



Government of the District of Columbia

## Advisory Neighborhood Commission 6C

January 15, 2015

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D.C. OFFICE OF ZONING  
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Ms. Sara Bardin, Director  
D.C. Zoning Commission  
D.C. Office of Zoning  
441 Fourth Street N.W. Suite 200 S  
Washington, D.C. 20001

Re: Case # 14-11, Office of Planning—Text Amendments to Chapters 1, 3, and 4, Definitions, Maximum Height and Minimum Lot Dimension requirements in Residence Zones, and R-4 Zone Use Permissions

Dear Ms. Bardin:

On December 8, 2014, at a duly noticed, regularly scheduled monthly meeting of ANC 6C, with a quorum of 5 out of 6 commissioners and the public present, the above-mentioned item came before us.

The commissioners voted unanimously, 5:0:0, to make the following recommendations:

1. The amendment would reduce the maximum matter-of-right in the R-4 zone from 40 feet to 35 feet. **Recommendation:** ANC 6C supports this proposal, because owners would have to apply for a special exception—subject to light/air/privacy considerations of neighboring properties—to build beyond 35 feet, and this would provide for BZA review and community input on “pop-ups” higher than 35 feet.
2. The current definition of a mezzanine is a floor space occupying no more than one-third of a level of a building, with the remaining two-thirds open in the style of an atrium, and the mezzanine does not count as a “story” in determining compliance with the restriction on number of stories. **Recommendation:** ANC 6C opposes this change, because the use of the mezzanine does not allow an applicant to circumvent the proposed 35’ height limit in R-4 zones. The ANC notes that in some limited cases the current mezzanine rule has allowed applicants to creatively construct or alter accessory structures, such as garages, while staying under the 15 feet height limit.
3. Under current rules a pre-1958 building in an R-4 zone may be converted into an apartment house as a matter of right if it provides 900 square feet of land area per unit. The Office of Planning has proposed several confusingly similar variations amending this rule; these include abolishing conversions entirely, permitting them as a special exception, restricting them to nonresidential properties, allowing special exception relief from the 900 square feet requirement, or imposing inclusionary zoning requirements on newly added units. **Recommendations:** ANC 6C recommends (a) allowing conversions of both residential and nonresidential pre-1958 properties; (b) but only as a special exception, subject to light/air/privacy considerations; and (c) with no provision for inclusionary zoning requirements or special exception relief below 900 square feet per unit.

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4. Current rules allow a mechanical or stairway roof structure ("penthouse") to rise eighteen feet six inches above the roof in residential zones. The proposal would, in the case of one-family row dwellings and flats, limit penthouses to ten feet above the roof. **Recommendation.** ANC 6C voted to support this change, with the additional suggestion that for buildings allowed the full eighteen feet six inches penthouse height that the 1:1 setback requirement for such structures be applied to all walls of the building, including party and face-on-line walls, and not only to "exterior walls" (i.e., those facing into open areas).
5. ANC 6C designated Commissioner Mark Eckenwiler to represent the ANC in all matters pertaining to Case ZC 14-11.

Thank you for giving great weight to the recommendations of ANC 6C.

On behalf of ANC 6C,

*Karen J. Wirt*

Karen Wirt  
ANC 6C chair