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June 1, 2015

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Zoning Commission  
441 Fourth St., NW, Suite 200-S  
Washington, D.C. 20015

Dear Chairman Hood and Zoning Commissioners:

Re: Case ZC 14-11

Thank you for continuing to deliberate on the best way to adapt the Zoning code to address (1) the concerns of D.C. residents about the fragmentation of their century-old single-family R-4 row house neighborhoods; and (2) the community-developed Comprehensive Plan.<sup>1</sup> After all, the purpose of zoning is to provide guidelines for building what is acceptable to the community.

One of the city's great problems of the past 50+ years until recently has been the loss of population, and with it, community and economic stability. At present, the District is experiencing growth in population, largely from young careerists, even as long-time residents are displaced. Speculators eager to take advantage of the newcomers' demand for housing in close-in neighborhoods, convert single-family homes to apartment houses, most of them condos, to the extent allowed by law. Not only does this practice deplete the supply of single-family homes, it drives up prices: Developers have deep pockets, so they routinely outbid people who are trying to buy a single-family residence to live in; and the whole point of a conversion is to maximize profit, so inevitably the units created are "luxury" priced. Conversions come at the expense of long-time residents, past, present, and future. They ensure that our population gains will reverse, as people leave the city to seek housing that is more affordable and/or family-friendly. Boom and bust.

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<sup>1</sup> A sampling of the mandates re: row house neighborhoods from the Comprehensive Plan:

**Policy MC-1.1.5, Conservation of Row House Neighborhoods:** Recognize the value and importance of Mid-City's row house neighborhoods as an essential part of the fabric of the local community. Ensure that the Comprehensive Plan and zoning designations for these neighborhoods reflect the desire to retain the row house pattern. **Land use controls should discourage the subdivision of single family row houses into multi-unit apartment buildings** but should encourage the use of English basements as separate dwelling units, in order to retain and increase the rental housing supply. [*Boldface added.*]

**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. [*Boldface added.*]

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Introducing the April 2014 version of the rules, OP explained that a major reason for the amendments was to protect the **character and function** of R-4 neighborhoods. The May 2015 iteration of the text amendments has gained some important protections, e.g., counting the mezzanine level as a story and providing some protection for solar roofs. But it has significantly relaxed protections for single-family row houses that were in the earlier rulemaking. I therefore urge the Commissioners to *please*:

1. Allow only two (2) units as a matter of right in residential buildings, period. The elasticity afforded by the requirement that for every dwelling unit there be 900 square feet of land area will disproportionately affect neighborhoods with larger lots.
2. Modify the restrictions enumerated in Section 330.7, e.g., on pop-backs, solar panel obstruction, turret-removal/modification, and chimney blocking, so that they are also applicable to conversions of SFRs to flats (2 units).

Revise 330.7 (j) and (d) so that impeding the function of a chimney or vent required by code, or a solar panel, is not subject to special exception. (How can impeding a neighbor's chimney be negotiable?)

3. Apply the maximum of 10 feet for any new rear addition to the adjacent property with the **shallowest** extension into the back yard. Otherwise the code will promote a crescendo of extensions, with each longer than the last.
4. Eliminate the height-limit exception, at 40 feet instead of 35 feet, for three or more adjoining residential row buildings. Such an exception will incentivize flipping and conversions of groups of adjoining row houses.
5. Adopt an interim moratorium on conversions until the effective date of new rulemaking kicks in; and make the effective date of the rulemaking immediate upon publication of the final rule for any permits not yet approved. Much damage is currently being inflicted on row house neighborhoods, and more un-moderated change will be wrought by speculators and DCRA during a "grace" period.

These are modest proposals that could move us to some middle ground between no change and the Wild West. The Office of Planning and the Zoning Commission ought not to let public policy be driven by speculators' short-term interest in our fair city, and their zeal for ballooning profit margins.

Thank you for your consideration.

Sincerely,



Andrea Rosen  
Ward 4