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June 1, 2015

Zoning Commission
441 4th St. NW, Suite 200S
Washington, DC 20001

RE: Public Comment on Case No. ZC 1411

Dear Zoning Commissioners:

We have lived at 4509 Iowa Avenue, NW for fourteen years. My wife and two children have enjoyed the neighborhood and our neighbors without anything, nor anyone, encroaching upon our ability to live and enjoy our living space.

All that changed when the previous owner of 4511 Iowa Avenue, sold it in 2014. It all changed without warning. I emphasize without warning because at no time were we given any notice of what was to become of 4511, but wholesale gutting of the unit began in earnest. It has been noisy and jarring for the past year.

During the winter, our home was colder than usual because the gutted structure next door is, literally, wide open in the back. Our common wall radiated like a refrigerator coil, and our heating costs skyrocketed.

From the beginning, a dumpster has resided on the street, taking up three parking spaces, and being uncovered, has invited others to use the thing as if it were a city dump. They have allowed the front of the house to look horrible, and the yard is nearly nothing but weeds.

One night, I had to call the police because some men were in the structure late at night, I presume to steal pipes. They were apprehended.

Within the last four months, the contractors dug out the basement and it was not until this began that we received any communications from the owner. We met with him, but still haven't received any information on his intentions for the house. He said he could not tell us whether there would be two, three, or four units in the house. I do not believe him, and he has provided nothing in the form of draftsman's plans for the house to change my mind.

ZONING COMMISSION
District of Columbia

CASE NO. 14-11
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CASE NO. 14-11
EXHIBIT NO. 340

The basement digging and cinder block wall construction extends more than 50 (fifty) feet into the back yard. It will cut off our view of the neighborhood. I am fearful that should they raise the roof to add a floor, it will cause stress on my roof when it snows. The taller structure will do even more to cut off our home's access to light and free flowing air.

Commissioners, my wife and I didn't buy our home in hopes of one day making a profit from its sale. We fell in love with it because of the space, the backyard, and the now jeopardized Japanese maple tree. We saw the house as a fantastic opportunity to raise a family surrounded by neighbors who shared similar goals. A three-unit condominium structure will ruin the character of the neighborhood, and it shows no regard for the traditional architecture of the area. As I said, we didn't buy our home to one day make a profit, but we also did not anticipate anyone doing things to cause our home to decrease in value. I can only see a multi-condo structure, with semi-transient occupation causing that to happen.

I will allow the rest of this letter to deal with the code talk and parameters, some laypersons understand, that speak to the specifics of new regulations. I do, however, want you all to be abundantly aware of the human toll, the flouting and gaming of code the construction of popups will, and have, caused on families throughout Washington, DC.

Although I applaud your intent to regulate popup developments, your proposal to allow, as a matter of right, the conversion of an existing single-family home to a four-unit apartment building (section 330.7) is simply not consistent with a sincere intent to regulate popup developments and does not appear to have any empirical research on its likely impact backing it up. Many of the large popups that have negative impacts on my neighborhood only have three units. Allowing up to four units, without any special exception proceeding, is giving developers a pass and may not sufficiently protect R4 neighborhoods. Row home conversions to more than two units should require a special exception proceeding, which considers the impacts on nearby neighbors, pursuant to the conditions proposed in section 336.

You are likely confident that the conditions outlined in section 330.7 are sufficient to protect neighborhoods from the egregious popups that dwarf neighboring row homes and interfere with the neighbors' privacy, light, air, and enjoyment of their homes. I am less confident as human beings are always finding new ways to game rules to increase their profits. For example, section 330.7(h) of your proposal limits new rear additions to a maximum of 10 feet "past the furthest rear wall of ANY principal residential building on an adjacent property." If interpreted to mean that only the adjacent neighbor with the longest addition limits a new addition, this rule will not protect the adjacent neighbor with a shorter back porch or addition. Over time, such an interpretation, may lead to continued growth in the size of additions in R4 neighborhoods. Additionally, this interpretation would have a direct

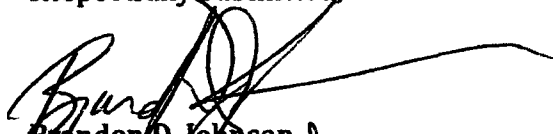
and disparate impact on current property values, increasing the value of residences abutting the residence with the longest addition on the block.

Second, your proposal to allow one residential unit in an accessory building, as a matter of right (section 330.7(b)), is not consistent with the special exception protections described in section 336.6 (*i.e.*, air, light, privacy, enjoyment of neighboring properties, architectural consistency in scale and pattern of houses from the alley). Building a residential unit over a garage in the back of an R4 residence may have substantial negative impacts on nearby neighbors who have abutting back yards and enjoy the quiet conditions of uninhabited garages and yards along alleys. Unless you have well-founded, empirical research showing that these negative impacts are unlikely, any residential unit added to an accessory building should be subject to neighborhood comment and consideration at a special exception proceeding, pursuant to the conditions proposed in section 336.

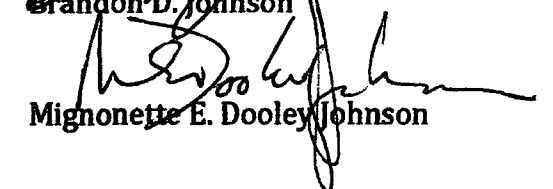
Third, your inclusionary zoning provisions create fewer affordable units than the proposal made by the Office of Planning. Given the affordable housing crisis in this city, more rather than fewer units should be subject to the pricing restrictions of inclusionary zoning. As you may be aware, many of the condo units resulting from row home conversions are offered for sale at "luxury" prices that residents earning median incomes cannot afford. Consequently, I support the more robust inclusionary zoning provisions proposed by the Office of Planning.

Finally, the more time that you spend making your decision on how to regulate popup developments, the less utility any resulting regulations will have on R4 neighborhoods. Many developers are buying and getting permits to convert row homes as you consider these new regulations. Because human beings behave opportunistically in situations like this, many municipalities and states issue temporary moratoriums while considering zoning changes. I and other residents encourage you immediately to adopt a moratorium on the issuance of new permits for popup conversions in R4 neighborhoods until the popup regulations are in effect.

Respectfully submitted,



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