

## EXHIBIT C

### Comparison of Zoning Administrator Interpretations Published by the D.C. Department of Buildings

*BZA Appeal — Paul and Katherine Rosenbaum — 6117 32nd Place, NW (Square 2019, Lot 8)*

ZAI	Subject	Anchor in Zoning Regulations	Interpretive Method	Codification Status
<b>ZAI-001</b>	Roof Membrane and Building Height	Yes — interprets specific building-height regulation	Construes regulatory text	Codified — superseded by Subtitle C § 1504.2(b) and Subtitle B § 306.7 (Final Rulemaking and Order No. 14-13E, 68 DCR 13834, Dec. 24, 2021)
<b>ZAI-002</b>	Balconies and Gross Floor Area (GFA)	Yes — Subtitle B § 304.8 (quoted in full)	Construes ambiguous term “exterior balcony” within quoted regulation	Codified — substance adopted through Z.C. Case No. 25-12 (amendments to Subtitle B § 304.8); proposed action taken Nov. 25, 2025
<b>ZAI-003</b>	Bay Windows	Yes — analogizes to Subtitle B § 323.2 (cornices and eaves)	Argument from analogy to specific codified provision	Not codified
<b>ZAI-004</b>	Meaning of “Abut”	Yes — Subtitle B § 100.1(g) (Webster’s Unabridged for undefined terms)	Applies Commission-prescribed Webster’s methodology	Not codified (not needed — B § 100.1(g) supplies the methodology)
<b>ZAI-005</b>	Use of Parapet as Rooftop Deck Railings Without Setback	Yes (original text superseded)	Construes regulatory text (superseded)	Codified — superseded by Subtitle C § 1504.2(a)
<b>ZAI-006</b>	Pergolas and Trellis Cross-Member Spacing Excluded from Lot Occupancy	Yes — Subtitle B § 312 (Rules of Measurement for Lot Occupancy)	Clarifies “building area” within quoted regulation with 24-inch on-center threshold	Not codified
<b>ZAI-007</b>	Rooftop Architectural Element	Yes — interprets specific regulation	Construes regulatory text	Partially codified — superseded in part by Subtitle E §§ 204.1 and 204.2
<b>ZAI-008</b>	Driveway Widths and One-Way vs. Two-Way Circulation	Yes — Subtitle C § 711.6 (quoted in full)	Identifies regulatory silence on triggering threshold; defers to case-by-case traffic engineer evaluation	Not codified

ZAI	Subject	Anchor in Zoning Regulations	Interpretive Method	Codification Status
ZAI-009	Rooftop Dining Areas Adjacent to Partial Floors	Yes — Subtitle C § 1501.1(d) (quoted in full)	Applies quoted regulation to specific fact pattern	Not codified
ZAI-010	Demolition vs. Raze for Zoning Purposes	No — cites no specific regulation; invokes no ambiguous term	Announces 40–50% enclosing-exterior-wall-area threshold; no regulation construed; no methodology identified	Not codified; no known rulemaking proposal in six-plus years since issuance
ZAI-011	Definition of Stove for Kitchen Purposes	Yes — Subtitle B § 100.2 (“Dwelling Unit” definition, quoted)	Construes component term within quoted definition	Not codified
ZAI-012	Cellar or Basement Over 6’6” Where Slab Is Lowered Is Not an Addition	Yes — Subtitle B § 100.2 (“Cellar,” “Basement”) and § 304.7 (GFA measurement)	Reconciles quoted definitional and measurement provisions	Not codified
ZAI-013	Microbreweries in PDR Zones	Yes — Subtitle U § 801.1(v); related use-category provisions	Classifies principal vs. accessory use with 20% on-site consumption threshold within quoted use-category framework	Not codified
ZAI-014	Signs Not Regulated Under DC Zoning Regulations	Yes — acknowledges regulatory silence; references ZR 58 § 2506 for historical context	Identifies silence and declines to regulate; narrow exception for PUD/BZA conditions	Not codified (regulatory silence intentional)
ZAI-015	Use of Vacant Lot for Temporary Construction Activities Is a Matter-of-Right Use	Yes — Subtitle U § 202.1(p) (quoted)	Applies quoted matter-of-right use provision to temporal scope	Not codified
ZAI-016	Closed Court Minimum Area — RA Zones	Yes — Subtitle B § 100.2 (“Court, Closed”); Subtitle F § 202.1 and Table F-202.1 (quoted)	Reconciles internal inconsistency between formula and stated minimum in quoted table	Not codified
ZAI-017	Off-Site Parking — Written Agreement	Yes — Subtitle C § 701.8(b), (c), (d) (quoted)	Construes “written agreement” requirement in quoted provision; identifies covenant form	Not codified
ZAI-018	Auto Rental Use in D, MU, and PDR Zones	Yes — Subtitle B § 200.2(v)(1); Subtitle U §§ 509.1(b), 514.2; Subtitle H	Synthesizes use-permission across multiple quoted zone-specific use provisions	Not codified

ZAI	Subject	Anchor in Zoning Regulations	Interpretive Method	Codification Status
		§ 1106(j); Subtitle K §§ 237.4, 715.1(f)		
<b>ZAI-019</b>	Attic Space of Less Than 6'6" Is Not a Story	Yes — Subtitle B §§ 100.2, 304.7, 310 (quoted)	Derives 6'6" threshold directly from express text of § 304.7	Not codified
<b>ZAI-020</b>	Accessory Apartment Uses in R-14, R-16, and R-21 Zones	Yes — Subtitle U §§ 253.1, 253.2, and Table U § 253.7(a) (quoted)	Fills drafting omission in quoted table using table's own bottom-tier minimum (1,200 sq ft)	Not codified
<b>ZAI-021</b>	Wesley Heights Overlay Map — Required Front Yard Setbacks	Yes — Subtitle D § 805.1 (quoted)	Attaches regulatory map referenced in quoted overlay provision	Not codified
<b>ZAI-022</b>	Recognition of Existing Record Lots Overlaid by Tax Lots	Yes — Subtitle A § 301.3 (quoted)	Documents procedural SOP to administer Record Lot requirement in quoted provision	Not codified
<b>ZAI-023</b>	Vesting of PUD Order Does Not Include Sheeting and Shoring or Demolition Permits	Yes — Subtitle Z §§ 702.2, 702.3 (quoted in full)	Construes "building permit" and "construction" for vesting purposes within quoted vesting regulations	Not codified
<b>ZAI-024</b>	Difference Between Balconies and Rooftop Decks	Yes — Subtitle C § 1504.3(a) (quoted in full)	Applies quoted setback-exemption provision to rooftop deck configuration	Not codified
<b>ZAI-025</b>	Fences Are Not Generally Subject to Zoning Review	Yes — Subtitle B § 324.1(b); Subtitle C § 711.3 (quoted)	Identifies limited regulatory treatment; declines review except for parking/driveway access	Not codified (regulatory silence intentional)
<b>ZAI-026</b>	Automobile Elevators Excluded from GFA Calculations	Yes — Subtitle B § 304.8 (quoted)	Argument from functional equivalence to "ramps" in quoted exclusion list	Not codified
<b>ZAI-027</b>	Extended Stay Hotels	Yes — Subtitle B § 100.2 ("Hotel," "Inn" definitions, quoted)	Construes definitional distinctions in quoted provisions	Not codified
<b>ZAI-028</b>	Accessory Building Summary — RF Zones	Yes — Subtitle E §§ 5002, 5003, 5004 (quoted)	Reconciles interaction between lot occupancy and rear yard rules in quoted provisions	Codified — substance adopted through Z.C. Case No. 25-12 (amendments to Subtitle D §§ 5003, 5004, 5005 and Subtitle E § 5003); proposed action taken Dec. 18, 2025

ZAI	Subject	Anchor in Zoning Regulations	Interpretive Method	Codification Status
ZAI-029	Allow Replacement of Accessory Buildings with Non-Conformities	Yes — Subtitle C § 202.2 (quoted in full)	Construes “enlargement” and “addition”; addresses raze-and-loss-of-nonconforming-rights as binary concept, without reference to ZAI-10’s percentage threshold	Not codified
ZAI-030	ARTS District — Eating and Drinking Establishment Linear Street Frontage	Yes — Subtitle K § 811.9(a) and Table K-811.9(a) (quoted)	Documents allocation and vesting system to administer quoted 50% cap	Not codified
ZAI-031	Zoning Guidance for Medical Cannabis Business Locations	Yes — D.C. Code § 7-1761.06(q); Subtitle A § 101.9; multiple use categories in Subtitles B, I, K, U	Maps statutory license types to existing zoning use categories; includes express caveat that interpretation “is subject to change”	Not codified
ZAI-032	Applying Inclusionary Zoning Standards to Co-Living Dwelling Units	Yes — Subtitle C, Chapter 10; specifically §§ 1003, 1005.1, 1005.3, 1005.5, 1006.10 (quoted)	Applies each quoted IZ provision to novel co-living arrangement without creating new regulatory regime; includes express non-binding caveat	Not codified

**Note:** ZAI-010 is visually distinguished (highlighted row). It is the only Zoning Administrator Interpretation in the published corpus that simultaneously (i) cites no specific regulation of Title 11, (ii) identifies no ambiguous or undefined term being clarified, (iii) invokes no Commission-supplied interpretive methodology, (iv) announces a substantive numerical threshold with cascading legal consequences, and (v) has never been codified through rulemaking despite the Zoning Commission’s adoption of multiple omnibus text amendments since ZAI-010 was issued on October 1, 2019. Sources: [dob.dc.gov/node/1621611](http://dob.dc.gov/node/1621611) and related DOB postings; Z.C. Case No. 25-12 Notice of Proposed Rulemaking (Ex. 147).