

# Government of the District of Columbia

## ZONING COMMISSION



Zoning Commission Order No. 211

Case No. 77-42

March 9, 1978

Pursuant to notice, a public hearing of the District of Columbia Zoning Commission was held on February 23, 1978 to consider an amendment to the text of the D. C. Regulations. The proposed amendment would limit the number of apartments, based on the area of the lot, which could be located in a building in an R-4 District.

The present Zoning Regulations currently permit an existing building to be converted to a multiple dwelling provided that there is 900 square feet of lot area for each dwelling unit proposed to be created. This provision has consistently been interpreted such that it is not applied to multiple dwellings already in existence in 1958, since changing such buildings to apartments would not be a "conversion to" a multiple dwelling. The Board of Zoning Adjustment, in a case appealing the decision of the Zoning Administrator, has recently confirmed that ruling.

The Commission finds that the intent of the Zoning Regulations was not only to apply the 900 square foot criteria to conversions of buildings which are single family dwellings or flats, but also to apply such a criteria to conversions of buildings which are multiple dwellings (for example, rooming houses) to apartments. The Commission further finds that the present Regulations, as written, are being properly interpreted and that the Regulations should be amended to specifically apply the 900 square feet criteria to such conversions. The Commission finds that such a regulation would prevent excessive density in the R-4 District, and would tend to help stabilize those areas of the District where the R-4 zone is concentrated.

The Commission finds that the proposed amendment was referred to the National Capital Planning Commission under the terms of the District of Columbia Self Government and Governmental Reorganization Act and that the NCPA reported that the proposed amendment would not have a negative impact on the interests or functions of the Federal Establishment within the National Capital.

The Commission finds that the proposed amendment is in the best interests of the District of Columbia and is consistent with the intent and purpose of the Zoning Regulations and the Zoning Act. The Commission therefore hereby orders adoption of the following amendments to the Zoning Regulations:

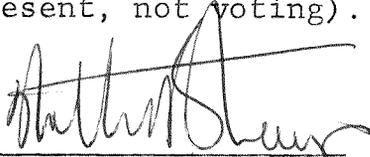
1. Change Paragraph 3104.33 to read as follows:

"The conversion of a building or other structure existing before May 12, 1958 to an apartment house as limited by paragraph 3301.1".

2. Change the table applicable to the R-4 District in Sub-section 3301.1 to read as follows:

<u>Row dwelling and flat</u>	1,800	18
<u>One family semi-detached dwelling</u>	3,000	30
<u>Conversions to apartment house</u>	900 per apartment or bachelor apartment	none prescribed
<u>All other structures</u>	4,000	40

Vote of the Commission taken at the public hearing held on February 23, 1978: 4-0 (George M. White, Ruby B. McZier, Walter B. Lewis and John G. Parsons to adopt, Theodore F. Mariani not present, not voting).



WALTER B. LEWIS  
Chairman



STEVEN E. SHER  
Executive Director

This order was adopted by the Zoning Commission at its public meeting held on March 9, 1978 by a vote of 4-0 (Ruby B. McZier, George M. White, Walter B. Lewis and John G. Parsons to adopt, Theodore F. Mariani not present, not voting).

In accordance with Section 3.62 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, this order is effective on 24 MAR 1978.