

September 2, 2025

Via Email

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, DC 20001

Re: Applicant's Response to the Party Status Request - BZA Case No. 21333

Dear Chairperson Hill and Members of the Board:

The Applicant has reviewed the Party Status Request (“**Party Request**”). The Applicant does not object to the granting of party status, as the requestor is the immediately adjacent neighbor. However, it is not clear what information witnesses from the other side of the subject Property, at 411 East Capitol Street, SE, will add to the case regarding the impact on the pending party opponent at 405-407 East Capitol Street, SE.¹

The Responses to Party Status Criteria Questions document does not challenge the criteria for the use variance. Nor does it challenge the findings of the shadow study or raise concerns about other relevant special exception criteria, such as privacy or light and air. The opposition focuses on a tree on another property - which we do not believe will be harmed, as there is no substantial excavation/no basement – and on the subjective visual aspects of the addition. The opponents estimate the proposed addition to be an eyesore and damaging to their property value, although the proposed addition is not unlike the Party Status Requestor’s own construction, which was built alongside an open court of their adjacent neighbor.

The Applicant’s proposed addition extends ten feet (10 ft.) past the rear wall of the building at 411 East Capitol Street, SE, and aligns with the furthest rear wall of the Party Requestor’s building. The proposed height is under thirty feet (30 ft). The shadow studies show some, but not undue, light and air impact to the adjacent neighbors. As such, the Application currently enjoys the support of the Office of Planning, as well as the adjacent ANC 6C (although ANC 6C’s letter is not yet in the BZA file).

Respectfully Submitted,

Martin P Sullivan

Martin P. Sullivan, Esq.
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¹ Ownership entity of the property at 411 East Capitol Street, SE has a Greenbelt, MD address.

CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2025, an electronic copy of this submission was served to the following:

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Respectfully Submitted,

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