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3266 Worthington St., NW
Washington, DC 20015
October 8, 2015

SENT BY E-MAIL

Chairman Anthony Hood
District of Columbia Zoning Commission
441 Fourth Street, NW
Suite 2105
Washington, DC 20001

Dear Chairman Hood and Zoning Commissioners:

Re: Case No. 14-13
In Support of Proposed Rulemaking – Penthouse Regulations

I thank the Zoning Commission and the Office of Planning for proposing to amend the text of the Zoning Regulations pertaining to penthouses to bring the regulations into closer alignment with the Comprehensive Plan's mandate for rowhouse neighborhoods: to protect their scale, character, architectural integrity, and function as family homes.

The "hot" real estate market has incentivized developers to literally fill the gaps between the historic rowhouses as built – so characteristic of this city – and the outsized heights and densities allowed them by the 1958 Zoning Regulations, written decades after these neighborhoods were established. Being of relatively modest scale, rowhouses – individually and as the building blocks of streetscapes and neighborhoods – are sensitive to alteration. The outsized add-ons made by real estate flippers have grossly distorted the housing stock in many rowhouse neighborhoods; and neighbors, both immediate and proximate, find their quality of life diminished.

The proposed final text in Case 14-13 succeeds where the prior draft did not in reigning in such overbuilding: It respects and protects townhouses as a type, whether they are zoned R-4, R-5, or Mixed-Use.

- Uses / Height and Width: Please stand firm on §411.5 prohibiting rooftop penthouses as a matter of right on any "detached dwelling, semi-detached dwelling, rowhouse or flat in any zone," other than for mechanical equipment or a guardrail. Please limit the use and height and other dimensions of rowhouse penthouses that are allowed by special exception for the sole purpose of providing a stair or elevator for roof access and storage ancillary to a rooftop

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deck. Please clarify that a penthouse may not exceed 30 square feet and 10 feet in height.

- **Setback:** Please extend the same side-wall setback formula to rowhouses in R-5 and Mixed-Use zones that applies to rowhouses in zones R-1 through R-4. The discrepancy in the protections afforded to the rowhouses in different zones can be remedied by amending §411.18(a)(3) to pertain to any “detached dwelling, semi-detached dwelling, rowhouse or flat in any zone,” which is the language used in §411.5.
- **Allowable Gross Floor Area:** Please stand firm on the substantial curtailment of exemptions of penthouses from allowable gross floor area, as outlined in §411 13.
- **Design / Compatibility of Materials:** I applaud OP and ZC for going where angels fear to tread to set design standards for penthouses. Please preserve the final text that requires that “penthouses and mechanical equipment shall be placed in one (1) enclosure and shall harmonize with the main structure in architectural character, material and color” (§411.6) and that “Enclosing walls of a penthouse from roof level shall rise vertically.” (§411.10)

Finally, I urge you to make sure that the changes to the Zoning Regulations effected by Case No. 14-13 (as well as Case No. 14-11) are carried over into the Zoning Regulations Review (Case No. 08-06).

Thank you very much for your consideration of these points.

Sincerely,

A handwritten signature in black ink that reads "Andrea E. Rosen". The signature is fluid and cursive, with the first name "Andrea" being the most prominent part.

Andrea Rosen

cc: Jennifer Steingasser, Deputy Director, Development Review and
Historic Preservation
Hon. Vincent Orange, Chair, Committee on Business, Consumer and
Regulatory Affairs