

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, July 23, 2007, @ 6:30 P.M.
Office of Zoning Hearing Room
441 4th Street, N.W. Suite 220
Washington, D.C. 20001**

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 07-15 (Including Accessory Structures in §223 Special Exception)

THIS CASE IS OF INTEREST TO ALL ANC's

The Office of Planning, through a report dated May 4, 2007, requested a text amendment to Chapter 2 of Title 11 of the District of Columbia Municipal Regulations. The purpose of the amendment is to allow the construction or enlargement of detached garages and other accessory structures to be approved within pursuant to 11 DCMR § 223. The Office of Planning's report served as the pre-hearing submittal for the case.

The Zoning Commission case set the case down for a public hearing at its regularly scheduled public meeting held on May 14, 2007 and authorized the scheduling of this hearing 30 days after the publication of this notice.

The following amendments to Title 11 of the District of Columbia Municipal Regulations (ZONING) are proposed:

(New text is shown in **bold and underline** deleted text is shown with ~~strikethrough~~):

1. Amend § 223 to read as follows:

223 **ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR
FLATS AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES**

223.1 An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, **or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure** ~~that~~ does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

223.2 The addition **or accessory structure** shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

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- (a) The light and air available to neighboring properties shall not be unduly affected;
- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
- (c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and
- (d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.

223.3 The lot occupancy of all new and existing structures on the lot ~~the dwelling or flat, together with the addition,~~ shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.

223.4 The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent or nearby properties.

223.5 This section may not be used to permit the introduction or expansion of a non-conforming use.

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, D.C. Official Code § 6-641.01 (2001), *et seq.*

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of Section 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to that section, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

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Information should be forwarded to Sharon Schellin, Secretary of the Zoning Commission, Office of Zoning, Suite 200, 441 4th Street, N.W., Washington, D.C., 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, GREGORY N. JEFFRIES, JOHN G. PARSONS, AND MICHAEL G. TURNBULL, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
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