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**VIA E-MAIL**

Zoning Commission  
441 4<sup>th</sup> Street NW, Suite 200S  
Washington, DC 20001  
zcsubmissions@dc.gov

**Re: Case No. 14-11**

Dear Sir or Madam:

I have been an owner of a semi-detached home in an R-4 zoned district (in 16<sup>th</sup> Street Heights) for over 5 years. I am writing to express my ardent support for the proposed changes to D.C.'s zoning regulations to limit "pop-up" and "pop-out" developments in R-4 zoned districts. I am deeply concerned about the recent developments in my neighborhood and, in particular, the conversion of single-family residential properties into multi-family condominiums. While I support the proposed zoning changes, I question whether they are sufficient to address all of the problems, potential and realized, presented by this overdevelopment.

The District's continued and projected growth is a very good thing for District residents on a number of levels. However, the District must be very careful to thoughtfully plan for such growth. Allowing conversion of current single-family dwellings into condominiums of 4, 5, 6, 7+ units as a matter of right is not thoughtful or responsible development. District families are being driven out by the changing character of their neighborhoods, while new families are being priced out of purchasing single-family homes because they cannot compete with developers looking to turn a quick profit. All of this has a disastrous effect on the nascent and hard-fought success achieved by D.C. Public Schools. Moreover, the District's current public transportation infrastructure cannot support exponential and thoughtless development. For example, while there are plans underway to create at 16<sup>th</sup> Street express bus lane, it remains to be seen when such plans will be realized and whether they will have a demonstrable impact on public transportation in the 16<sup>th</sup> Street corridor. The District simply can no longer allow development of residential property that exponentially increases density and lot occupancy as a matter of right.

**Amendments Pertaining to Conversion of Structures in R-4 Districts to Multi-Family Units**

The planned conversion of a single-family semi-detached home at 1521 Varnum Street NW into 7(!) 2-bedroom condominiums is the perfect example of how the current zoning regulations have negatively impacted the 16<sup>th</sup> Street Heights neighborhood. The plans, which have apparently received approval from the Zoning Commission, contemplate 1) renovating the

current structure to include 4 2-bedroom condos, and 2) dramatic expansion in the back yard to erect an addition in size similar to the existing structure (apparently without the basement unit) to accommodate an additional 3 2-bedroom units. The planned development contemplates 4 parking spaces abutting the alley for the 7 units—obviously not enough to accommodate all of the units, let alone all of the residents. The resulting condos would be what can only be considered a hulking monstrosity, which would significantly and adversely affect surrounding homes. Some of the most egregious examples of the problems associated with this development are:

- Lack of infrastructure in the neighborhood, such as parking and public transportation. The 16<sup>th</sup> Street NW bus lines are already woefully inadequate to accommodate the needs of our growing neighborhood. And, parking on 16<sup>th</sup> Street already has an adverse impact on traffic conditions in the neighborhood, particularly on the weekend.
- Artificial inflation of housing costs. 1521 Varum Street was sold to a developer at \$850,000, well above market value for a semi-detached Wardman-style home in our neighborhood that has not been recently updated. Nearly identical, nearby houses that have been gutted and renovated have barely, if at all, hit that mark. As a result, families are being priced out of purchasing these homes, while the resulting condos only create inventory at luxury pricing levels. Thus, these projects do not contribute to affordable or even mid-range housing.
- Loss of privacy and enjoyment of the neighboring properties, particularly the neighbor immediately adjacent who will have a new 3-story building directly abutting the fence-line.
- Decreased access to light for neighboring properties, particularly the potential loss of enjoyment or use of solar panels.
- Impact on storm water runoff, particularly where, as with 1521, the structures are expanded to the fence-line.
- Significantly increased traffic on the service alley, which is currently not adequately maintained by DC.

For these reasons, I strongly support the repeal of § 330.5(e) to prevent residential structures in R-4 zoned areas from being converted into apartment houses or multi-family condominiums. I do not believe this provision should be retained under any circumstances. While I understand the desire for flexibility, the result of retaining this provision would be a continuation of pop-up and pop-out construction in rowhouse neighborhoods. Developers who seek only to make a quick buck, without any thought to neighbors or neighborhoods, have been exploiting a loophole in the current zoning regulations that has allowed them to convert rowhouses to multi-family units as a matter-of-right. I urge you to close this loophole by prohibiting all conversions of single-family residential lots (whether renovated or expanded) to

condominiums, apartments, or the like of more than 2 units, and not grant any relief by special exception.

I also support the inclusion of new §336, particularly the prohibition on converting a rowhome to an apartment house (§336.2). However, I recommend reducing the lot occupancy requirement in §336.6 from 70% to no more than 60%. A maximum lot occupancy of 70% would result in little pervious surfaces on the property, which would have an adverse impact on pollution and storm water run-off.

The proposed changes to D.C.'s zoning regulations allows special exception relief from the minimum requirement of 900 square feet per dwelling unit. I do not support this change because it would provide an incentive to developers to seek maximum profit by crowding multiple, small units into an apartment house or condominium on a lot too small to accommodate them. This would further reduce parking in many neighborhoods and unreasonably increase density. Under no circumstances should the Office of Planning or the Zoning Commission permit a residential structure to be converted to multi-family (3 or more) dwelling units, especially if the minimum of 900 square feet per unit can be waived by special exception.

### **Amendments Pertaining to Maximum Height**

I support the proposal to reduce the maximum height in R-4 from 40 feet to 35 feet as a matter of right. Many pop-ups are taller than existing homes in the neighborhood. This height differential reduces light and air to adjoining properties and may decrease the rate at which snow melts from the roofs of adjoining properties, which could cause damage to flat roofs. I support allowing an increase to 40 feet by special exception provided the upper addition does not have a substantially adverse impact on the use and enjoyment of adjoining properties. An adjoining property owner should be permitted to present evidence to the Zoning Commission if such owner believes the upper addition would have a substantially adverse impact on the use and enjoyment of his or her property.

### **Special Exception Relief**

I strongly recommend that any relief sought by special exception require input from neighboring property owners, the ANC, and the community.

I urge the Zoning Commission to act quickly to impose limitations on pop-up and pop-out developments in residential zones, particularly those that would destroy the unique character and quality of DC's neighborhoods, including my own. Thank you for your time and attention to these very important matters.

Sincerely yours,

*/s/ Kerry M. Mustico*

cc: 16<sup>th</sup> Street Heights Neighborhood Association