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July 15, 2026

Board of Zoning Adjustment
D.C. Office of Zoning
441 4th Street, NW, Suite 200-S
Washington, DC 20001
Via IZIS and bzasubmissions@dc.gov

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

Second Supplemental Submission of Parties in Opposition (Kovacs) — Light and Air Illustrations; Sufficiency of Applicant's Solar Analysis (Subtitle D § 5201.4(a); Subtitle X § 901.3)

Dear Chairperson and Members of the Board:

We submit three figures concerning the light-and-air impact of the proposed project on our home at 5036 Nebraska Avenue, NW, the abutting property to the north, in further support of our opposition and of the light-and-air concerns raised in the report of ANC 3F (Exhibit 42). Figures 1 and 2 illustrate the impact on our property. Figure 3 addresses the sufficiency of the applicant's own solar analysis.

Figure 1 shows existing conditions at the rear of our two properties. **Figure 2** shows the same view with the proposed addition modeled from the plans as filed (Exhibit 28A), including the third-story addition over the existing building footprint. Both figures depict September 22 — the autumn equinox, the median day of the solar year — at 5:00 PM. We selected that date and hour deliberately: the equinox avoids any seasonal extreme, and 5:00 PM falls within the late-afternoon period that, as the record elsewhere reflects, the applicant's solar analyses do not examine. The black rectangle on our rear wall marks the approximate location of the window of our daughter's second-floor bedroom, at the southern end of our rear wall.

The figures illustrate a condition that follows from the geometry of the massing. Our lot faces southeast. The proposed third story blocks afternoon sun from the south; the proposed rear extension blocks it from the west. Together they enclose the southern corner of our rear yard — and the marked bedroom window — in an inside corner of three-story construction. For direct sunlight to reach that corner of the yard or that window, it would have to arrive from the northeast, where the sun sits only briefly on early summer mornings. As Figure 2 illustrates, at a representative hour on a median day, the yard corner and the bedroom window that receive direct sun under existing conditions fall entirely within the shadow of the proposed massing.

One caution about scale applies to all of these figures — ours and the applicant’s alike. Much of the apparent open “rear yard” on these lots is off-street parking, not yard. The portion of our rear yard that functions as a yard — the garden, patio, and play space our family actually uses — is the modest area between our rear wall and our parking pad. It is precisely this area, together with the rear wall and its windows, that the proposed massing encloses in shadow for substantial parts of the day through much of the year. Sunlit paving over a parking pad does not mitigate that loss: Subtitle D § 5201.4 protects the use and enjoyment of abutting property, and the use is concentrated exactly where the shadow falls — a point our Party Status submission made in January (Exhibit 20A).

Figure 3 addresses the sufficiency of the applicant’s solar shading analysis at Exhibit 28A, pages 9–10, and the incremental effect of the exception actually requested. By design, that analysis displays only the difference between two hypothetical massings — a “matter-of-right” scenario and the proposal — and so never measures the proposal against existing conditions; the shading contributed by the third-story addition over the existing building footprint is nowhere quantified or displayed as an impact. The analysis depicts no hour later than 3:00 PM in any season, and presents only a directly overhead view — a vantage from which shadow falling on vertical surfaces such as walls, windows, and doorways cannot be seen at all. Figure 3 shows the rear of our two properties at 5:00 PM in four conditions: on June 22 — within days of the summer solstice, when evening sun is at its annual maximum — existing, the massing the applicant characterizes as matter of right (“MOR”), and the full proposal as filed; and on August 7, the matter-of-right massing again. Even at the most favorable evening hour of the year, the proposal as filed places the rear wall and yard of our home in shadow — an impact the applicant’s analysis nowhere assesses.

The fourth panel isolates the effect of the requested side-yard exception itself. Under the matter-of-right massing, the 5:00 PM shadow does not reach the doorway on our rear wall until approximately August 7. Under the full proposal — the massing the requested exception would permit — the shadow reaches that same doorway on June 22, within days of the solstice. The requested exception — elimination of the five-foot side yard otherwise required along our shared lot line — thus extinguishes the evening light that doorway would otherwise receive for the roughly six and a half weeks following the solstice — and, because the sun’s path is essentially symmetric about the solstice, for a comparable period preceding it. An analysis that omits the operative massing and the operative hours cannot demonstrate that the impact of the addition and the requested exception on the light and air of adjacent property is limited, and cannot carry the applicant’s burden under Subtitle D § 5201.4(a) and Subtitle X § 901.3.

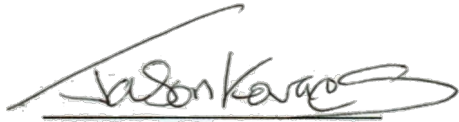
Methodology. The figures in this submission were prepared by the owners using a consumer solar-modeling application. Building massings are modeled from the plans as filed (Exhibit 28A); shadow positions are computed by the application for the stated dates and times; edge lines have been added to Figure 3 for legibility; and the locations and sizes of the window and door openings depicted on our home, including the marked bedroom window, are approximate. The figures are offered as the owners’ illustrations, not as a survey or engineered study.

Scope of this submission. These figures are offered as the property owners’ lay illustration of the impact of the proposed construction on the light and air of our own property, bearing on the finding required by Subtitle D § 5201.4(a) and on the applicant’s burden under Subtitle X § 901.3. They are not offered as, and are not a substitute for, the comparative solar shading study

that Subtitle D § 204.1(d) required of the applicant, which remains absent from this record for the reasons stated in our July 15 submission, Exhibit 44. The impact illustrated here arises from the combination of the third-story addition and the rear extension; it is not visible in any analysis that examines those elements piecemeal or that ends its inquiry in mid-afternoon.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jason Kovacs", with a stylized flourish at the end.

Jason Kovacs

For himself and on behalf of Patricia Kovacs

Parties in Opposition, BZA Case No. 21404

Figures

Figure 1 — Rear of 5034 and 5036 Nebraska Avenue, NW: existing conditions, September 22, 5:00 PM.

Figure 2 — Same view with proposed addition per plans as filed (Exhibit 28A), September 22, 5:00 PM.

Figure 3 — Four-panel comparison, rear of 5034 and 5036 Nebraska Avenue, NW, 5:00 PM: existing, claimed matter-of-right massing, and full proposal as filed (June 22); claimed matter-of-right massing (August 7). Presented on two sheets, panels enlarged for legibility.

Certificate of Service

I hereby certify that, on July 15, 2026, a copy of the foregoing supplemental submission was served by email on the following:

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A handwritten signature in black ink, appearing to read "Jason Kovacs", written over a horizontal line.

Jason Kovacs

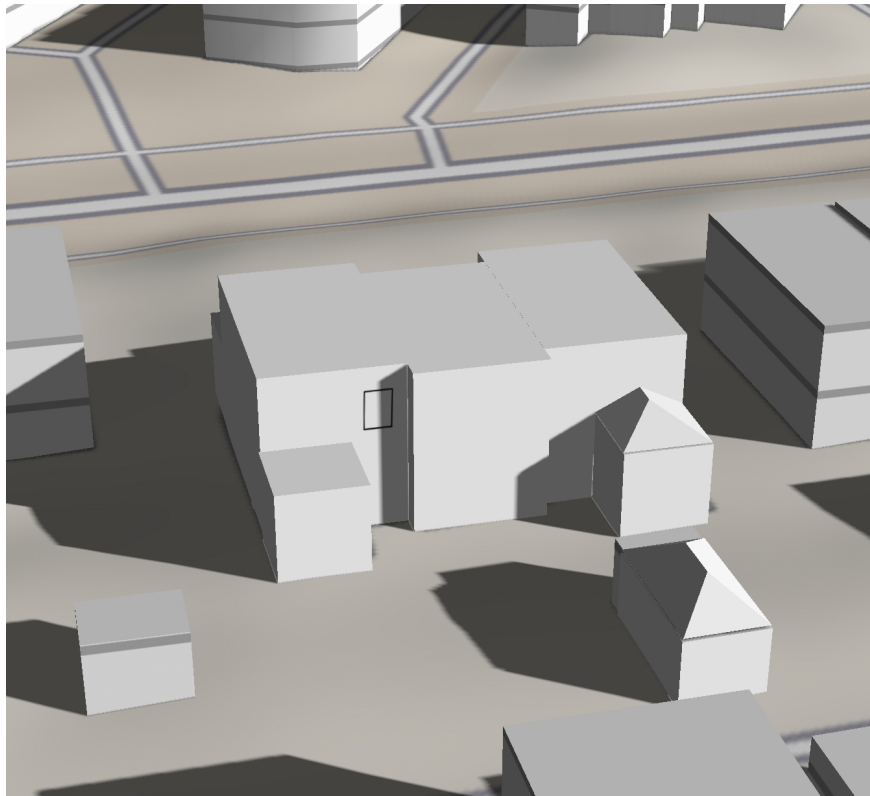


Figure 1 — Rear of 5034 and 5036 Nebraska Avenue, NW: existing conditions, September 22, 5:00 PM.

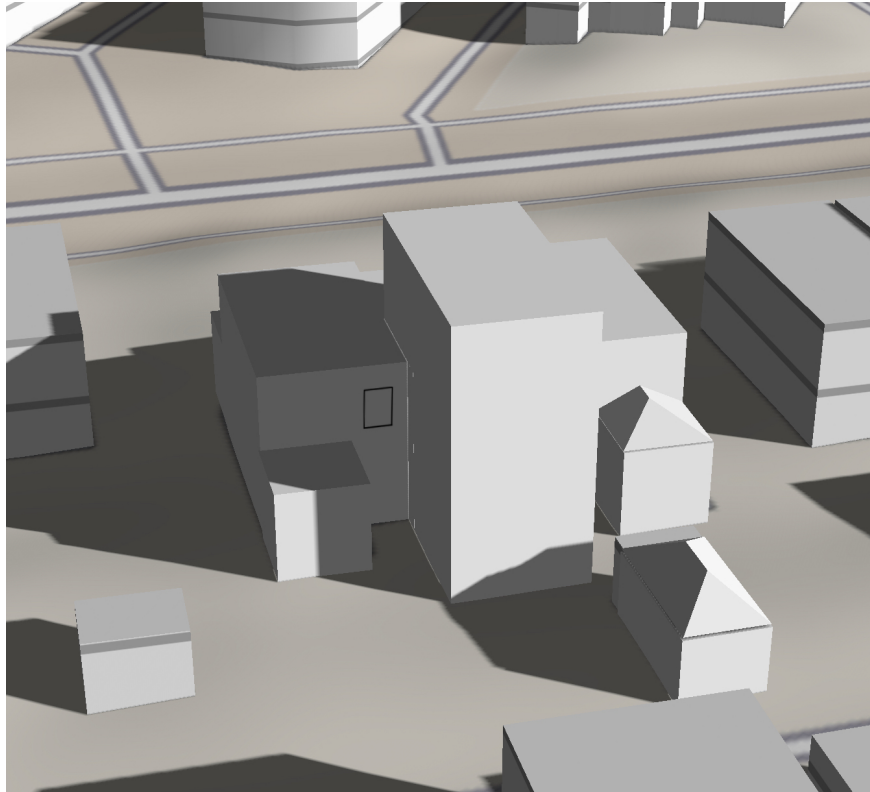
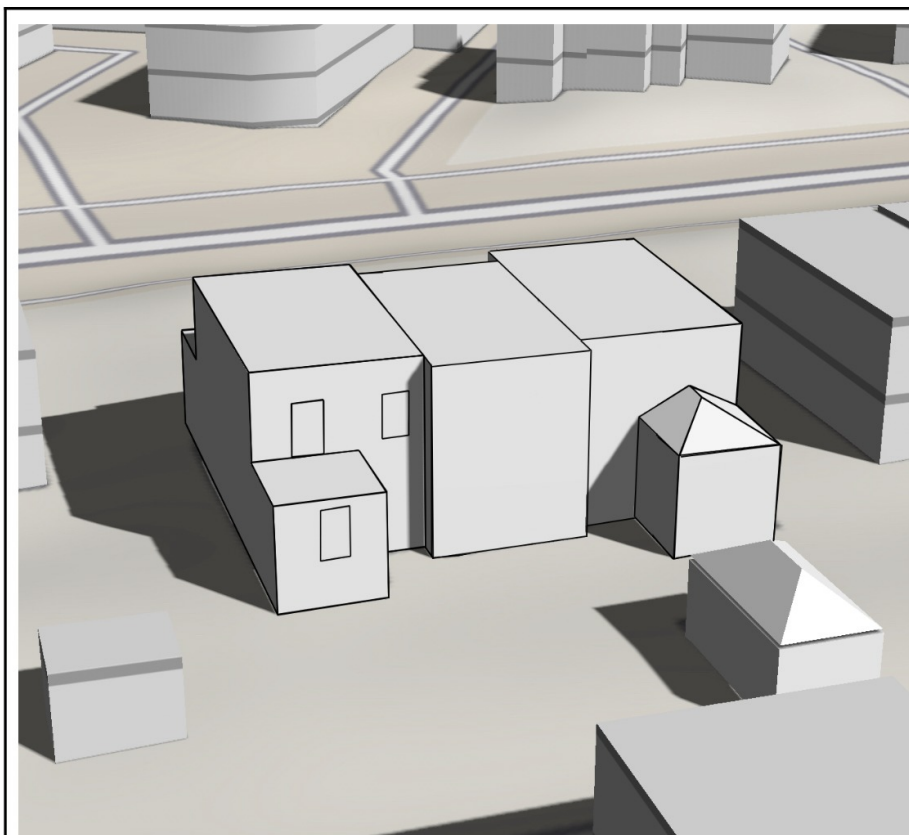
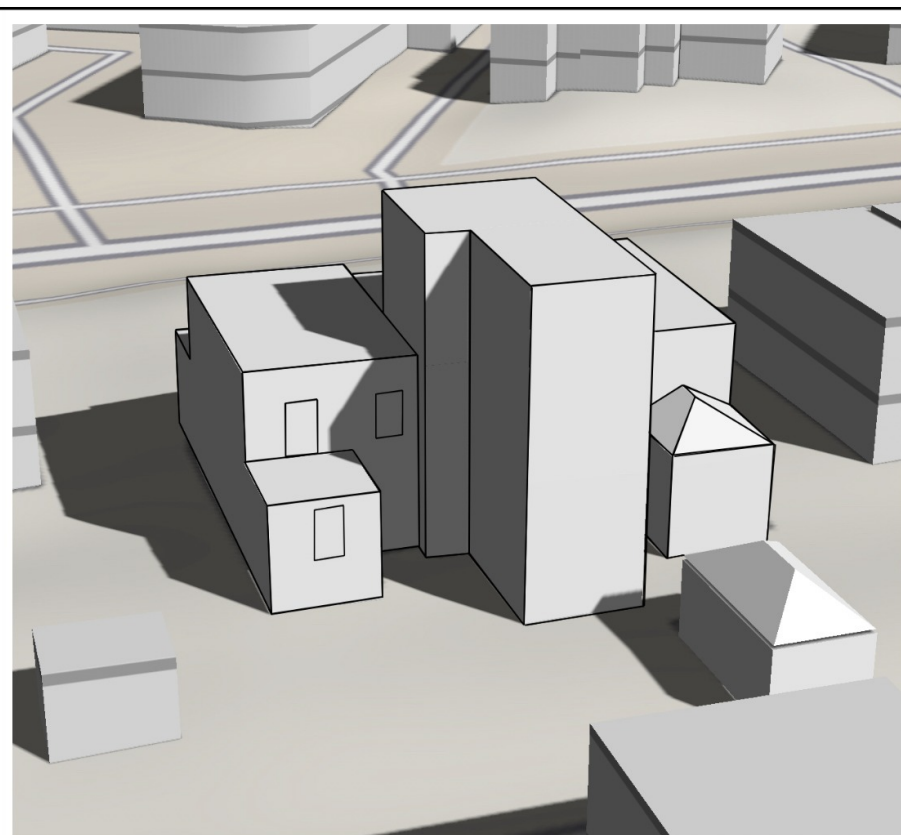


Figure 2 — Same view with proposed addition per plans as filed (Exhibit 28A), September 22, 5:00 PM.



June 22, 5:00pm, Current

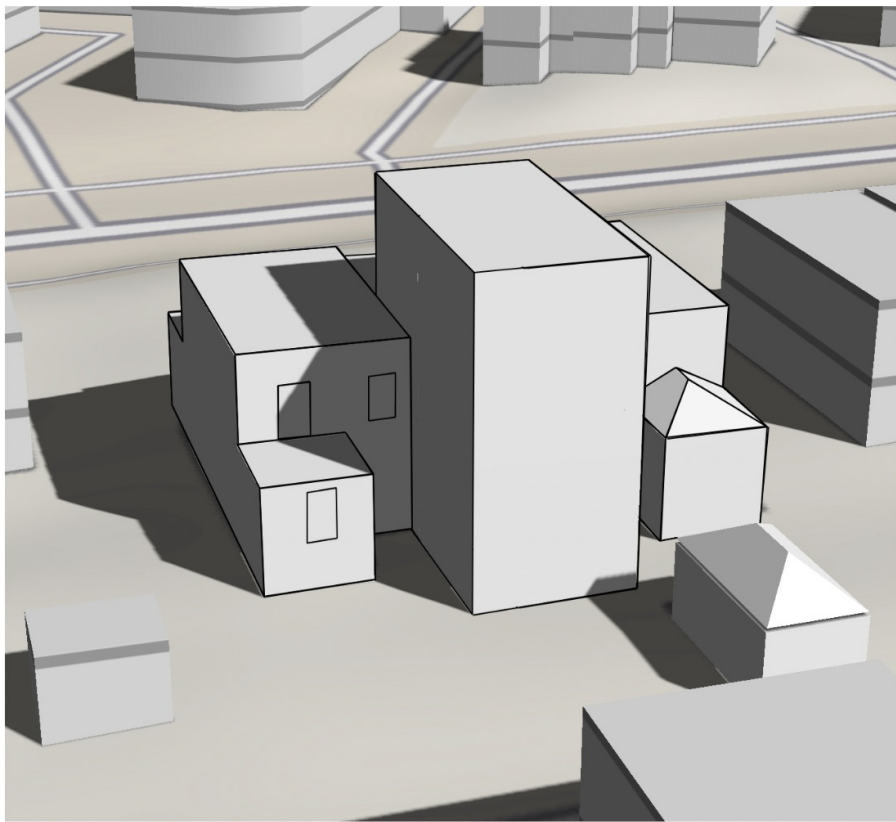
June 22, 5:00 PM — Existing conditions



June 22, 5:00pm, Claimed MOR

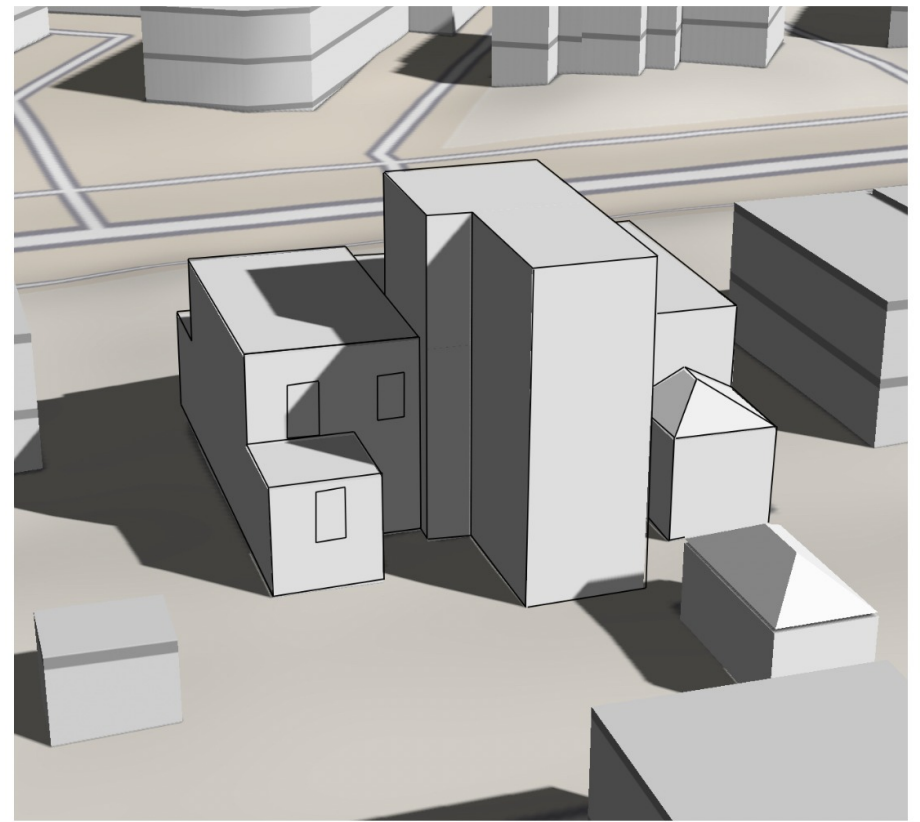
June 22, 5:00 PM — Claimed matter-of-right (“MOR”) massing

*Figure 3 (sheet 1 of 2) — Four-panel comparison, rear of 5034 and 5036 Nebraska Avenue, NW, at 5:00 PM.
Panels enlarged and paginated for legibility; panel images unaltered. Edge lines added for legibility.*



June 22, 5:00pm, Proposed

June 22, 5:00 PM — Full proposal as filed



August 7, 5:00pm, Claimed MOR

August 7, 5:00 PM — Claimed matter-of-right ("MOR") massing

Figure 3 (sheet 2 of 2) — Under the matter-of-right massing, the 5:00 PM shadow reaches the rear doorway on approximately August 7; under the full proposal it reaches the same doorway on June 22. Panels enlarged and paginated for legibility; images unaltered.