

REBUTTAL OF MOTION TO POSTPONE FILED BY ANC 8C

March 10, 2025

We oppose the motion to postpone the decision of Case 21239 (Hayman) till March 26,2025 BZA meeting. Any further delay will constitute undue hardship on the Hayman family, they have been unable to continue work on the project since August 2, 2024 when they received the stopwork order due to complaint filed by their next door neighbor.

Below are our responses to each of the issues raised as reasons for the motion (our responses are in bold text)



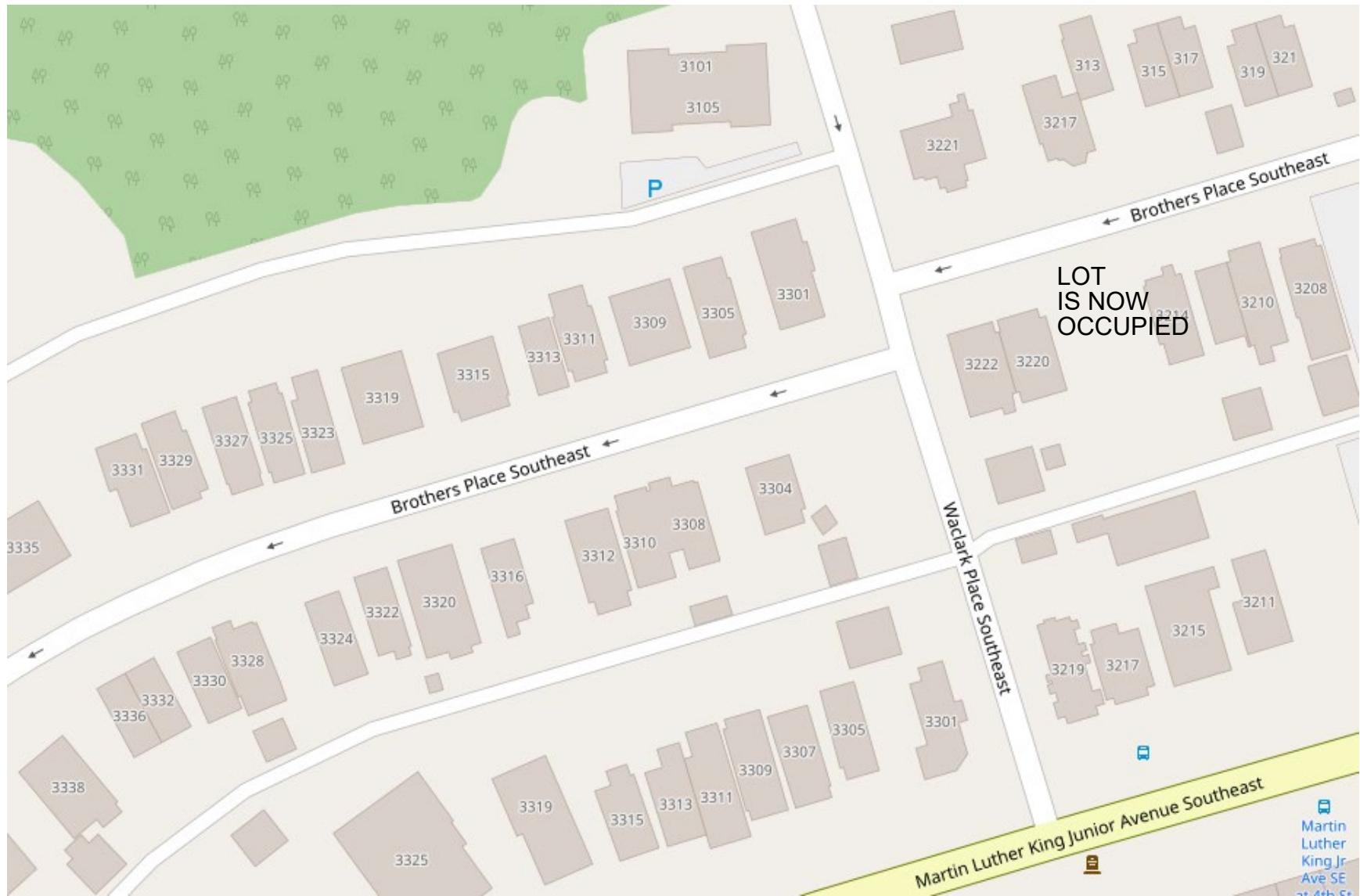
1. The original permit being for a 9'4" addition with 5' side yard but instead building a 16' addition with only 16" side yard

The addition to the house is 9'-4" as the floor plans clearly show. Reference Attached Sheet A1. Regarding the side yard, it must be noted that the addition does not deviate in alignment with the existing house and does not protrude from the existing structure in such a way as to make the addition closer to the property line. The setback from the property line of the existing structure is maintained by the addition.

2. Heightened fire safety concerns due to the buildings at 3220 and 3222 Brothers Pl SE being so close due to the 16" side yard at 3220 Brothers Pl SE

There is no heightened fire safety concern as the addition is equal distance to the adjacent property as the existing structure.





Above neighborhood map also shows that the closeness of 3220 and 3222 is replicated throughout the neighborhood with some houses even closer to each other.

3. Setting a precedent for future requests which do not have sufficient side yard and are out of character for the neighborhood.

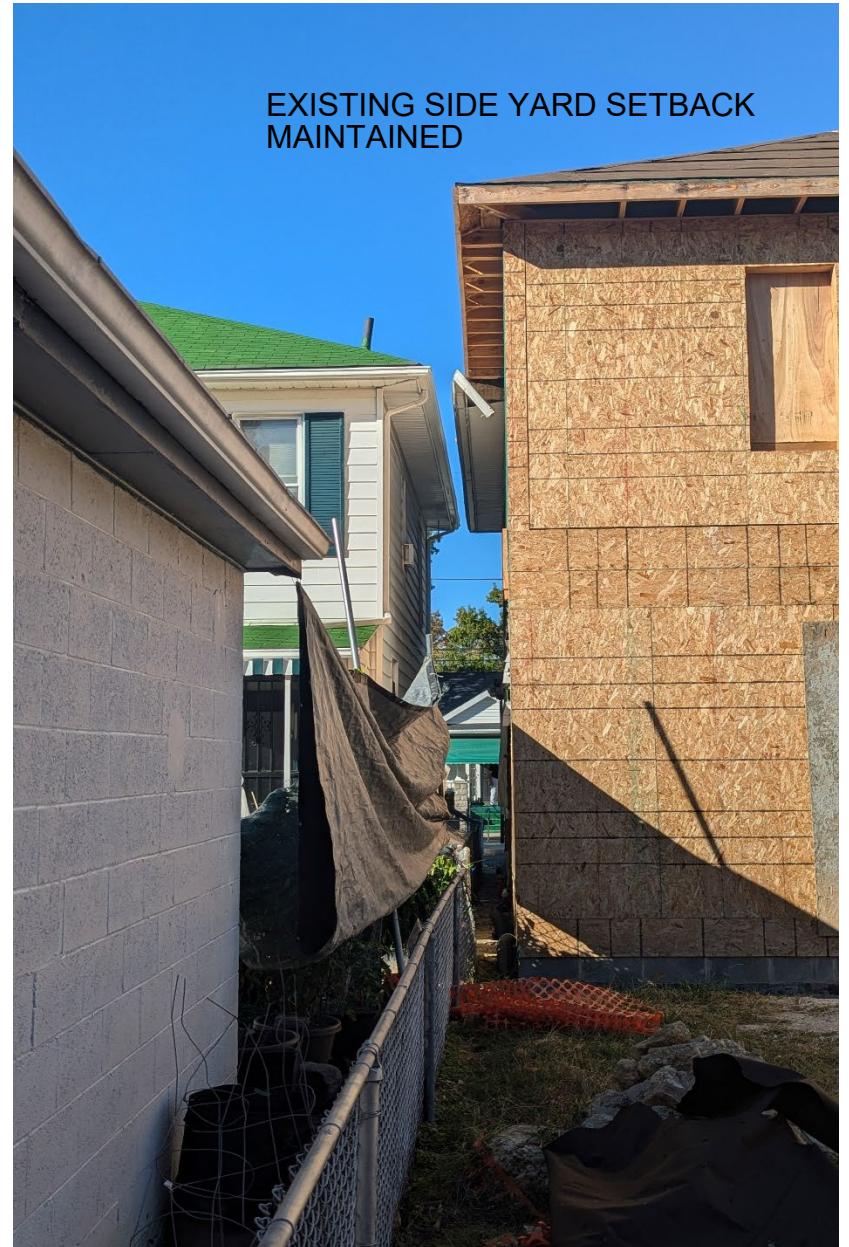
No real precedent is being set as the owner is not requesting to build the addition closer to the property line than the existing structure is already located in the same proximity. This is in no way out of character with the neighborhood as the adjacent property is closer to the property line than the strict requirement of the code allows.



HOUSE NEXT DOOR IS
MORE MASSIVE



EXISTING SIDE YARD SETBACK
MAINTAINED



4. The size of the addition being unsightly because it is overly large/out of scale



for the
size of the lot and the neighborhood's character (visible from Waclark Pl SE and
MLK Jr. Ave SE)

**The size of the addition is in perfect scale to neighboring properties and is much smaller in size and scale to the 3 story
larger property located to the east of the subject property.**

5. Encroachment on/over the property line of 3222 Brothers PI SE, along with property damage (their paved side yard) during construction and due to the 16" side yard at 3220 Brothers PI SE

We are not aware of encroachment with the neighboring property. Precise location of property boundary can be determined by having a surveyor mark the boundaries so that the exact location of the property line is known.



The existing fence is not an accurate reflection of the property line as it undulates whereas the property line does not and runs straight from back to front.



The motion filed by ANC 8C contains some deliberate misinformation and mischaracterization, therefore it lacks merit, whatever the real issues are between these neighbors they could be resolved amicably; however, Mr. Hayman's home addition is not at all out of character in the neighborhood.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Ebenezer Olarewaju".

Ebenezer Olarewaju, Architect

Aldyth James, Architect Associate

John Hayman, Applicant