

## **Written Testimony of Carolyn Milbourne Hantz**

### **Regarding BZA Case 21290**

**Property Address: 28 – 46th Place NE, Washington, DC 20019**

**Square 5138, Lot 0077**

Chairperson and Members of the Board:

My name is Carolyn Milbourne Hantz, and I am the owner of the property located at 28 – 46th Place NE in Washington, DC. I submit this written testimony in support of relief concerning the zoning issue related to the addition currently under construction at my home.

#### **1. Background and Prior Approval**

- a. On March 13, 2022, our architect **Olufemi Sokoya** submitted Project Application ID # PRJ-22-002094 for the project to the Department of Consumer and Regulatory Affairs (DCRA) for approval of 28 46<sup>th</sup> Place NE House Addition including 9 required permits.
- b. On August 1, 2022, we submitted the signed plan map for certification in order to receive approval of the construction drawings.
- c. We received zoning approval of Building Permit B2205045 for the addition, alteration, and repair of our home from Ms. Brittany Bullock on March 20, 2023. ProjectDox notes Zoning Review, Reviewer's Name – Brittany Bullock [Brittany.bullock@dc.gov](mailto:Brittany.bullock@dc.gov), Review Status – Approved – WC, Date Updated 03/20/2023, Review Comments – New to story rear addition with rear exterior stairs. Interior renovations. Wall check required. [Exhibit 26]
- d. On June 9, 2023, at 3:30pm we held a mandatory meeting with Ms. Ashley Delgado, Residential Energy Plans Reviewer, Office of Construction and Building Standards, Department of Buildings.
- e. On August 31, 2023, Ms. Delgado provided feedback on updated drawings. Ashley Delgado provided approval on Friday, December 8, 2023.
- f. I paid \$5,743.01 for the permit on March 12, 2024. The approval process took two years, involving numerous reviews and administrative burdens.
- g. On March 13, 2024, our architect Ms. Sokoya received approved plans for Project B2205045 from the Department of Buildings via ProjectDox.

#### **2. Unexpected Zoning Issue**

On December 20, 2024—near the final stages of construction Department of Buildings ([dob@dc.gov](mailto:dob@dc.gov)) left a voice message (looks like the message was from

Ricardo Robinson) notified our contractor, **Melvin Taylor**, MT Home Builders LLC, of a zoning issue related to the rear extension previously approved through the zoning review process by Brittany Bullock on March 20, 2023, under Building Permit B2205045. He stated “The permit application was issued in error. The addition is not in compliance with Sub D 207.4. The Board of Zoning (BZA) relief is required. The addition extends more than ten (10’) feet beyond the adjacent property rear building wall. [Exhibit 26]

At no point during the two-year approval process (March 13, 2022, through payment of \$5,743.01 on March 12, 2024), did a District of Columbia Building or Zoning representative tell me that further zoning reviews and approvals would be required or that the extension at 15 feet would require a zoning variance through the Board of Zoning Adjustment.

### **3. Zoning Harmony and Neighborhood Impact**

The proposed extension is consistent with 11 DCMR Subtitle X § 901.2. It is in harmony with the Zoning Regulations and Maps, and it will not adversely affect the use of neighboring properties, including the adjoining property at 30 46th Place NE. Our architect carefully designed our addition to minimize any visual or structural impact on surrounding homes and is reflective of thoughtful and modern development.

### **4. Community Support**

On February 18, 2025, I testified before the ANC 7F Commission and received their support for completing the construction, including the 15-foot extension across all three levels. Commissioner Chanettia Nelson, Advisory Neighborhood Commission ANC 7F04, confirmed this. [Exhibit 18]

### **5. Reliance in Good Faith on Zoning Review Approval**

On March 20, 2023, we received zoning approval from Ms. Brittany Bullock for the proposed addition to my home, in connection with Building Permit B2205045. [Exhibit 26] Ms. Bullock granted this approval with full awareness that the proposed rear addition extended more than 10 feet beyond the adjacent property's rear building wall. Relying on this approval in good faith, I proceeded

with construction in April 2024.

#### **6. Errors in Referral Memorandum**

Two clerical errors in the Referral Memorandum caused additional delays: a) The subject line described a different construction project unrelated to mine. b) District of Columbia representatives that wrote the referral memorandum incorrectly listed the Square Number as 513866 instead of 5138. [Exhibit 14]

#### **7. Integrity of the Permit System**

As a taxpaying citizen, I am concerned that permit approvals issued by the Department of Buildings—on which residents rely to make significant investments—are not being honored. This inconsistency erodes trust in the process and places undue burden on homeowners acting in good faith.

#### **8. Disruption and Financial Burden**

Over the last nine months, I have had to relocate my family three times, incurring \$3,000 per month in leasing costs. The last two relocations have been due to construction delays caused by this unexpected zoning issue. This hardship continues and is compounded by the fact that we are unable to live in our primary residence, which remains in limbo pending the outcome of this review.

#### **9. Impact on My Autistic Son**

We have had to move repeatedly (three times) with our adult son, who is autistic and non-verbal. Each relocation has been traumatic for him, as changes in routine severely affect his well-being. He was born and raised in this home and neighborhood for the past 27 years.

#### **10. Hardship and Impact**

Representatives in the Department of Buildings and DC Office of Zoning articulated requirements for me to justify the addition's size with pictures of other properties and neighbor statements seem unfair and misguided at this stage. The people we spoke to in relation to these requirements include Gregory Garland, Sara Bardin, and Robert Reid. My family and I reasonably relied upon the original zoning review approval by Ms. Brittany Bullock. Applying additional factors now is puzzling and seems unfair, unjust, and detrimental to my family's financial and emotional interests. Requiring us to

now justify the previously approved work, after we spent years of time and effort and extensive financial investment seems punitive. The proposed additional justification also undermines the integrity of the permitting process and creates unnecessary hardship.

#### **11. Additional Personal and Family History with the Property**

I purchased our home in 1993 from my grandfather to keep the family homestead in the family for four generations and beyond. Our home is the same home in which my maternal grandparents raised my mother and her 12 siblings. I am a lifelong Washingtonian and have chosen to remain in the District of Columbia even after the tragic loss of my first husband in 2007. After retiring from 46 years of civilian federal service, I hoped to enjoy my retirement in this newly renovated home starting January 3, 2025. That hope remains unrealized.

#### **12. Request for Relief**

Given the facts and context outlined above, I respectfully request relief in the form of a waiver or special exception to allow the completion of our home alteration and repair including our already built 15-foot addition. We relied on the Building Permit B2205045 (including the zoning review and approval on March 20, 2023) and acted in compliance therewith and request that the Board honor the intent and integrity of that approval. Also, we request an extension or renewal of the now expired permits. Due to the work stoppage based on the zoning issues, the permits have in the interim expired for at minimum plumbing and electrical.

#### **13. Authorization of Representatives**

I authorize the following individuals to appear and speak as witnesses on my behalf regarding BZA Case 21290:

- **Melvin Taylor**, MT Home Builders LLC, 9113 Linhurst Dr., Clinton, MD 20735 | (240) 778-4512
  - Over 46 years of construction experience.
- **Olufemi Sokoya**, 4 White Willow Court, Owings Mills, MD 21117 | (443) 864-2477

#### **11. Conclusion**

I am committed to preserving and enhancing my family home of four generations

and continuing to contribute positively to my neighborhood of the past 32 years. I acted in good faith on the March 2023 zoning review approval and have faced unnecessary hardship over the past six months and continue to do so. I respectfully ask the Board to approve my request for zoning relief so that my family may finally return home.

Sincerely,

Carolyn Milbourne Hantz

(202) 812-1999 or [cramonad@aol.com](mailto:cramonad@aol.com)

Owner, 28 – 46th Place NE

BZA Case 21290