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Zoning Commission for the District of Columbia
441 4th St. NW, Suite 200-S
Washington, DC 20001

RE: Z.C. Case No. 14-11

Dear Zoning Commissioners:

Please accept my comments on the proposed rule regarding pop-up developments in R-4 Districts. I commend the Zoning Commission for taking this important step to address concerns raised by District residents.

I am writing to express my strong support for parts of the final proposal to change the zoning regulations to limit pop-up developments in R-4 Districts and more importantly the need for immediate effectiveness to stop further destruction of rowhouse neighborhoods by converting rowhouses to out-of-character condos. These conversions damage neighboring properties, reduce quality of living and decrease property values and investments of neighbors. **I strongly urge the Zoning Commission to make the final rule effective immediately upon publication and not delay the effective date.**

There are a number of items in Section 330.7 of the proposed rule that I support and would like to specifically highlight for its importance in limiting the destructive effects of pop-ups and bump-outs.

- (c) The maximum height of the residential building and any additions thereto shall not exceed thirty-five feet (35 ft.);
- (g) No more than thirty percent (30%) of the gross floor area of the residential building shall be demolished as part of the conversion;
- (h) An addition shall not extend further than ten feet (10 ft.) past the furthest rear wall of any principal residential building on an adjacent property. I recommend deleting the second "furthest" to make it clear that any addition shall not extend further than ten feet past the rear wall of any adjacent rowhouse. The language as currently written can be interpreted to mean that an addition could extend 10 feet past the rear wall of the longest adjacent rowhouse, i.e. if one adjacent rowhouse (say #42) has already been bumped out by ten feet, then this would prevent a further bump-out of #40 by an additional ten feet, thereby making the bump-out twenty feet beyond the other adjacent house (#38). I also recommend adding the ten foot limitation for conversion of a rowhouse into a flat.

I am as concerned about these bump-outs as I am about the pop-ups. Without limitations on the extent of the bump-outs, there will be increased run-off of rainwater from the expanded roofs, which would otherwise be absorbed into the yard. With the flooding problems that Bloomingdale has had over the years, notwithstanding the current efforts of DC Water to mitigate that, it would seem to me that the less runoff from roofs, the better.

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Additionally, the District is actively planting trees and encouraging homeowners to restore the tree cover to assist in rainwater retention and lessen the impact of climate change (heat sink/warming) prevalent in cities. With larger roofs, expanded parking pads, and smaller (if any) rear yards, this seems to me to exacerbate the problem, not in keeping with the District's goals.

Consequently, I am very much in favor of the 10-foot limitation, but would like it to be "tightened up" so there is no ability to misconstrue or push the envelope.

- (j) Any addition, including roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code;
- (k) Any addition, including a roof structure or penthouse, shall not interfere with the operation of a solar energy system on an adjacent property. **I would recommend that, In order to stimulate the increase of solar and renewable energy in the District, it is not sufficient only to prohibit the interference with the operation of an existing solar system on an adjacent property. If neighboring home-owners can demonstrate good solar radiation potential then their consent would be required for a pop-up structure that would remove the potential of adding a solar energy system.**

Matter-of-Right Conversions

Additionally, I am concerned about Matter-of-Right Conversions. I do not believe the proposed rule goes far enough to protect the supply of single-family homes in R-4 zones. Proposed new Section 330.7 would permit conversions of existing residential buildings to apartment houses with up to four units as a matter-of-right. The decision to allow matter-of-right conversions of rowhouses in R-4 zones is a mistake. Family households with children need larger housing units with more bedrooms. The District's Comprehensive Plan states that of the city's existing housing stock, only one-third of the units have three bedrooms or more, and 80% of recent new construction has been apartments with fewer bedrooms. The Comprehensive Plan also states that the availability of single-family housing and housing with more rooms are two factors that are positively correlated with retaining family households.

The Comprehensive Plan guides the District's development and provides overall guidance about the city's planning. The Comprehensive Plan states:

Policy H-1.3.1, Housing for Families: Provide a larger number of housing units for families with children by encouraging new and retaining existing single family homes, duplexes, row houses, and three- and four-bedroom apartments.

Action H-1.3.A, Review Residential Zoning Regulations: During the revision of the city's zoning regulations, review the residential zoning regulations, particularly the R-4 (row house) zone. Make necessary changes to preserve row houses as single-family units to conserve the city's inventory of housing for larger households. As noted in the Land Use Element, this should include creating an R-4-A zone for one- and two-family row houses, and another zone for multi-family row house flats.

- Matter-of-right conversions of single-family rowhouses to apartment buildings goes against the Comprehensive Plan's goal of retaining single-family homes for families. Matter-of-right conversions in R-4 should be limited to two-units. in order to protect the affordable single family housing stock in R-4 districts. More than two dwelling units should require special exception or a variance.

Limitations on Conversions

Although I don't support matter-of-right conversions to apartment houses, I support the limitations on conversions in Section 330.7. These limitations also should apply to conversions to two-unit flats. Many developers convert rowhouses to two-units by adding a floor and large rear additions. These limitations must apply to two-unit conversions to protect adjacent properties from massive rear additions and upper floors that block chimneys and solar panels.

Immediate Effective Date

I urge the Zoning Commission to act quickly on the changes to the zoning rules and to make the final rule effective **immediately** to protect rowhouse neighborhoods and adjoining properties. The first proposal from the Office of Planning is almost one year old. D.C. residents have been waiting a long time for these changes and should not have to wait any longer. Any delay in implementation will encourage non-resident developers to go all-out to buy up single family homes and start the permitting process of their destruction so as to get in "under the wire" and to request/expect grandfathering of their permits even after an effective date which would otherwise prohibit what they were planning to do.

Respectfully submitted,



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PLEASE STOP THESE FROM HAPPENING IN BLOOMINGDALE AND IN R-4 DISTRICTS!!

