

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Zoning Commission**



May 16, 2007

**Via E-Mail & U.S. Mail:**

Patricia E. Gallagher, AICP  
Executive Director  
National Capital Planning Commission  
401 9th Street, N.W., Suite 500  
Washington, D.C. 20004

**Re: Notice of Proposed Actions: May 14, 2007**

Dear Ms. Gallagher:

At the public meeting held on May 14, 2007, the Zoning Commission for the District of Columbia took proposed action to approve the following cases:

- A. Z.C. Case No. 03-12C/03-13C (Square 769 LLC and the D.C. Housing Authority - 2nd Stage PUD)
- B. Z.C. Case No. 06-47 (Text Amendment - Minimum lot area and lot occupancy requirements for Apartment Houses in the R-4 Zone District) – proposed rulemaking attached.
- C. Z. C. Case No. 07-03 (Text Amendment – Minimum lot dimensions in the Residential Districts) – proposed rulemaking attached.
- D. Z.C. Case No. 06-35 (CESC 1229-1231 TRS, Inc. - Consolidated PUD @ 1227-1231 25th Street, N.W.)

The proposed decision of the Commission to approve the above-mentioned cases are referred to the National Capital Planning Commission (NCPC) for review and comment, pursuant to the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Code Section 1-201 et seq.

ZONING COMMISSION  
District of Columbia

CASE NO. 07-03

EXHIBIT NO. 17

441 4<sup>th</sup> Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: [dcoz@dc.gov](mailto:dcoz@dc.gov)

Web Site: [www.dcoz.dc.gov](http://www.dcoz.dc.gov)

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The Zoning Commission plans to take final action on these applications at its July 9, 2007 public meeting. Please provide your comments at your earliest convenience. If you have any questions, contact me at the Office of Zoning on (202) 727-6311.

Sincerely,



Sharon S. Schellin  
Secretary to the Zoning Commission

cc: David W. Levy (via e-mail)  
Christine Saum (via e-mail)  
Marjorie Marcus (via e-mail)

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**  
**NOTICE OF PROPOSED RULEMAKING**  
**Z.C. Case No. 07-03**  
**(Text Amendment – 11 DCMR)**  
**(Minimum lot dimensions in Residential Districts)**

The Zoning Commission for the District of Columbia, 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 (2001 ed.)), hereby gives notice of its intent to amend § 401 of the Zoning Regulations (Title 11 DCMR). The proposed amendment clarifies § 401 by stating explicitly that a building on a lot made substandard by the enactment of the 1958 Regulations may not be converted to a use requiring a greater lot area or width than is on the building's lot.

Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the D.C. Register

The following rulemaking action is proposed:

Title 11 DCMR is amended as follows. Added wording is shown **bolded** and underlined:

1. Chapter 4, RESIDENCE DISTRICTS: HEIGHT, AREA AND DENSITY REGULATIONS, § 401.1 is amended to read as follows:

401.1 Except as provided in chapters 20 through 25 of this title **and in the second sentence of this subsection**, in the case of a building located, on May 12, 1958, on a lot with a lot area or lot width, or both, less than that prescribed in § 401.3 for the district in which it is located, the building may not be enlarged or replaced by a new building unless it complies with all other provisions of this title. **Notwithstanding the above, the lot area requirements of § 401.3 must be met when the building is being converted to a use that would require more lot area or lot width than is on the building's lot.**

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the D.C. Register. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, 441 4<sup>th</sup> Street, N.W., Suite 210-S, Washington, D.C. 20001. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**