



Brian Athey, President
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January 15, 2015

Re Testimony in Opposition to Proposed Text Amendments Z C Case No 4-11

Dear Board of Zoning Adjustments

I am hereby expressing opposition to the proposed text amendments for the following 3 reasons

- 1 The elimination of the right of individuals who own properties that are zoned R-4 to convert those properties into condominium units - with one unit per 900 square feet of lot area - will not address the concern of citizens regarding "pop-ups" Instead, the elimination of the right to convert such lots will cause a massive reduction in the property value of R-4 lots that are greater than 2700 square feet and can currently be converted into 3 units or more by right In many cases in the City, the value of R-4 lots over 2700 increases by at least \$100,000 per unit that can be developed on the Property Accordingly, if this proposed change occurs, it will cause a substantial reduction in the value of the R-4 properties that are larger than 2700 square feet thereby greatly reducing the equity than many homeowners have worked hard to build up over years of owning property in the City The financial harm to property owners caused by this proposed legislation is not a justifiable response to the concerns by some citizens regarding "pop-ups"
- 2 The proposed 5-foot reduction in building height is *de minimis* and will do nothing other than penalize owners of lots in the R-4 zoning districts who seek to develop properties consistent in scope and character with the surrounding properties Rather than proceeding with this arbitrary height reduction, the Board could approve an additional level of architecture review to ensure that proposed changes to building facades made during the development of properties are consistent with the character of the surrounding properties.
- 3 The proposed inclusion of inclusionary dwelling units in small condominium projects that are developed in the R-4 zone will effectively eliminate development of all small condominium projects in the R-4 zone The economics of 2-9 unit condominium projects are such that requiring even one inclusionary zoning unit in such a small project will render most projects not economically viable This proposed change would, therefore, greatly reduce the demand for such properties thereby dramatically reducing the value of many properties in the R-4 zone causing significant financial harm to many property owners in the City.

Ultimately, the proposed changes to the R-4 zone fail to properly address the concern of some citizens regarding the development of "pop-up" properties that are purportedly out of character with the neighborhoods in which they are built. Accordingly, I strongly oppose the proposed legislation

Sincerely,

Brian Athey
President
Congressional Capital, LLC

ZONING COMMISSION
District of Columbia
ASE NO. 14-11
EXHIBIT NO. 122
ZONING COMMISSION
District of Columbia
CASE NO.14-11
EXHIBIT NO.122