

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 107

CASE NO. 74-3

December 23, 1974

Pursuant to notice, a public hearing of the Zoning Commission was held on May 29, 1974, to consider an amendment to the text of the Zoning Regulations. Thereafter, having met in Executive Session, the Commission hereby ORDERS the adoption of the following amendment to the text of the Zoning Regulations:

TEXT CHANGE INSTRUCTIONS

Amend Chapter 5 of the Zoning Regulations by adding a new Article 54 to read as follows:

ARTICLE 54

EXCEPTIONS TO THE USE, HEIGHT, AREA AND
BULK REGULATIONS FOR COMMERCIAL DISTRICTS

Section 5401 - Applicability

5401.1 - This Article 54 shall only be applicable to those situations where property contained in one Commercial District (C-1, C-2-A, C-2-B, C-3-A, C-3-B, C-4) is rezoned to another Commercial District (C-1, C-2-A, C-2-B, C-3-A, C-3-B, C-4).

Section 5402 - Existing Uses

5402.1 - All conforming uses lawfully in existence and with a valid Certificate of Occupancy on or after July 1, 1974, in any Commercial District shall be considered conforming so long as they remain in any Commercial District.

5402.2 - A use qualifying under Sub-section 5402.1 may be changed to another use permitted by the Regulations for the Commercial District applicable to the property immediately prior to the change from one Commercial District to another Commercial District. An existing use qualifying under Sub-section 5402.1 may be extended to other portions of an existing structure. Such change or extension of use shall not involve a structural addition as authorized by Sub-section 5403.3. No such use may be expanded to another structure or expanded in land area.

5402.3 - As the Zoning Regulations are amended, said amendments shall be applicable to the use changes as permitted in Sub-section 5402.2.

Section 5403 - Existing Structures

Section 5403.1 - All conforming structures existing on or after July 1, 1972, in any Commercial District shall be considered conforming so long as they remain in any Commercial District.

5403.2 - For the purpose of this Article 54, "Conforming Structures" shall be any structure for which a valid application for a building permit existed at least six (6) months before the zone change was made from one Commercial District to another Commercial District.

5403.3 - Any conforming structure qualifying under Sub-section 5403.1 may be repaired or structurally altered.

5403.4 - Any conforming structure qualifying under Sub-section 5403.1 may be added to, provided no addition together with the original structure shall in the aggregate exceed the height, floor area ratio, lot occupancy, yard or court limitations of the zoning regulations applicable to the district in which the structure is located at the time of application for building permit for such addition.

5403.5 - Any conforming structure qualifying under Sub-section 5403.1 may be rebuilt in whole or in part provided such structure does not exceed the height, floor area ratio, lot occupancy, yard and court specifications of the structure prior to such rebuilding.

Section 5404 - Registration of Existing Structures

5404.1 - In order to rebuild a structure in accordance with the provisions of Sub-section 5403.5, all such structures must be registered with the Office of the Zoning Administrator.

5404.11 - All such structures must be registered within 90 days of the effective date of a change in zoning from one Commercial District to another Commercial District. Any such structures located on property which was rezoned from one Commercial District to another Commercial District during the period from July 1, 1972, to the effective date of this Article 54, must be registered within 90 days of the effective date of this Article.

5404.12 - In order to register a structure with the Office of the Zoning Administrator, the owner of such structure must file a statement indicating the location of such structure, the date of the change in zoning, the zoning districts from which and to which the property was rezoned and a complete set of plans showing the height, floor area ratio, lot occupancy, yards, courts and roof structures of such structures. Such plans shall be prepared by an architect registered in the District of Columbia, who shall certify their accuracy.

5404.13 - The Office of the Zoning Administrator shall review all such statements and plans and approve them for their sufficiency. The Office of the Zoning Administrator shall record in summary form the information contained in such statements and plans as required by Paragraph 5403.62.

5404.14 - The owner shall maintain such statements and plans in readable condition and shall produce them upon the request of the Office of the Zoning Administrator.

5404.15 - If such statements and plans are not recorded, maintained in readable condition, or produced at the request of the Office of the Zoning Administrator, the provisions of Article 54 shall not be applicable and the provisions of Article 71 shall apply.

WALTER E. WASHINGTON

STERLING TUCKER

John A. Nevius

JOHN A. NEVIUS

George M. White

GEORGE M. WHITE

Richard L. Stanton

RICHARD L. STANTON

ATTEST:

Martin Klauber

Martin Klauber
Executive Secretary