

Zoning Case 17-18
Text Amendment
February 22, 2018
Zoning Commission Hearing

Chairman Hood and Commissioners,

Please accept this revised submission for Zoning Case 17-18. The following images are to accompany my oral testimony. All are examples of projects in the RF-1 zone.

The first example has two images - an excerpt from a Zoning Administrator's Letter of Determination, and a sheet from the accompanying plans for a proposed project which was posted on DCRA's site on December 13, 2017. I do not support any language, current or proposed, that encourages the use of an artificial berm to increase the height of (new) construction and that allows for the creation of a extra unit, in the "cellar" that circumvents the existing maximum number of units allowed within the zone.

The second example, accessed via PIVS, offers a look at the permit review process by the zoning office of a recent building application - see the comments mid-process and the resolution of the basement height issue that allowed permit issuance.

The third example is an image of an older project where the existing front yard was removed and a street level entrance created, leaving the appearance of a four story rowhouse. The owner has been ordered to fill in the front yard, but has yet to have complied.

In the fourth image, one can see that the existing front yard was removed and a street level entrance was created, but this project included a new planter/berm at the sidewalk. You can also see that the first floor was raised and the lower portion of the first floor window opening was bricked in to accommodate the new floor level. Not only does a project like this muddy the understanding of how the regulations are implemented, it also leads to inappropriate alterations to the building facade and streetscape.

Thank you for working to clarify the zoning regulations so that, going forward, they can be enforced in a consistent manner.

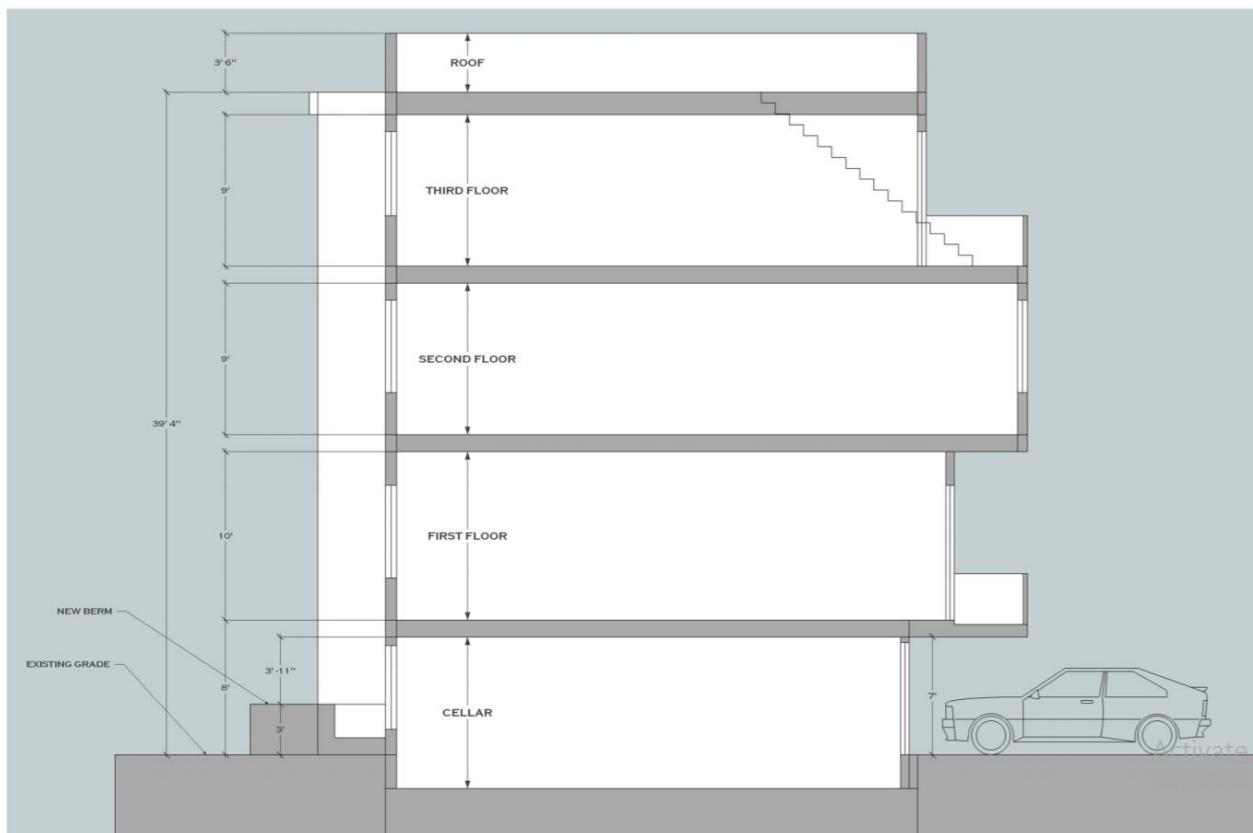
Betsy McDaniel

Height and Stories

Pursuant to Section E-302.2 “New construction of three (3) or more immediately adjoining residential row dwellings or flats, built concurrently on separate record lots, shall be permitted a maximum building height of forty feet (40 ft.) and three (3) stories.” Under Subtitle B-308.2 the building height measuring point (BHMP) is established “at the existing grade at the midpoint of the building façade of the principal building that is closest to the street lot line”. The proposed structures on each lot are 39’-4” measured from the BHMP, as shown in the attached building section. Accordingly, the proposed height of the Project is in compliance with the 40 feet height requirement.

Furthermore the Project consists of three (3) stories above a cellar whose ceiling is 3’-11” above grade per the definition of cellar set forth in Section B-100.1 Accordingly, the Project’s proposed 40 foot height and three stories are in compliance with the building height limitations.

Ponthouse





Zoning Review - HFC

Dec 21, 2017

6. ON THE SECTION, PLEASE PROVIDE A DIMENSION FROM THE GRADE TO THE TOP OF THE CEILING OF THE LOWEST LEVEL. PLEASE NOTE THAT THE LOWER LEVEL APPEARS TO BE A BASEMENT AS DEFINED TO B, CHAPTER 100 AND WOULD BE CONSIDERED A STORY. THE VERTICAL ADDITION IS CONSIDERED A FOURTH STORY AND WOULD REQUIRE RELIEF VIA THE BOARD OF ZONING ADJUSTMENT.

Jan 5, 2018

7. ON THE SECTION, PROVIDE A DIMENSION FROM THE FINISHED GRADE TO THE TOP OF THE CEILING OF THE LOWEST LEVEL.

Zoning Review Approved - WC

Jan 11, 2018

FRONT YARD GRADE RAISED TO CONVERT BASEMENT TO A CELLAR (THREE FEET NINE INCHES) FROM ADJACENT GRADE TO TOP OF CEILING OF LOWEST LEVEL. PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY,



