



CAPITOL HILL RESTORATION SOCIETY
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July 25, 2002

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Secretary to the Zoning Commission
Office of Zoning
441 4th Street, NW
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Washington, DC 20001

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Re: Case No. 01-02 (Technical Corrections Regarding Antenna Towers)

These comments constitute the views of the Capitol Hill Restoration Society (CHRS) regarding the proposed order in the above cited case. The proposed text proposes technical for the purpose of perfecting codification of Zoning Commission Order No. ~~857~~ 587.

The Capitol Hill Restoration Society strongly supports repeal of Sections 701.6(g) and 721.2(t) as proposed in the text amendments in "A," which will remove antenna towers from the lists of matter-of-right uses in C-1 and C-2 districts. It was the Commission's intention that all such uses would require special exception approval; deletion of these sections will carry out that intention.

In regard to the proposed text amendments in "B" pertaining to the Capitol Interest District, we believe that in attempting to achieve conformity the proposal misconstrues the restriction on uses contained in Section 1201.2, which contains both a listing of permitted and non-permitted uses in the District; see Section 1201.1 et seq. It should be noted that the Capitol Interest District covers a variety of residential and commercial areas, including a small swath of SP. The proposed conforming change would delete the restrictions on antenna uses in Subsection 1201.2(c) as indicated in the text below:

1201.2(c) In the CAP/SP District, any use permitted as a matter-of-right in the SP District, except that an antenna tower for television and radio broadcasting and in conjunction therewith the erection, alteration, or use of buildings for transmission or reception equipment shall not be permitted; (Note: proposed deletion is indicated by underlined text.)

This deletion will allow approval of antenna towers as special exceptions in the CAP/SP district, thus carving out an exception to the otherwise uniform restriction on such uses in the CAP District. We believe that such a substantive change is not intended. In order to retain the restrictions on antennas in the CAP/SP, we suggest that the phrase proposed to be deleted from Section 1201.2(c) be contained in a new Subsection 1201.3(b)(4).

Similar changes should be made to Subsections 1201.2(d)(3) and (4), both of which should be deleted since the changes in "A" remove antenna towers from the list of

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matter-of-right uses in C-2 Districts. These subsections should be added to the list of prohibited uses in Section 1201.3(c).

Finally, we want to make certain that the special considerations regarding the physical characteristics and uses set forth in CAP District, are not altered by subsequent Zoning Commission orders without specific notice and consideration of the District

Thank you for your consideration of these views.

A handwritten signature in black ink, appearing to read "Lyle R. Schauer". The signature is fluid and cursive, with the first name "Lyle" being more prominent.

Lyle R. Schauer
Zoning Chair