

3125 Warder Street NW Review Application
Application No.: BZATmp4949

Exhibits: Questions and Responses

1. Exhibit 1: Form 120 – Original Application. Application must comply with the requirements of Subtitle E § 204.3(d). Applicant may choose to provide a certification by checking the appropriate box under the Waivers section of the Form 120 – Original Application, if appropriate.

R.- The box was selected on Form 120.

2. Exhibit 6: Burden of Proof. Pursuant to Subtitle Y 300.8(e), the submitted document must address the relevant standards of review, Specifically Subtitle E § 5201.4(a), (b), (c), and (d), as well as Subtitle X § 901.2(a), (b), and (c), and Subtitle X § 1002.

R.- Regarding Subtitle E §5201.4 (a), the neighboring houses extend beyond our proposed boundaries. Their windows only face rearwards, since we are making our overall footprint smaller than the current footprint, this will have zero impact on air or light available to the neighboring properties.

Regarding Subtitle E §5201.4 (b), the neighboring properties extend beyond our proposed boundaries. They have no windows facing our home. Our overall footprint will be smaller than adjacent properties, so there will be no infringement on the use or enjoyment of those properties.

Regarding Subtitle E §5201.4 (c), the new design will have higher roof and wall insulation than the current property, so noise will be reduced, if impacted at all.

Regarding Subtitle E §5201.4 (d), the neighboring houses do not have backyards that extend beyond our property lines, and thus will not be impacted. The front yards will have no change since we are only removing a portion of the porch.

Regarding 901.2 (a), the proposed work will be in harmony with the surrounding properties by maintaining the current zoning regulations and zoning maps. The front and rear setbacks will remain in compliance with zoning. Building height will not be altered. The proposed work won't have an impact on the zoning maps. The proposed work will put our home in better compliance than its current state and be in better compliance than many of the surrounding properties.

Regarding 901.2 (b), the neighboring properties extend beyond our proposed boundaries. Our house will be a smaller footprint, therefore there will be no adverse impacts on the neighboring properties

Regarding 901.2 (c), the proposed work will meet any special conditions specified in this title. By complying with the harmony and use of the neighboring in accordance with the zoning regulations and zoning maps.

Per 1002.1, without a special exception, per Subtitle X § 1000.1, any efforts to remodel our home will contribute to lost space. When our home was purchased in 2015, the lot coverage was 80%, we are reducing that by 15.3% to 64.7%. This is less than what should be required to be grandfathered in since 66.7% of the property was permitted on or before 1923. We have an exceptionally small lot size that is no longer allowed by the codes. We are trying to help achieve two of DC's purported goals of additional housing and carbon neutrality by creating a rentable basement unit and by adding solar panels which are only possible with the addition of a pop-up. We need to adjust the porch width to allow for enough head clearance to enter the basement unit. Without a special exception, we are left unable to achieve our goal of solar power and with a smaller home simply for having a smaller lot and needing to make renovations to a structure and addition built over one hundred years ago.

3. Exhibit 8: List of names and mailing addresses of the owners within 200 feet. A 200 ft Radius and Tax Map Request Form should be requested from The District of Columbia Office of Tax and Revenue, Real Property Assessment Division, Maps & Title, and should be submitted with the application.

R.-The 200 ft Radius and Tax Map has been uploaded

4. Exhibit 9: Letter of Certification. Application must comply with the requirements of Subtitle Y § 300.5, which requires a "certification signed by the representative that they have read the Board's Rules of Practice and Procedure".

R.- This form has been filled out and signed.

5. Statement of Public Outreach. Application must include a Statement of Public Outreach in compliance with Subtitle Y § 300.8(l), which reflects efforts to apprise the affected Advisory Neighborhood Commission.

R.- This form has been uploaded.

6. Certificate of Service. Application must comply with the requirements of Subtitle Y § 300.11 which requires "certificate of service demonstrating that a copy of the application and all accompanying documents have been served upon: (a) The Office of Planning; and (b) The affected ANC".

R.- The certificate of service will be provided.

7. Exhibit 11: Form 135 – Zoning Self-Certification. Applicant is requesting Area Variance from the Lot Occupancy requirements of Subtitle E § 210.1, with a proposed Lot Occupancy of 64.7%; however, Subtitle E § 5201.1(a) permits Special Exception relief from the Lot Occupancy restrictions of Subtitle E § 210.1, allowing up to 70%. Applicant should elaborate on the requested relief in the submitted Burden of Proof or if relief is not certain, Applicant should seek a Referral Memorandum from the Department of Buildings Office of the Zoning Administrator which will list all necessary and proper relief.

R.- We have updated all documents to a Special Exception Relief Application.

The Office of Zoning (OZ) has reviewed Application No.: BZATmp4949, submitted on 08/25/2025, and it has been deemed deficient for the following reasons:

1. Exhibit 1: Form 120 – Original Application. The District of Columbia Geographic Information System list the ANC as 1E.
R.- *GIS information has been listed.*
2. Exhibit 9: Letter of Certification. Application must comply with the requirements of Subtitle Y § 300.5, which requires a "certification signed by the representative that they have read the Board's Rules of Practice and Procedure".
R.- *Letter of Certification has been uploaded.*
3. Exhibit 14: Form 135 – Zoning Self-Certification. Page 2 of the form must have a numerical value or N/A for every field.
R.- *Page 2 of Form 135 has been revised.*

Subject:

Case No.21390

It has been determined that your application contains all the required documents. Please note that the application/appeal process will not be complete until the following is submitted within three business days. If the following is not received within that timeline, your application may be voided and a new application will be required.

- **Application Payment:** Online payment via the Interactive Zoning Information System (IZIS) or hand delivery of a check or money order for the correct filing fee. The check/money order should be made payable to the 'DC Treasurer' and delivered to the Office of Zoning at 441 4th Street, NW, Suite 200-S, Washington, DC 20001.
R.- Application has been paid
- **Labels***: Two (2) sets of the names and mailing addresses of the owners of all property within the 200-foot radius of the subject property, printed on self-adhesive mailing labels. The names and mailing addresses should be printed legibly, and centered on the labels, so that text is not cut off or otherwise obscured. Failure to ensure that the labels are printed correctly will result in the labels being rejected. (Note: Avery brand Product Nos. 5160, 5960 and 8160 work best with the format of the list of names and addresses provided by the Office of Tax and Revenue)
R.- Labels have been mailed.
- **Lessee Labels:** If applicable, two (2) sets of the names and mailing addresses of each person, or entity who has a lease with the owner printed on self-adhesive mailing labels. The names and mailing addresses should be printed legibly, and centered on the labels, so

that part of the name or address is cut off or otherwise obscured. Failure to ensure that the labels are printed in this manner will result in the labels being rejected.

R.- Not applicable.