

July 21, 2026

Via JZIS

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, DC 20001

**Re: Rebuttal Evidence and Revised Shadow Study Submission - BZA Case No. 21404 – 5034
Nebraska Avenue, NW**

Dear Members of the Board:

Pursuant to Y-409.3, we are submitting this revised shadow study and additional information as rebuttal evidence to the submission filed Sunday evening by a party opponent. There are no changes to the plans included in this submission, but we are filing the entire package together to avoid confusion. The only changes are minor changes to the shadow study as specifically identified hereinbelow. This submission is intended to respond to the Sunday night filing; they do not alter the underlying analysis or the conclusions regarding the Project's limited incremental shadow impacts.

Specifically, the revisions address the following:

1. **Perspective Views and Scale.** The shadow study consists of three-dimensional perspective views prepared solely to compare the relative shadow conditions between the matter-of-right scenario and the proposed design. Because perspective projections are inherently not to scale, as apparent dimensions vary depending on the viewer's position and viewing angle, inclusion of a graphic scale would not produce meaningful or accurate measurements. The purpose of the exhibit is not to provide measurable dimensions, but rather to visually illustrate the comparative extent and location of shadows generated under each scenario. The perspective views adequately fulfill that purpose.
2. **Comparison to the Matter-of-Right Condition.** The shadow study intentionally compares the proposed exception with the applicable matter-of-right development. The enclosed third-floor addition on the existing building is permitted as a matter of right and therefore is present in both scenarios being compared. Because the third-floor massing is identical under each condition, it generates the same shadows in both cases and does not contribute to the incremental shadow resulting from the requested zoning relief. Accordingly, the study isolates only the additional shadow attributable to the requested exception, which is the relevant comparison for evaluating the requested relief. This

methodology aligns with decades of BZA standards in using shadow studies to evaluate special exception relief.

3. **Equinox Shadow Variations.** Although the vernal and autumnal equinoxes occur under very similar solar geometry, they are not mathematically identical because of differences in the sun's declination, the equation of time, and the precise astronomical dates represented in the modeling software. As a result, slight variations in shadow shape and length are expected. The revised exhibit reflects these minor differences while continuing to demonstrate that the incremental shadow impacts associated with the requested relief remain limited.
4. **Additional Shadow Demarcations.** The red demarcations were originally intended only to identify incremental shadow affecting adjacent private properties as a result of the requested zoning relief. In several instances, the additional shadow occurred solely within adjacent public space or the alley and therefore was not specifically highlighted. To avoid any potential misunderstanding, the revised shadow study now includes these additional demarcations.

With respect to the assertion concerning Subtitle D § 5201.4, the Applicant notes that the Zoning Regulations do not prescribe a specific methodology or required format for shadow studies, nor do they require an engineered solar analysis or scaled perspective views. Rather, the regulations require graphical representations sufficient to illustrate the relationship between the proposed development and adjacent properties.¹ The revised shadow study satisfies that standard and provides an adequate basis for the Board's evaluation of the requested relief.

Respectfully Submitted,

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¹ The Applicant's architect has in fact used the software provided by the DC Office of Zoning to prepare the shadow study. (DCOZ 3D Zoning Map <https://share.google/bBhe8TMjkIGT0XVpe>). See Cover Page attached.

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2026, an electronic copy of this submission was served to the following:

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