

BEFORE THE BOARD OF ZONING ADJUSTMENT
DISTRICT OF COLUMBIA

Case No. 21361

PARTY WITNESS INFORMATION:

1. A list of witnesses who will testify on the party's behalf;
 1. N/A
2. A summary of the testimony of each witness;
 1. N/A
3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts; and
 1. N/A
4. The total amount of time being requested to present your case.
 1. 60 minutes

STATEMENT OF OPPOSITION / REQUEST FOR PARTY STATUS

Owners of 1257 Morse Street NE

1. PERSONS, PROPERTY, AND INTEREST

We, Natalie Martinez and Andrew Karay, are the owners of 1257 Morse Street NE, Washington, D.C. (purchased June 24, 2025). Our property is located immediately adjacent to and directly east of the duplex properties at 1253 and 1255 Morse Street NE, with 1253 Morse Street NE being the property seeking zoning relief in this case. Because of our property's direct proximity to the applicant's site, we will be uniquely and directly affected by any zoning action the Board takes. Our property lies approximately 50 feet from the subject property.

2. NATURE OF THE REQUESTED RELIEF

The applicant seeks special exception relief from the following provisions:

- Side yard requirements under Subtitle E § 208.3, pursuant to Subtitle E § 5201 and Subtitle X § 901.2; and
- Residential conversion requirements under Subtitle U § 320.2, pursuant to Subtitle X § 901.2.

3. HOW OUR PROPERTY WILL BE AFFECTED

Light and Air Obstruction

- The applicant proposes a rear addition extending beyond the permitted lot occupancy and rear setback limits, which would block sunlight into our backyard and rear-facing windows.

- Under Subtitle X § 1201.1(a) and Subtitle E § 5201.3(a), the project must not “unduly affect the light and air available to neighboring properties.”
- The additional bulk and height would cast shadows over our property, particularly in the afternoon, diminishing natural light and airflow.

Privacy Impacts

- New upper-level windows or balconies would overlook our rear yard, compromising our privacy and enjoyment of the outdoor space.
- Subtitle X § 1201.1(b) and Subtitle E § 5201.3(b) prohibit undue compromise of the privacy of use and enjoyment of neighboring properties.
- The proposed addition could create intrusive sightlines into our backyard and interior living areas.

Neighborhood Character and Scale

- The structure’s size, height, and rear extension are inconsistent with the established rhythm and scale of rowhouses in the RF-1 zone.
- RF-1 zoning intends to maintain small-lot rowhouse character, moderate density, and visual uniformity.
- The proposed massing and design would visually disrupt the block’s character and alter the alley view.
- Subtitle E § 5201.3(c) reinforces that additions should not substantially visually intrude upon the character, scale, or pattern of houses along the street or alley frontage.

Cascading Exemptions and Precedent

- Because 1253 Morse Street NE is part of a duplex structure with 1255 Morse Street NE, any exemptions granted to 1253 would directly establish a precedent for 1255 Morse Street NE to seek similar relief in the future.
- This could lead to a cascading effect of overbuilding, further extending massing toward our property at 1257 Morse Street NE and reducing open space and light for adjacent homes.
- Such cumulative impacts would fundamentally alter the RF-1 neighborhood character and erode the integrity of zoning protections.

Tree Removal and Shade Loss

- The proposed construction may require removal of mature trees that currently provide shade, privacy, and stormwater management benefits to our property.

Lot Occupancy and Bulk

- The project may exceed the 60% lot occupancy permitted in the RF-1 zone (Subtitle E § 208.3).
- Greater lot coverage would further restrict open space, views, and airflow for neighboring properties, including ours.

Spirit of the Zoning Laws

- The RF-1 zone’s stated purposes include:
 - Reinforcing neighborhood character through moderate-density rowhouses;

- Controlling bulk, height, and building placement to protect adjacent lots; and
 - Limiting development to no more than two dwelling units per lot.
- Granting these special exceptions would undermine these core zoning objectives, directly impacting the livability and value of adjacent properties, including ours.

4. ENVIRONMENTAL, ECONOMIC, AND SOCIAL IMPACTS

Environmental Impacts

The increased height and mass would reduce natural light, air circulation, and shade in our backyard, while tree removal would diminish stormwater absorption and green cover.

Economic Impacts

Reduced sunlight, obstructed views, and diminished privacy would lower our property's market value. Excavation for a new basement and underpinning could pose structural risks to our home, leading to potential damage and costly repairs.

Social and Neighborhood Character Impacts

Overbuilding within an RF-1 neighborhood disrupts the block's consistent scale and architectural rhythm, undermining community character and cohesion. Approving this proposal could encourage similar applications, increasing density and visual inconsistency along the street.

Structural Concerns

Excavation and underpinning introduce risks of soil shifting and foundation damage to our property, which is particularly vulnerable due to its proximity and shared soil conditions.

If the relief is denied, our property will retain natural light, airflow, privacy, and neighborhood character. If the relief is approved, we would experience reduced light and air, loss of privacy and trees, potential foundation impacts, and diminished property value—all harms not shared by the general public.

5. DISTINCTIVE IMPACT BEYOND THE GENERAL PUBLIC

As the direct neighbors to the duplex at 1253–1255 Morse Street NE, we are affected in ways that are unique and distinct from other members of the public:

- Our property at 1257 Morse Street NE directly abuts the duplex, so the proposed additions would cause immediate and measurable loss of sunlight and airflow.
- Excavation and underpinning would pose direct structural risks to our foundation—impacts not shared by nonadjacent or distant properties.
- The proposed height and windows would create privacy intrusions specific to our backyard and living areas.
- Any relief granted to 1253 would set a direct precedent enabling the adjoining twin property, 1255 Morse Street NE, to seek similar exemptions in the future—resulting in compounded adverse effects extending directly to our property line.

These combined physical, environmental, and structural impacts make our interest distinct in character and degree from that of the general public.

6. CONCLUSION AND REQUEST

Given our direct adjacency and the unique, significant impacts outlined above, we respectfully request Party Status in opposition to BZA Case No. 21361.

We also respectfully request that the Board of Zoning Adjustment postpone the hearing until all documentation requested by ANC 5D and affected neighbors—including engineering, shadow, privacy, and design studies—has been submitted and reviewed. Without this information, neither the ANC nor affected residents can meaningfully assess the proposal against the required standards of the Zoning Regulations.

Thank you for your consideration.

Natalie Martinez
Andrew Karay
Property Owners, 1257 Morse Street NE

Date: 10/08/2025