

BZA Case No. 21186

Rebuttal Slides – DC Highway Plan

OCTOBER 2, 2024

The Highway Plan for the District of Columbia

Subtitle A § 301.3:

Except as provided in the [building lot](#) control regulations for Residence Districts in Subtitle C and *§ 5 of An Act to amend an Act of Congress approved March 2, 1893, entitled “An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities,” and for other purposes, approved June 28, 1898 (30 Stat. 519, 520, as amended; D.C. Official Code § 9-101.05*, a building permit shall not be issued for the proposed erection, construction, or conversion of any principal [structure](#), or for any addition to any principal structure, unless the land for the proposed erection, construction, or conversion has been divided so that each structure will be on a separate [lot of record](#); except a building permit may be issued for: ...

D.C. Code § 9–101.05. Use of property by owner until condemnation.

The owner or owners of land over or upon which any highway or reservation shall be projected upon any map filed under §§ [9-103.01](#) to [9-103.05](#) shall have the free right to the use and enjoyment of the same for building or any other lawful purpose, and the free right to transfer the title thereof, until proceedings looking to the condemnation of such land shall have been authorized and actually begun....

Together, these provisions prevent creation of a record lot where property is encumbered by the D.C. Highway Plan. EXAMPLE: Kennedy-Warren Addition at 3133 Connecticut Ave., N.W., where “paper” Jewett Street is located on part of property.

1928 Highway Plan



1959 Baist Map

Vol. 4, Plan 29

Highway plan streets shown
in dashed lines

