

Lindsley Williams
3307 Highland Place NW
Washington, DC 20008

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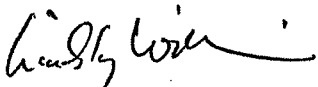
Zoning Commission of the District of Columbia

Re: ZC Case 08-06A (Portions of Exhibit 725, Subtitle B)

In reviewing the existing and many proposed definitions set out in Exhibit 725 of the record in ZC Case 08-06A, I offer the following comments, suggestions, and requests:

- **As to "Director"**, the definition is now limited to "full time employees" that serve the Commission. There may be others (e.g., part time, contract staff, or interns). However engaged, they may well serve not just the Commission but also both the BZA and FMBZA. Of course, the Director may delegate supervision to others, and all these variations should be contemplated, but doing so as to not require that the Director supervise all staff or be limited to supervising just those that are "full-time employees".
- **As to "Gross Floor Area"**, the definition now proposed is similar to that now in effect. This simplifies consistency but perpetuates present flaws.
 - In particular, the definition would require all area of elevator shafts to count at each floor level. This is in contrast to an atrium where the air at any floor plane is omitted. Instead, tally elevator shaft area just once, at the first floor level where the elevator has an adjacent lobby providing access to and egress from that elevator. (Stairs and landings differ in that they have solid floors from top to bottom.)
 - Most of the exclusions should be those in areas below the newly defined "ground floor" as well as any "basement" areas below the ground floor – the text should be adjusted accordingly.
 - Moreover, clarify and correct as warranted, the following with the proposed "exclusions":
 - There appears to be an unintended comma in the portion that appears, in pertinent part, "...attic space, (whether....)". Clarify or correct.
 - Should not "pipe chaser shafts" be just "pipe chase shafts"?
 - Should not the exceptions for "projections" also allow projections permitted by the zoning regulations themselves, not just "other Municipal codes"?
 - Since the apparent intent is to exclude "ramps leading to parking" below the ground floor, use a generic terms such as "vehicular parking areas" in lieu of one term defined elsewhere, "parking garage" as that could inadvertently exclude facilities that are not within the scope of that precise term, such as "automated" facilities.
- **As to both proposed definitions of "Height"**, please take steps to reinstate "balustrades" to the same status as "parapets" (the former was inadvertently left out in the final round of changes a year or so ago). But, also see if you can add a somewhat similar provision (but allowing more than four feet) for any clear glass or open mesh safety barrier/fence that may be appropriate/required at the edge of the roof (or inbound from that edge if needed to comply with the Height Act), something more likely as nearly flat rooftops become increasingly populated for recreation and other purposes.
- **As to all new or modified definitions of land, buildings, or their uses, structural components, measurements, and attributes**, provide some way to ensure that development that was pursued and lawfully occupied under prior (i.e., "present") zoning regulations would not become non-conforming solely by reason of definitional revisions or additions – certainly not without deliberation via some overly broad "stroke of the pen" as it were. Indeed, it may be prudent to retain the former definitions in some kind of Appendix to be utilized in the context of future code enforcement as well as determinations of "zoning compliance."

Thank you.



Lindsley Williams (on behalf of myself only, not any organization, client, or firm)