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From: RASchafer <raschafer@gmail.com>
Sent: Wednesday, February 26, 2025 12:28 AM
To: DCOZ - BZA Submissions (DCOZ); Jamie
Subject: Letter in Opposition - Case 21220

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January 24, 2025

VIA ELECTRONIC MAIL

Chairperson
Board of Zoning Adjustments
441 4th Street NW
Suite 200S
Washington, DC 20001
Submitted to: bzasubmissions@dc.gov

RE: *Letter in Opposition to Application for Special Exception Case 21220, "327 Upshur, LLC" (1154 Morse St, NE)*

To the Chairperson and Members of the Board:

We, the neighbors living at 1159 Morse Street NE, directly across the street from 1154 Morse Street, NE, write in opposition to the above captioned application for special exception, with particular emphasis on Applicant's request for relief to convert the building to three principal dwelling units. If the Board continues its recent practice of allowing exceptions to exceed the two dwelling units permitted as a matter of right within RF-1 zone, developers will continue to be able to outbid individuals and families in reliance on the significantly higher profit margin afforded by selling a home as three units rather than one or two. If the Board fails to perform its function as arbiter of zoning rules and exceptions, the Board will be solely responsible for changing the very character and fabric of our longstanding and beloved neighborhood and its tight-knit community.

We implore you to consider the standard you are required to apply when considering a grant of special exception, a standard that the Applicant clearly has not met in this case. There is no need, no business case, nor any clear benefit other than profit to the Applicant, that derives from a grant of relief to permit them to convert the home into three dwelling units. And allowing more units than otherwise permitted as a matter of right, in our residential RF-1 neighborhood, is unlike granting special exceptions for other forms of relief such as rear extensions beyond the 10 feet permitted by right. This is because of the economic incentive - the incredible difference in profit margin - afforded by selling a single family home as three units rather than two. Applicant has ample opportunity to capitalize on their fleeting investment in the neighborhood without fundamentally changing the character of the neighborhood, which is what the Board will do if it grants relief for three dwelling units.

We also request the Board take into consideration the longstanding (more than 20 years) garage that is a part of neighboring 1152 Morse St, NE, but that appears to cross the property line as drawn on the plat for 1154 Morse St, NE. Given the amount of time that garage has been there, open and notoriously, used in plain sight and with full

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District of Columbia
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EXHIBIT NO.36

acceptance by the owners of 1154 Morse St, NE, there is a high likelihood that the Applicant's proposal violates the rights of the owner of 1152 Morse St, NE, as contemplated in the latest renderings of the Applicant.

Request for Exception to Convert RF-1 Zoned Single Family Residential Home to Apartment House

Our neighborhood, Trinidad, is zoned as RF-1. Under the Zoning Regulations, "the purpose of the RF-1 zone is to provide for areas predominantly developed with attached row houses on small lots within which no more than two (2) dwelling units are permitted." This application seeks to convert a single family home into a three-unit apartment house. In order to approve an exception to the number of dwelling units permitted under Subtitle U, Section 320.2 of the Zoning Regulations, the Board must find that the application for the special exception has proven that the exception would cause **"no undue adverse impact," "will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps,"** and **"will not tend to affect adversely, the use of neighboring property."** Subtitle X, Section 901.2, 901.3.

Consistent with the purpose of the RF-1 zoning designation, Trinidad has been uniquely preserved within the District as a tightknit community of predominantly single family homes. Even with the vast development throughout the District, Trinidad has remained a diverse and close community of families and older residents, some of whom have joined the community recently and others who have been here for generations. In particular, the 1100 block of Morse Street is a quiet, tree lined residential block where children play together on the sidewalks as neighbors converse from their porches and families car- and bicycle-pool to local public and charter schools together. We all work hard to preserve that sense of community. The homes are old and lovely, with 100-year old exteriors and detailed parapets of only a few varieties. While many homes have modern, renovated interiors, apart from the three condominiums that have been erected in the last couple of years, every home has preserved the distinctive, historical facades of the homes on our street.

On the 1100 block of Morse Street, NE, there are limited exceptions that are other than single family homes and one, small separated multi-unit apartment complex. But the Board has slowly been eroding that in the last five to seven years, by failing to apply the standard cited above and permitting developers with no connection or lasting interest in the neighborhood to extract larger and larger sums at the expense of the future of Trinidad. As is readily apparent to anyone driving down the block, the pair of three unit apartment houses side by side appear incredibly out of place and incongruous and, as neighbors, we are deeply sorry that we were not organized quickly enough to take action in time to oppose them. They are a reminder to us all that we are responsible for communicating our objections to the Board if we are to preserve the character of our community, something we have undertaken in this case as evidenced by the other letters in opposition.

The proliferation of apartment houses in this area jeopardizes the appearance and character of what is otherwise one of the few places left in the city where families can put down roots and create lifelong homes. Communities like ours are important to the diversity of the District and particularly to the District's schools. As you are aware, there are apartment complexes being developed throughout the city – it is difficult to drive a block in the NE without encountering some new construction project with beautiful, modern apartments "coming soon." Only a block away, on Florida Avenue NE, it appears there will be several opening in the next year, as is the case on nearby H St. NE. We do not oppose condominium development in areas that are appropriately zoned for such development. However, while we recognize that the Zoning Regulations provide that homes on this block of Morse Street NE may be converted to two unit flats, which do not strictly conform to our incredibly homogenous community, permitting apartment houses is a step too far. With each exception granted to permit an apartment house, this neighborhood will have fewer families and fewer long term residents. A family of four or five can live comfortably in one of these beautiful old homes for a lifetime, sending their children to the local school and investing and participating in the community. Unfortunately, in the current marketplace, developers outbid families each time one of these homes is sold, with the hope of converting them to multi-unit apartment houses that are unlikely to attract such residents, both because of the limited size of each unit and their relative expense. As a result, families are left with fewer and fewer options within the District, increasingly forcing them to the Virginia or Maryland suburbs.

In addition, we are facing a parking crisis that will only be exacerbated by apartment houses like the complex proposed for 1154 Morse Street, NE, which provides for only two parking spaces to support three units. Already, neighbors in need of street parking often must walk blocks, with small children in tow, to park, particularly on the two days during which only one side of the street is available due to street sweeping. Adding residences with insufficient parking will create a nightmare parking scenario for many of us. As a community, we have already inquired about permitted parking, but if permits are issued they would be available to apartment house residents just as they would be to current neighbors.

We recognize the need for apartment housing in the city, but, as a matter of policy, urge the Board to also consider the District's broader interest in balancing the proliferation of apartments throughout the District with preserving a diverse mix of residents and maintaining communities like ours that attract long term, committed residents and that depends on the dwindling stock of single family homes like 1154 Morse Street, NE. Otherwise, the alternative for many will be the suburbs. **We ask: if not here, under what circumstances would the RF-1 zoning designation, and the intent behind it, be protected? What is the purpose of designating an area for one and two dwelling spaces if, in a community such as ours, an exception like that sought by Applicant would be granted? If permitted here, the exception under Subtitle U, Section 320.2 will simply swallow the rule.**

For these reasons, this application would clearly result in an "adverse impact" upon the neighboring property owners and community as a whole, is manifestly at odds with "the general purpose and intent of the Zoning Regulations," and, thus, cannot satisfy the burden of proof set out under Subtitle X, Section 901.2 and 901.3 which is required to be demonstrated for the Board to grant a special exception of this nature.

In conclusion, we urge that the Board fulfill its purpose and the intent of the Zoning Regulations to protect the character and consistency of our unique and wonderful community and preserve the ability of neighbors to use and enjoy their yards by denying Application 21220.

Jamie & Robert Schafer
1159 Morse Street, NE
Washington, DC 20002