

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

**NOTICE OF FINAL RULEMAKING
AND**

Z.C. ORDER NO. 10-05

Z.C. Case No. 10-05

(Map Amendment – 11 DCMR)

**(Revisions and Additions to Wards 7 and 8 R-5-A Zoning Consistency Map Amendments
Made in Zoning Commission Order Nos. 07-30, 08-12 and 08-22)**

September 27, 2010

The Zoning Commission for the District of Columbia (the “Commission”), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 798; D.C. Official Code § 6-641.01); hereby gives notice of adoption of the following amendments to the Zoning Map incorporated into the Zoning Regulations of the District of Columbia (Title 11, DCMR). A Notice of Proposed Rulemaking was published in the *D.C. Register* (“DCR”) on July 16, 2010, at 57 DCR 6197. The amendments shall become effective upon the publication of this notice in the *D.C. Register*.

Description of Amendments

The proposed map amendments rezone certain properties within Wards 7 and 8 from or to the R-5-A Zone District. This action is intended to address errors, omissions, and oversights in Z.C. Order Nos. 07-30 (September 19, 2008); 08-12 (November 14, 2008); and 08-22 (June 26, 2009). The proposed amendments:

1. Rezone lots inadvertently omitted from the original Commission orders, all of which are within the intended rezone boundary indicated on maps produced by the Office of Planning (“OP”) at the time of the original Commission cases;
2. Rezone lots that were inadvertently rezoned as part of the original cases; and
3. Rezone lots that were not addressed as part of the original cases.

Procedures Leading to Adoption of Amendments

On March 12, 2010, OP filed a report that served as a petition requesting these map amendments, and that satisfied the pre-hearing filing requirements of § 3013 of the Zoning Regulations. The report also requested that the Commission waive the street frontage posting requirements of § 3014.3 of the Zoning Regulations. The Commission voted to set down the proposal for hearing, and waive the street frontage posting requirement at its March 22, 2010 public meeting.

A public hearing was scheduled for and held on June 7, 2010, after which the Commission authorized the referral of the proposed text to the National Capital Planning Commission and the publication of a notice of proposed rulemaking in the *DC Register*.

NCPC, through a delegated action dated June 24, 2010, found that the proposed text amendments would not adversely affect the identified federal interests, nor be inconsistent with the Comprehensive Plan for the National Capital. (Exhibit No. 11.)

The Notice of Proposed Rulemaking was published in the *D.C. Register* on July 16, 2010, at 57 DCR 6197, for a 30-day notice and comment period. No comments were received.

At a properly noticed September 27, 2010 public meeting, the Commission took final action to adopt the following map amendments:

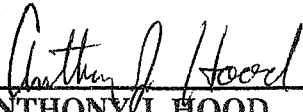
Square	Lots	Proposed Amendment
5078	28, 813	Rezone from R-4 to R-5-A
5178	27, 28, 48-51, 800	Rezone from R-2 to R-5-A
5920	93	Rezone from R-5-A to R-3
6240	30	Rezone from R-5-A to R-2
5321	32, 35, 2001-2054	Rezone from R-3 to R-5-A
5322	32, 33, 34, 35	Rezone from R-3 to R-5-A
5087	926	Rezone from R-5-A to R-2
5091	37, 38	Rezone from R-5-A to R-2
5190	40 - 42	Rezone from R-5-A to R-3
5267	19	Rezone from R-5-A to R-3
5327	19	Rezone from R-5-A to R-3
5552	800	Rezone from R-5-A to R-4
5586	55	Rezone from R-5-A to R-4
5636	65	Rezone from R-5-A to R-4
5728	58	Rezone from R-5-A to R-3
5729	821-826	Rezone from R-5-A to R-3
5777	625, 626	Rezone from R-5-A to R-3
5778	75	Rezone from R-5-A to R-3
5790	820	Rezone from R-5-A to R-4
5921	939, 938	Rezone from R-5-A to R-3
5928	64	Rezone from R-5-A to R-3
5946	78	Rezone from R-5-A to R-3
5982	804, 805	Rezone from R-5-A to R-3
5983	809, 810, 813, 814	Rezone from R-5-A to R-3
5985	8	Rezone from R-5-A to R-3.
6128	78-80	Rezone from R-5-A to R-3

Square	Lots	Proposed Amendment
6153	68, 69, 77	Rezone from R-5-A to R-3
6208	46	Rezone from R-5-A to R-3
6239S	8-12	Rezone from R-5-A to R-3
5264	7	Rezone from R-2 to R-5-A
5450	809	Rezone from R-3 to R-5-A
5586	58	Rezone from R-4 to R-5-A
5740	852	Rezone from R-3 to R-5-A
6163	90	Rezone from R-2 to R-5-A
5172	184-0047	Rezone from R-5-A to R-4
5159	801, 802	Rezone 801 from R-5-A to R-2 Rezone 802 from R-2 to R-5-A
5350	101	Rezone from R-5-A to R-2
5727	801-810	Rezone from R-5-A to R-3
6116	810	Rezone from R-5-A to R-3

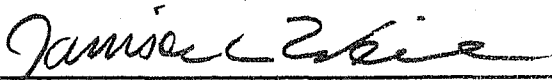
On June 7, 2010, upon motion of Chairman Hood, as seconded by Vice Chairman Schlater, the Zoning Commission **APPROVED** the petition at the conclusion of the hearing by a vote of **3-0-2** (Anthony J. Hood, Konrad W. Schlater, and Michael G. Turnbull to approve; Peter G. May, not present, not voting; Third Mayoral Appointee position vacant, not voting).

On September 27, 2010, upon motion of Vice Chairman Schlater, as seconded by Commissioner Turnbull, the Zoning Commission **ADOPTED** the Order at its public meeting by a vote of **3-0-2** (Anthony J. Hood, Konrad W. Schlater, and Michael G. Turnbull to adopt; Peter G. May and Greg Selfridge, having not participated, not voting).

In accordance with the provisions of 11 DCMR § 3028.9, this Order shall become effective upon publication in the *D.C. Register*; that is on October 8, 2010.



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



JAMISON L. WEINBAUM
DIRECTOR
OFFICE OF ZONING

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

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Z.C. ORDER NO. 10-05

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September 27, 2010

The full text of this Zoning Commission order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



Z.C. CASE NO.: 10-05

As Secretary to the Commission, I hereby certify that on **OCT - 6 2010** copies of this Z.C. Order No. 10-05 were mailed first class, postage prepaid or sent by inter-office government mail to the following:

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| 1. D.C. Register | 11. ANC 8E
1107 Savannah Street, S.E.
Washington, D.C. 20032 | 21. Commissioner Charlene Exum
ANC/SMD 7A04
3423 Minnesota Ave., S.E. #1
Washington, D.C. 20019 |
| 2. ANC 7A
4201 D Street, S.E.
Washington, D.C. 20019 | 12. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 22. Commissioner Karen Settles
ANC/SMD 7A05
234 37 th Street, S.E.
Washington, D.C. 20019 |
| 3. ANC 7B
3200 S Street, S.E.
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ANC/SMD 7A06
3909 Blaine Street, N.E.
Washington, D.C. 20019 |
| 4. ANC 7C
4651 Nannie Helen Burroughs Ave.,
N.E. #2
Washington, DC 20019 | 14. Councilmember Marion Barry | |
| | 15. DDOT (Karina Ricks) | |
| 5. ANC 7D
Merritt School
5002 Hayes St., N.E.
Washington, D.C. 20019 | 16. Melinda Bolling, Acting General
Counsel
DCRA
1100 4th Street, S.W.
Washington, DC 20024 | 24. Commissioner Villareal Johnson
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2934 Nelson Place, S.E.
Washington, DC 20019 |
| 6. ANC 7E
5001 Hanna Place, S.E.
Washington, D.C. 20019 | 17. Office of the Attorney General (Alan
Bergstein) | 25. Commissioner Holly Muhammad
ANC/SMD 7B01
1926 17 th Street, S.E.
Washington, DC 20020 |
| 7. ANC 8A
2100-D MLK Jr., Ave., S.E.
Washington, D.C. 20020 | 18. Commissioner Sheila Carson-Carr
ANC/SMD 7A01
515 46 th Street, S.E.
Washington, D.C. 20019 | 26. Commissioner Zina D. Williams
ANC/SMD 7B02
2904 Street, S.E.
Washington, D.C. 20020 |
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1809 Savannah Street, S.E.
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ANC/SMD 7A02
4309 F Street, S.E.
Washington, D.C. 20019 | 27. Commissioner L. Yvonne Moore
ANC/SMD 7B03
2330 Good Hope Road, S.E. #1112
Washington, D.C. 20020 |
| 9. ANC 8C
3125 MLK Jr., Ave., S.E.
Washington, D.C. 20032 | 20. Commissioner Pride Hiett
ANC/SMD 7A03
3111 E Street, S.E.
Washington, D.C. 20019 | 28. Commissioner Phillip J. Hammond
ANC/SMD 7B04
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Washington, D.C. 20020 |
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4601 MLK Jr., Ave., S.W.
Washington, D.C. 20032 | | |

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Washington, DC 20020 | 76. Commissioner M. Jay Lee
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D.C. Assessor's Office
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Washington, D.C. 20024 |
| 68. Commissioner Dion Jordan
ANC/SMD 8C02
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Washington, D.C. 20032 | 77. Commissioner Maria Powell
ANC/SMD 8D06
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Washington, D.C. 20032 | |
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ATTESTED BY:



Sharon S. Schellin
Secretary to the Zoning Commission
Office of Zoning