

Zoning Commission Hearing on Text Amends to Chapter 1,3 and 4,
Definitions, Maximum Height and Minimum Lot
Dimension Requirements in Residence Zones and R 4 Zone
January 16, 2015 Case 14-11

My name is Anne Sellin: I live in the Dupont Circle neighborhood on 16th St. NW. Six years ago the Zoning Commission rezoned 10 blocks of row houses in the north part of Dupont Circle, the zoning lowered from R5B to R4 in response to a neighborhood petition. You were chairman at the time Mr. Hood. Our house by house survey for the rezoning shows that the majority of the row houses are two story, about 25 feet high with one to two residential units, mostly one unit. Three story units, most lacking a livable basement, are about 35 feet high.

This proposal is on the right track, limiting R4 houses to 35 feet matter of right which is good for three story row house rows. However it does not give any attention to the unity of row house rows and the Comprehensive Plan's protection of their character, which is critical to our area since all of these blocks are in the Greater U and Dupont Circle Historic Districts, most of the houses having been built between 1863 and 1900.

There needs to be an additional section which addresses additions to row house rows that are predominately two stories, the situation with most of the R4 blocks in Dupont Circle. The additions should be no more than five feet in those cases, which would permit additional attic space high enough to stand up in or permit loftier second floor ceilings.

Re 400.1. A 35 foot matter of right height for the many two story buildings would still be too high for the R4 blocks in Dupont Circle because it would permit an additional full story on a 25 foot high row houses. A 35 foot addition would create a pop up one third higher than the original houses in the row. The gauge for row houses should be geared to the permissible height of the prevailing height of the majority of buildings in the row as is specified in the Comprehensive Plan. In this case it should not be over five feet. Thus a unified character of the row would be preserved. This idea was proposed in the staff sessions with citizens that took place over three years prior to the Zoning Rewrite.

Re 336. Conversions of non Residential Buildings or Structures to apartment Houses
336.2 is good in that it excludes houses in a rowhouse row, thus permitting a single residential unit replacement.

Chapter 26 , Inclusionary Zoning. This is not acceptable because it would encourage further subdivision in what are relatively small buildings. 14th St. NW, the eastern boundary of our area, is burgeoning with new high rise units and have been required to provide inclusionary housing units. The majority of the units are 700 feet or less and are not family housing.

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new apartment and condos include The District, The Harper at 14th and T, The Louis at 14th and U, City Scape, Union Row and comprise around 600 units. Below S on 14th St. are the Old Central Union Mission and Old Central Telephone exchange conversions to apartments and condos amounting to about 130 more units.

What is needed is the preservation of family housing. In the last eight years prams are seen on every row house sidewalk and many toddlers are growing to school age. This is new. We very much need to preserve family housing and not permit every row house to be subdivided into tiny apartments for singles.

This proposal presupposes R4 as an apartment zone and should not further subdivision with no consideration for family dwellings with two or more bedrooms. Once a story is added you can be sure the row house itself will be further subdivided for maximum monetary return. This has happened time and time again in this neighborhood.

Re 400.23. Under Height of Buildings or Structures. This should not be applied only to three story row houses. A variance must be required, not a pass through special exception.

Re 400.24. Under Height of Buildings or Structures. The conditional pass throughs for a special exception has the usual vague language that guarantees a virtually automatic granting by the BZA. We have challenged light and air conditions many times, hiring experts to do shadow studies which clearly demonstrate diminished light. We have always lost : the special exception was granted. That, however, was before solar panels began to crop up and as a green element it is essential these roofs be protected by specific language that forbids additions that in any way diminish light striking solar panels. Home owners who have gone to the trouble and expense of installing solar panels deserve to have their good work protected.

As to visual intrusion of additions it should be specified that there be photographic evidence and that it be taken at a specific height and distance from the facade. I say this because we have had cases before the Preservation Review Board when the applicant has shown a picture from a worm's eye view in the gutter across from the house making the proposed addition invisible. Despite pleadings about this blatant distortion the HPRB has approved the addition with the result being a very intrusive addition as seem from many viewpoints.

Re 400.7 Mechanical Equipment or stairway or elevator penthouse is good as it limits mechanical equipment to 10 feet with setbacks.

Re 330.51 Inclusionary zoning is not acceptable for two and three story buildings because a fourth unit is not acceptable. If it is ever permitted with a variance, inclusionary zoning should be mandated.