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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND

ZONING COMMISSION ORDER NO. 14-11A
Z.C. Case No. 14-11A

**(Minor Modification to Z.C. Order No. 14-11 – Text Amendment to Chapters 1, 3, 4, 26,
31, and 32, Maximum Height and Minimum Lot Dimension Requirements and Use
Permissions in the R-4 District)
July 25, 2016**

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797), as amended; D.C. Official Code § 6-641.01 (2012 Repl.), hereby gives notice of the adoption of amendments to the current version and to the adopted, but not yet effective version of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (DCMR)) to make minor modifications to certain amendments made by Z.C. Order No. 14-11 (Order).

The Order, which took the form of a Notice of Final Rulemaking, adopted amendments to the currently effective version of the Zoning Regulations (Current Regulations) concerning the maximum height, minimum lot dimension requirements, and use permissions in the R-4 Zone District. The substance of the amendments was later included by the Commission in the version of Title 11 DCMR that will become effective on September 6, 2016 (2016 Regulations), which was adopted by the Commission through a Notice of Final Rulemaking published in Part II of the March 4, 2016 edition of the *District of Columbia Register*.

Among other things, the Order amended the R-4 regulations to require special exception approval to convert buildings existing prior to May 12, 1958 to apartment houses. The minor modification adds a special exception condition prohibiting an addition from extending further than ten feet (10 ft.) past the furthest rear wall of any principal residential building on an adjacent property. The modification also adds this condition to the three (3) existing conditions that may be waived, and increases the number of such waivable conditions from two (2) to three (3).

The Commission makes these amendments in response to a January 13, 2016 correspondence from six (6) individuals, which noted that the condition appeared in the notice of proposed rulemaking for Z.C. Case No. 14-11, but did not appear in the final rulemaking notice. At its public meeting of March 28, 2016, the Commission, after reviewing a report submitted by the Office of Planning, voted to propose this modification. In doing so, the Commission noted that the Notice of Proposed Rulemaking included the condition as part of a provision that would have permitted the conversion of residential buildings to apartment houses as a matter of right. At final action, the Commission decided that such conversions should only be permitted by special

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