

Ms. Sara Bardin, Director
D.C. Office of Zoning
Board of Zoning Adjustment
441 4th St., N.W., Room 210
Washington, D.C. 20001

Dear Ms Sara Bardin,

Having read the below comments on reasons to refuse the zoning arrangement at 3311 P Street, we felt we should respond to the points with factual and precise statement and information.

Please see below the responses from myself Graham Kent and my partner Ms Carolina Nelson owners of 3311 P St NW. listed below.

We would also like to put on notice that we have considered concerns of all objectors, and we have adjusted our design. The design will now be a full blackout glass structure to lesson impact of all brick, reduced the depth of the second-floor extension to 10ft in-depth and the ground floor extension to 14ft, keeping our structure shorter than the distance of the existing extension at 3313 P St. (which is 15ft 1inch, Elizabeth Evans property) and shorter than the current depth of our pergola that is already in situ.

We have matched the ground floor depth to the same as the new extensions at 3315 P St NW, and 3317 P Street NW.

Please Remember at present we have a partition boundary wall on the east side boundary of our property, extending the full length of our garden that is 5ft 3 inches high from our ground level.

Kind regards,

Graham Kent & Carolina Nelson

Matthew Tyler, owner of 3309 P St., N.W., the property adjoining the applicant's property to the east.

He will explain that his house and lot are substantially smaller than the Applicant's property, and that the rear wall of the Applicant's house already extends 12.9 ft. beyond the rear wall of his house.

He will note that the current extension is 2.9 ft. more than the 10 ft. maximum specified in the D.C. zoning regulations, and that it already blocks much of the light and air to the rear of his property.

He will show that allowing the Applicant to add a 14-ft. long two-story addition to it will cause the rear wall of the Applicant's house to extend a total of 26.9 ft. beyond the rear wall of his house.

He will explain that the proposed two-story addition will run the entire length of his rear garden property line, completely blocking all light and air from the west to the rear of his house and garden. He will testify that this will substantially adversely affect his use and enjoy his property.

Information on 3309 P St NW. and response to statement of Matthew Tyler, owner of 3309 P St., N.W.

3309 P St NW was built some two years after properties of 3301, 3311, 3313, 3315, 3317, 3319 P St NW, and 1502, 1504, 1506, 1508 on 33rd St NW.

3309 P St NW property may well have been built on land in the previous ownership of 3301 P Street NW and 1502, 1504, 1506, 1508, on 33rd St NW due to the reduced size of their rear gardens.

The construction of the east wall of 3311 P St, has been in situ since 3309 P St NW, was built. (1900s) 50% of the ownership (thickness) of this boundary wall belongs to 3311 P St NW, and to 3309 P St NW; The existing west house wall of 3311 P St NW, is in fact, the end of the rear boundary of 3309 P St NW. (not talking about garden wall)

The boundary garden wall on east side of 3311 P St NW, was originally built in 1900s the owners of 3309 P St NW and 1508, and 1512, 33rd St NW, keep relating to the height and length of this wall as being enormous 10ft 3inches high from their ground level, (53.6ft long from back of house at 3311 P St to rear of garden), however they did choose to buy their homes knowing this wall was already in existence.

On a separate note, this wall is now in a state of major disrepair and for the security of all persons living at 3309 P St, 3311 P St a future rebuilding cost split is required to repair this. Zoning would be keen to ensure safety of boundaries.

Regarding light and air statement.

A mentioned, there is already a 10ft 3inch high wall in situ between properties (ground floor of 3309 P St NW, therefore this statement is saying that our proposed second floor extension 10ft in-depth from the rear wall of our house is going to make a detrimental effect on current airflow. I disagree.

Regularity of airflow is dependent on prevailing winds. The property positions of the existing homes on 33rd Street are already directly affecting the air flow of east winds to all rear gardens. There is an open passageway between buildings of 3301 P St NW and 3309 P St NW that allows natural air flow from north and south directions.

I will mention below about the restriction of air and light from westerly direction from enormous trees in the garden of 3309 P St NW and 1510 33rd St NW separately.

Photo below of passageway between buildings of 3301 P St and 3309 P St. that allows natural air flow from north and south directions and the enormous tree in rear garden of 3309 P St NW, restricting natural daylight and airflow from a westerly direction to 3309 P St, 3301 P St, 1502, 1504 and 1506, 1508 of 33rd St NW.



Regarding light in the garden of 3309 P St NW. As mentioned, this house an enormous tree in their garden that is already higher than our proposed extension and covers the whole of the back garden of 3309 P St NW. This blocks the vast amount of the natural daylight and air to the rear of their home and those of 3301 P St NW, 1502, 1504, 1506, and 1508 of 33rd St NW.

The shadow study shows there is no extra shadowing effect on the home of 3309 P St NW. as a result of our proposed extension.

Photos of massive tree and high foliage in rear gardens at 3309 P Street and tall trees in garden of 1510 33rd St restricting the natural light and air flow to 3309 P St NW and that of 3301 P Street NW, 1502, 1504, 1506, 1508 33rd St NW.





The enormous tree in 3309 P St NW back garden which is taller than our proposed extension, and in 1510 33rd St NW, there is a line of extremely tall trees on their north and south boundaries, which again are as high as our proposed extension. These are the major cause of restricted light and air to 3309 P St, and 3301 P St NW, 1502, 1504, 1506 and 1508 of 33rd St NW.

Again, it is said our proposed second floor extension (10ft in depth from the rear wall) is going to have a detrimental effect on natural light to the homes of 3309 P St NW, and 1508 33rd St NW. I disagree, the shadow test results prove this, and this did not even take into consideration the effect of the enormous trees blocking natural light and the existing wall of 10ft 3 inches dividing these homes from ours.

I will revert to comments made in the statement by 3308 33rd St NW separately.

Elizabeth Evans, owner of 3313 P St., N.W., the property adjoining the Applicant's property to the west. She will testify that her house has a one-story addition, approximately 14 ft. long, that has skylights in the roof. She will explain that the west-facing second-story windows of the Applicant's proposed addition will look directly down through her skylights into her house.

She will also testify that the property adjoining her house to the west (3315 P St., N.W.) has a two story addition of approximately the same length as the Applicant's proposed addition. She will explain that the second-stories of these two additions will create an "air shaft" that blocks the light and air from both the east and from the west to the first-floor sky lights, and to the second story rear windows of her house. She will testify that this will substantially adversely affect her use and enjoyment of her property.

Information on 3313 P St NW, and response to statement of Elizabeth Evans, owner of 3313 P St. N.W.

As stated by Elizabeth Evans, she has a 14ft long pitched roof single-story extension to the rear of her property. In fact, this is 15.1 ft in-depth and 16.5 ft wide

Firstly, I will note that at no point is there going to be any viewing windows on the east or west facing first floor extension walls. These are high level windows, (well above head height) there is NO overlooking into anybody's windows or skylights or gardens from these.

The extension at 3313 P St NW, covers from her west to east boundaries. (The full width of the back of the house and side passageway). (16.5ft wide) unlike those at 3315, 3317, and 3319 P St NW, who have only extended the width of the rear of their property (not the total land)

Our proposal is also for the extension at 3311 P St NW, to only be the width of the rear of the property, not the total land. Therefore, there is no air shaft creation as there is no fixed building from our side onto her property.

I would also note that should 3313 P St NW, (owned by Elizabeth Evans) ever be sold, at a future date (clearly unknown) this would mean that as a precedence has been set with the extensions already having been granted at 3315, 3317, 3319, P St NW (all having double height extensions), thus meaning, the prospective new owner of 3313 P St would automatically gain approval (should they wish) for a two-story extension as a replacement to the single story extension that there is today!

Would there be the same objections from 3309 P St NW, and 1508, 1512, 33rd St in this case, as there is now?

The extension of 3313 P St NW is at present encroaching over the boundary of our property due to the building construction of the pitched roof and full width extension.

The adjusted design of our proposal is to have only a Juliet balcony with an ornamental mini garden, so again there is no overlooking of other properties from a seated balcony.

Rear view of 3313, 3315, 3317 P Street NW.



Grace Bateman, the owner of 1508 33rd St., N.W., which is perpendicular to the Applicant's property. She will explain that the 12.9 ft long, 28 ft. high east wall of the Applicant's existing house already blocks much of the light and air from the west to the rear of her house and garden.

She will testify that the Applicant's proposed 14 ft. 2-story addition will completely block the light and air from the west to her house and garden. Further, she will note that these conditions will be made all the worse because the properties on 33rd St., N.W. are built at a grade 10 ft. lower than the grade of the Applicant's property. She will explain that, because of this grade difference, the actual height of the Applicant's proposed two-story addition will be 38 ft. when viewed from the rear of her house and from her garden. She will testify that this towering wall, due west of her house, will substantially adversely affect her use and enjoyment of her property.

Information on 1508 33rd St NW. and response to statement of Grace Bateman, owner of 1508 33rd St NW.

Regarding light and air statement.

The shadow study shows there is no extra shadowing effect on the home of 1508 33rd St NW, nor the garden. Our shadow study has not even considered light lost by the enormous high trees planted in the gardens of 3309 P St NW and 1510 33rd St NW that block natural light and views. The result of these enormous high trees has caused the loss of light and air to the homes of 3301, 3309 P St NW, 1502, 1504, 1506 and 1508 33rd St NW.

As mentioned in our opening statement. We have listened to concerns of complainants and we have reduced the size of the rear extension.

Regularity of airflow is dependent on prevailing winds. The terraced construction of the existing homes on 33rd Street directly affects the air flow of east winds to the rear gardens of 1502, 1504, 1506, and 1508 33rd St NW, and 3301 and 3309 P St NW already. There is an open passageway between buildings of 3301 P St and 3309 P St. that allows natural air flow from north and south directions.

A 10ft in-depth first floor extension that sits a gardens distance away from the rear of 1508 33rd St NW will have no restriction of west winds. Remember there is already a 10ft 3inch wall between our properties from the ground level at 1508 33rd St NW.

The construction of the east wall of 3311 P St, has been in situ since 1900s. The wall makes up the side west boundary of 3309 P St NW and rear west boundaries of 1510, 1512 33rd St NW. The owners of 3309 P St NW and 1508, and 1512, 33rd St NW, keep relating to the height and length of this wall as being enormous 10ft 3inches high from their ground level, (53.6ft long from back of our house at 3311 P St to the end of our rear garden), however they did choose to buy their homes knowing this wall was already in existence.

Photo below of rear garden, 1510 33rd St NW showing high trees lining both north and south boundaries

Photos of tall trees and foliage in rear gardens at 1510 33rd St that is restricting the natural light and air flow away from that of 3301, 3309 P St NW and that of 1502, 1504, 1506, 1508, 1510, and 1512 33rd St NW.





Gregory Doolan, the owner of 1512 33rd St., N.W., which is perpendicular to the Applicant's property. He will explain that their gardens share a property line. He will testify that the second story of the Applicant's proposed two-story addition will adversely affect the light and air from the southwest to the rear of his house and garden. He will testify that because his property is also at a grade 10 ft. below the grade of the Applicant's property, the proposed two-story addition will be 38 ft. high when viewed from the rear of his house and garden.

Also, the balcony and French doors on the second-story of the proposed addition will look directly into his garden and towards the rear windows of his house. This will substantially adversely affect his use and enjoyment of his property.

Information on 1508 33rd St NW. and response to statement of Gregory Doolan owner of 1512 33rd St NW.

Firstly, 1512 33rd St NW is sited well north and well beyond the build line of the new planned extension at 3311 P St NW. The statement given by Gregory Doolan has no information that is relevant to our application.

The home of Gregory Doolan has another enormous tree and foliage in the rear garden and this combined with the high tree line planted in 1510 33rd St NW means there is a very minimal view of our home from his rear garden.

The shadow study shows there is no effect on the home of 1512 33rd St NW, nor garden. Our shadow study has not even considered light lost by the enormous trees planted in his garden nor the high trees planted on 1510 33rd St NW north boundary.

Our planned rear extension will be no more seen than the current rear of our home

Regularity of airflow is dependent on prevailing winds. The home of Gregory Doolan has an open car parking to the north side of the property, which allows eastern winds to flow. There is an open passageway between buildings of 3301 P St and 3309 P St. that allows natural air flow from north and south directions and there is no restriction by any buildings on his western boundary for airflow. I mentioned the information in this statement due to the positioning of this home has no relevance in this case.

The construction of the east wall of 3311 P St, has been in situ since 1900s. The wall makes up the side west boundary of 3309 P St NW and rear west boundaries of 1510, 1512 33rd St NW.

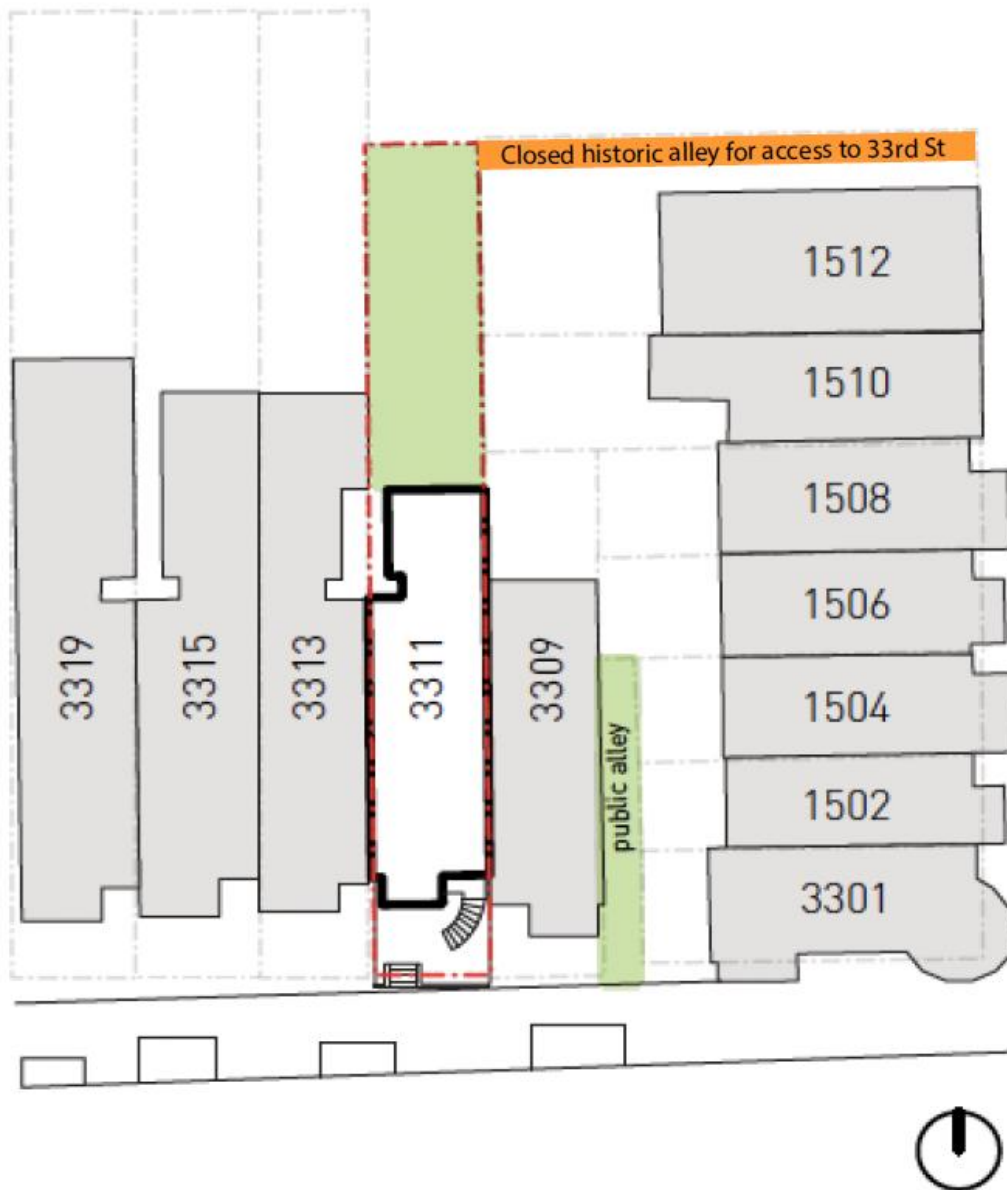
The owners of 3309 P St NW and 1508, and 1512, 33rd St NW, keep relating to the height and length of this wall as being enormous 10ft 3inches high from their ground level, (53.6ft long from back of house at 3311 P St to the end of the rear garden), however they did choose to buy their homes knowing this wall was already in existence.

1512 33rd St NW has had in the past a 2-story rear extension constructed that I'm sure Gregory Doolan enjoys. There was a right of way from the end of our garden (3311 P St NW) that passed adjacent to the north boundary of 1512 33rd St NW garden, to gain walking access to 33rd St, this has disappeared at some stage in the past for reasons unknown!

Photos of tall trees and foliage in the rear gardens at 1510 33rd St that restricts natural daylight and blocks out his views to the rear garden of 3311 P St NW



Last available ordinance property map of P St NW and 33rd St NW



Zoning on P Street

- 1.1 Most importantly is the determination of what is owned by whom and what has been set by zoning as the determination of the start point of an extension.**

Properties of 3313, 3315, 3317 and 3319 P St NW have all extended their individual properties. The zoning start point of these extensions has been the original back wall of their home. These houses and ours, (3311 P Street) are all of the same artistic design, constructed by the same building company in 1900.

- 1.2 The western rear corner of our house is the original boundary line of 3313, 3315, 3317, 3319 P Street, thus the same starting point of the zoning for the extensions granted at 3313, 3315, 3317 and 3319.**

Rear view of our property 3311 P Street.



2. Time requested to present case: 1 hour.

Responses to Party Status Criteria in Form 140

1. How will the property owned or occupied by such person, or in which the person has an interest, be affected by the action requested of the Commission/Board?

All of the properties within 200 ft. of the Applicant's proposed two-story addition will be affected by the size, scale, elevation and location of the proposed two-story addition because it will block their light and air, and will substantially adversely affect their use and enjoyment of their properties.

2. The names and ownership interest of those affected by the proposed two-story addition.

The "3311 P 200-Footers" are as follows:

Directly adjoining properties:

Matthew Tyler, 3309 P St., N.W., Washington, D.C. 20007 – owner and resident

Elizabeth Evans, 3313 P St., N.W., Washington, D.C. 2007 – owner and resident

33rd St. properties whose lots are perpendicular to the Applicant's:

Grace Bateman, 1508 33rd St., N.W., Washington, D.C. 20007 – owner and resident

Gregory Doolan, 1512 33rd St., N.W., Washington, D.C. 2007 – owner and resident

3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.)

All of the members of the "3311 P 200-Footers" own and live in properties that are within 200 feet of the Applicant's property. Two of them (Tyler and Evans) own property that directly adjoins the Applicant's property. Two of them (Bateman and Doolan) own property that is perpendicular to the Applicant's property and is at a substantially lower grade. The Doolan garden shares a rear property line with the Applicant's property. All of the 3311 P 200-Footers have provided statements in the "Responses to Party Status Criteria" in Form 140, Section I, which is attached.

I refute that ALL 200-Footers have provided statements!

4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?

If the Applicant is granted a Special Exception to build the proposed two-story addition, which will extend a total of 26.9 ft. beyond the adjoining house, the 3311 P 200-Footers will experience the following adverse effects:

Special Exceptions are intended to allow "flexibility" in applying D.C. zoning regulations. They allow property owners to build structures that make only small deviations from the letter of the zoning regulations. Granting a Special Exception to build a structure that extends beyond the adjoining property by more than twice the amount specified in the zoning

regulations would not be a minor deviation, it would render the 10 ft. zoning regulation meaningless. The purpose of this regulation is to prohibit a larger structure from blocking the light and air available to the rear of smaller neighboring structures. This is precisely what the proposed two-story addition would do to neighbors in this case.

Further, granting a Special Exception to allow an addition to extend more than twice the allowable 10 ft. in the Zoning regulations will encourage other property owners to propose ever-larger additions, dwarfing smaller properties throughout the District, and depriving their neighbors of light and air and privacy.

5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.

Georgetown is a dense community where light, air, and green space are precious commodities. If the Board of Zoning Adjustment grants the Applicant a Special Exception, it will be ignoring the substantially adverse impacts of this project on the light, air, and green space available to nearby neighbors. Reflecting these concerns, on March 5, 2026, in concept review, the Old Georgetown Board of the Commission of Fine Arts found that the proposed addition is too tall and indicated that a one-story addition would be preferable.

I question the statement that “Georgetown is a dense community where light, air, and green space are precious commodities” or the automatic granting of a first-floor level garage extensions for living accommodation would not have been recommended by the Georgetown board. This was given to offer greater availability of living space in Georgetown. First floor level living accommodation above garages is now an automatic right. Correctly, zoning sets limit of land use to building. This alone keeps open living area of a home safe.

6. Explain how the person’s interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

The impacts outlined above will uniquely affect the 3311 P 200-Footers because each member of this group owns property that either adjoins, or is perpendicular to the Applicant’s property. Their interests are noted above in the list of Responses to Party Status Criteria in Form 140, number 1.

Being in close proximity to the Applicant’s property, they will experience impacts that are significantly different and more adverse than those experienced by the general public.

June 19, 2026

*Ms. Sara Bardin, Director
D.C. Office of Zoning
Board of Zoning Adjustment
441 4th St., N.W., Room 210
Washington, D.C. 20001*

RE: 3311 P St., N.W., Washington, D.C. 20007; BZA Application 21483.

Dear Ms. Bardin:

I am requesting status as a party in opposition to the above-referenced application as part of the group called "3311 P 200-Footers." I live within 200 ft. of the property that is the subject of this zoning application.

Please be advised that Andrea C. Ferster is authorized to represent me and to act on my behalf as our legal counsel in the above-referenced zoning proceeding. It is my intention to proceed jointly with the other members of the 3311 P 200-Footers who are also represented by Attorney Ferster and who are also granted party status.

I have reviewed the Form 140 filed by Grace Bateman on behalf of the 3311 P 200-Footers and agree with and adopt the witness information and representations regarding the manner in which the application, if granted, would adversely affect and aggrieve us in a manner different from the general public. In particular, the proposed two-story addition to 3311 P St., N.W., violates applicable zoning regulations and will substantially adversely affect my property.

*Sincerely yours,
Gregory Doolan
1512 33rd St., N.W.*

June 19, 2026

*Ms. Sara Bardin, Director
D.C. Office of Zoning
Board of Zoning Adjustment
441 4th St., N.W., Room 210
Washington, D.C. 20001*

RE: 3311 P St., N.W., Washington, D.C. 20007; BZA Application 21483.

Dear Ms. Bardin:

I am requesting status as a party in opposition to the above-referenced application as part of the group called "3311 P 200-Footers." I live within 200 ft. of the property that is the subject of this zoning application.

Please be advised that Andrea C. Ferster is authorized to represent me and to act on my behalf as our legal counsel in the above-referenced zoning proceeding. It is my intention to proceed jointly with the other members of the 3311 P 200-Footers who are also represented by Attorney Ferster and who are also granted party status.

I have reviewed the Form 140 filed by Grace Bateman on behalf of the 3311 P 200-Footers and agree with and adopt the witness information and representations regarding the manner in which the application, if granted, would adversely affect and aggrieve us in a manner different from the general public. In particular, the proposed two-story addition to 3311 P St., N.W., violates applicable zoning regulations and will substantially adversely affect my property.

*Sincerely yours,
Elizabeth Evans
33013 P St., N.W*

June 19, 2026

*Ms. Sara Bardin, Director
D.C. Office of Zoning
Board of Zoning Adjustment
441 4th St., N.W., Room 210
Washington, D.C. 20001*

RE: 3311 P St., N.W., Washington, D.C. 20007; BZA Application 21483.

Dear Ms. Bardin:

I am requesting status as a party in opposition to the above-referenced application as part of the group called "3311 P 200-Footers." I live within 200 ft. of the property that is the subject of this zoning application; specifically, I own and reside in an adjoining house at 3309 P Street Northwest.

Please be advised that Andrea C. Ferster is authorized to represent me and to act on my behalf as our legal counsel in the above-referenced zoning proceeding. It is my intention to proceed jointly with the other members of the 3311 P 200-Footers who are also represented by Attorney Ferster and who are also granted party status.

I have reviewed the Form 140 filed by Grace Bateman on behalf of the 3311 P 200-Footers and agree with and adopt the witness information and representations regarding the manner in which the application, if granted, would adversely affect and aggrieve us in a manner different from the general public. In particular, the proposed two-story addition to 3311 P St., N.W., violates applicable zoning regulations and will substantially adversely affect my property.

*Sincerely yours,
Matthew Tyler
3309 P St., N.W*

Certificate of Service

I hereby certify that, on June 30, 2026, a copy of the foregoing Form 140 was served by email on the following:

Three Three One One LLC
mcgfkent@gmail.com

Will Teass
email@teass-warren.com

DC Office of Planning
Planning@dc.gov

Advisory Neighborhood Commission 2E Office
2E@anc.dc.gov

Advisory Neighborhood Commission 2E
Chairperson Gwendolyn Lohse, SMD 2E06
2E06@anc.dc.gov

ANC SMD Commissioner Paul Maysak, SMD 2E03
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[Photos](#)