

DC Office of Planning
Board of Zoning Adjustment
Public Hearing (19954 ANC 5E)
441 4th Street N.W.
Washington D.C. 20001

March 27, 2019

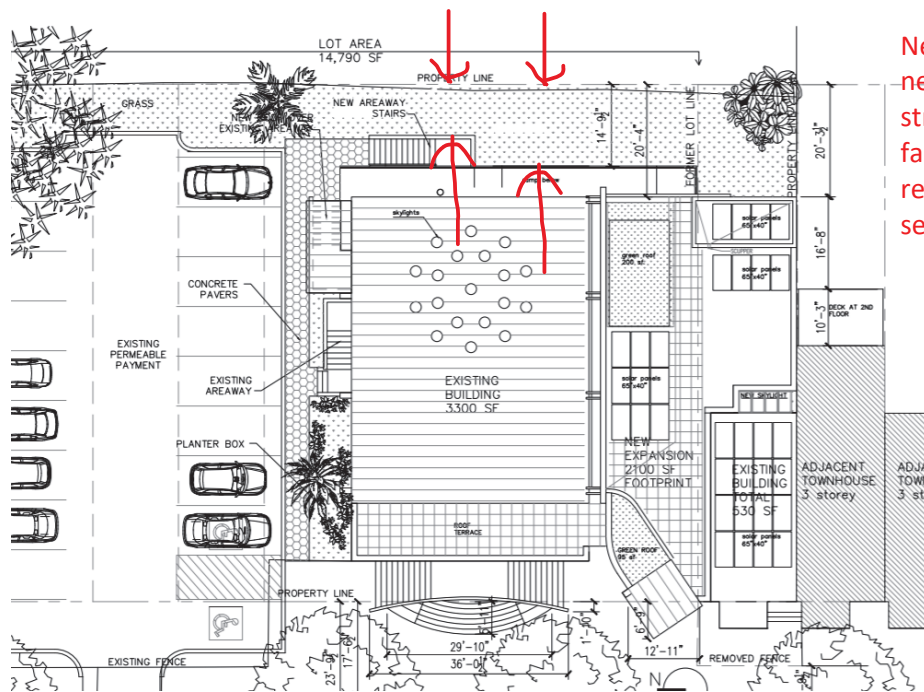
EMERGENCY OBJECTION BY NEAREST ADJACENT NEIGHBORS TO
ZONING EXCEPTIONS REQUESTED BY NATION’S MOSQUE (19954 ANC 5E)

Honorable Board of Zoning Adjustment:

The immediate surrounding neighbors and homeowners adjacent to and behind Masjid Muhammad “the Nation’s” Mosque submit this emergency objection and opposition to the application by the Nation’s Mosque for special exceptions from the rear addition requirements of Subtitle E Sec. 205.4 and 5201, and penthouse enclosure and setback requirements of Subtitles C Secs. 1500.6, 1502.1(b), and 1502.1(c)(2)(A) at the premises 1519 4th Street NW (Square 521, Lot 829).

Masjid’s Application Omits Required Exception to Sec. E, Ch. 306 (20 ft. min. rear yard)

The application fails to properly request a required exception to the requirement No. 306 REAR YARD 306. A minimum rear yard of twenty feet (20 ft.) shall be provided in the RF-1 zones. The Masjid mosque’s proposed plans for new structures would cause the structure to fail this requirement.

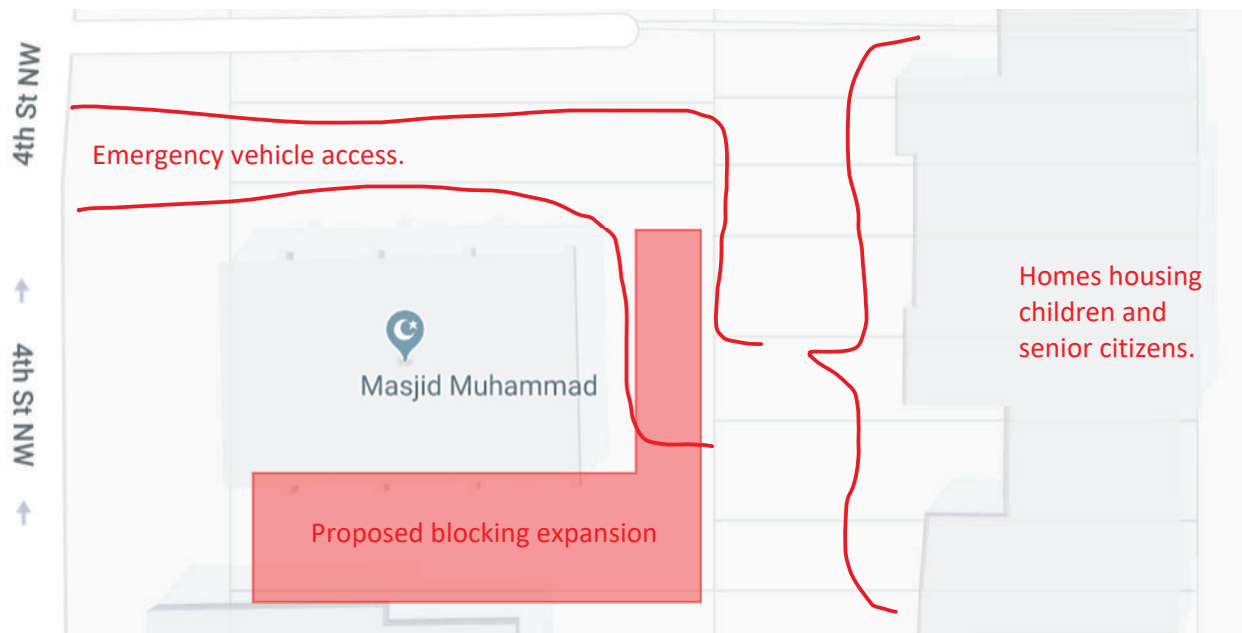


The developer has also failed to request relief from the prohibition against non-mechanical penthouses in a non-residential building. (Subtitle E, Secs. 303.7 and 303.8)

Board of Zoning Adjustment
District of Columbia
CASE NO.19954
EXHIBIT NO.34

The Neighbors Immediately Behind the Mosque Object to Granting an Exception to the 10’ Regulation (Sec E205.5) Because it Will Block Emergency Responder Access to at Least Four (4) Homes Housing Children and Senior Citizens

There is no vehicle-sized alley behind the mosque. Moreover, the 5’-wide walkway stops short of the area behind the proposed expansion structure. Since there is no alley access behind the proposed expansion structure, granting an exception to the ten foot regulation (Sec E205.5) and twenty foot min rear year (E306) will reduce access by emergency vehicles and first responders to the houses immediately behind the mosque. The proposed expansion and exception to the zoning requirements will make it more difficult for first responders to access infants, children, and senior citizens who reside in the back bedrooms of the homes directly behind the mosque. These homeowners most affected by the proposed exception strongly object to permitting the developer to expand into the setback area.



Masjid’s Application Contains False and Misleading Information

Masjid’s application claims that the existing rear setback is only 9’ and that the new structure does not require a variance. However, this misstates the existing setback, and ignores the need for a new variance for the new proposed ramp and new proposed stairway. If Masjid plans to demolish the existing stairway and replace it with a new stairway and new ramp, then it needs to obtain a variance for that portion of the proposed new structure. The immediately surrounding neighbors object to a variance for new structures that further encroach into the setback, further blocking emergency access, light, and air to the surrounding properties.

The application also inaccurately states that “light and air available to neighboring properties shall not be unduly affected” but the application considers only the mosque’s own townhouse property to the immediate south of the site. The application completely ignores the adjacent properties to the rear (east) of the property that have southern/western exposure are most

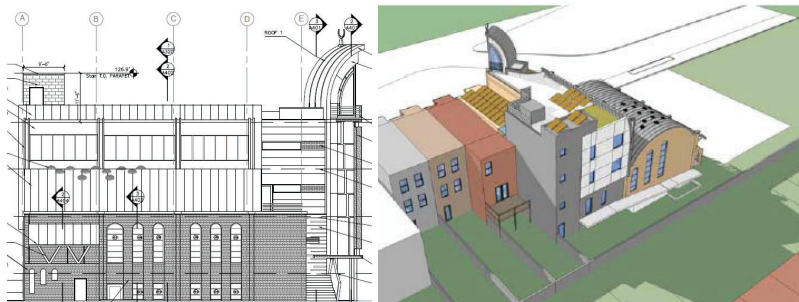
impacted by the proposed non-conforming structure. The proposed structure being 60 feet high and encroaching to within just feet of the rear property line will in fact block substantial western setting sunlight from entering the properties directly behind the site. Again, the homeowners that are most impacted object.

Masjid Mosque Made No Attempts to Notify Immediate Surrounding Neighbors


Masjid Mosque claims to have made outreach to surrounding neighbors, but the homes directly east (behind) the structure and most impacted by the proposed non-conforming structure did not hear about the proposed construction until notice was given for the March 27th hearing. No flyers were left on doors. No doors were knocked on. The fact that immediate surrounding neighbors are only just now engaging after ANC involvement has already expired shows that the residents were kept totally in the dark until finding out about this hearing. The residents of the affected homes would have engaged the mosque if any prior attempts had been made.


Special Exception to Rear and 60' High Additions Will Block Air and Light to More than Four Homes Housing Children and Senior Citizens


Masjid Mosque's own light study shows that the homes to its immediate east (rear of the mosque) will sit literally in the shadow of the proposed new structure. Masjid's application improperly considered only the impact on its own building to its immediate south, as opposed to the neighbors to the east. The children and senior citizens in those houses currently enjoy the sunlight of the setting western sun every day, and will suffer from the new structure blocking this air and light. Moreover, the proposed penthouse in the rear of the structure will worsen the light and air to the rear properties, and it is not proposed to house mechanical equipment. The four homeowners to the east of the property object to this exception to the penthouse requirement.

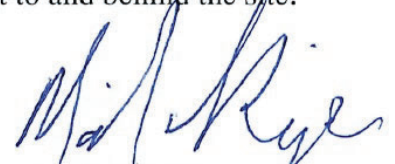


Signed, the immediate surrounding neighbors and homeowners adjacent to and behind the site:


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