
OFFICE OF ZONING PRESENTATION

BZA CASE NO. 21107

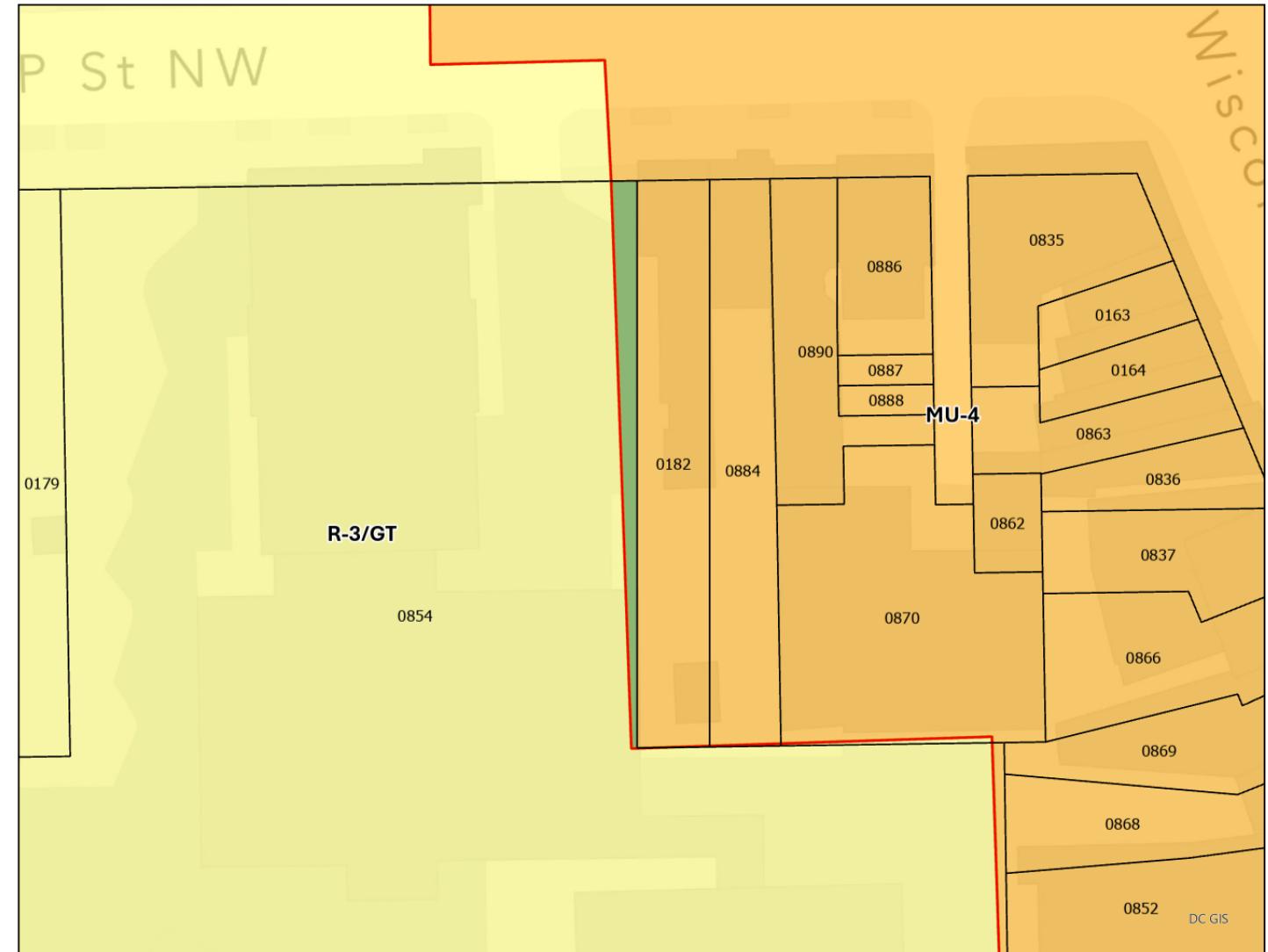
Introduction

The Office of Zoning (OZ) requests the BZA deny the appeal and uphold its correction of a digitization error on the zoning map because:

1. OZ is authorized to maintain the zoning map, which includes correcting digitization errors;
2. OZ's determination that the zoning boundary line coincides with the property lot line is supported by its review of historic zoning maps and the Zoning Regulations, 11-A DCMR § 206.3, which intends for zoning boundary lines to coincide with property lot lines; and
3. The BZA has the authority to determine the exact location of the zone boundary line and does not need to address Appellant's other arguments.

The Issue

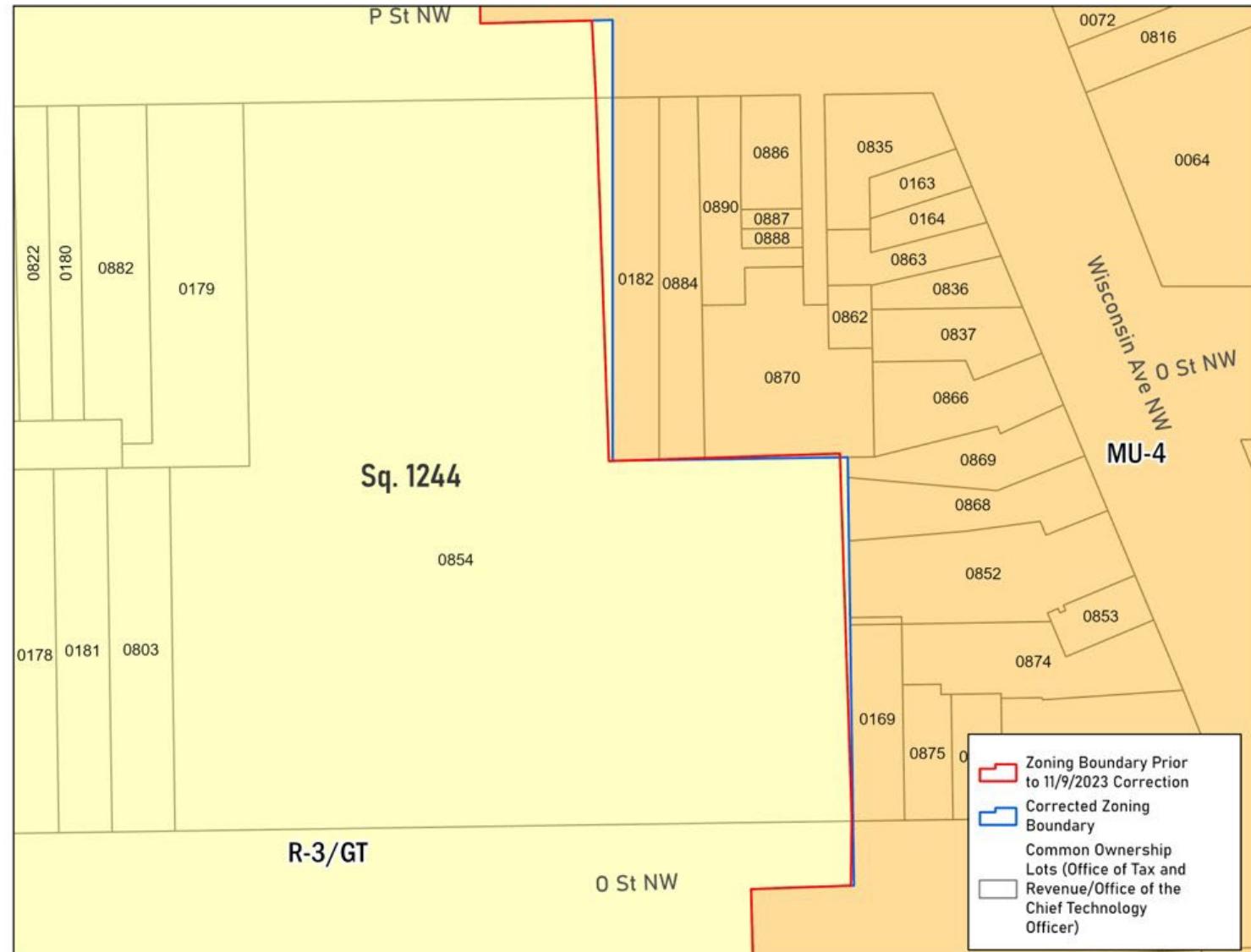
OZ received a request from Advisory Neighborhood Commissioner Topher Matthews to provide clarity about a potential mapping issue at The Hyde-Addison Elementary School (“School”) at Square 1244, Lot 0854, with an address of 3246 P Street, N.W. (3219 O Street, N.W.). The inquiry was about split zoning on lot 0854, which showed a sliver of the MU-4 zoning encroaching into lot 0854. The blue highlight shows the area in dispute



The Determination

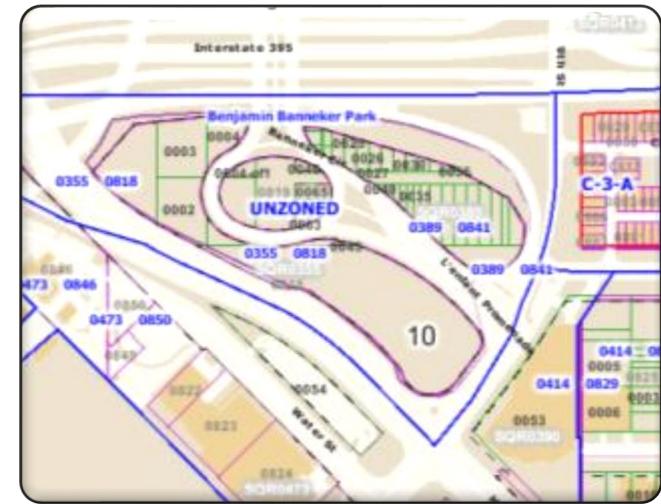
Staff investigated the zoning history of the property. Our investigation concluded that there was a digitization error that occurred when the historic paper maps were converted into the current geographic information systems (GIS) database. OZ corrected the GIS Zoning Map upon the determination that an error was made.

- Zoning Boundary Prior to 11/9/2023 Correction
- Corrected Zoning Boundary
- Common Ownership Lots (Office of Tax and Revenue/Office of the Chief Technology Officer)
- Revenue/Office of the Chief Technology Officer



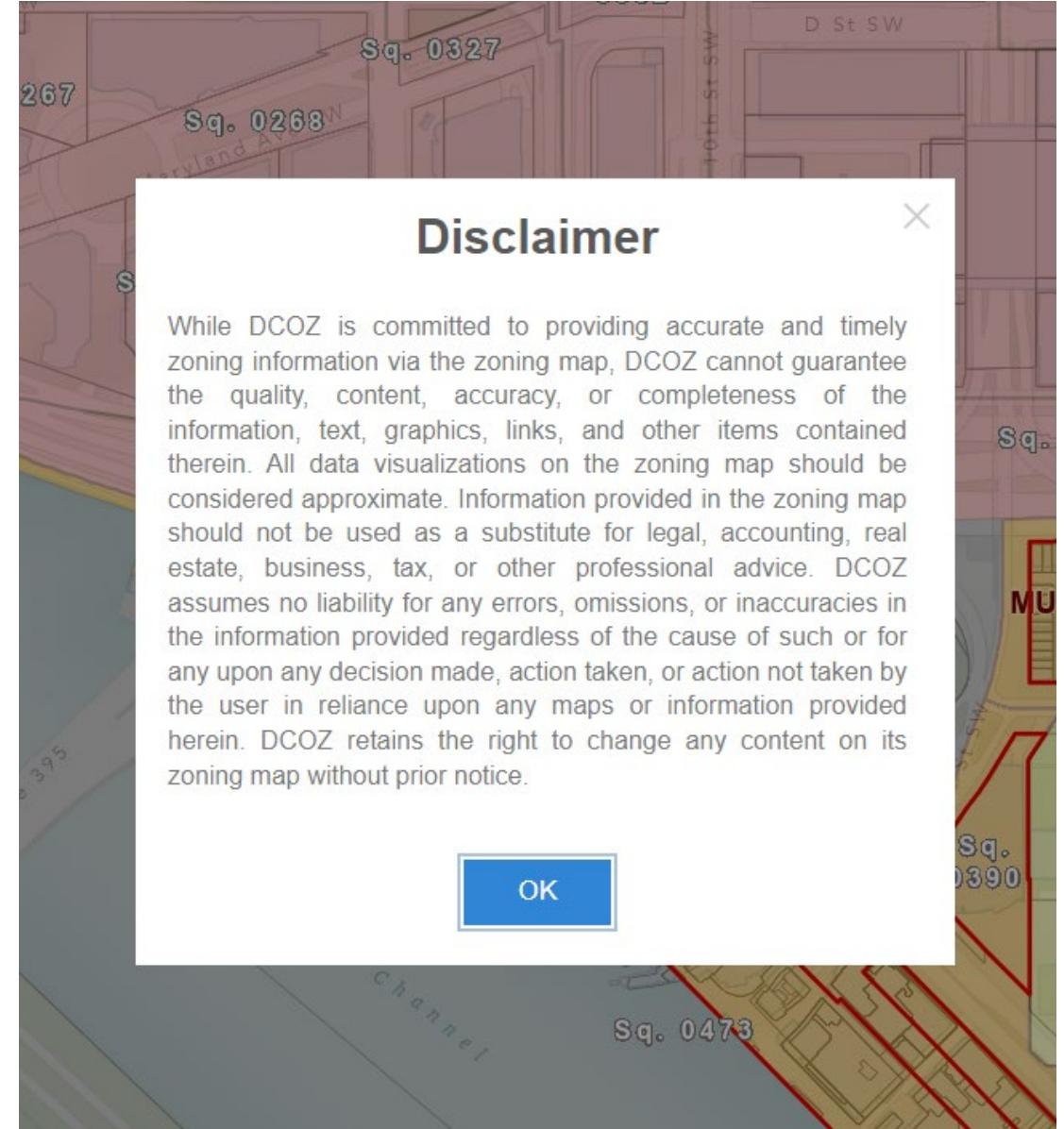
Background

In approximately 2002, OZ began the process of digitizing the Zoning Map that had been in paper since 1910. Shortly thereafter, we converted the digitized maps to a GIS based map. This required the scanned maps to be layered on the DC Vector Property map, and quality control was conducted to ensure that the lines were realigned to coincide with property boundaries. This task included instances where properties were split zoned because the digitized maps did not align properly.



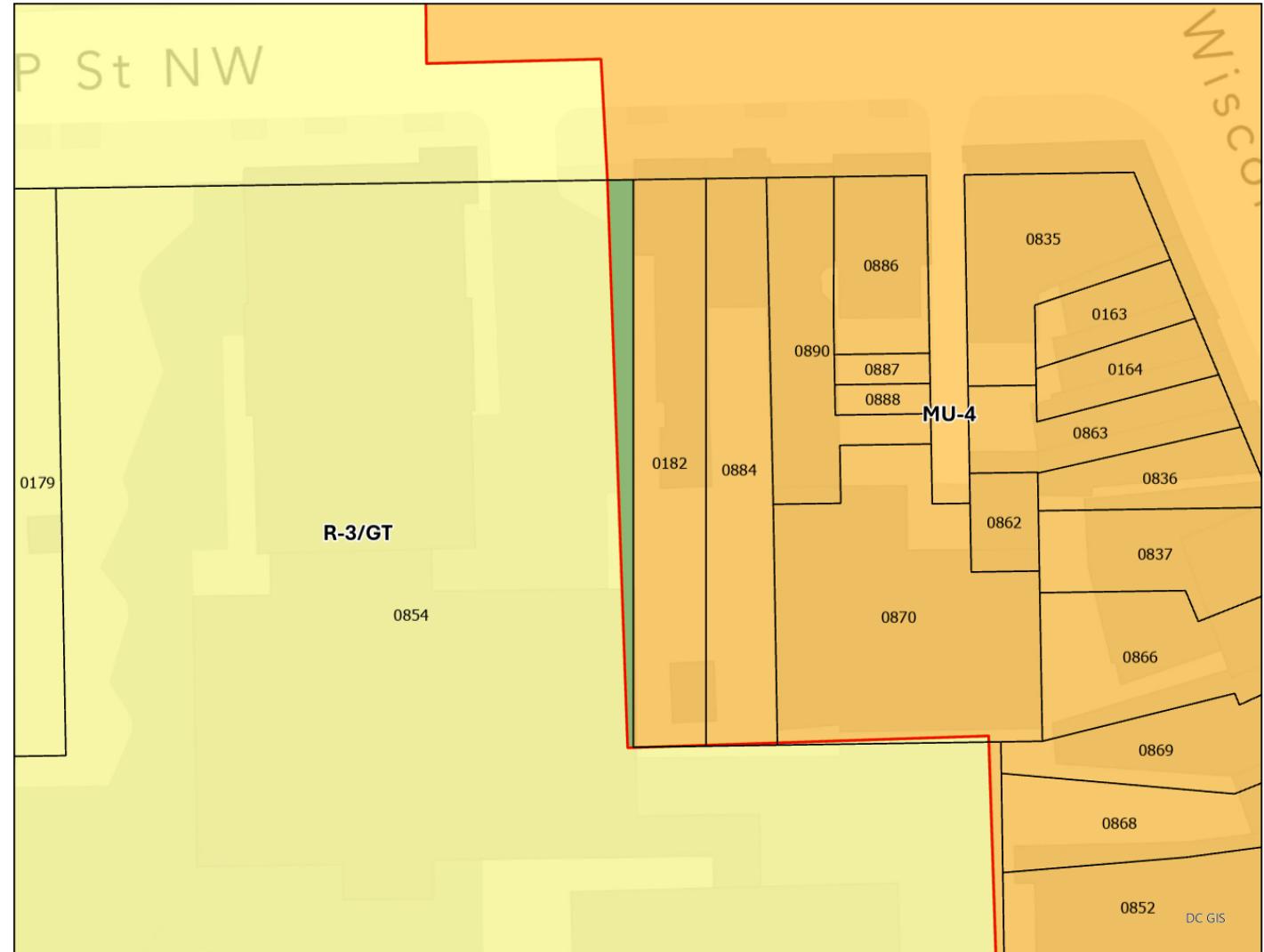
Disclaimer

Most of these errors were caught early on but a few persist, which is why we have a disclaimer on the map that states:



The Investigation

Is Square 1244 - Lot 0854 split zoned R-3/GT (formerly R-20) and MU-4 as was depicted on the electronic zoning map prior to November 2023?



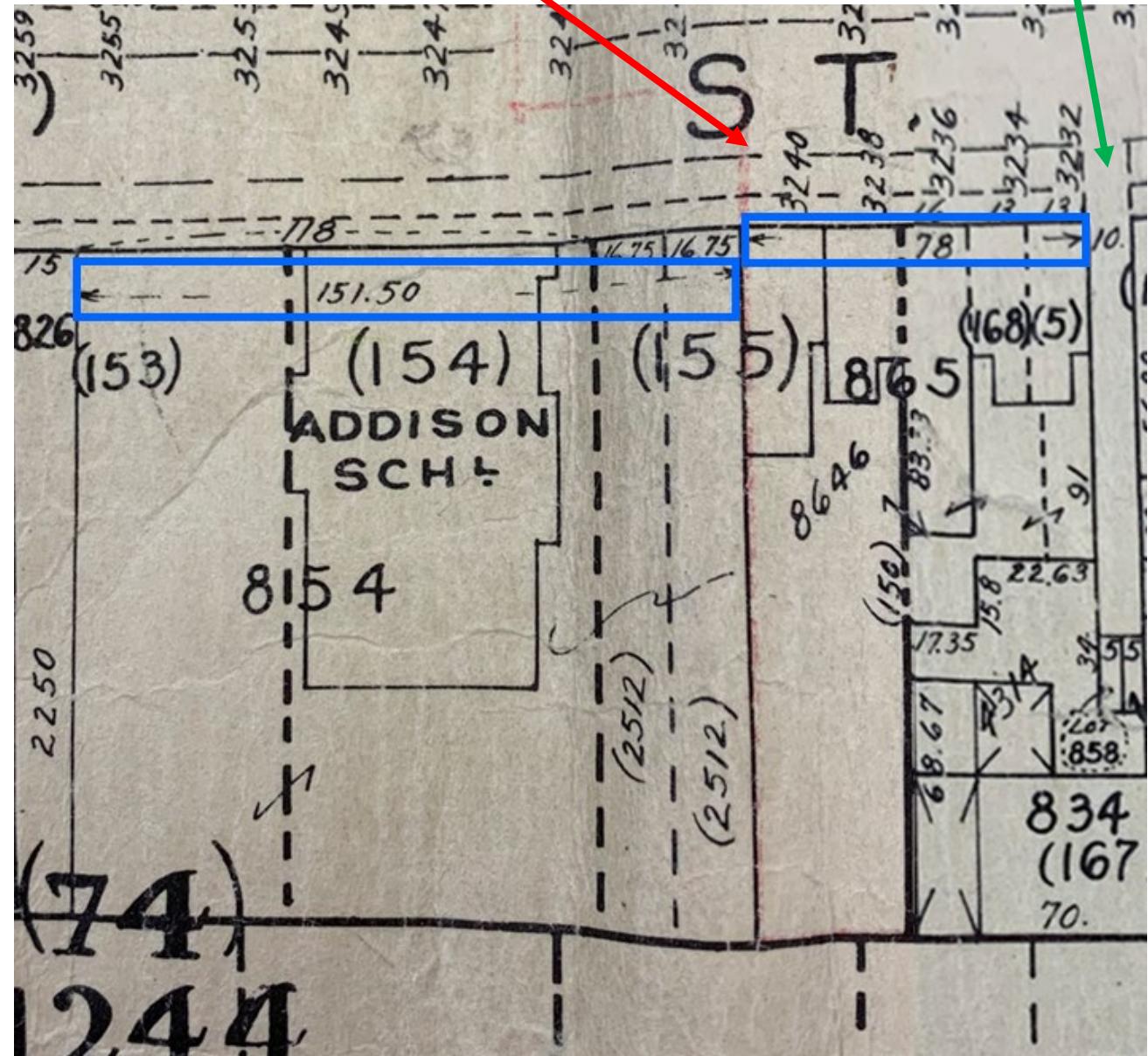
Baist Atlas

Prior to GIS technology, the physical Baist Atlases were the primary method of recordkeeping for zoning boundaries at the lot level. The Baist Atlas also includes a 78 ft. dimension from the edge of the public alley, west, towards a line that bisects the historic Record Lot 0155. The Baist Map clearly indicates that the zoning boundary line is drawn coincident with the property line of the School (Lot 0854), and Lot 0182.

DC Office of Zoning
Baist Atlas
Vol. 3 - Plan 4

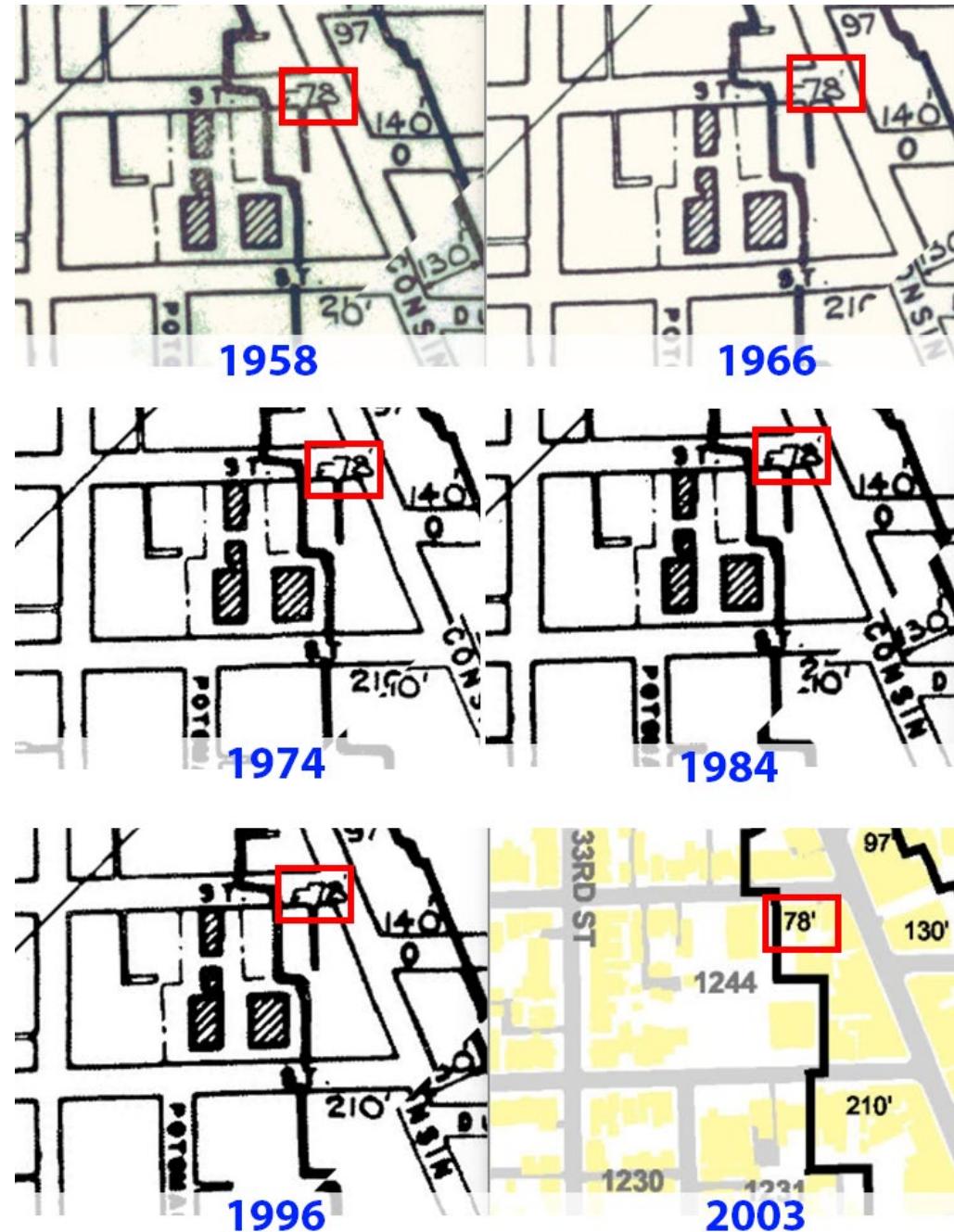
Red line indicates zoning line

Public Alley



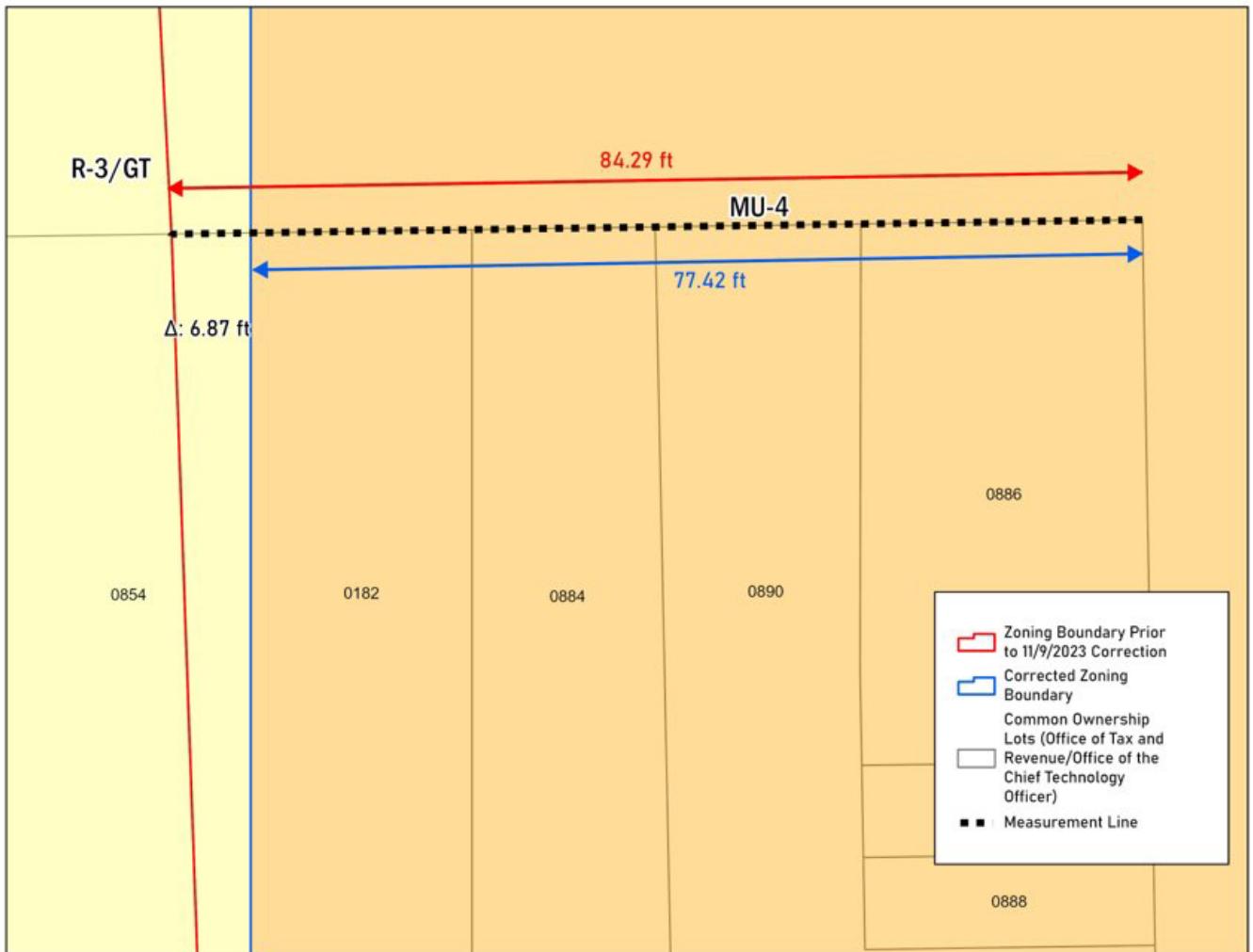
Zoning Maps 1958 - 2003

Each paper Zoning Map from 1958 to 2003 also shows that there is a 78 ft. dimension from the public alley to the zoning line.



GIS Dimensions

Using current GIS property data provided by the Office of Tax and Revenue and the OCTO, the resulting redrawn zoning boundary line on the shared property line of Lots 0854 and 0182, results in the zoning boundary being 77.42 ft. from the edge of the public alley. This is a 6.96-inch difference from the 78 ft. measurement. The GIS zoning map, prior to November 2023 correction, had a dimension of 84.29 ft. which is more than 6.87 ft. more than the 78 ft. dimension featured on every Zoning Map since 1958.





Map Amendment/ Certificate of Occupancy

Further, research confirms that there is no map amendment that approved a map amendment to split zone the school property. And lastly, the Certificate of Occupancy for the School also designates the lot as R-20 and not split zoned.

Government of the District of Columbia
Department of Consumer and Regulatory Affairs

1100 4th Street SW
Washington DC 20024
(202) 442 - 4400
dcra.dc.gov



C OF O
PERMIT NO. CO2100059

CERTIFICATE OF OCCUPANCY



Issued Date: 12/09/2020

Address: 3219 O ST NW	Zone: R-20	Ward: 2	Square: 1244	Suffix: 	Lot: 0854
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Description of Occupancy: PUBLIC ELEMENTARY SCHOOL (594 STUDENTS, AGES 3 TO 11 AND 56 FACULTY/STAFF), KITCHEN AND FOOD OPERATION.					
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Permission Is Hereby Granted To: DEPARTMENT OF GENERAL SERVICES (DGS)	Trading As: HYDE-ADDISON ELEMENTARY SCHOOL	Floor(s) Occupied BASEMENT & 1ST-3RD	Occupant Load: 650 No. of Seats
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Property Owner: GOVERNMENT OF THE DISTRICT OF COLUMBIA	Address: 2000 14TH ST, NW 8TH FLOOR WASHINGTON, DC 20009-4487	BZA/PUD Number: 	Occupied Sq. Footage: 36042
			PERMIT FEE: \$220.19

Building Permit Number (if applicable) B1903784	Type of Application: New Building-Establish Initial Occupancy	Approved Building Code Use Other (Specify): Approved Zoning Code Use School, public Approved Zoning General Use Education Public
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Conditions/ Restrictions:			
THIS CERTIFICATE MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS MAIN ENTRANCE, EXCEPT PLACES OF RELIGIOUS ASSEMBLY. Use complies with DCMR Title 11 (Zoning) and Title 12 (Construction).			
As a condition precedent to the issuance of this Certificate, the owner agrees to conform with all conditions set forth herein, and to maintain the use authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all spaces whose use is authorized by this Certificate and to require any changes which may be necessary to ensure compliance with all the applicable regulations of the District of Columbia.			

Director: Ernest Chrapah	Permit Clerk JMCFARLAND	Expiration Date:
12/9/2020	TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1639	

Title 11 A § 206

Pursuant to Title 11 Subtitle A § 206:

Dimensioned zone boundaries showing on the Zoning Map are intended to coincide generally with lot lines. Where a dimensional boundary line coincides within one foot (1 ft.) or less with a lot line of a lot of record on May 12, 1958, that boundary line shall be construed to be the lot line at that location.

206

ZONE BOUNDARY LINES

- 206.1 The zone boundaries shall be shown on each section of the Zoning Map.
- 206.2 The scale of the Zoning Map and the dimensions entered on the map shall be shown on each section of the map to serve as guides.
- 206.3 Dimensioned zone boundaries showing on the Zoning Map are intended to coincide generally with lot lines. Where a dimensional boundary line coincides within one foot (1 ft.) or less with a lot line of a lot of record on May 12, 1958, that boundary line shall be construed to be the lot line at that location.
- 206.4 Whenever a portion of any zone is indicated as a strip paralleling an opened or unopened street, the width of this strip, unless delimited by lot lines or otherwise dimensioned, shall be assumed to be one hundred feet (100 ft.) measured at a right angle from the nearest street to which it is parallel and adjacent.
- 206.5 In all other cases, the zone boundary lines shall be intended to follow existing lot lines, the center lines of streets, alleys (including any closed streets or alleys not previously zoned), and natural water courses.
- 206.6 In the case of tidal water areas, the zone boundary shall be either the mean high water level or the established pierhead lines, whichever gives the greatest control.
- 206.7 In cases of disagreement or uncertainty existing as to the exact location of a zone boundary line, the Board of Zoning Adjustment, upon appeal filed in accordance with Subtitle Y, shall determine the exact location of the boundary.

SOURCE: Final Rulemaking & Order No. 08-06A published at 63 DCR 2447 (March 4, 2016 – Part 2).