



**Carballo  
Architecture**

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December 4, 2025

BEFORE THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

Application for Square 4069, Lot 0058

**Introduction:**

Carballo Architecture, which serves as Architect of Record for the proposed redevelopment of 1253 Morse Street-NE has listed below our correspondence with the ANC and immediate neighbors over the past 6 months. This ongoing correspondence was conducted in good-faith to present the proposed renovation and addition scope to hear feedback and incorporate where constructive. The synopsis below documents these discussions.

**Synopsis:**

The Board of Zoning Adjustment gave the ANC until November 28, 2025 to submit their report and gave us until December 5 to respond. However, the ANC did not file their report until December 4, 2025. We have not had sufficient time to prepare a complete response, but we are providing a summary of our communications with the ANC in the meantime. We will work to prepare our full response to the ANC's filing and will make every effort to submit it by December 5 despite the short timeframe.

**Summary of Communications With the ANC**

**July 1:** We contacted the ANC requesting feedback before scheduling a BZA hearing. The ANC informed us they would not meet with us until a hearing date was assigned.

**Early August:** After a BZA hearing date was assigned, the ANC stated we could begin meeting with them in September, following this schedule:

1. September 18, 2025 – Initial presentation
2. September 23, 2025 – Committee of the Whole presentation
3. October 14, 2025 – APM presentation and vote

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Board of Zoning Adjustment  
District of Columbia  
CASE NO. 21361  
EXHIBIT NO. 56

#### 4. October 29, 2025 – BZA hearing

**September 18:** We presented the project to the ANC and were asked to provide additional information. The opposing neighbors did not attend.

**September 23:** Before our second ANC meeting, we submitted all requested materials, including a structural engineering report, signed neighbor support letters, and an updated presentation. At the meeting, the ANC confirmed receipt of all items except anticipated rent amounts. They confirmed they would vote on October 14. The opposing neighbors again did not attend.

**September 29:** The neighbor at 1257 Morse St NE, who did not attend the two hearings on Sep 18<sup>th</sup> and Sep 23<sup>rd</sup>, contacted us and the ANC with concerns regarding the existing trees at 1253 Morse ST ME and the existing trees on the property line shared between 1257 and 1255 Morse St NE, and the proposed rear addition. They asked whether the proposed addition will be at 10ft beyond the existing footprint of the building or 20ft beyond it. We confirmed it will go 10ft beyond the existing footprint and clarified it will reduce the exiting setback by 10ft, and that the trees are non-heritage trees and will be removed.

**September 30:** We sent the requested rent information to the ANC.

**October 1:** We emailed the ANC presentation file to Mr. Andrew Karay.

**October 8:** The ANC informed us that our case was moved to their November meeting and that we would need to reschedule our BZA hearing.

**October 9:** We contacted Mr. Reid, who informed us that the next available BZA dates were late January/early February, which would create significant financial hardship for the owner. We reached out to the ANC seeking the reason for the postponement.

**October 10:** We followed up again and received a list of new requests at 2:47 p.m. (Friday), including a geotechnical report. With a weekend and federal holiday before the October 14 meeting, there was not enough time to prepare this information. The ANC stated they would not vote until all items were provided and moved their vote to November 18. This list is included as Exhibit 38A.

**October 22:** Two neighbors (1253 & 1247 Morse St NE) were granted party status. Neither attended the first two ANC meetings. The BZA denied their request to postpone the hearing.

**Oct 22:** Commissioner Salvador contacted us and advised that our case would be denied without ANC support in an attempt to pursued our team to withdraw our appeal. This was later confirmed by the Office of Zoning to be incorrect information.

**Oct 29:** At our first BZA hearing, we presented the same plans submitted to the ANC on July 1<sup>st</sup>, 2025. The Office of Planning recommended approval. The ANC requested a continued hearing, which was granted for December 10<sup>th</sup>, 2025. That same day, we informed the ANC that we were preparing design adjustments based on the hearing discussion. The ANC then told us that if they opposed the project, construction would be delayed for one year—information the Office of Zoning later confirmed was also incorrect. Mr. Reid communicated this to the ANC directly.

**Nov 11<sup>th</sup>:** We met with the ANC, the owner of 1257 Morse St NE, and the first-floor condo owner at 1251 Morse St NE, who just purchased the condo unit within the previous month. We presented updated plans which included in the case record, explaining the following revisions:

- We eliminated the side yard relief request by revising the design to comply with the required 5 ft setback.
- We reduced the number of bedrooms and bathrooms on the second-floor and third-floor units.
- We removed the previously proposed rear spiral stair to further reduce the scale of the project.
- We proposed planting a row of evergreen trees along the property line shared with 1255 Morse St NE to further address the privacy concerns raised by the neighbors at 1257 Morse St NE.
- At the initial BZA hearing, there were also concerns about the proposed side overhang, which we have addressed in the revised design.

The neighbor at 1257 Morse St NE requested that we reduce the proposed rear addition by 3 feet to align with their rear wall. We explained that our addition extends only 3 feet beyond their rear wall and is 28 feet away (and two addresses away), resulting in no substantially adverse effect on their light and air. This has been confirmed by an extensive sun-shade study that we conducted that provided a detailed 26-page report depicting shade at various times of day and times of the year that shows no sustainably adverse effects to 1257 Morse St NE. The lack of impact from the proposed addition at 1253 Morse St NW is further underscored by the newer addition located at 1251 Morse St NE, which extends 5'-2" beyond our current property and is further extended by an additional 8'-0" by a three-tiered deck. This existing structure also does not provide “sustainably adverse effect” to adjoining properties, which is why it was approved by the BZA and constructed. Lastly, there exist two large trees between 1255 Morse St NE and 1257 Morse St NE that provide substantial shade to the rear yards of 1253, 1255 and 1257 Morse St NW. The neighbor at 1257

stated they would withdraw their opposition if we reduced our addition by 3 ft to align with their existing home, however we have proven that the proposed addition will not “sustainably adversely” effect their enjoyment to light and air. Our extensive sun-shade modeling which proves this was largely ignored by the opposing neighbor and the ANC chair despite overwhelming evidence.

It was also explained to the neighbor at 1257 Morse St NE that the property at 1255 Morse St NE—currently an unimproved building—could construct a 20-foot rear addition by right, without a special exception, since 1257 Morse St NE already extends 17 feet beyond it and 1253 Morse St NE extends 10 feet beyond it. In that scenario, the by-right addition at 1255 would align with our proposed addition.

The owner of the first-floor condo at 1251 also asked to understand how the proposed addition might affect the light and view from their three-story lightwell, which is approximately 10 ft wide × 6 ft long × 35 ft tall and was built directly on the property line with no setback under a special exception (the required setback is 5 ft). We shared photos showing that, due to its narrow and tall configuration, the three walls of the lightwell cast shadows on one another throughout the day. We further explained that the portions of the project they are concerned about—the third-story addition and the side addition—are fully compliant with the by-right height and side setback requirements. The part of the project requiring special exception relief is located at the rear and will not impact the light or view from their lightwell. They also raised a concern that the proposed areaway might block their ability to exit through the lightwell. We clarified that, per code, the lightwell is not a legal means of egress because it leads onto another person’s property rather than a public open space, and there is already a 5-ft-tall railing at the property line. Nonetheless, Mr. Olayinka offered, as a courtesy, to install a fixed ladder connecting the lightwell to the proposed areaway.

Toward the end of the meeting, we agreed to further develop the plans, elevations, site plan, and shade study and share them with the ANC.

**Nov 14<sup>th</sup>:** We submitted the updated drawings and sun study to the ANC. The study showed no substantially adverse effect on 1257 Morse St NE.

**Nov 18<sup>th</sup>:** The ANC voted to oppose the project. Their concerns and our responses were:

- **Concern:** We did not cut back the building by 3 ft.

**Response:** Our understanding from the November 11 meeting was that a sun study showing no substantial adverse effect would resolve this concern.

- **Concern:** We did not remove the side addition.  
**Response:** The side addition has been reduced in size and now complies with the side yard setback, and is therefore no longer included in our special exception request. There was never an agreement to remove the addition entirely
- **Concern:** A sun study for the lightwell at 1251 Morse St NE was not provided.  
**Response:** The portions of the project potentially affecting the lightwell are by-right, and the lightwell itself was built by special exception at the property line. It measures approximately 10 ft by 6 ft and stands 35 ft tall, with its walls casting shadows internally in all directions.
- **Concern:** The sun study was not done professionally.  
**Response:** An extensive 26-page sun study was provided to the ANC. The study was conducted using professional software, Revit, which allows for precise modeling based on the project's geographical location using GPS data and the building's orientation. Simulations were performed at three times of day—8:00 a.m., 2:00 p.m., and 6:00 p.m.—on January 1, April 1, July 1, and October 1. When the ANC was asked what format of sun study they would consider acceptable, no response was provided. Additionally, two large existing trees stand between 1255 and 1257 Morse St NE. These trees naturally cast shadows in all directions, which would favorably impact the shade analysis for our project. However, we deliberately excluded them from the study to present a worst-case scenario, assuming they might be removed. The results of the study demonstrated that there would be no substantial impact, yet the ANC declined to accept the findings.
- **Concern:** The views from 1257 Morse St NE side windows would be impacted.  
**Response:** The addition will be set 28 feet away and will extend only 3 feet beyond the rear wall of 1257 Morse St NE. As a result, it will not have an undue impact on the view from the side windows of 1257 Morse St NE. Furthermore, the proposed addition will be 5'-2" shorter than the addition at 1251 Morse St NE plus an additional 8'-0" three-tiered deck that extends beyond this line. There are also two large existing trees between 1255 and 1257 Morse St NE, which currently dominate the views from these windows. Below are photos of the windows in question, illustrating that the existing views are already largely limited to adjoining structures or the trees mentioned above:

Photos from the interior of 1257 Morse Street-NE depicting the “views” the opposing homeowners are concerned will be impacted by the addition of 1253 Morse Street-NE which will be 28-feet away from their building line and extend 3'-0" beyond their current end-of-home. The “views” shown

largely face the side of the existing building located at 1255 Morse Street-NE as well as the large existing trees located along their property line shared with 1255 Morse Street-NE.



In Conclusion:

Carballo Architecture has made every attempt to work with the ANC since July to seek common ground and incorporate constructive feedback received. We have made substantial changes to the design that has reduced the scale of the project and reduced the program of the project. We have also offered to provide a landscape buffer to further shield the adjoining neighbors due to concerns of privacy.

Through this communication, the ANC Chair has provided false information regarding procedure. They have continually missed deadlines for submitting information. The current opposing neighbors failed to attend two of the ANC meetings, and neither the opposing neighbors or ANC Chair has provided any attempt at meeting our design ‘half-way’ in an effort to negotiate. Lastly, even when provided with overwhelming evidence that demonstrates that the proposed addition does not “sustainably adversely effect” their light and air enjoyment, they have still stated that they will oppose any redevelopment at the property.

We strongly believe that the reasons for their opposition are unfounded and without evidence or sound logic.