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DC Board of Zoning Adjustment
D.C. Office of Zoning
441 4th Street, NW, Suite 200-S
Washington, DC 20001

Re: Opposition to BZA Case No. 21404 — 512 Taylor, LLC, 5034 Nebraska Avenue, NW (Square 1879, Lot 30)

Dear Chairperson and Members of the Board:

We are residents and property owners of 33 years at 5026 Nebraska Ave. NW. We oppose the application of 512 Taylor, LLC for special exception relief at 5034 Nebraska Avenue, NW. Our rowhouse is located only three houses south of the subject property and this close proximity would negatively impact our lives. Although our home does not directly adjoin the subject property, the negative effects for us and our community are numerous, impacting the character, scale, and pattern of our streetscape and alley. The Board is required to weigh these matters under Subtitle D § 5201 and Subtitle X § 901.2.

ANC 3F unanimously voted to oppose this special exception request, stating the commission is “confident” the applicant has not met those standards required under Subtitle D § 5201 and Subtitle X § 901.2. Their report is Exhibit 42 in the BZA record, and we request the ANC’s recommendation be given the “great weight” that it is entitled.

The scale and depth of this proposed development will drastically alter the appearance of our neighborhood. The project is massive and out of scale. The overall addition will be visible from the front, the alleyway, and the backyards of our home and several neighbors. This monolithic addition encompassing virtually the entire backyard of 5034 will be an eyesore that affects the friendly backyard and alleyway culture of the block. We have significant concerns over any new development that worsens water runoff and flooding in our backyard, in our alley, and on Nebraska Avenue where water now rushes down the street toward Connecticut Avenue during heavy rain storms.

The applicant bears the burden of proof, and has not met it.

Under Subtitle X § 901.3, the applicant has the full burden to prove that the requested special exception will not have an undue adverse impact, and must demonstrate this through evidence in the record. The applicant cannot satisfy that burden simply by asserting that impacts will be minimal. On several of the relevant criteria, the record contains assertions rather than proof — most notably on light, air, and shadow impacts.

At the 6/30/26 ANC 3F meeting, the applicant struggled to answer questions on seasonal, side-facing shadows based on their apparently inadequate study. The applicant also failed to provide the required comparative solar studies. The Board should hold the applicant to its burden and decline to grant relief on an incomplete record.

The proposed addition substantially intrudes upon the character, scale, and pattern of the block (Subtitle D § 5201.4(c)).

This criterion expressly directs the Board to consider the addition “as viewed from the street, alley, and other public way” and its effect on “the character, scale, and pattern of houses along the street or alley frontage.” Our 5000 block of Nebraska Avenue NW is characterized by groups of three attached dwellings — a row house between two semi-detached homes — generally two stories in height, with modest rear yards and consistent rooflines. The proposed project would add a full third story and a second-story roof deck, and would extend a three-story rear addition far beyond the rear walls of the adjoining homes. No other home on our block of triplexes has a third story or a roof deck of this kind. The result would be a structure that towers over and

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projects well past its neighbors, visible from the public alley and from Nebraska Avenue, and breaking the established two-story rhythm of the block. This is precisely the kind of out-of-scale, out-of-character intrusion that § 5201.4(c) is designed to prevent.

Granting this relief would undermine the zone plan and invite a harmful precedent.

The Board's special exception authority under Subtitle X § 901.2 is limited to relief that "will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps." The R-2 zone's development standards — including the limits on rear extensions beyond adjoining buildings and the preservation of side yards and open space — exist to protect light, air, and the low-density residential character of neighborhoods like ours. Approving an addition of this scale, with no side yards on either free-standing side and a rear projection well beyond the neighbors, would signal that these protections can be set aside on a block where they have otherwise held since the homes were constructed in 1939.

We are not lawyers, but 512 Taylor LLC appears to be playing with its interpretation of the rowhouse's non-conformity in the R2 zone to justify filling the entire backyard with its new structure. It is illogical reasoning for the developer to argue that since the rowhouse was initially nonconforming in regard to the side yard setback rules of the R2 zone, therefore the developer should continue the non-conformity as they expand in the backyard.

If granted here, the same relief could be sought by other property owners, producing a cumulative loss of open space, light, and neighborhood character across the block. It would signal a free-for-all to other developers who only care about maximizing profits at the expense of the R2 zone's intent to preserve neighborhoods dominated by semi-detached homes.

The applicant's contrast with the prior addition at 5042 Nebraska Avenue (BZA Case No. 20839) does not hold up.

The applicant relies on the earlier addition at 5042 Nebraska Avenue as a comparable. It is not. That addition was two stories, matching the height of its neighbors; it was on a lot set significantly closer to Nebraska Avenue with a longer, terraced rear yard that sat below grade, sharply reducing its visibility and impact; and it proceeded with the support of the adjoining neighbors. We supported our neighbors' project at 5042, who renovated to meet the needs of their changing family. They were respectful and forthcoming with neighbors about their plans, and they minimized impacts to the neighborhood.

This developer's proposal is diametrically opposite to the renovation at 5042. It is taller (three stories plus a roof deck), sits nearly at the grade of the alley, occupies a portion of the block with smaller rear yards, projects far beyond the adjoining structures, and is opposed by both immediate neighbors and the broader neighborhood. The comparison cuts against the developer's application, not for it.

Further, we ask the Board to investigate an apparent undisclosed dwelling unit. The proposed cellar layout depicts what appears to be a complete, independent dwelling unit with two bedrooms, kitchen, two bathrooms, and separate front and rear access. The applicant's revised self-certification now lists one accessory dwelling unit — yet the applicant's statement describes the property as remaining a single-family dwelling and does not address the requirements applicable to accessory apartments. The Board should require the applicant to disclose and address this fully.

This developer's proposal is out of scale and out of character with our block and would set a damaging precedent for the neighborhood and negatively impact our property values. We respectfully urge the Board to deny the application as presented, or at minimum to require that it be substantially revised to conform to the scale and character of our surrounding homes.

Thank you for your consideration.

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