

1253 Morse St NE Party Opposition

BZA#21361

Application Summary

- The applicant proposes to:
 - Construct a third-story, rear, and side addition to the existing single-family house;
 - Convert the structure into a four-unit multifamily building; and
- Receive special exception relief for:
 - Conversion to four units (U §320.2);
 - Reduction of side yard from 5 feet to 3 feet (E §208.3 via E §5201); and
 - Extension of 20 feet beyond the adjoining building (E §207.5 via E §5201 — the “10-foot rule”).
- However, the Applicant has not met the burden of proof in several areas...

Light and Air Will Not Be Unduly Affected (§5201.1(a))

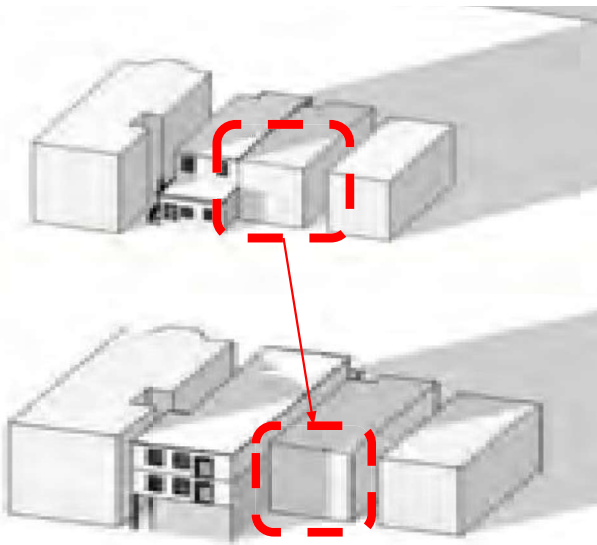
The applicant asserts, without supporting evidence, that the proposed additions will not affect light and air to neighboring properties. However:

- The 20-foot rear extension doubles the limit established by the “10-foot rule” and will inevitably cast longer shadows and reduce light to adjoining rear yards and windows at 1255 and 1257 Morse Street NE
 - The applicant’s provided shadow study shows material light impacts on 1255 and 1257 Morse St NE
- The statement relies on the existence of a “zero-lot-line wall” at 1251 Morse to justify the side yard reduction, but this ignores impacts on the opposite neighbor (1255 Morse) and on the shared rear alley environment.
 - Furthermore, the design casts significant shadows on the 1251 Morse due to the side yard reduction.

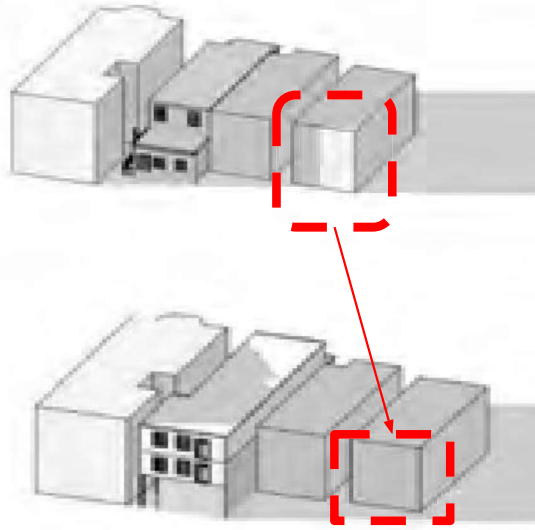
Therefore, the burden of proof that light and air will not be unduly affected has not been met.

Applicant's Study Clearly Shows Adverse Evening Shadow

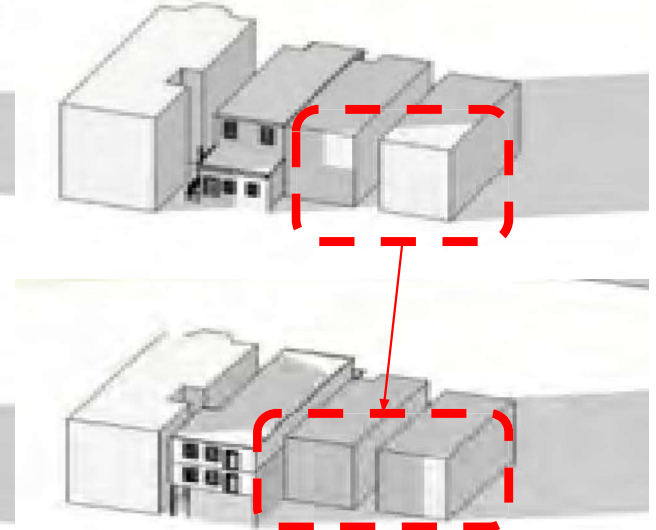
January 6PM



April 6PM



October 6PM



1255 will be completely shadowed in the evening year round, 1257 will completely lose evening light during non-solstice months

The Applicant Has Not Substantiated Its Request to Double the 10-Foot Allowance (§207.5 / §5201)

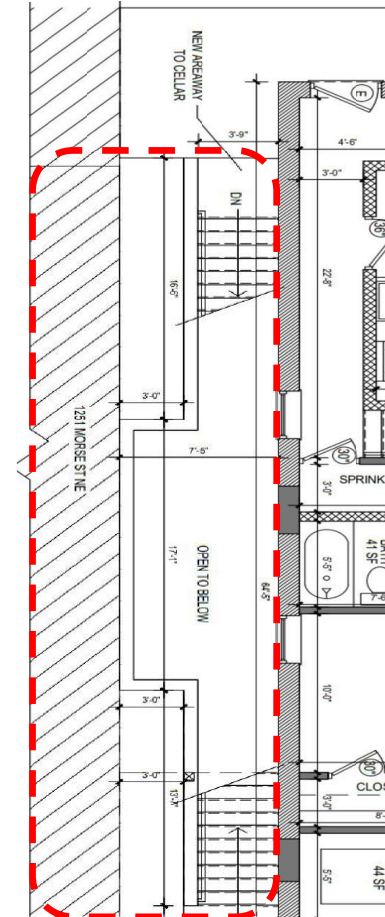
The Zoning Regulations allow the Board to grant modest rear additions that slightly exceed 10 feet beyond an adjoining property, where justified. Here, the applicant proposes a 20-foot projection but offers no quantitative or visual analysis of its effect on:

- Neighboring rear windows or yards;
- The pattern of rear massing along the block; or
- Airflow and daylight reaching adjacent dwellings.

Without such analysis, the applicant's assurances are conclusory and fail to satisfy the evidentiary burden of §5201

1251 Morse St Has Egress Along the Property Line that will be Affected...

Side Yard Exception ignores the windows, patio, and egress of the cutout at 1251 Morse St



The Proposal Is Not in Harmony With the General Purpose and Intent of the RF-1 Zone (§X 901.2)

The RF-1 zone is designed to preserve moderate density, family-oriented housing, and the rhythm of attached dwellings. The proposed project — a four-unit building with multiple setback reductions — effectively converts a single-family home into a small apartment building. Such cumulative relief:

- Alters the intensity and character of the block;
- Sets a precedent for neighboring semi-detached and single-family row homes to seek similar conversions, eroding the intent of the zone; and
- Conflicts with the RF-1 goal of maintaining consistency in lot coverage, height, and massing along residential streets

The Applicant Has Not Addressed Privacy Impacts (§5201.1(b))

While the applicant notes that “no windows” will face 1255 Morse, it entirely omits:

- Potential views into neighboring rear yards from new upper floors or balconies;
- The increase in occupancy and resulting impacts on privacy, noise, and shared outdoor spaces.
- The privacy of ground floor units from basement units and stairwells.

The absence of analysis on these elements leaves the privacy findings incomplete and unsupported.

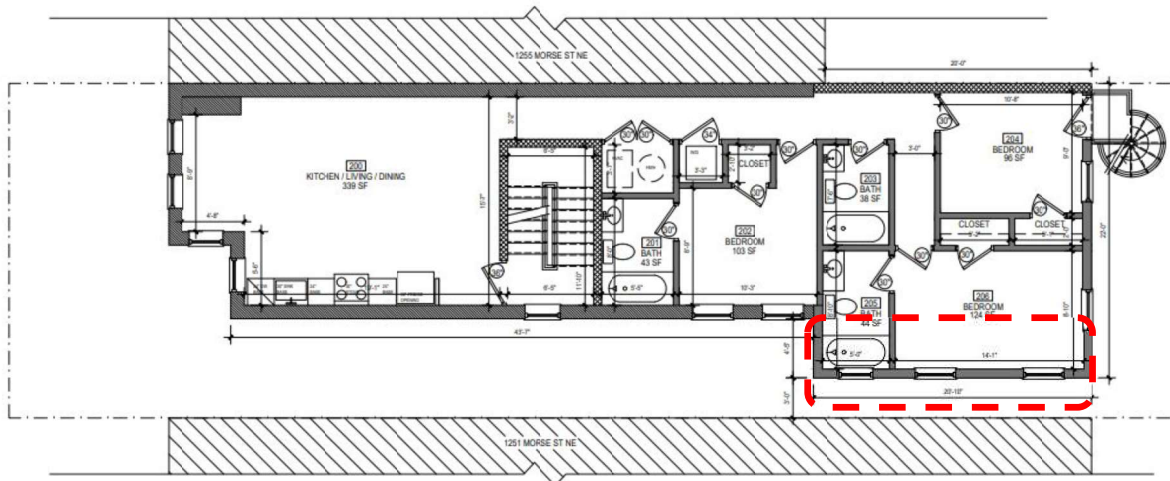
The Applicant Has Not Demonstrated That Visual and Character Impacts Are Minimal (§5201.1(c))

The burden of proof requires graphical representations showing that the additions will not visually intrude upon the street or alley character. However:

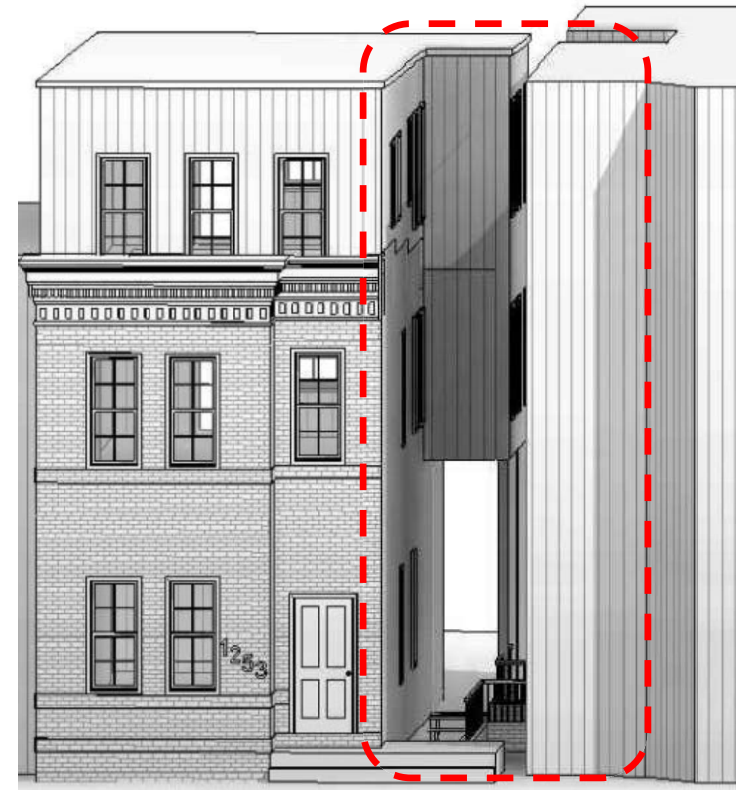
- The submission lacks a context elevation or streetscape rendering showing the proposed height and depth relative to neighboring homes.
- The three-story rear projection substantially alters the rear alley's visual scale and block rhythm.

Without such documentation, the Board cannot reasonably conclude that the addition “will not substantially visually intrude” as required.

Applicant Renderings Display Material Deviations in Style and Character



The proposed use of 2nd/3rd Floor “push outs” supported on stilts represent a significant deviation in style of the existing neighborhood, and planned windows in those units will have deeply compromised visibility due to side yard reduction



The Combined Relief Requests Represent a Significant Departure From the Zoning Intent

Taken together, the requested special exceptions — conversion to four units, reduction of side yard, and doubling of rear extension — ***result in a fundamental change in density and character rather than a limited exception.***

Furthermore, the cumulative effect of more granted exemptions creates the effect of cascading precedent and where such exemptions become the rule. Such cumulative impacts would fundamentally alter the RF-1 neighborhood character and erode the integrity of zoning protections.