

December 4, 2025

Board of Zoning Adjustment c/o Office of Zoning
441 4th Street NW, Suite 200-S Washington, DC 20001

Re: BZA Case No. 21361 – 1253 Morse St NE Applicant: Mashood Olayinka
Parties: Natalie Martinez and Andrew Karay

Dear Members of the Board:

We want to begin by thanking the Board for the time and attention you devoted to this case at the October 29 hearing. The feedback provided at that session prompted the applicant to correct some of the most significant deficiencies in the original submission—though, as the updated filings show, not all of them. It is also important to note that the applicant’s filings contained persistent errors leading up to and including the ANC vote, which made it extremely difficult for neighbors to properly understand, assess, and support the proposal. After the October 29 hearing, the parties engaged in an internal discussion on November 11, outside of any formal proceedings, in an effort to resolve concerns collaboratively. That conversation proceeded from a more appropriate starting point, with the applicant making concessions that were, in truth, the baseline from which this project should have begun.

During the November 11 internal discussion, we clearly communicated that we would support the conversion to four units and withdraw our opposition if the rear addition were scaled to a modest, RF-1-appropriate depth. Our concerns have always related to massing—not the multi-unit conversion itself. Nevertheless, the applicant refused to revise the depth of the addition and has since submitted filings that fail to resolve serious issues of accuracy and regulatory compliance.

We have reviewed both the applicant’s November 18 updated burden of proof and the architect’s December 5 response to the ANC report. Neither submission meets the evidentiary standards required under the zoning regulations, and the December 5 response introduces additional misstatements that further undermine the reliability of the applicant’s representations. While a more detailed sun study has been included, it contains several inaccuracies—incorrect dimensions, inconsistent modeling of adjacent buildings, and flawed shading assumptions—that render the results inconclusive. These deficiencies prevent the applicant from meeting the burden required under Subtitle E §5201.

For the reasons described below, the application does not satisfy the RF-1 criteria and should not be approved in its current form.

1. The Addition Would Unduly Affect Light and Air to Adjacent Properties (Subtitle E §5201.4(a))

The proposed three-story, 20-foot rear extension would materially reduce the light and air available to our property, and the applicant has not demonstrated otherwise.

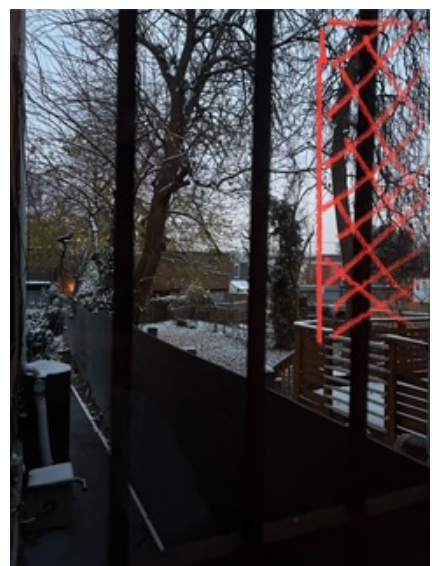
Both the November 18 filing and the December 5 response claim that our home “would not view or be impacted by the construction.” This is factually incorrect. Our second-floor bedroom windows directly

face the property line, with a clear sightline to the area where the extension would be constructed. Photographs included with this statement show this plainly.

The applicant attempts to substantiate its position by relying on real-estate listing photos of our home to suggest abundant existing daylight. Such images are routinely edited for marketing purposes and cannot substitute for the accurate, site-specific documentation required under §5201.4(d). More of these photos will be available at the December 10 hearing.

The December 5 response further suggests that shade produced by trees in our yard is equivalent to the shadowing effect of a three-story building mass. This is both inaccurate and misleading. Trees provide seasonal, filtered shade; a solid building produces permanent, year-round obstruction. Zoning evaluations assess impacts from constructed form—not vegetation.

Finally, the applicant's sun study contains multiple errors—misstated building heights, incorrect setbacks, and shading treatments that overstate existing obstruction and understate project-generated shadow. As a result, the study is unreliable, and the applicant has not carried its burden under §5201.4(a).



2. The Addition Would Visually Intrude Upon the Character, Scale, and Pattern of the Block (Subtitle E §5201.4(c))

The RF-1 zone exists to preserve a consistent rear-yard pattern and modest scale of additions. The proposed structure—three stories and 20 feet deep—significantly exceeds the established rhythm of the block.

The applicant argues that because 1251 Morse has a 25-foot addition, a deeper extension at 1253 Morse is therefore appropriate. This is inconsistent with §5201.4(c) and Board precedent. The standard is whether *this* addition intrudes visually upon the block's pattern—not whether one neighboring property has a smaller nonconforming condition.

In reality, the proposed extension would project well beyond the prevailing rear line and would be highly visible from the alley, disrupting the scale and pattern the RF-1 zone is intended to maintain.

3. The Application Is Not in Harmony with the Purpose and Intent of the RF-1 Zone (Subtitle X §901.2(a))

RF-1 zoning aims to maintain rowhouse character, protect light and air, and prevent concentrations of oversized additions. A uniquely deep, three-story extension—supported by inconsistent and inaccurate documentation—cannot be reconciled with those objectives. The applicant’s filings do not demonstrate harmony with the RF-1 zone’s purpose and do not show that the proposed massing is appropriate for the block.

4. The Application Would Adversely Affect Neighboring Property (Subtitle X §901.2(b))

The combination of light loss, increased bulk, and visual intrusion demonstrates clear adverse effects on our property. The applicant’s repeated assertion that our home “would not be impacted” is unsupported and further undermines the credibility of the record. The zoning regulations place the burden squarely on the applicant to prove the absence of undue adverse effects. That burden has not been met.

Conclusion

For the reasons above, the applicant has not demonstrated compliance with the requirements for special exception relief in the RF-1 zone. As proposed, the addition:

- Unduly affects light and air,
- Visually intrudes upon the character and pattern of the block,
- Is not harmonious with the purpose of RF-1, and
- Adversely affects neighboring property.

We entered this process willing to support the four-unit conversion and a smaller, compliant addition. Instead, the applicant has continued to pursue an outsized structure supported by filings that remain incomplete and inaccurate. The original proposal was plainly incompatible with the neighborhood, and the updated application materials—even through the ANC vote—contained numerous errors and misrepresentations of size, scale, and existing conditions. These persistent inaccuracies, combined with the applicant’s refusal to consider reduced massing, have made this process far more contentious than necessary.

For these reasons, we respectfully request that the Board deny the requested reliefs.

Respectfully,

Natalie Martinez
Andrew Karay