

October 9, 2015

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D.C. OFFICE OF ZONING

Office of Zoning
441 4th Street NW
Suite 200S
Washington, DC 20011

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RE: ZC-14-13

Dear Zoning Commission,

I commend the steps you have taken in the proposed rule to protect all dwellings from out of scale and character rooftop penthouses.

I strongly support § 411.5 which prohibits 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. Rooftop penthouses should not be allowed for habitable space as a matter of right on any structure, particularly on rowhouses. Our rowhouse neighborhoods must be protected from out of scale and character structures, and habitable penthouse space would increase density and beyond what is contemplated in the Comprehensive Plan for rowhouse districts.

The proposed rule requires setback from adjoining walls where the two buildings have the same legal height limit for R-1 through R-4 zones (§ 411.18(a)(3)), but for R-5 and other zones limits the requirement to walls adjacent to a property with a lower permitted height (§ 411.18(a)(4)). It is unclear why the proposal arbitrarily excludes rowhouses in Adams Morgan and other R-5 and mixed use zones from the protection offered by the first of these provisions. I urge the Commission to correct this unwarranted discrepancy by amending § 411.18(a)(3) to apply to any "detached dwelling, semi-detached dwelling, rowhouse or flat in any zone" rather than only to buildings in R-1 through R-4, using the same language as in § 411.5.

I strongly support § 411.6 which requires all penthouses and mechanical equipment to be placed in one enclosure and to harmonize with the main structure in architectural character, material, and color. This requirement will assist in protecting the aesthetic character of District neighborhoods.

Finally, I support the inclusion of habitable penthouse space in calculating floor area ratio. This requirement will remove the FAR freebie and should curtail the incentive to build additional penthouse apartments without regard to the effect on density.

Sincerely,



Lyn Abrams
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ZONING COMMISSION
District of Columbia

CASE NO. 14-13
EXHIBIT NO. 139

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