

202-72.-6072
ATTN: DONNA

January 15, 2015

Chairman Anthony Hood
District of Columbia Zoning Commission
441 4th St., NW, Suite 2105
Washington, DC. 20001

RE: Case No. 14-11

Dear Sir/Madam:

I have been a resident of the District of Columbia since 1989, and I currently own a row-house in an R-4 district in the neighborhood of Bloomingdale in Ward 5. I am writing to express my support for your proposal to change the zoning regulations to limit pop-up developments in R-4 districts. While I generally support the proposal, I feel strongly about the sections discussed in more detail below.

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-up developments are taller than existing homes in the neighborhood. This height differential reduces light and air to adjoining properties, diminishes the potential for solar energy panels on roofs may decrease the rate at which snow melts from the roofs of adjoining properties, which could cause damage to flat roofs. An adjoining property owner should be permitted to present evidence to the Board of Zoning Adjustment if such owner believes the upper addition would have a substantially adverse impact on the use, value and enjoyment of his property. Additionally, most of the row-houses in Bloomingdale are Victorian and have lovely turrets and line of sight views. When a house is popped up, it ruins this line of sight view and detracts from the beauty and symmetry of the neighborhood. Many of my friends have walked around the neighborhood commenting on the beauty of the sight views and will take pictures to show their friends. Developers who pop-up these houses ruin this sight view and diminish the value of all of the surrounding houses.

Amendments Pertaining to Conversion of Structures in R-4 Districts to Apartment Houses

I strongly support the repeal of §330.5(e) to prevent residential structures in R-4 Districts from being converted to apartment houses. While I understand the desire for flexibility, the result of retaining this provision would be a continuation of pop-up construction in row-house neighborhoods. Developers have found a loophole in the current zoning regulations that has allowed them to convert row-houses to multifamily units as a matter-of-right. I urge you to close this loophole by eliminating all conversions of residential structures to apartment houses in R-4 and not grant any relief by special exception. There is a single family row-house near me that is being popped-up and converted into four separate apartments. When the new families move in, they may each have multiple automobiles that will have to be parked on the street. Parking is already an issue in Bloomingdale and this will make parking even more difficult.

I support the inclusion of new §336, especially the prohibition on converting a row-house to an apartment house (§336.2). The conversion of a row-house to an apartment house is out of character with other row-houses on the block. Moreover, such conversions could result in structural and other damage to adjoining properties and are often totally out of character in the neighborhood. Many of the District's row-houses are 80 to over 100 years old and cannot withstand the stress of additional load and changes to the foundation often done when deepening the basement. I support a consideration of the effect any addition would have on abutting or adjacent properties (§336.4). Many pop-up developments severely restrict the light, air and privacy of neighboring properties. This is enormously unfair and damaging to nearby residents and undoubtedly has a negative impact on property values and the value and characters of neighborhoods. An adjoining property owner should be permitted to present evidence to the Board of Zoning Adjustment if such owner believes the addition would have a substantially adverse impact on the use, enjoyment and value of his property. Additionally, there should be greater consideration for row-houses built on busy streets such as Rhode Island Ave. When these houses were built, Rhode Island Avenue was a much narrower street. Today the vehicles that travel on Rhode Island Avenue are much larger and heavier and they travel faster and much closer to the houses than they did prior to the street being widened in the 1960's. My house shakes and shudders when large and heavy vehicles speed by. Digging out basements and building additional floors on houses on busy streets should be given extra consideration due to the age of the houses and the greater impacts of the vibration caused by heavy rapidly moving traffic.

I support 336.8, allowing properties to have a lot occupancy of 70% as a matter of right. Many properties are currently converted to 100%. Given the large number of properties that are non-conforming perhaps the District should make a distinction.

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between a build out for the enlargement of a house versus the building of a deck. Building a deck above 4' high is considered lot occupancy and should be treated more generously than building out the entire back of your house. At the very least decks above 4' in height should be allowed to increase the lot occupancy to 70% as a matter of right.

In conclusion

I am distraught by the number and scale of pop-up houses in the District. Developers of these pop-ups only are interested in financial gain and have no concern for the neighborhoods and residents or long term impact of their development on attractiveness of neighborhoods. The existing zoning regulations did not intend for R-4 Districts to be apartment house districts. Yet, this is exactly the effect pop-up developments are having on R-4 neighborhoods. I live in an R-4 District in Ward 5, houses in my block have been and are being popped-up and bumped-out. Turning one house into two or even four units will certainly affect the number of parking spaces available in my neighborhood. This could negatively impact the structural integrity the adjoining property and would reduce the light and air the adjacent properties. I commend OP and ZC for this effort to limit pop-up developments and urge you to act quickly and make the decision that no more permits for Pop-ups and conversion from row-house into apartment will be possible until the zoning commission issues its final ruling on this matter. Every day of delay results in more Pop-ups and substantial negative consequences to property owners. Thanks for your consideration.



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