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August 28, 2026

Michelle Pourciau, Chair
D.C. Office of Zoning
Board of Zoning Adjustment
441 4th Street, N.W. Room 210
Washington, D.C. 20001

RE: BZA No. 21483; 3311 P St., N.W.; Request for Postponement of Hearing.

Dear Members of the Board:

3311 P 200-footers, who are parties in opposition in the above-referenced case, respectfully request that the scheduled September 16, 2026 hearing on the above-referenced application be postponed for the following reasons demonstrating good cause:

1. On August 25, 2026, the applicant filed a 20-page response to the 3311 P 200-footers' opposition to the request for a Special Exception. In this response the applicant has offered to "adjust the design" of the proposed addition by altering the size of the addition and the construction material. However, the applicant has not filed any revised architectural plans to reflect these proposed adjustments. The Applicant has also not initiated any discussion with the 3311 P 200-footers about a possible design change. The BZA file contains only the applicant's original plans, dated April 10, 2026 (BZA File Item 10).

Without seeing revised plans and having an adequate time to review them, it will be impossible for the Advisory Neighborhood Commission, which is scheduled to hear this case on August 31, 2026, and for the 3311 P 200-footers to evaluate the "adjusted design." It will also be prejudicial to the 3311 P 200 footers and its zoning expert, who will likewise have insufficient time to respond to possible revisions in the design.

2. The applicant failed to serve the 3311 P 200-footers with the shadow study and updated self-certification, filed on August 17, 2026, or the August 25th response to the 3311 P 200-footers' opposition, in violation of 11 DCMR Subtitle Y 205.1. Opponents only belatedly learned of these filings by checking in the BZA case index. This further reduces the available time for the party opponents and our expert to review and respond to these filings, and effectively deprives the party opponents of the full 21 days required by the zoning rules to review and respond to these filings. The lack of service is particularly detrimental given that the timing of the filing in August 2026, when scheduled vacations further reduce the available time to review and respond to these documents prior to the scheduled hearing.

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~~EXHIBIT NO. 32A~~

3. The application failed to disclose the existence of a solar energy system on the abutting property of party opponent Matthew Tyler at 3309 P Street, nor does it include a comparative solar study, or a written agreement with Mr. Tyler, in violation of 11 DCMR Subtitle D-204.1(d). The shadow study filed by the Applicant on August 17 2026 does not suffice as it fails to evaluate the increased annual incident solar shading on Mr. Tyler's solar energy system by percent, as required by the regulations. *Id.* Subtitle D-204.1(d)(2). This is an application requirement and may not be excused even in a self-certified application.
4. Finally, the applicant's "Statement of Community Outreach," (BZA Exhibit 6), filed on April 10, 2026, represents that "The Owner/Applicant has met with and discussed the project with the owners of surrounding properties." This is not correct. While in February 2026, the applicant delivered the original plans to the owners of 3309 P and 3313 P Street, to date, the applicant has not met with the neighbors within a 200-foot radius of the project to discuss neighbors' concerns or to share the proposed "design adjustment." Thus, more time is needed for the applicant to correct the record and to undertake meaningful community outreach.

For the foregoing reasons, we request that the BZA postpone the hearing on the applicant's request for a Special Exception to allow the parties the ANC, and the Office of Planning adequate time to review these recent submissions and file any revised plans with the BZA and the Advisory Neighborhood Commission so that these interested parties have adequate time to review any revised plans before the BZA hearing.

The applicant's representative consents to this request but asks, if possible, that the new hearing date be set for September 30th.

Feel free to email me if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Ferster', with a stylized flourish at the end.

Andrea C. Ferster
Counsel to 3311 P 200-footers, Parties in Opposition

Certificate of Service

I hereby certify that, on August 28, 2026, a copy of the foregoing request for postponement was served by email on the following:

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DC Office of Planning
Planning@dc.gov

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