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April 17, 2018

Via Izis

Zoning Commission
441 4th Street, NW
Suite 200S
Washington, DC 20001

Re: Comment Letter for Zoning Commission Case No. 17-23

Dear Members of the Commission:

Our names are Donna Murphy and Keenan Keller, and we own the single-family detached house at 1850 Monroe Street, NW. in the Mount Pleasant neighborhood. We have followed the proposed changes to the zoning code relating to side yards, including reviewing the Office of Planning revised Hearing Report on Monday, April 9. The two lots directly to the east of our lot, 1842 and 1844 Monroe St. NW, are currently vacant, and we have read the report in order to understand how it might apply to “in-fill” situations where developers are proposing to build houses on vacant lots located between existing homes.

There appear to be three sections of the April 9 OP report that are relevant to the situation of in-fill in our neighborhood, as Mount Pleasant is a Residential Flat Zone.

First, Section 3 of the April 9 Office of Planning report states the following findings and explanation:

“Definitions: OP continues to recommend that buildings be defined by the presence or absence of a side yard, a practice that was codified in the 1958 Regulations. This approach would permit lot line development, which is consistent with past Zoning Administrator practice, minimizes nonconforming properties, and allows flexibility for infill construction on existing record lots.”

Second, Section IV of the April 9 OP Report, which contains the recommended amendments to the text of the zoning rules, states:

“Chapter 1 Definitions

§ 100.2

Building, Attached: A building that ~~abuts or shares walls on both side lot lines with other buildings on adjoining lots~~ **has no side yards.**

OP recommends that attached, detached, and semi-detached buildings continue to be defined by the presence or absence of side yards.

Building, Detached: A freestanding building that ~~is does not abut any other building and where all sides of the building are surrounded by yards or open areas within the lot~~ **completely separated from all other buildings and has two (2) side yards.**

Building, Semi-detached: A building that ~~abuts or shares one (1) wall, on a side lot line, with another building on an adjoining lot and where the remaining sides of the building are surrounded by open areas or street lot lines~~ **has only one (1) side yard.**

Third, the proposed text amendments for Subtitle E – Residential Flat Zone, states:

Chapter 2 General Development Standards (RF)

207 Side Yard

207.1 Two side yards shall be provided for detached buildings; one side yard shall be provided for semi-detached buildings; and ~~n~~No side yards are required for attached buildings.; however,

OP proposes regulating side yards based on building form

207.2 Any side yard provided shall be at least a minimum of five feet (5 ft.).

207.23 In the case of a building existing on or before the effective date of this title,

with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be ~~decreased~~reduced or eliminated; and provided further, that the width of the side yard adjacent to the extension or addition shall be a minimum of three feet (3 ft.).”

In the approach taken by the report, the recommended “definitions” and “standards” are descriptions of what types of side yards detached, semi-detached and attached buildings have. Because any building built on a lot adjacent to a fully detached house with two side yards would have to be semi-detached (as there is no building at the lot line to which it can attach), under the proposed regulation it will be required to have a side yard. Based on this understanding of the plain meaning of the language of the proposed regulation, we do not oppose the proposed zoning regulation changes.

If the Zoning Commission considers any changes to the recommended text amendments or if the Commission or the Zoning Administrator may interpret the proposed new text differently than with this plain meaning, we would ask for the opportunity to provide additional comments.

Sincerely,

/s/ Donna M. Murphy

Donna M. Murphy

/s/ Keenan R. Keller

Keenan R. Keller

