



## Advisory Neighborhood Commission 4B

6856 Eastern Avenue, NW - Suite 314

Washington, DC 20012

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*Ron Austin, ANC 4B06, Chairperson; Douglass Sloan, ANC 4B09, Vice Chairperson;*

*Judi Jones, ANC 4B07, Secretary; Frederick Grant, ANC 4B08, Treasurer;*

*Andre Carley, ANC 4B01; Frank Jones III, ANC 4B02; Brenda Parks, ANC 4B04;*

*Brenda Speaks, ANC 4B05; Barbara Rogers, ANC 4B08*

May 20, 2015

Mr. Anthony Hood  
Chairperson  
D.C. Zoning Commission  
Office of Zoning  
One Judiciary Square  
441 4<sup>th</sup> Street N.W., Suite 200 South  
Washington, D.C. 20001

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D.C. OFFICE OF ZONING  
2015 MAY 20 AM 8:22  
JSH

Dear Chairperson Hood:

At a regular public meeting on May 18, 2015 (notice of which was properly given, and at which a quorum of eight of nine members was present) Advisory Neighborhood Commission 4B voted (6 yes, 2 no) to adopt the attached resolution making recommendations regarding ZC 14-11, Text Amendments to 11 DCMR Chapters 1, 3, 4, 26 and 31, Maximum Height and Minimum Lot Dimension Requirements and Use Permissions in the R-4 District), particularly a moratorium on "pupups".

The Commission submits this resolution under the provisions of DC Code 1-309.10(a) through 1-309.10(h)(1), which require, among other things, that Advisory Neighborhood Commission recommendations be given "great weight" by DC government agencies, that DC government agencies "articulate with particularity and precision the reasons why the Commission does or does not offer persuasive advice under the circumstances. In doing so, the government entity must articulate specific findings and conclusions with respect to each issue and concern raised by the Commission."

Sincerely,

Ronald Austin, ANC 4B06  
Chairperson

cc: Commissioners, ANC 4B  
Mr. Gottlieb Simon, Executive Director, Office of Advisory Neighborhood  
Commissions  
Ms. Lyn Abrams

ZONING COMMISSION  
District of Columbia  
CASE NO. 14-11  
ZONING COMMISSION  
District of Columbia  
EXHIBIT NO. 219  
CASE NO. 14-11  
EXHIBIT NO. 219



**Advisory Neighborhood Commission 4B**  
**Government of the District of Columbia**  
**6856 Eastern Avenue, NW - Suite 314**  
**Washington, DC 20012**

**RESOLUTION #15-0502**

**Regarding ZC 14-11 (Text Amendments to 11 DCMR  
Chapters 1, 3, 4, 26 and 31, Maximum Height and Minimum  
Lot Dimension Requirements and Use Permissions  
in the R-4 District)  
Moratorium on "Pop-ups"  
Adopted May 18, 2015**

Advisory Neighborhood Commission 4B (the Commission) takes note of the following:

**Whereas** the Office of Planning's original proposal dated June 24, 2014 would have removed the provision in the Zoning Regulations allowing conversions of rowhouses and residential buildings to apartment buildings (three or more units);

**Whereas** the Office of Planning recognized that the Zoning Regulations and the Comprehensive Plan provides that the R-4 District shall not be an apartment district;

**Whereas** the Comprehensive Plan provides that the Zoning Regulations, particularly in the R-4 District, should be revised to preserve row houses as single-family units to conserve the city's inventory of housing for larger households;

**Whereas** there has been an increase in the number of row houses being converted to apartment buildings in the R-4 District;

**Whereas** on May 1, 2015 in ZC-14-11 the Zoning Commission proposed text amendments to the Zoning Regulations for residential structures located within the R-4 District;

**Whereas** the proposed text amendments published on May 1, 2015 does not recognize the same mandate to protect R-4 Districts as the Office of Planning's original proposal.

**THEREFORE BE IT RESOLVED:**

- ANC 4B supports a reduction in the matter-of-right height of buildings or structures to 35 feet. ANC 4B does not support increasing the permitted height to 40 feet by special exception as detailed in the proposed new 400.23.
- ANC 4B supports amending the definition of "mezzanine" in R-4 Districts to count as a story in determining the maximum number of permitted stories.
- ANC 4B does not support the matter-of-right conversions of row houses and residential buildings in R-4 Districts to apartment buildings consisting of up to four units. ANC 4B strongly urges the Zoning Commission to reconsider this position and to limit the number of matter-of-right units in row houses to two units.
- ANC 4B supports the conditions in section § 330.7 particularly paragraphs h, j, i and k.
- ANC 4B does not support special exception relief for § 330.7 (b), (e), (f), (h), (j), (i) and (k).
- ANC 4B requests that the conditions in §330.7 not be limited to conversions to apartment buildings but also apply to flat conversions in R-4 Districts.

**BE IT FURTHER RESOLVED**, that ANC 4B urges the Zoning Commission to make the text amendments effective immediately upon publication of the final rule in the D.C. Register for all conversions where a permit has not yet been issued. There should be no grace period or grandfathering for permit applications filed but not approved.

**BE IT FURTHER RESOLVED**, that ANC 4B urges the Zoning Commission to take all appropriate action to put in place a moratorium or suspend the relevant existing Zoning Regulations until the new text amendments are effective.

**BE IT FURTHER RESOLVED**, that ANC 4B supports the Council's Sense of the Council recommending to the Zoning Commission that the text amendments to ZC 14-11 be finalized and put into force as quickly as possible.

**BE IT FURTHER RESOLVED**, that the Commission designates Commissioner Douglass Sloan to represent the Commission in all matters relating to this resolution. That, in the event the designated representative Commissioner cannot carry out his representative duties for any reason, the Commission authorizes the Chairperson to designate another Commissioner to represent the Commission in all matter relating to this resolution.

**BE IT FURTHER RESOLVED**, that Consistent with DC Code §1-309, only actions of the full Commission voting in a properly noticed public meeting have standing and carry great weight. The actions, positions and opinions of individual commissioners, insofar as they may be contradictory to or otherwise inconsistent with the expressed position of the full Commission in a properly adopted resolution or letter, have no standing and cannot be considered as in any way associated with the Commission.

**ADOPTED** by roll call vote at a regular public meeting (notice of which was properly given, and at which a quorum of eight of nine members was present) on May 18, 2015, by a vote of 6 yes, 2 no.

**ROLL CALL VOTE:**

<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
Carley	Speaks	
Grant	Jones	
Austin		
Rogers		
Sloan		
Parks		