

PENN-BRANCH CITIZENS/CIVIC ASSOCIATION

Post Office Box 6730 Washington, D.C. 20020 -0430

Jimmie Williams, President

D.C. Zoning Commission
441 4th Street, NW
Washington, DC 20001

September 25, 2015

Re: *ZC Case No. 08-06 as impacted by the Order in ZC Case 14-11 (Pop-ups)*

Chairman Hood and Commissioners:

The Penn-Branch Citizens/Civic Association in Ward 7 testified before the Commission in last January in support of proposed amendments to the D.C. Zoning Regulations to forestall "pop-up" eyesores in R-4 rowhouse neighborhoods by, among other things, reducing the maximum height from 40 to 35 feet and eliminating the matter of right conversion of pre-1958 residential buildings to apartment houses.

We are pleased with the order issued in that case and are writing now to urge that the relief granted in 14-11 be carried over in all respects to the new revised code under consideration in ZC case 08-06 (Zoning Regulations Review).

The proposed ZRR text in Subtitle E contains provisions applicable to the successor zones of current R-4 (RF-1, -2, and 3) that are inconsistent with the 14-11 order as to conversion of pre-1958 residential buildings to apartment houses, maximum height, definition of "mezzanine", and other particulars. In short, if adopted as is, the ZRR text would repeal the protective measures adopted in 14-11, because it largely tracks the R-4 Zoning Regulations as they stood before the 14-11 order:

The bizarre result is that the conversion, height and mezzanine issues and indeed any other issue resolved just months ago by the R-4 decision are procedurally open for re-litigation in the course of further comment on and consideration of ZRR, and it is obvious that if the proposed final ZRR text were to be adopted the R-4 decision would be undone.

We ask the Commission to incorporate all of the elements of its 14-11 order (which are now a part of the existing Zoning Regulations) into the final order on ZRR at every point where the ZRR order deals with the successor zones to R-4 -- RF-1, -2 and -3, and announce its decision to do so.

Otherwise the legal status of the provisions of 14-11 will remain in contention and rowhouse neighborhoods will remain at risk. We are sure that this is not the result you intended.

Respectfully submitted,


/s/ Laura Richards, Coordinator

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ZONING COMMISSION
District of Columbia
CASE NO.08-06A
EXHIBIT NO.1049