



ADVISORY NEIGHBORHOOD COMMISSION 4C

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9/12/2014

Anthony J Hood, Chairman
Zoning Commission

Lloyd Jordan, Chairman
Board of Zoning Adjustment

Director Sabbakhan,
Department of Consumer and Regulatory Affairs

Please see the attached resolution that was passed by ANC 4C concerning the conflict between what is commonly known as "pop-ups" and solar energy homes. This resolution was duly passed at the Wednesday, September 10, 2014 ANC 4C meeting. ANC 4C requests that the Zoning Commission and Board of Zoning Adjustment please give this resolution the "great weight" it is afforded under current law to speak on matter of consequence to the community.

Furthermore, in addition to the traditional signatories to these communications, ANC 4C04 Commissioner Rickey Williams, Jr., whose single member district is especially impacted by the presence of 'pop-ups' also signed this communication.

Whereas, for purposes of this Resolution, a "pop-up" is an upward conversion of an existing rowhouse to 3 or more separate units, are allowed as a 'matter of right,' in residential R-4 zones;

Whereas, existing regulations to rowhouses in R-4 zones is limited to two units which is defined as a 'flat' in contrast to 'apartments' which are defined as three or more units,

Whereas, the Office of Planning has documented "OP has always read the code to mean that R-4 is not intended to be an apartment zone;"

Whereas, R-4 zoning does not expressly prohibit any one property owner from converting their single family home into a multiple dwelling unit,

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P.O. Box 60847
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ZONING COMMISSION
District of Columbia
CASE NO. 14-11
EXHIBIT NO. 10
District of Columbia
CASE NO. 14-11
EXHIBIT NO. 10

Whereas, residents consistently advise that required notice of “pop-ups” are not currently occurring, per DC building regulations,

Whereas, residents have misinterpreted liability notices from the appropriate governing agencies,

Whereas, “pop-ups” can be interpreted as changing the existing character of neighborhood blocks, creating apartment zones on traditionally single family home residential streets,

Whereas, the zoning commission is currently considering changes to the regulations which allows for “matter-of-right” “pop-ups”,

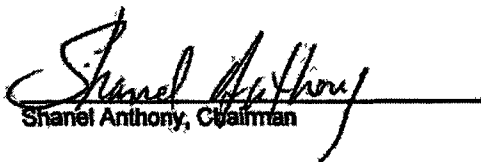
Whereas, the Department of Consumer and Regulatory Affairs is responsible for overseeing the District’s building codes,

THEREFORE BE IT RESOLVED, that ANC 4C asks the Board of Zoning Affairs (BZA):

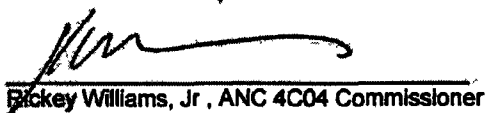
- 1). Adopt the Office of Planning’s (OP) proposed 35’ limit on “pop-up” development in R-4 zone,
- 2). Require a variance application for conversion of single family homes to more than two (2) separate dwelling units, whereby owners seeking variance must present plans and hear community input before ANCs at a public meeting.

Furthermore, ANC 4C asks the Department of Consumer and Regulatory Affairs (DCRA):

- 1). Strengthen existing rules and oversight for notification to nearby residents affected by “pop-ups”, per DCRA’s existing 200’ notification radius, _
- 2). Clearly articulate liability for adjoining structure damage that may result from individual “pop-ups” to a neighbor’s property.


Shanell Anthony, Chairman


Zachary Hartman, Vice- Chair


Mickey Williams, Jr , ANC 4C04 Commissioner

Cc: Director Ellen McCarthy, Office of Planning
Deputy Director Jennifer Steingasser
Councilmember Muriel Bowser