S JURISDICTION **STRICTLY LIMITED**

UNTIMELY APPEALS FOR ELEMENTS OF ORIGINAL PERMIT:

- **“TOTAL REMOVAL OF FRONT FAÇADE; INCLUDING FAÇADE TRIM OR ELEMENT**
- **ROOFTOP GUARDRAIL PERPENDICULAR TO SIDE PARAPET WALL**
- **ANC 6C APPEAL FILED ON MAY 30, 2017 DID NOT CHALLENGE THESE ELEMENTS**
- **NO SUBSEQUENT CHANGE IN ORIGINAL PERMIT**

VESTING OF **ORIGINAL PERMIT**

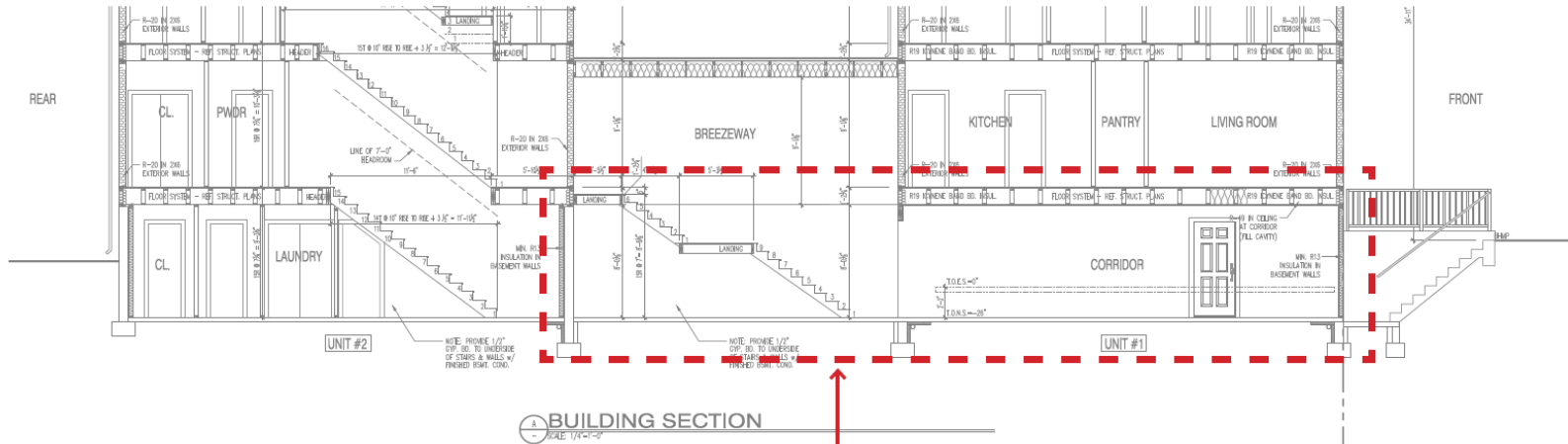
- **CONSTRUCTION AUTHORIZED BY PERMIT MAY BE COMPLETED**
- **NO SUBSTANTIAL CHANGE TO AUTHORIZED WORK**
- **COMPLIANCE WITH NEW PROVISIONS NOT TRIGGERED**

COMPARISON OF PERMITS

- **REAR ADDITION**
- **ABOVE GRADE CONNECTION**
- **ROOF TOP GUARDRAIL**
- **“TOTAL REMOVAL OF FRONT FAÇADE”**

COMPARISON OF PERMITS

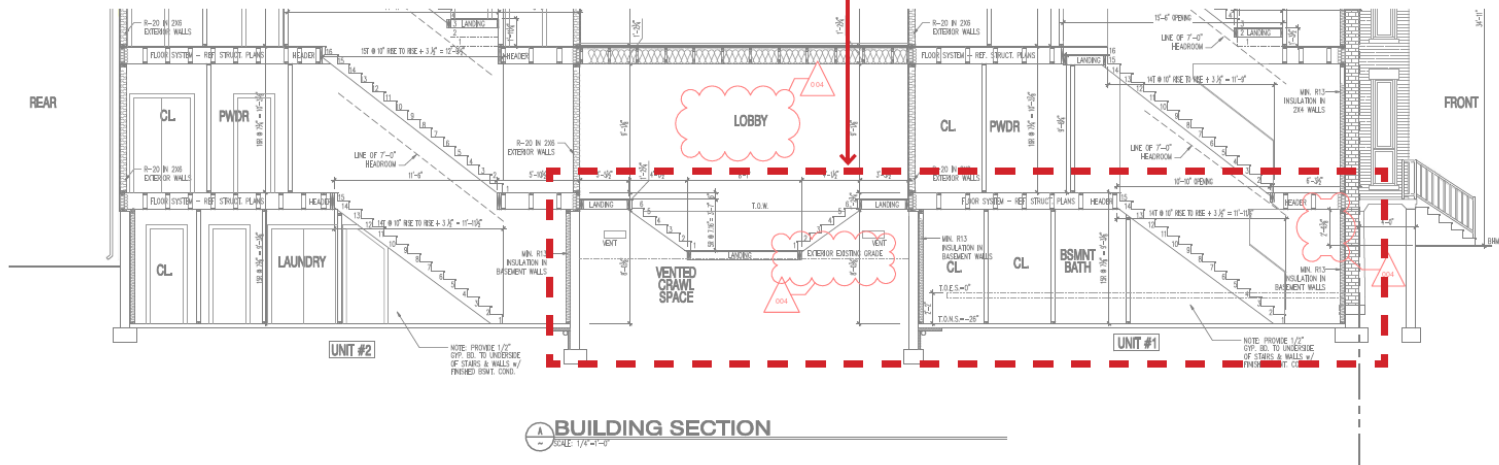
approved permit set - B1706219
31 march 2017



A BUILDING SECTION
SCALE 1/4"=1'-0"

stair location / corridor
location coordinated

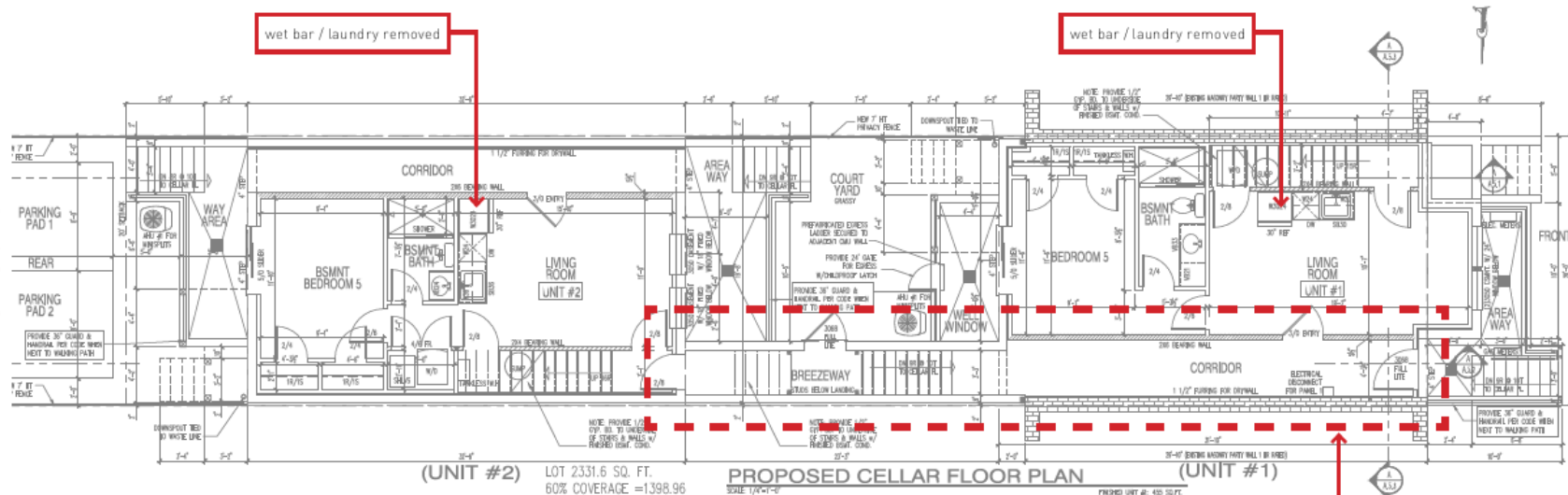
approved permit set - B1805207
18 april 2018



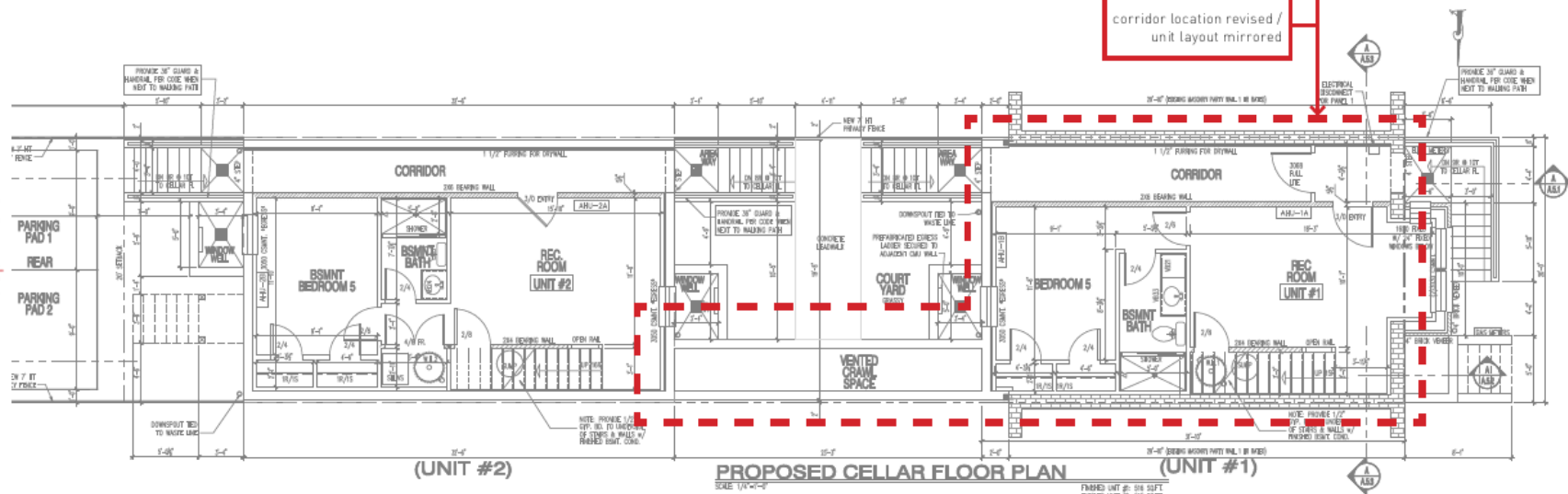
A BUILDING SECTION
SCALE 1/4"=1'-0"

COMPARISON OF PERMITS

approved permit set - B1706219
31 march 2017

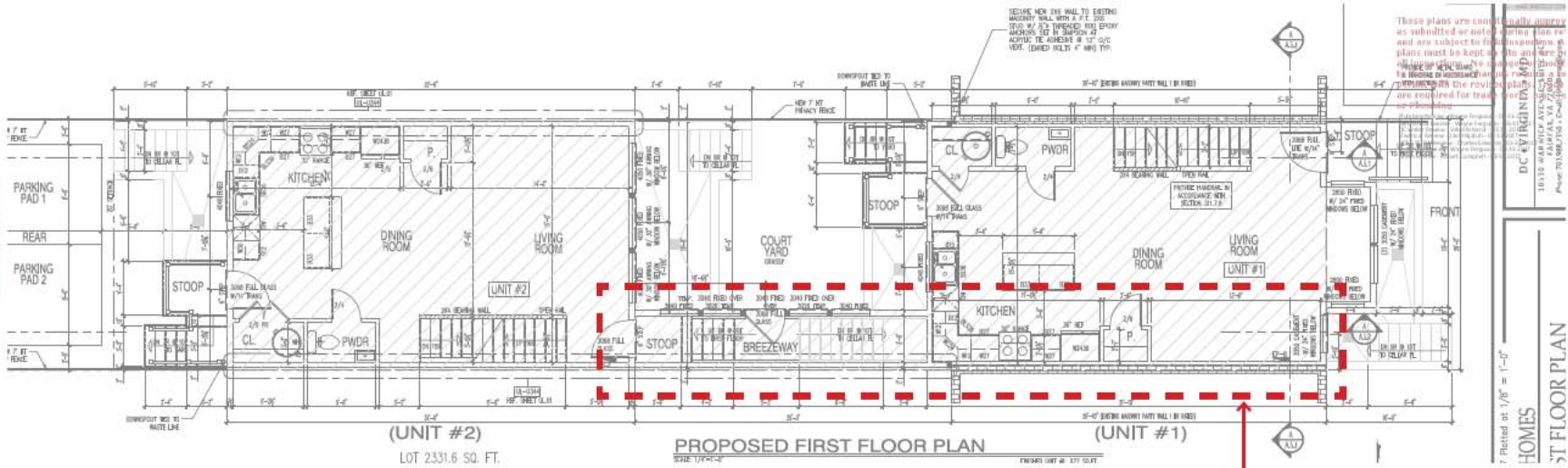


approved permit set - B1805207
18 april 2018

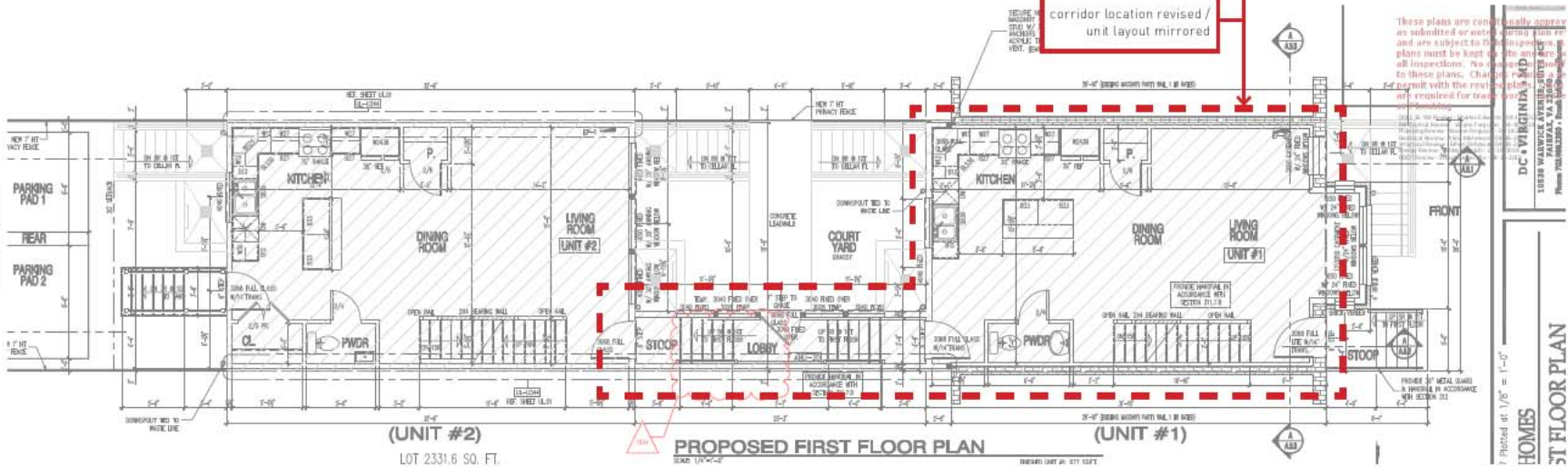


COMPARISON OF PERMITS

approved permit set - B1706219
31 march 2017

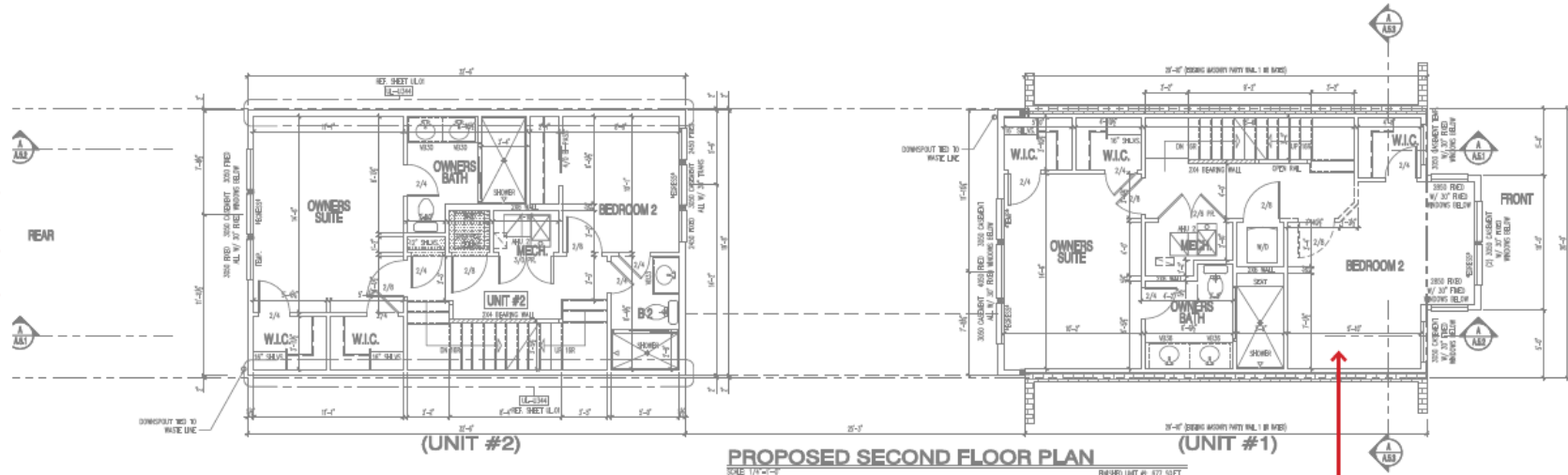


approved permit set - B1805207
18 april 2018

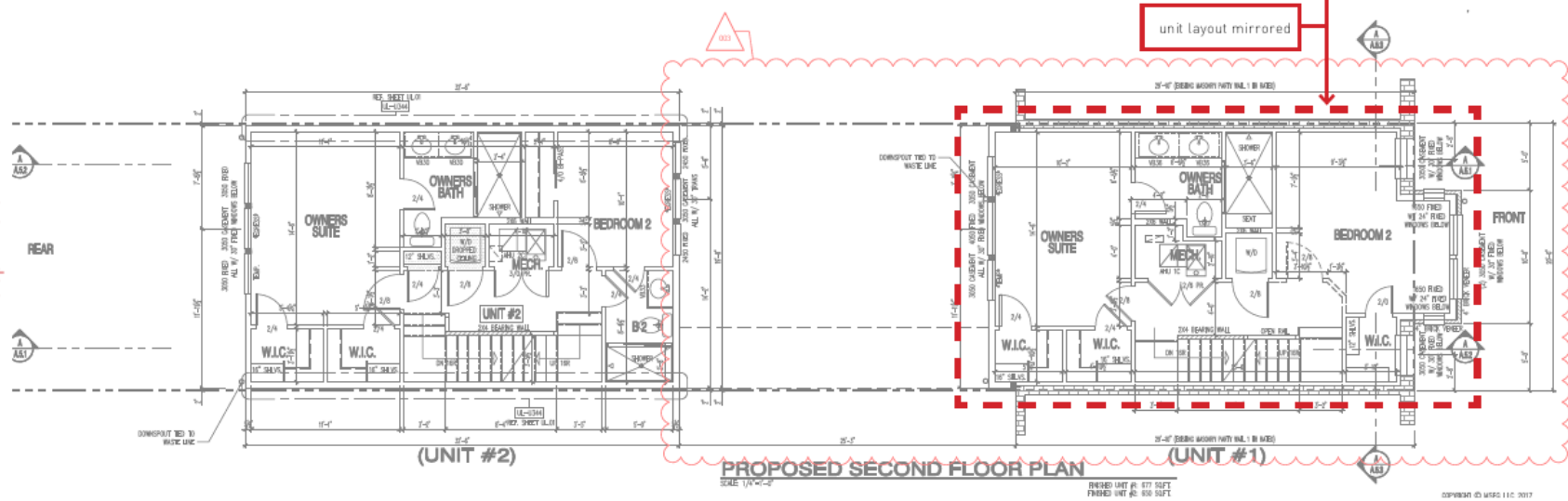


COMPARISON OF PERMITS

approved permit set - B1706219
31 march 2017

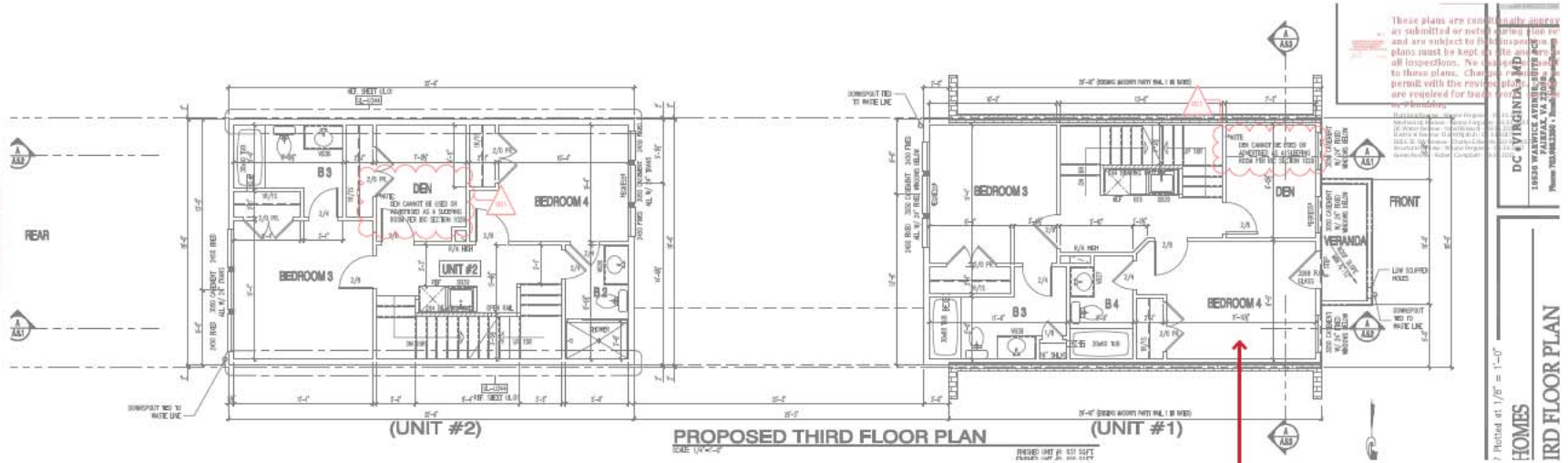


approved permit set - B1805207
18 april 2018

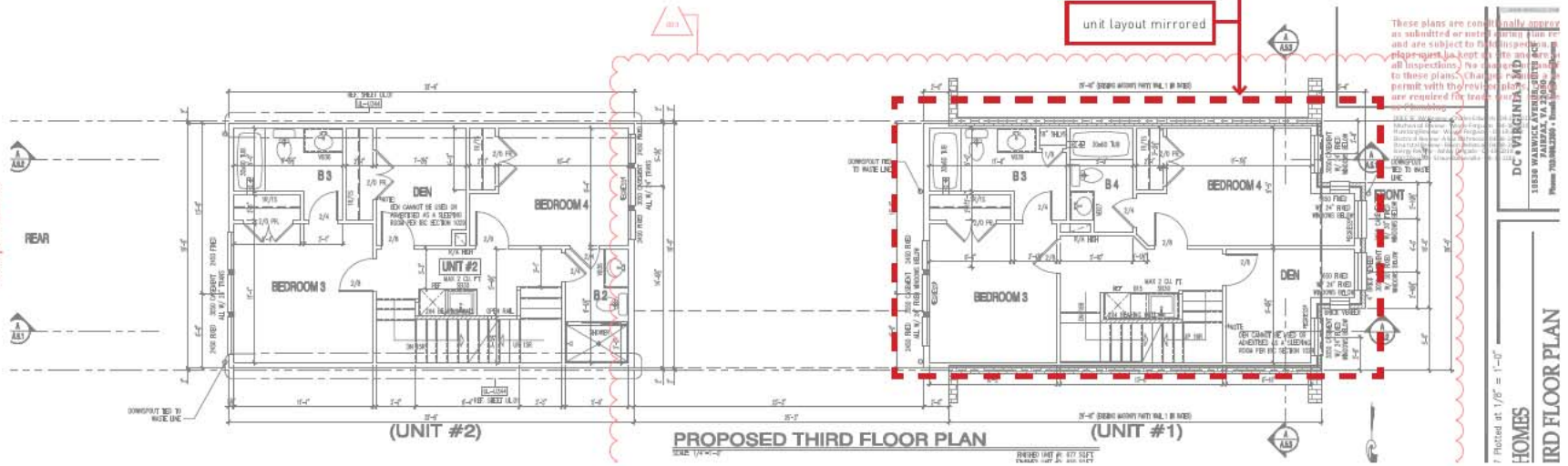


COMPARISON OF PERMITS

approved permit set - B1706219
31 march 2017



approved permit set - B1805207
18 april 2018



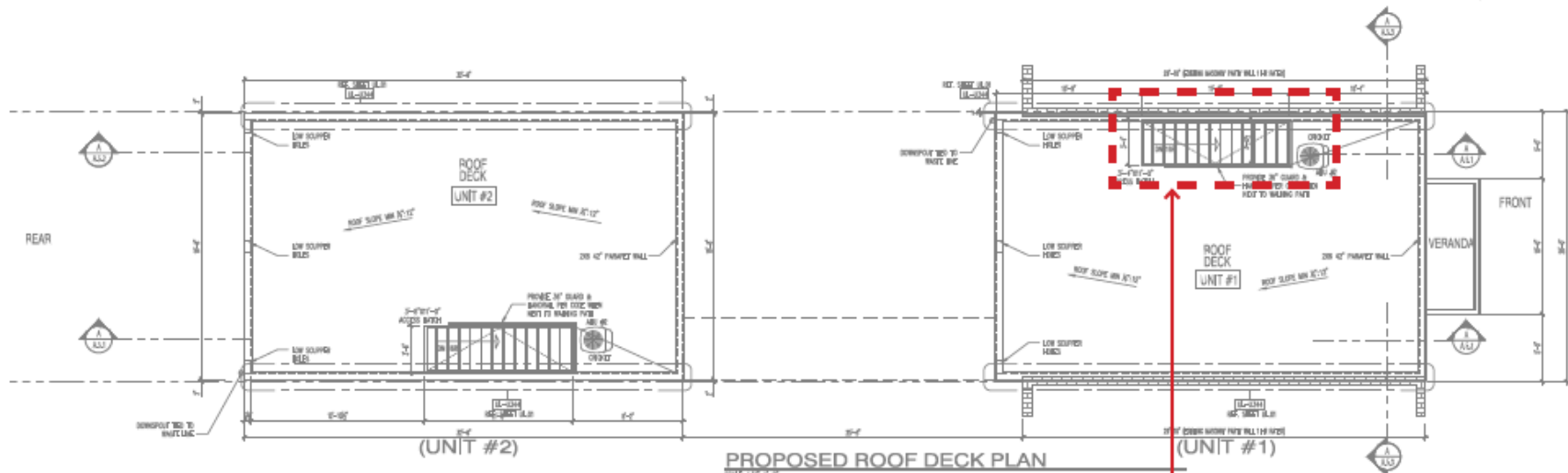
These plans are conditionally approved as submitted or noted on the drawings and are subject to the following conditions: 1. All inspections must be kept on schedule. No changes to these plans. Changes to these plans require a revised permit with the revised plans. All required for trade, etc.

DC • VIRGINIA • MD
1838 WASHINGTON BLVD STE 400
ARLINGTON, VA 22202
Phone: 703.586.2200 • Fax: 703.586.2201

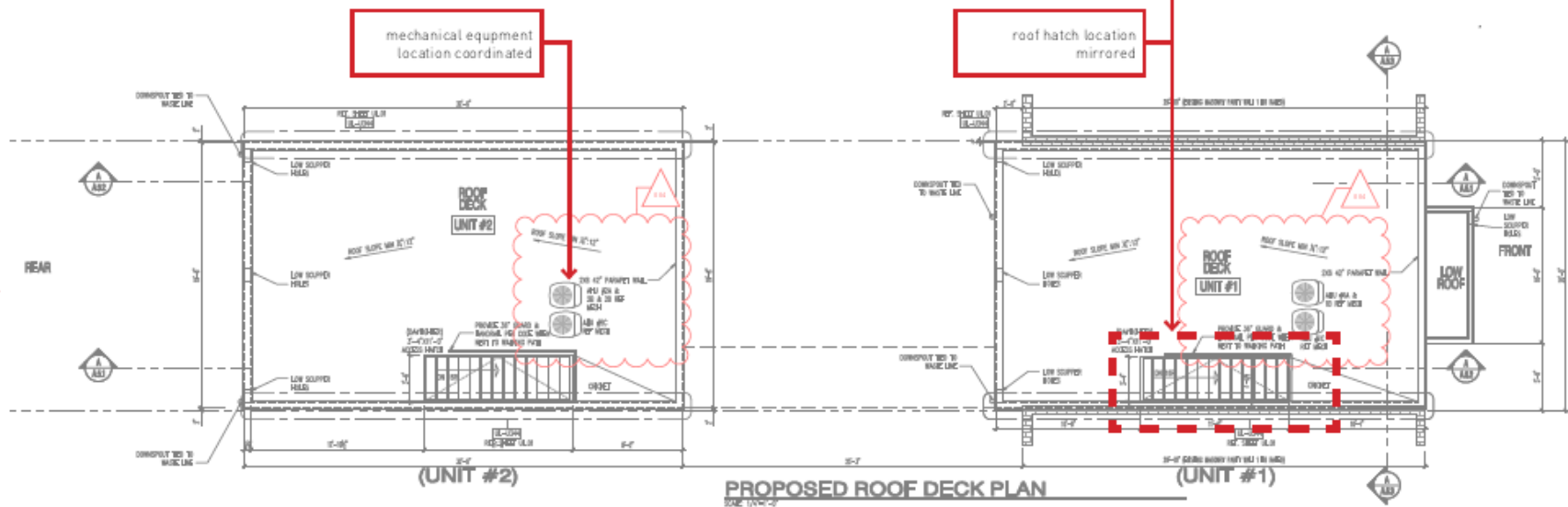
HOMES
IR2D FLOOR PLAN
1/8\"/>

COMPARISON OF PERMITS

approved permit set - B1706219
31 march 2017

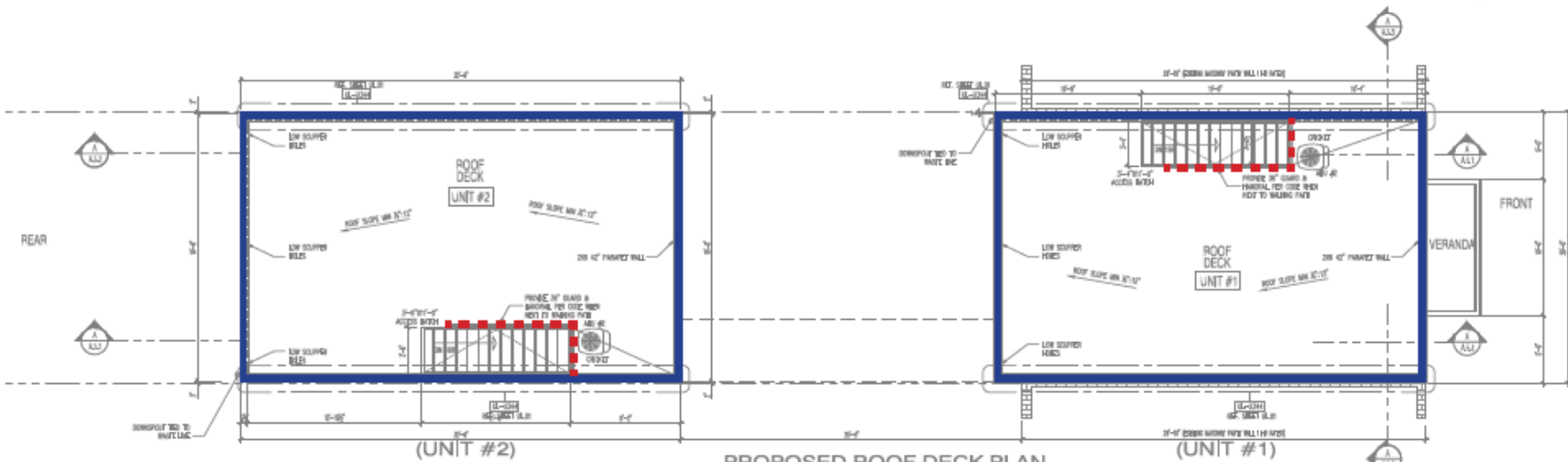


approved permit set - B1805207
18 april 2018



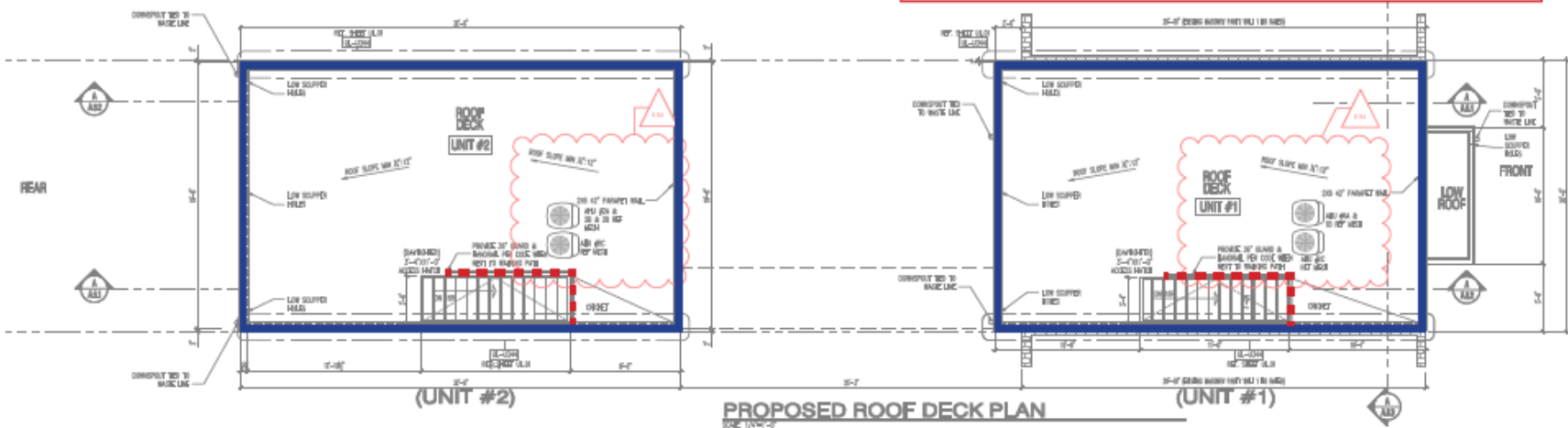
COMPARISON OF PERMITS

approved permit set - B1706219
31 march 2017



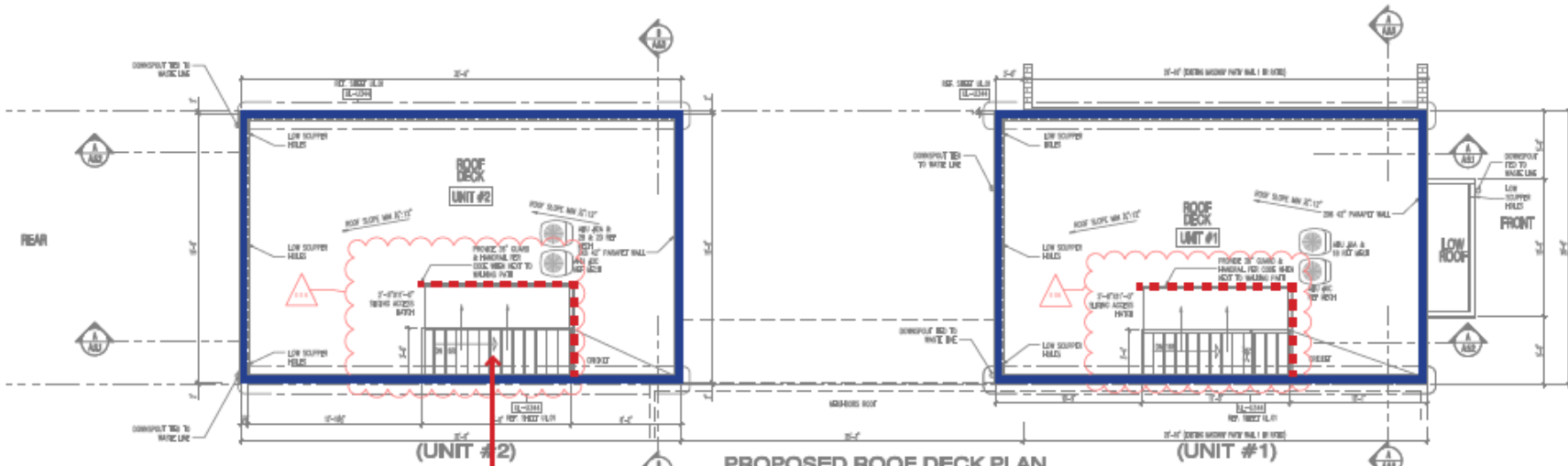
- - - - - guardrail, 36" maximum height above roof
— — — — — parapet, 48" maximum height above roof

approved permit set - B1805207
18 april 2018



COMPARISON OF PERMITS

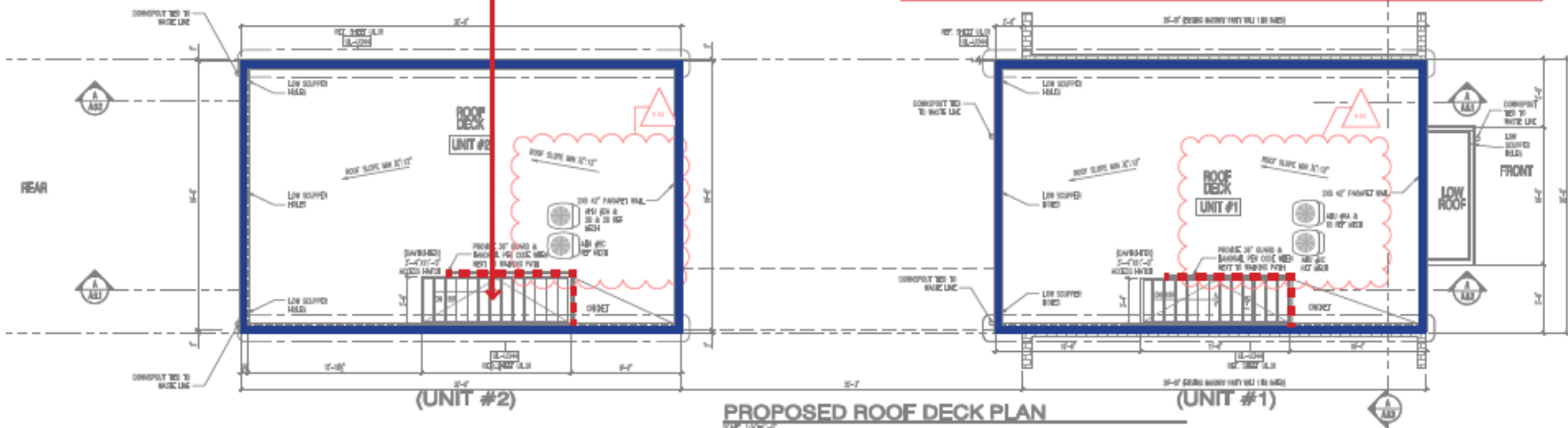
approved permit set - B1811245
2 august 2018



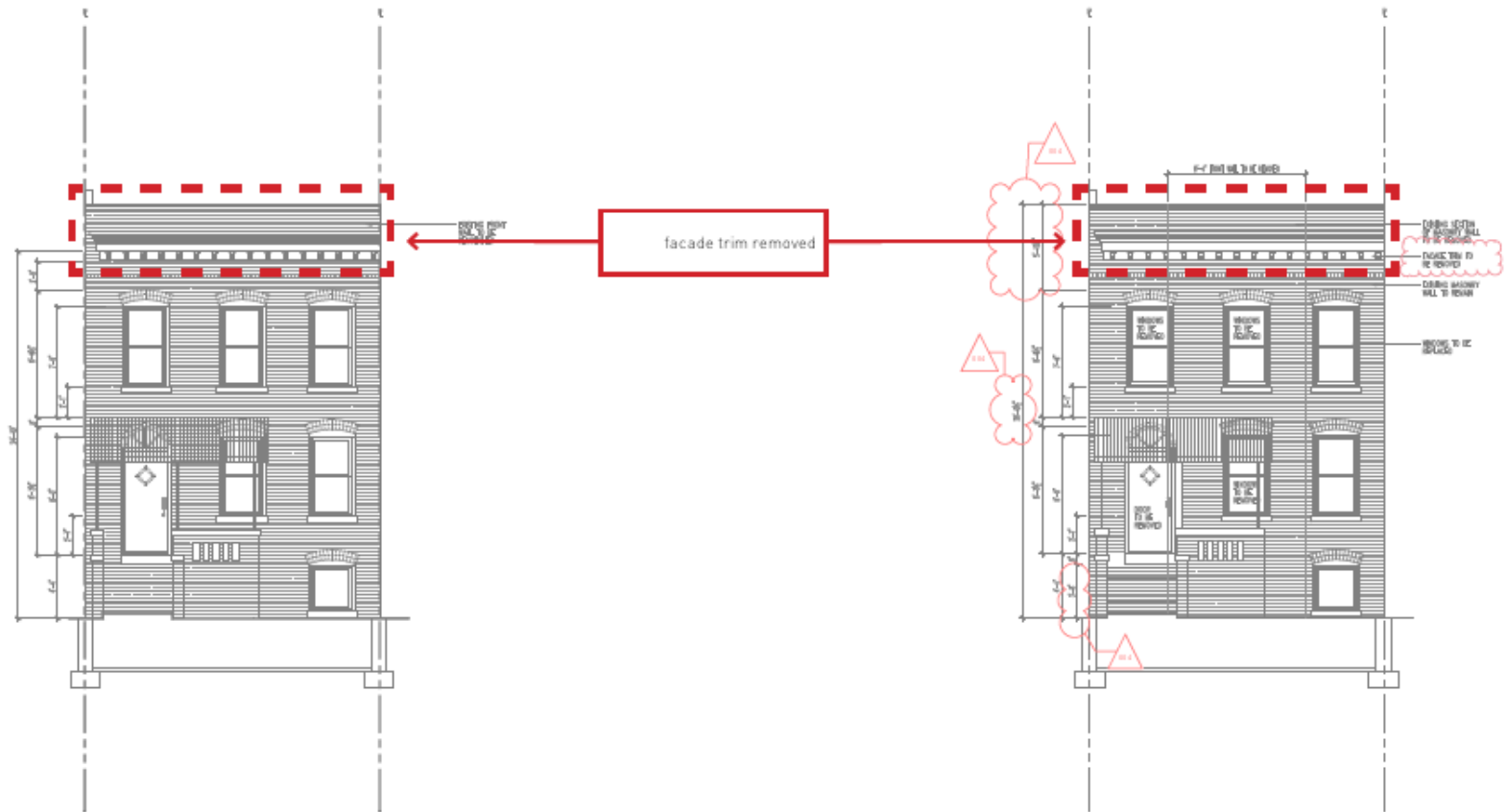
motorized swinging roof hatch changed to motorized sliding roof hatch

- - - - - guardrail, 36" maximum height above roof
————— parapet, 48" maximum height above roof

approved permit set - B1805207
18 april 2018



COMPARISON OF PERMITS



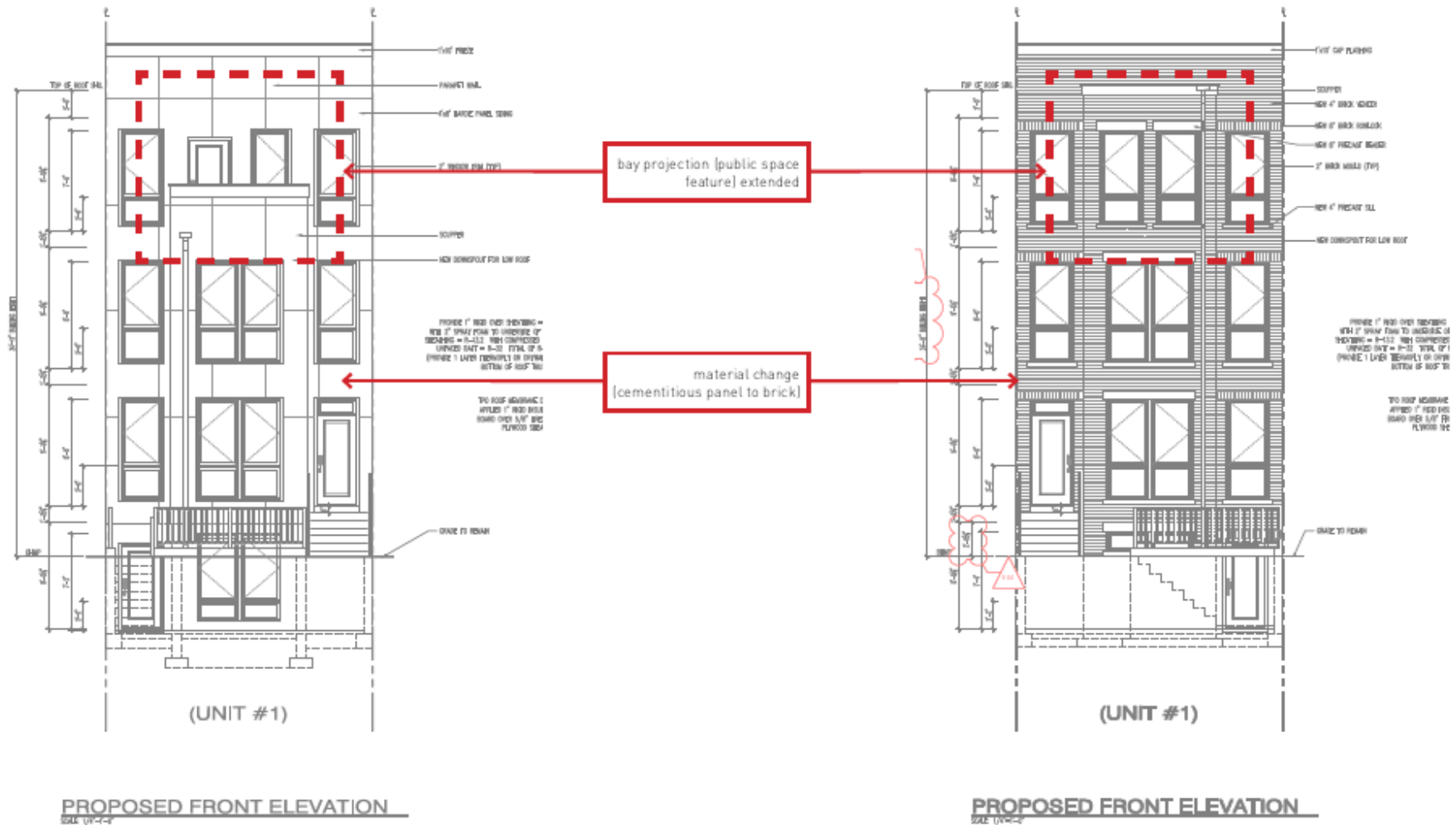
EXISTING FRONT ELEVATION

approved permit set - B1706219
31 march 2017

EXISTING FRONT ELEVATION

approved permit set - B1805207
18 april 2018

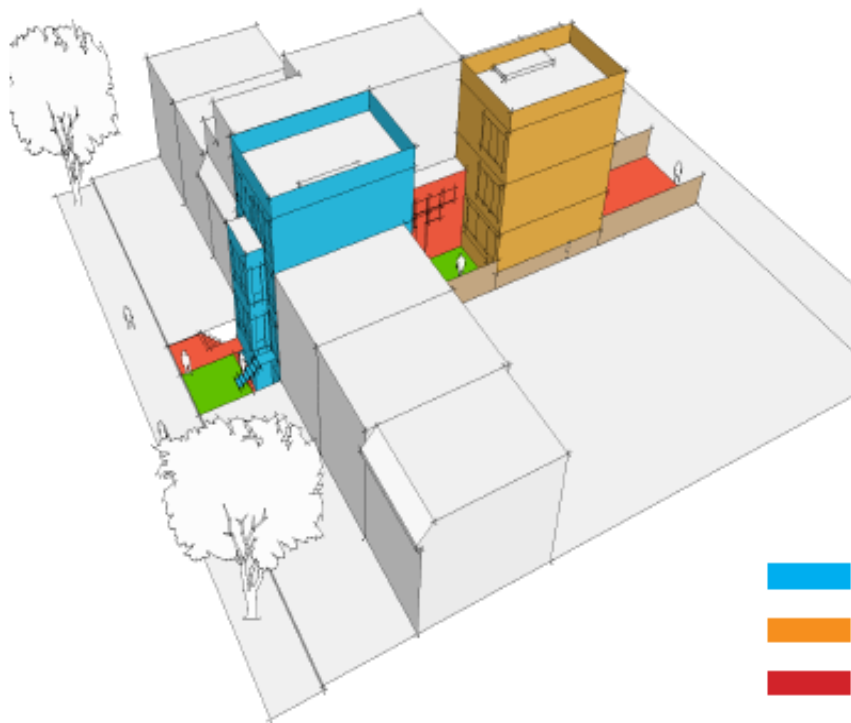
COMPARISON OF PERMITS



approved permit set - B1706219
31 march 2017

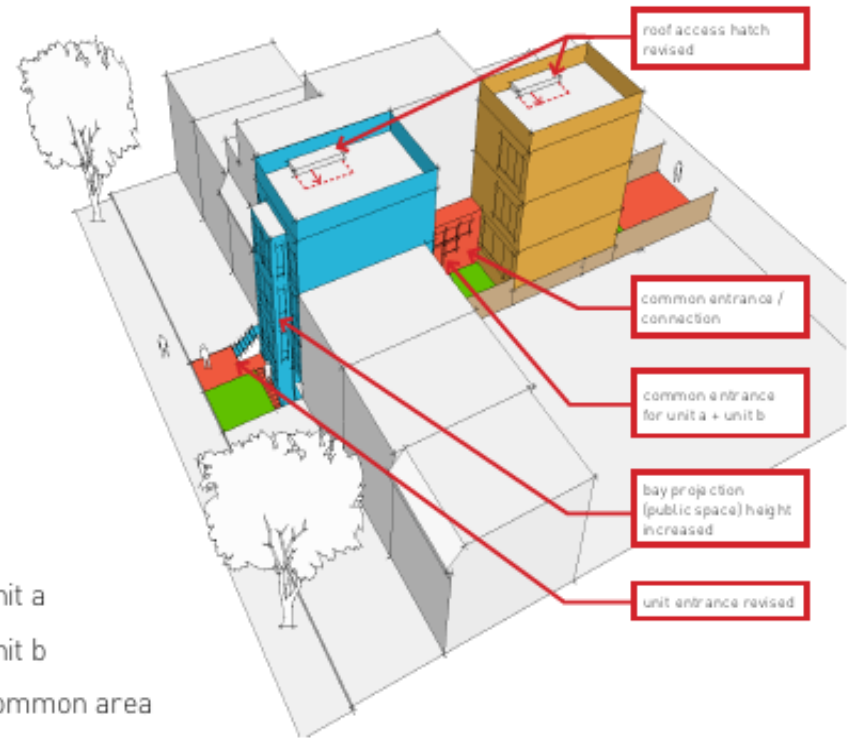
approved permit set - B1805207
18 april 2018

COMPARISON OF PERMITS



approved permit - march 2017

- two units
- 3 stories / 35' height limit
- 60% lot occupancy
- 20' rear yard
- substantial connection

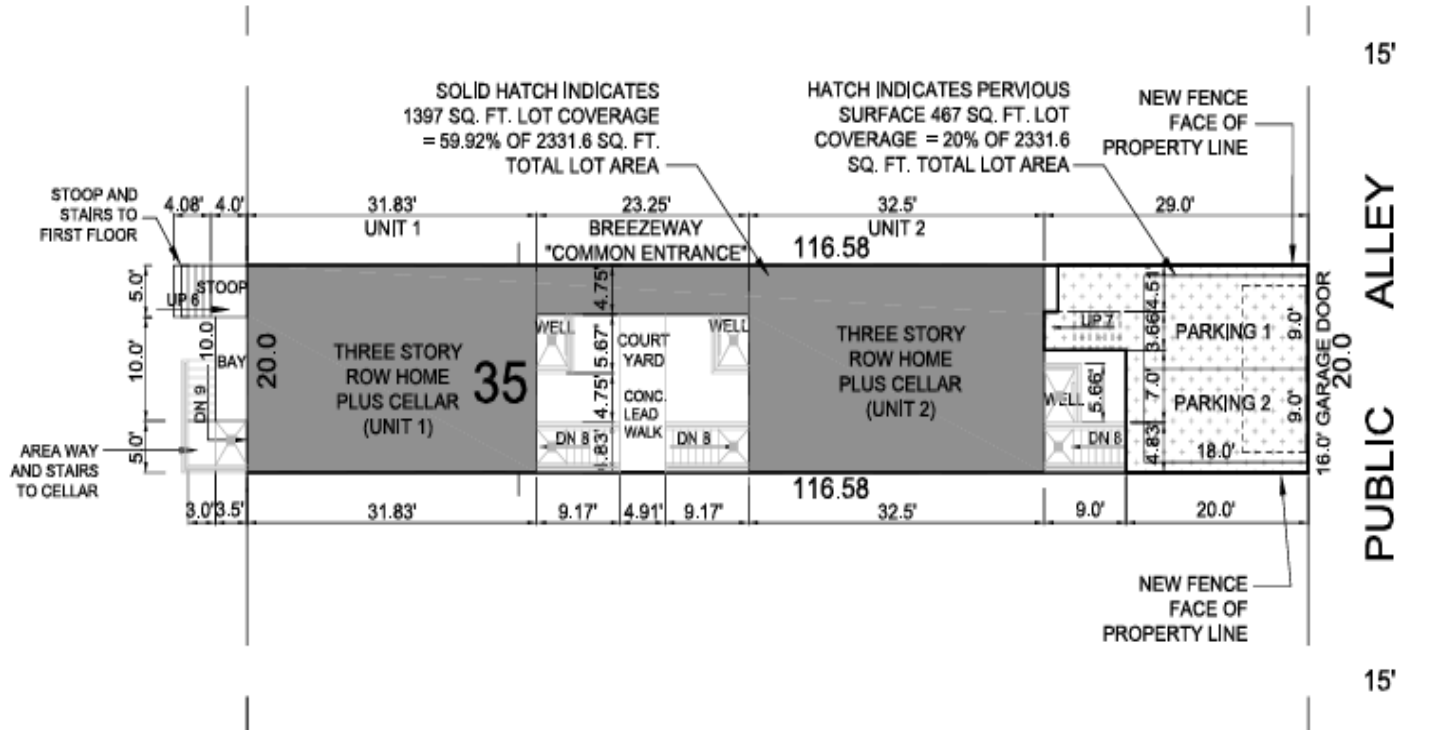


approved permit revision - april 2018

- two units
- 3 stories / 35' height limit
- 60% lot occupancy
- 20' rear yard
- substantial connection

ABOVE GRADE CONNECTION ESTABLISHES SINGLE BUILDING

7th STREET, N.E.



ABOVE GRADE CONNECTION **ESTABLISHES SINGLE BUILDING**

- **Fully Above Grade**
- **Enclosed**
- **Heated and Artificially Lit**
- **Common Space Shared By All Users of Building**

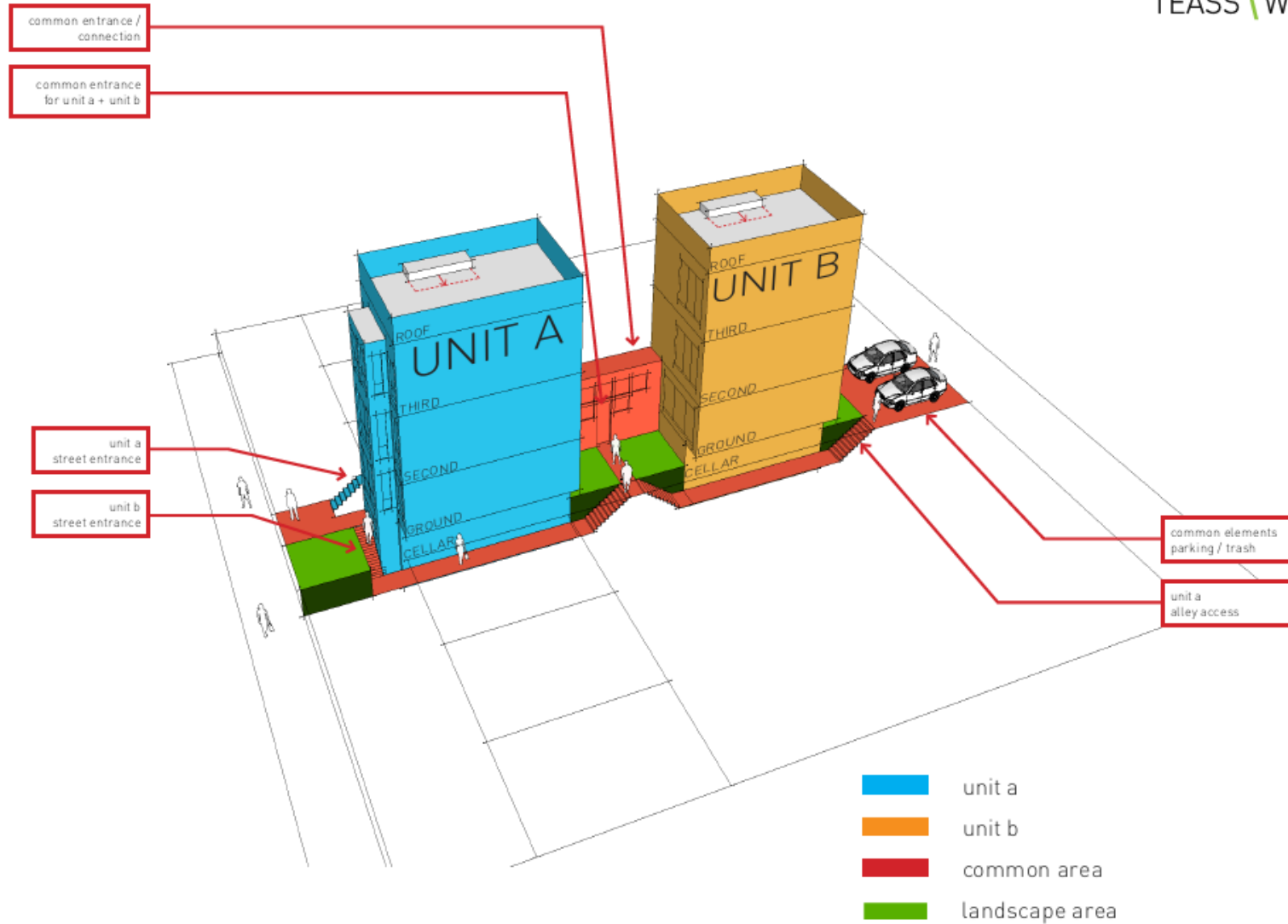
AND

- **Provides Free and Unrestricted Passage between Separate Portions of the Building.**

* Notwithstanding Subtitle B §309.1, a single building may contain multiple uses or dwellings units that do not share access.

PHYSICALLY AND FUNCTIONALLY A SINGLE BUILDING

TEASS | WARREN
ARCHITECTS

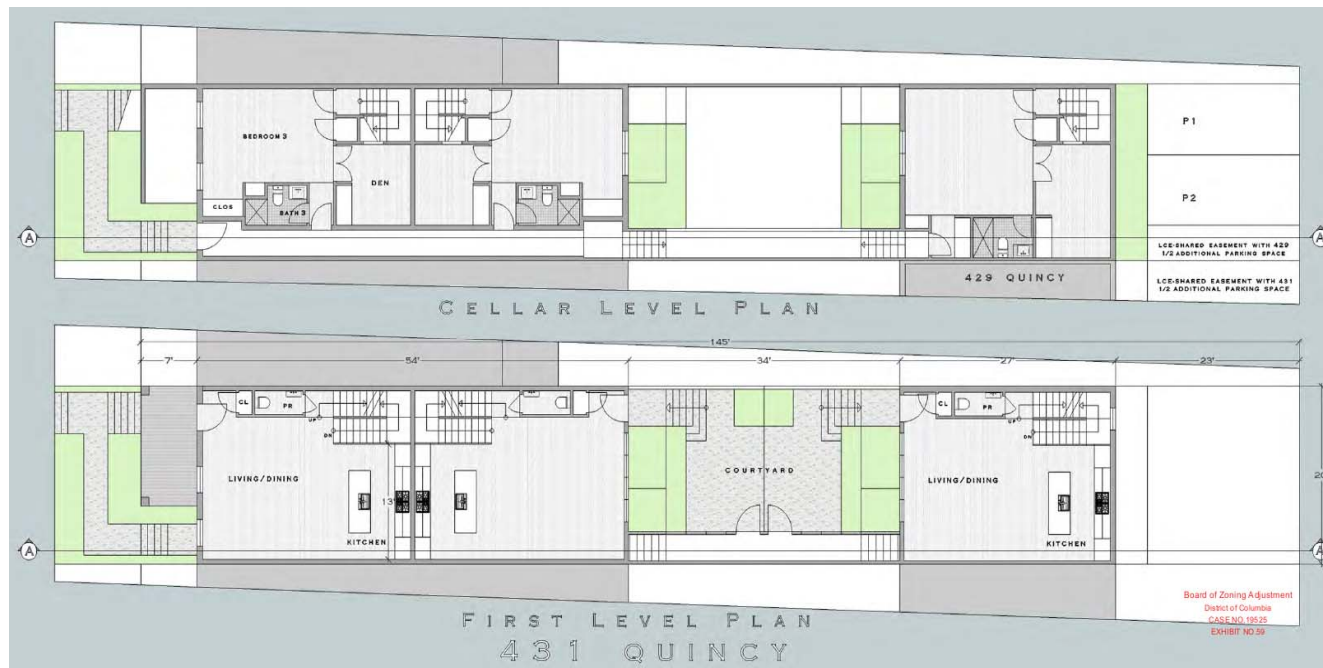


PHYSICALLY AND FUNCTIONALLY
A SINGLE BUILDING

[See Media Clip/Video]

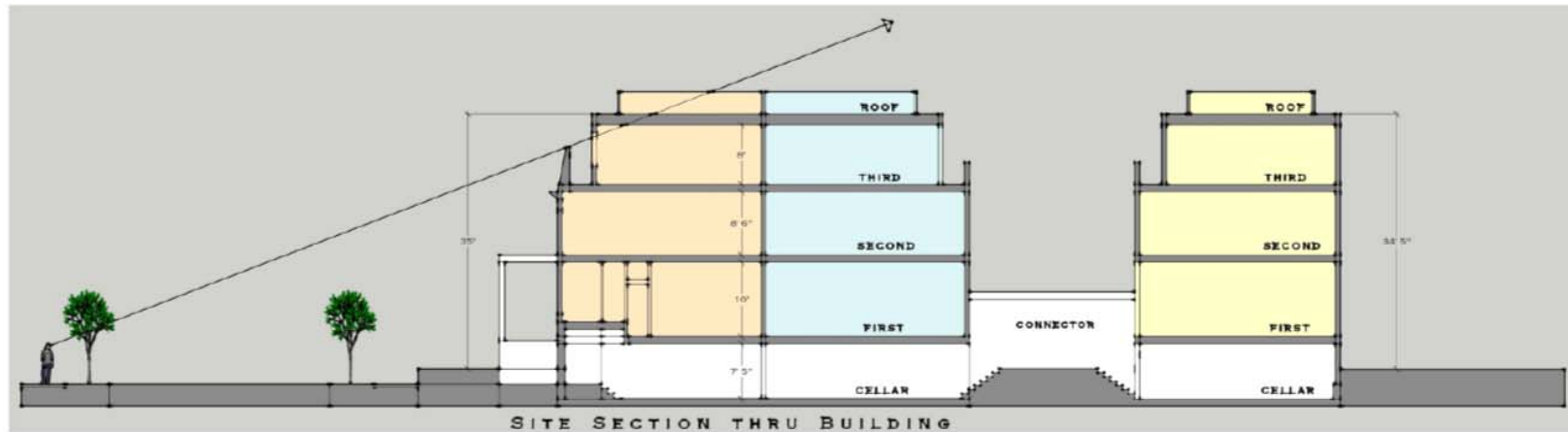
BZA 19524 AND 19525 (JULY 31, 2017) **(429-431 QUINCY STREET, N.W.)**

- **APPROVED SIMILAR ABOVE GRADE CONNECTION**
- **PRAISED FOR BENEFITS OF COURTYARD, ABOVE GRADE CONNECTION DESIGN AND “FAMILY SIZED” HOUSING CREATED**



BZA 19524 AND 19525 (JULY 31, 2017)

4/19/17



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429 & 431 QUINCY STREET NW
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1737 JOHNSON AVENUE NW
WASHINGTON DC 20009
jfoster@arcadiadesign-dc.com 202-234-8272

BZA 19524 AND 19525

(JULY 31, 2017)

TEASS | WARREN
ARCHITECTS

REVISED 7-18-17



approved - july 2017 (BZA 19524)

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PROPOSAL FOR 429 & 431 QUINCY STREET NW
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BZA 19524 AND 19525 (JULY 31, 2017)

TEASS | WARREN
ARCHITECTS

REVISED 7-18-17



approved - july 2017 (BZA 19524)

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BZA 19524 AND 19525

(JULY 31, 2017)

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ARCHITECTS

2/22/2017
PAGE 4



approved - july 2017 (BZA 19524)

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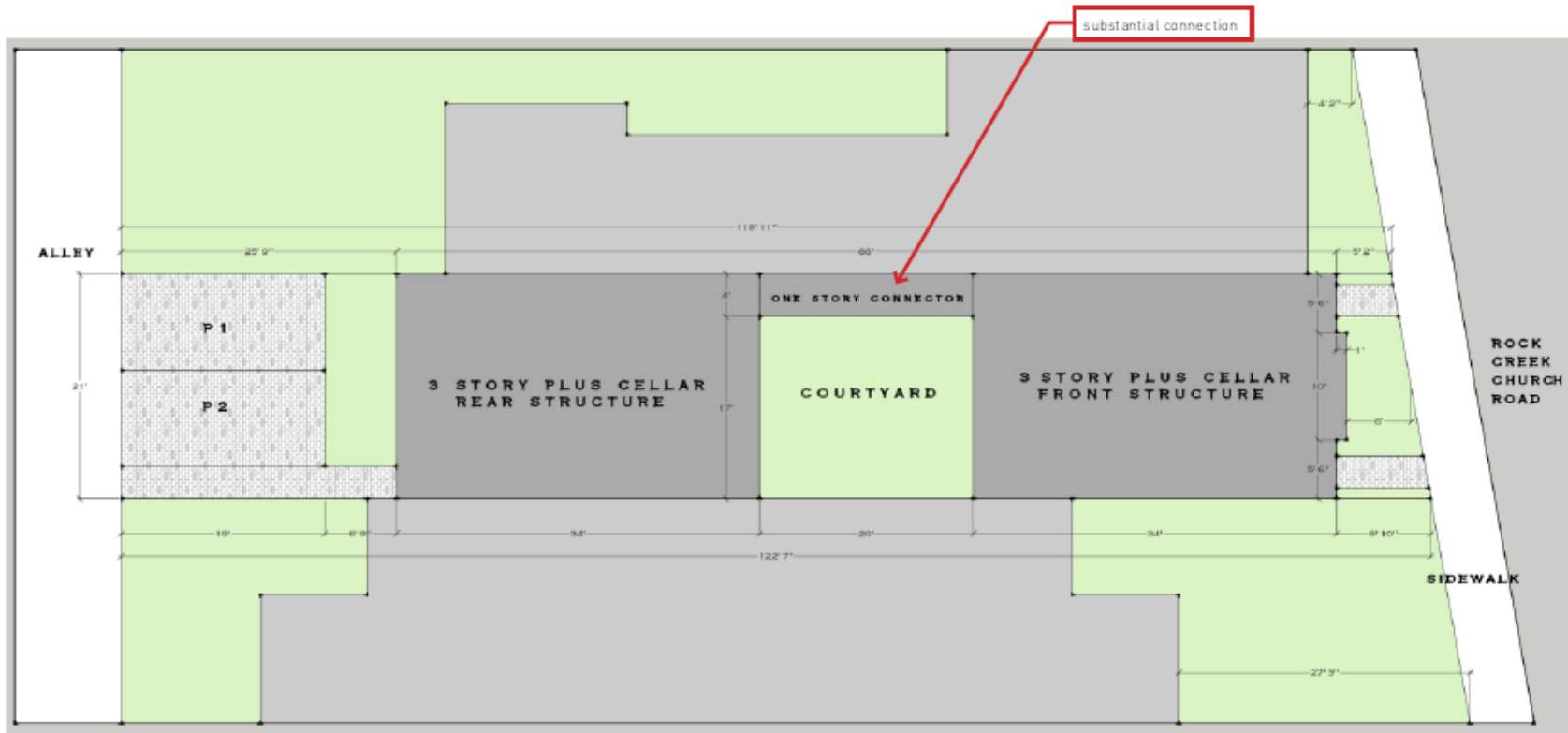
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BUILDING PERMIT B1702214 (APRIL 2017)

(831 ROCK CREEK CHURCH ROAD, N.W.)



PROPOSED SITE PLAN

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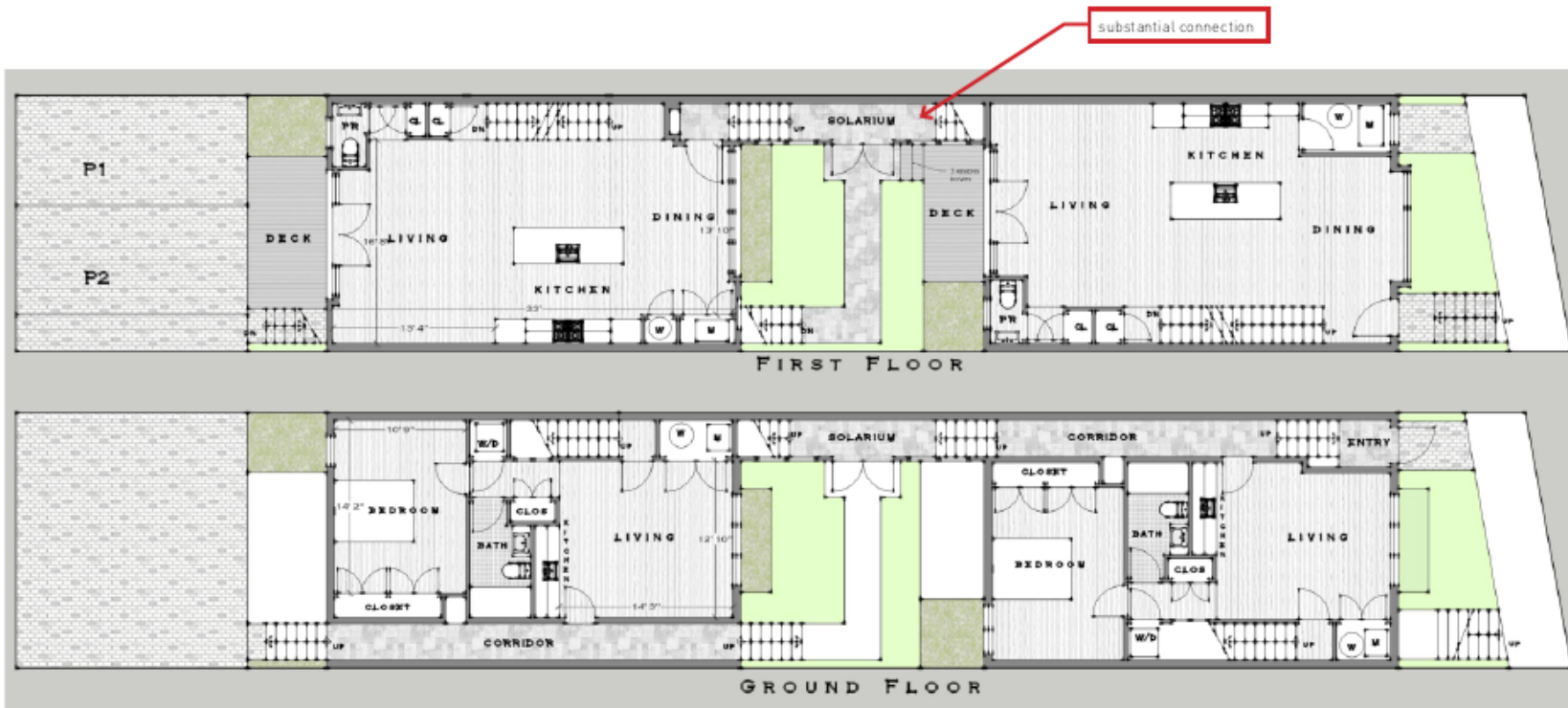
**831 ROCK CREEK CHURCH ROAD
WASHINGTON DC**

approved permit - april 2017 (B1702214)

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1737 JOHNSON AVE NW
WASHINGTON DC 20009
joster@arcadiadesign-dc.com 202-234-8222

BUILDING PERMIT B1702214 (APRIL 2017) **(831 ROCK CREEK CHURCH ROAD, N.W.)**

REVISED 10/14/2016



approved permit - april 2017 (B1702214)

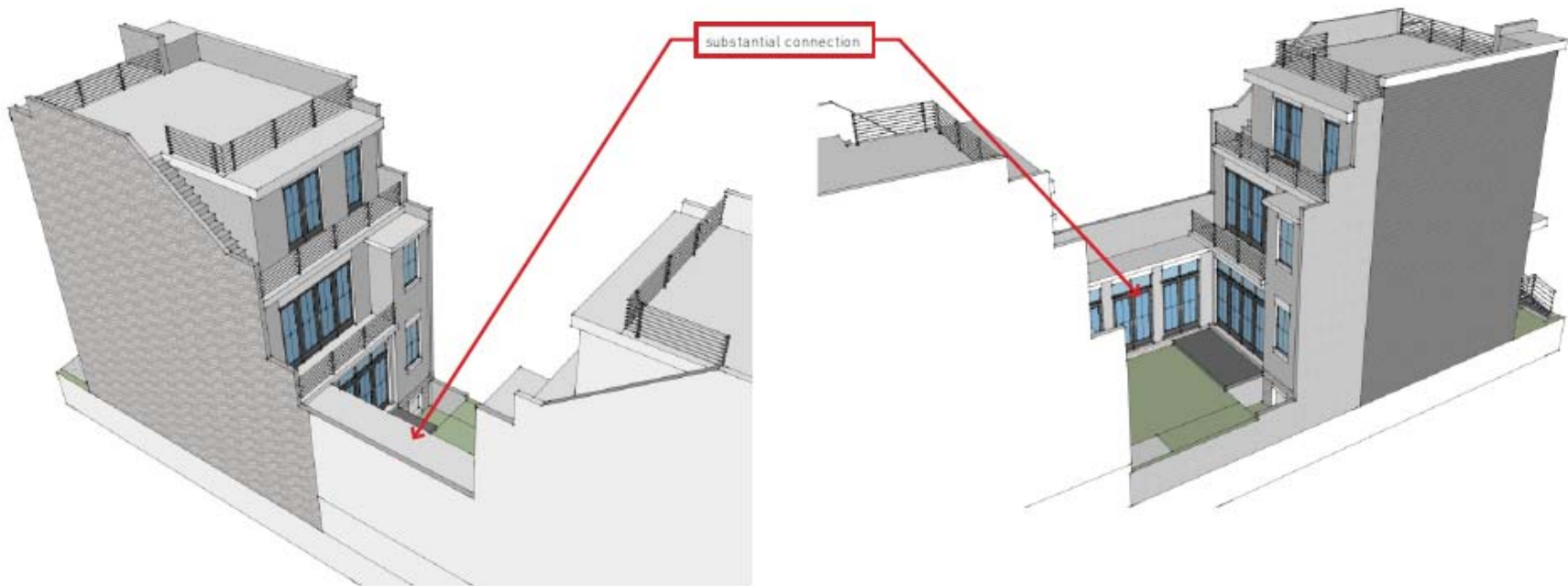
**831 ROCK CREEK CHURCH ROAD
 WASHINGTON DC**

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BUILDING PERMIT B1702214 (APRIL 2017) **(831 ROCK CREEK CHURCH ROAD, N.W.)**



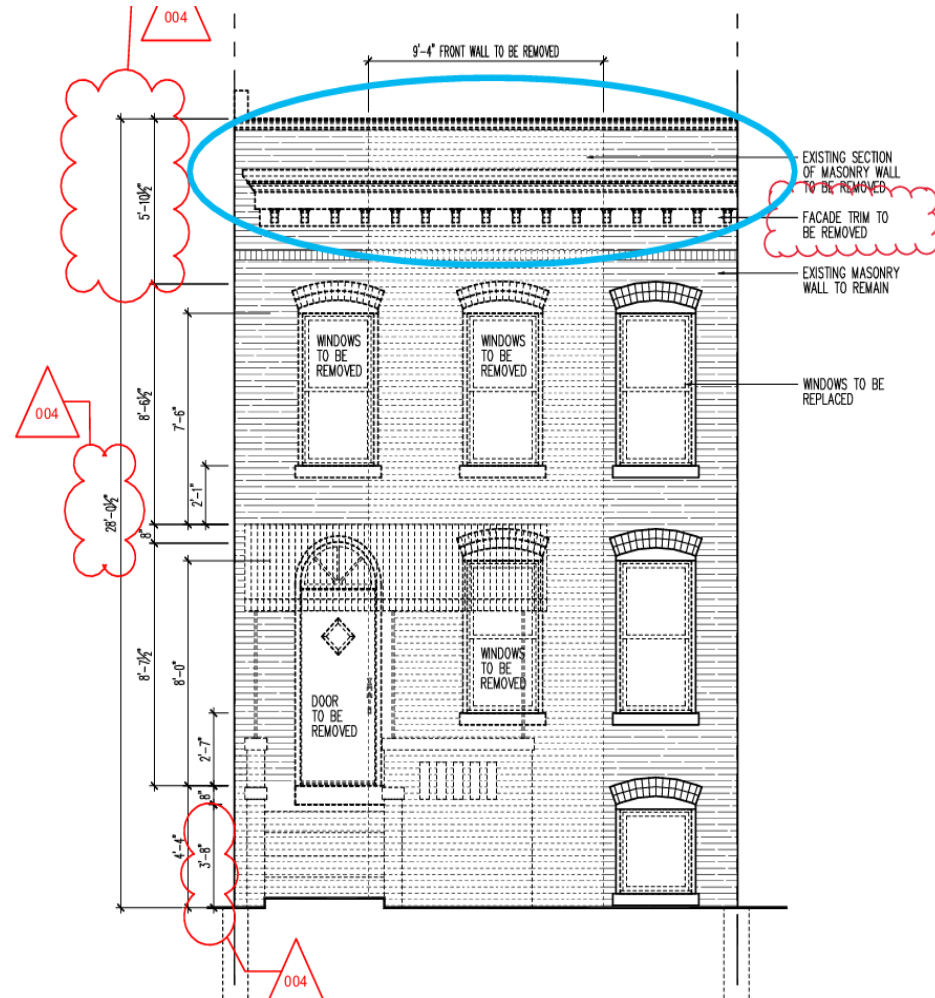
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**831 ROCK CREEK CHURCH ROAD
WASHINGTON DC**

approved permit - april 2017 (B1702214)

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foster@arcadiadesign-dc.com 202-234-8222

REMOVAL OF THE FAÇADE TRIM IS NOT PROHIBITED UNDER E-206.1(A)

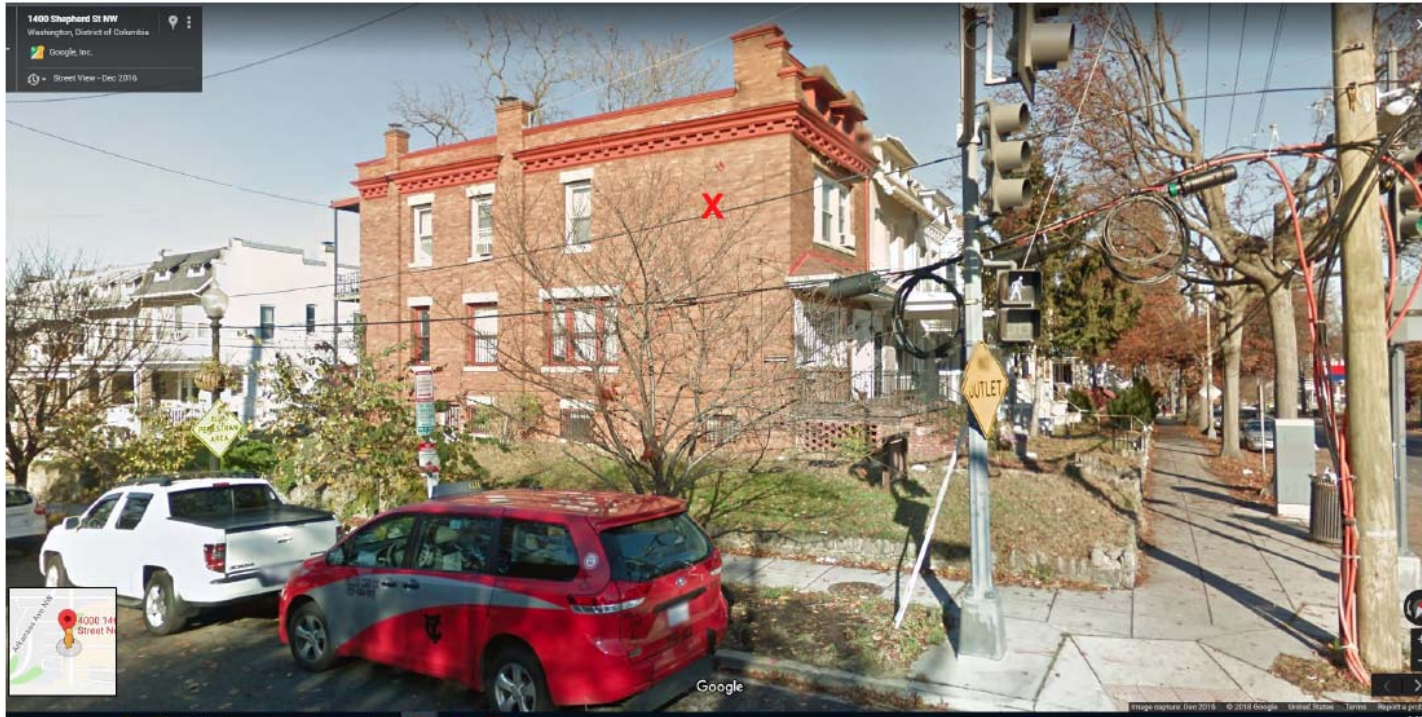


Existing Front Elevation, Excerpt of Sheet A4.1

“CORNICE REMOVED”

[4000 14th Street, NW](#)

Address	Square/Lot	Permit Number	Comments' Date	Description of Permit Work	Cornice removed	Zone	Historic	NOTES
4000 14 th St NW	Sq. 2694 Lot 11	B1702929	February 16, 2017	“New third floor addition, new rear addition, renovation of existing space, including kitchens and bathrooms. Change of use from Single family to a two family flat. underpinning Under B1701979.”	No	RF-1	No	



December, 2016 Google Earth

“CORNICE REMOVED”

[4000 14th Street, NW](#)



September, 2017 Google Earth

“CORNICE REMOVED”

4000 14th Street, NW



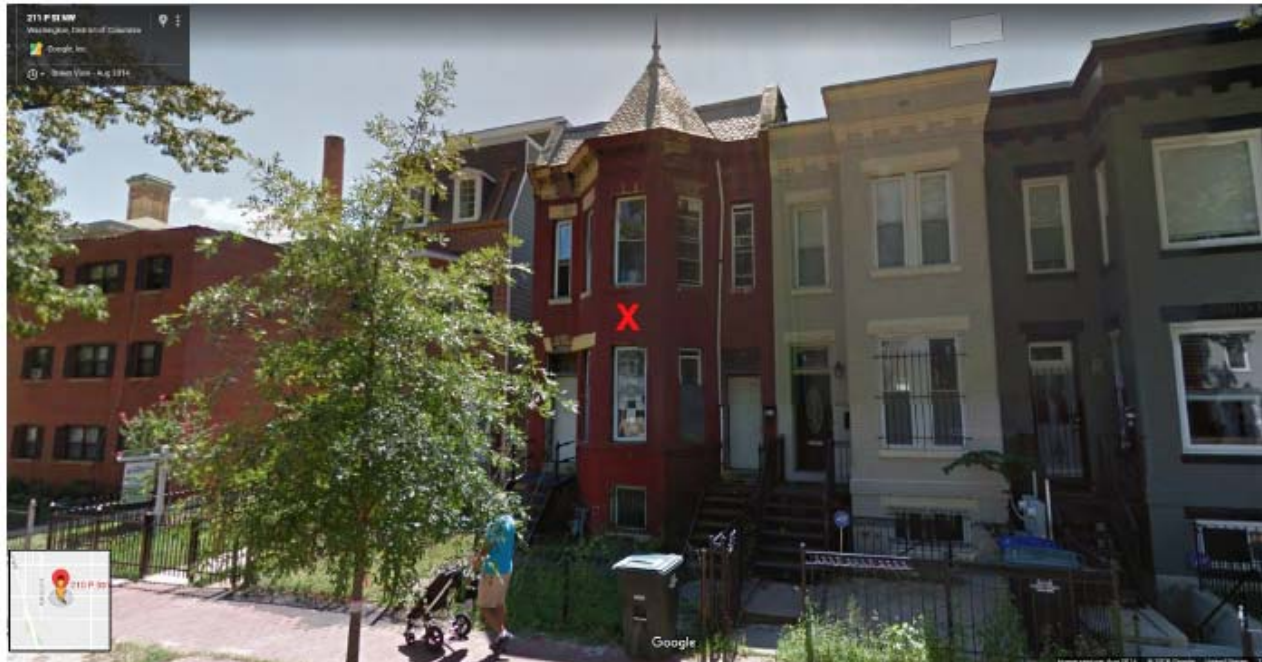
October, 2018 Site Visit



“CORNICE REMOVED”

210 P Street, NW

Address	Square/Lot	Permit Number	Comments' Date	Description of Permit Work	Cornice removed	Zone	Historic	NOTES
210 P St NW	Sq. 553 Lot 143	B1610056	March 22, 2017	“This Application is for approved permit B0906566. (permit expired w/no extensions, A/O Inspections) Four-Unit, Three-Story plus cellar building in the Shaw neighborhood of Washington, DC This is an Addition/Alteration/Repair project that includes a private roof deck for two of the units which will be accessed by interior spiral stairs. Three parking spaces will be provided, as well as an overhead rolling grille. Bicycle parking will also be located adjacent to the vehicular parking spaces.”	No	RF-1	No	



August, 2014 Google Earth

“CORNICE REMOVED”

[210 P Street, NW](#)

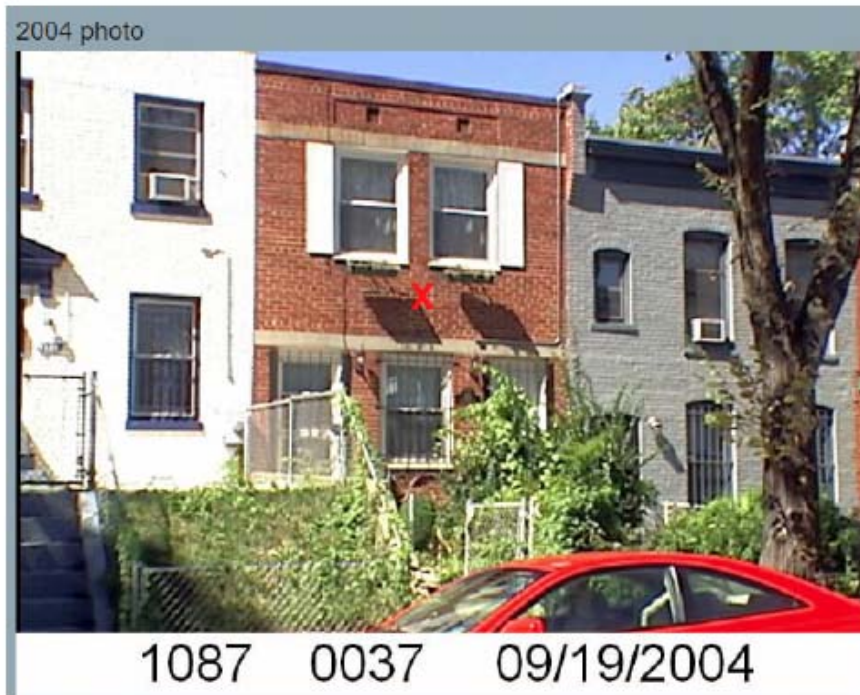


2018 <https://www.redfin.com/DC/Washington/210-P-St-NW-20001/unit-1/home/146047573>

“CORNICE REMOVED”

223 17th Street, SE

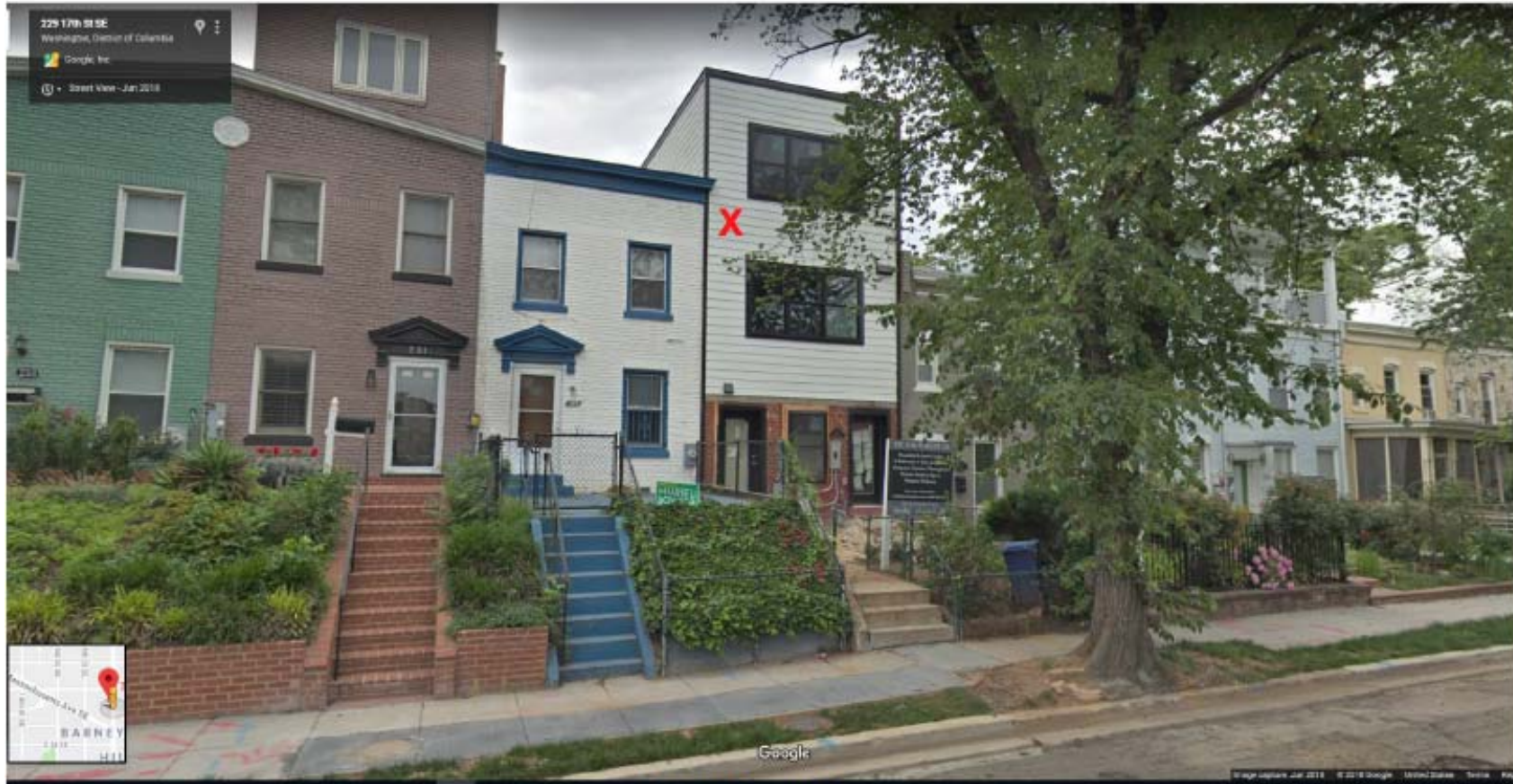
Address	Square/Lot	Permit Number	Comments' Date	Description of Permit Work	Cornice removed	Zone	Historic	NOTES
223 17 th St SE	Sq. 1087 Lot 37	B1613121	April 27, 2017	“Scope includes a complete gut and renovation of an existing single family rowhome and conversion into a two unit flat with a 2,958 SF addition. The addition is inclusive of a 3 rd floor addition and an addition at the rear of the residence. Roof deck to be built under separate permit. There is demolition of all interior components including but not limited to ceilings, lighting, plumbing fixtures, doors, stairs and related interior partitions. New work includes installation of new complete interiors with fire separations between the two units. There are architectural, structural, mechanical, plumbing, electrical modifications included in the drawings.”	No	RF-1	No	



September, 2004 OP Property Quest

“CORNICE REMOVED”

[223 17th Street, SE](#)

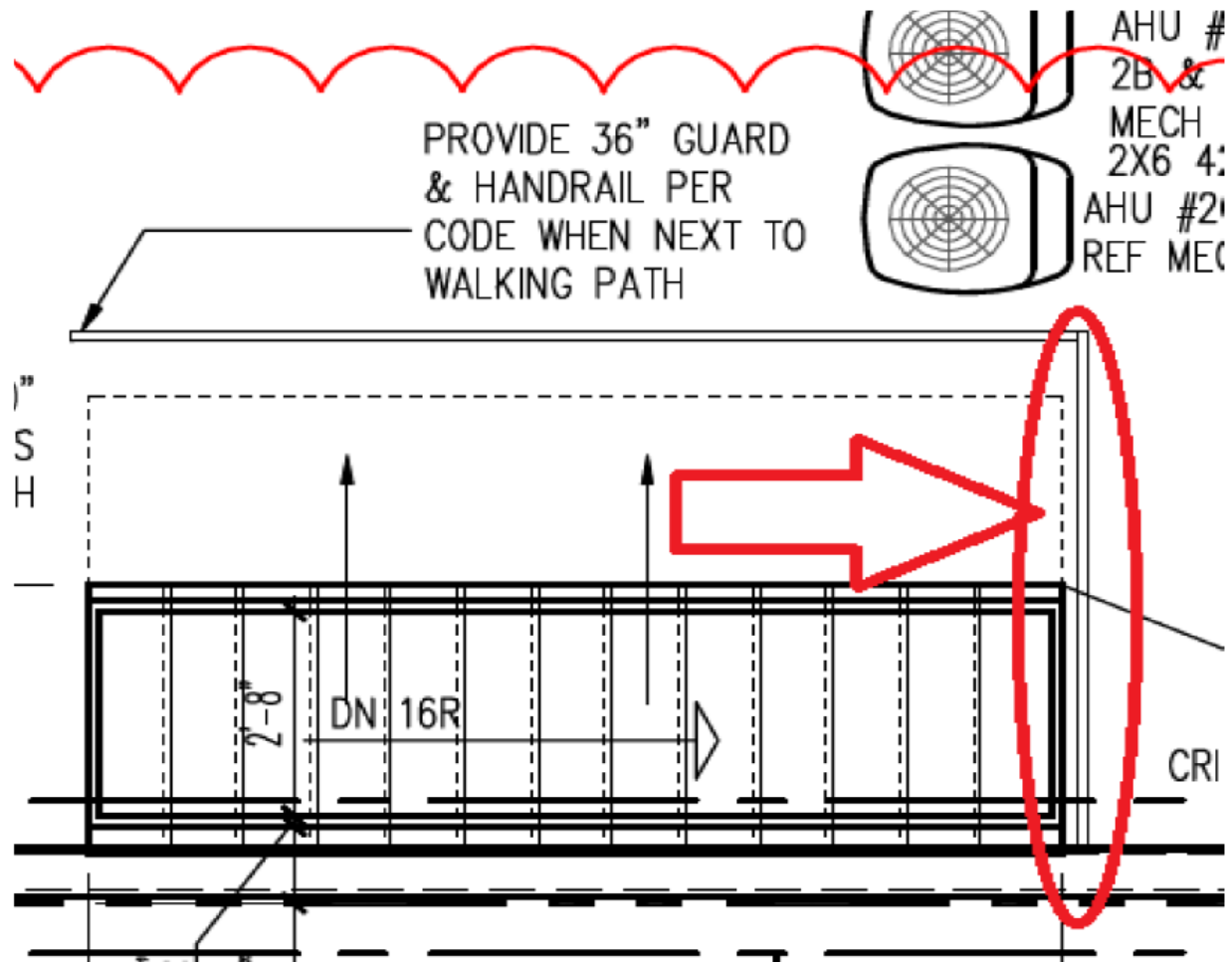


June, 2018 Google Earth

FAÇADE TRIM NOT ROOFTOP **ARCHITECTURAL ELEMENT OR CORNICE**

- **Located 16 Inches Below Top of Parapet Wall**
- **Separate and Distinct From Top of Parapet Wall**
- **Not Located on or Related to Rooftop**

GUARDRAIL NOT SUBJECT TO SETBACK



Detail from Sheet A3.1 (Tab A)

GUARDRAIL NOT SUBJECT **TO SETBACK**

- **36 Inches Tall**
- **Perpendicular to Party Wall**
- **Setback From Rear and Front Roof**
- **Building Code Mandated For Life Safety Purposes**
- **Established Zoning Policy to Not Require Any Setback**
- **Minor Permit Revision Can Relocate Guardrail**