

November 8, 2024

**Via Email**

Board of Zoning Adjustment  
441 4th Street, N.W.  
Suite 210S  
Washington, DC 20001

**Re: Applicant's Updated Plans, Responses to the Party Status Request and the New Hearing Date - BZA Case No. 21205 – 3730 Windom Place, NW**

Dear Chairperson Hill and Members of the Board:

On behalf of the Applicant in the above-referenced case, we are herewith submitting updated plans, photos, perspective, and graphic representations, including a shadow study, to better illustrate the proposed deck and its context with the neighboring property. The only revision to the current plans is the provision of a lattice-type privacy screening on the deck, adjacent to the party opponent's property.

**Request for an Earlier Hearing Date**

We were disappointed to see that the hearing has been moved to such a late date; three months from now. This is effectively a 3-month penalty for filing for an expedited review. The purpose of expedited review, or at least its presumed effect, is to streamline applications for the Board and to provide a more efficient and affordable process for an applicant. In most cases where an application is removed from the Expedited Review calendar, we have typically seen the hearing scheduled for a week or two later. To do otherwise would discourage Expedited Review.

This Application currently enjoys the unanimous support of ANC 3E. A favorable Office of Planning report is expected. The Applicant's presentation will be short (no more than 10 minutes), and the subject material is not complex enough to suggest a lengthy hearing. For these reasons, the Applicant would appreciate if the Board could consider placing this hearing on an earlier date, hopefully in December, if any open hearing slots materialize because of a withdrawal or postponement.

Updated Plans and Response to the Party Status Filing.

The updated submission illustrates conclusively that the proposed deck has no undue impact on the light and air to the adjacent property at 3732 Windom.<sup>1</sup>

The neighbor's privacy of use and enjoyment will also not be unduly compromised. The deck design places the 4.25' wide stairway on the side of the deck adjacent to the 3732 Windom property line, peeping the main section of the deck further away from the neighbor's property line. As such, the proposed deck does not materially alter the existing privacy situation. However, for good measure and to respond to neighbor concerns, the updated plans propose a privacy screen, optimally located to enhance the privacy situation between the two properties.<sup>2</sup>

The Applicant has no objection the granting of the requested party status.

Respectfully Submitted,

*Martin P Sullivan*

---

Martin P. Sullivan, Esq.  
Sullivan & Barros, LLP

---

<sup>1</sup> Party Opponent mistakenly refers to the deck as having side enclosures. Also, the required plat is provided in BZA Exhibit 11.

<sup>2</sup> ANC 3E has suggested that the Applicant work with the 3732-neighbor regarding the type of privacy screening and the Applicant intends to do so.

**CERTIFICATE OF SERVICE**

I hereby certify that on November 8, 2024, an electronic copy of this submission was served to the following:

D.C. Office of Planning  
Michael Jurkovic  
[Michael.jurkovic@dc.gov](mailto:Michael.jurkovic@dc.gov)

Advisory Neighborhood Commission 3E

ANC Office  
[3E@anc.dc.gov](mailto:3E@anc.dc.gov)

Jonathan Bender, Chairperson  
[3E03@anc.dc.gov](mailto:3E03@anc.dc.gov)

Jefferey Denny, SMD  
[3E05@anc.dc.gov](mailto:3E05@anc.dc.gov)

Party Status Requestee

Sarita Frattaroli  
[sfrattar@gmail.com](mailto:sfrattar@gmail.com)

Respectfully Submitted,

*Sarah Harkcom*  
Sarah Harkcom, Case Manager  
Sullivan & Barros, LLP