

**Testimony by Frank Staroba before the Zoning Commission of the District
of Columbia April 24, 2014**

Chairman Hood and Commission Members,

My name is Frank Staroba. My wife Arden and I own 4503 MacArthur Blvd NW and have lived there since 1968. Our house was built in 1898, the first in a row of five houses that have all been extensively remodeled and are now the most beautiful part of the first block of MacArthur.

I am here to urge you to reinstate Section 353 of the current zoning regulations into Subtitle F, Chapter 2: Apartment Zone – Group 1 of the ZZR. This provision would retain the requirement to get a special exemption from the BZA for a change of land use from single family to multi family. This provision works to the benefit of both single family home owners and developers. It achieves two essential benefits. First it promotes communication between the parties to make sure that proposals do not have a negative impact on neighboring properties. Second it promotes harmony of land use and architecture in the neighborhood.

I base this recommendation on my experience with two proposals to replace detached houses with apartments. The first was just a year ago in 2013 by Hashim Hassan for a four-unit apartment at 4529 MacArthur NW. The BZA approved his application. The second was this year by A.S. Kashani for a five-unit apartment on the adjacent property, 4527. His application is still under review.

In 2013, Mr. Hassan was eager to meet with the neighbors, gave us a tour of the existing house, and agreed to several changes that we urged upon him. Specifically he reduced the height, changed the exterior from stucco to brick, and changed the white trim to black. He has yet to raze and build.

This year Mr. Kashani has dealt exclusively through his real estate representative and architect. We have met with them to urge a list of changes in his initial plans, some of which he has addressed. He has agreed to remove the third story, reduce the building height, and move some air conditioning units to reduce noise for the adjacent owner at 4519. We are still trying to

negotiate with him about the excessive mass and density of the five-unit design which will tower over its neighbor.

My point here is that none of these improvements would have been made without the requirement to seek a special exception. Moreover, there should be no negative impact on neighboring properties, and the neighbors should have input through the ANC, to be given serious weight by the BZA. Up to now, the neighbors and the city have benefitted from this consultative process at the minimal cost of less efficiency.

But the new regulations omit the special exception requirement. Developers will be able to do whatever they please as a matter of right, as long as the structure meets the other zoning requirements. This means that the single family homeowners in the area are denied influence on the changes in our neighborhood. The ANC is likewise out of the loop. That is an unacceptable outcome.

I urge you to include paragraph 353 in the new regulations. The requirement to seek special exemption for change of land use benefits both developers and homeowners in a beautiful, mixed use neighborhood like ours.

I am open to your questions.

Frank Staroba
4503 MacArthur NW