

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 229
CASE NO. 78-4
AUGUST 10, 1978

Pursuant to notice, a public hearing of the District of Columbia Zoning Commission was held on June 15, 1978 to consider an amendment to the D.C. Zoning Map. This amendment was initiated by Lynne N. Horning, to consider a change of zoning from R-1-B to R-2.

FINDINGS OF FACT

1. The property involved is described as a portion of Lot 32 in Square 3977, located and bounded by Gallatin Street between 14th and 16th Streets, N.E. The area of the site is approximately 3.0 acres.
2. The property is presently zoned R-1-B and consists of a portion of Lot 32 in Square 3977 which is currently wooded. It's longest frontage is on Gallatin Street, N.E., which in turn faces a portion of Fort Circle Park, a United States Park operated by the National Park Service. To the south of the site is the campus and grounds of St. Anselm's Abbey and School. To the southeast of the site is Queens Chapel, a neighborhood of detached homes. Immediately west of the site there are eight semi-detached dwellings under construction by Horning Brothers on a site of approximately one acre already zoned R-2. Immediately west of that site is North Michigan Park, a neighborhood of predominantly semi-detached houses.
3. The R-1-B District permits one-family detached single family dwellings on lots having a minimum area of five-thousand square feet, a minimum width of fifty feet, a maximum lot occupancy of forty per cent and a maximum height of three stories and forty feet. The R-2 District permits one-family semi-detached dwellings. The minimum lot area is three-thousand square feet, the minimum width is thirty feet, the percentage of lot occupancy is forty per cent, and the maximum height is three stories and forty feet.

4. The semi-detached dwellings permitted with R-2 zoning would be fully compatible with the same development pattern to the west in the North Michigan Park neighborhood. On the east, detached dwellings in the Queens Chapel neighborhood would face semi-detached dwellings across one section of 16th Street.
5. The applicant requests the change in zoning to permit the construction of thirty-two semi-detached dwellings on the site in question, or a density of 9.4 units per net acre. Under the existing R-1-B, approximately 26 detached dwellings could be constructed, or a density of 8.5 units per net acre. The applicant has prepared a site plan showing the proposed units as well as the eight semi-detached dwellings already under construction on the abutting site to the west, a total of forty semi-detached dwellings. The 3.026 acre site requested for rezoning could accommodate up to forty-five units if the full R-2 potential were utilized.
6. The proposed site plan preserves a greater number of mature trees than would development under existing zoning and devotes less total area to street paving to serve a comparable number of units, both of which are environmental benefits.
7. Approval of this application could help provide needed housing in a quality environment for middle income families.
8. The Municipal Planning Office, by memorandum dated June 9, 1978 and by testimony at the hearing, recommended that the application be approved. The proposed R-2 zoning would permit development compatible with existing neighborhood development, would help meet housing needs in the city, and would not have any unfavorable effect on community services in the area. The Commission so finds.
9. Other D.C. Agencies responded to the application via the Municipal Planning Office reports as follows:

The Department of Transportation does not foresee any negative effect on the street and transportation system by the proposed rezoning and development. The Department has favorably reviewed the dedication of the new street involved.

The Superintendent of Schools indicates that the proposed development would raise no problems as to school capacity in the area.

The Fire Department raises no objection to the proposed change.

The Department of Environmental Services finds that sewer and water services is available and adequate, but that local lines would have to be extended to reach the development.

10. Advisory Neighborhood Commission 5A, submitted no formal statement for the record. A representative of the ANC appeared at the hearing and indicated that it had been fully apprised of the application.
11. Several citizen groups and individuals from the area appeared in opposition. The opposition was based on objection to increased density and to the fact that the rezoning might serve as a precedent for further rezoning in the area. The Commission finds that the specific rezoning in question when coupled with the proposed site development would result in only a minor increase in density. The Commission also finds that each case must be evaluated on its own merits, and that the Commission will approve applications only when it finds that neighborhoods would not be adversely affected.
12. The application was referred to the National Capital Planning Commission under the terms of the District of Columbia Self-Government and Governmental Reorganization Act and the National Capital Planning Commission reported that the application would not have an adverse impact on the Federal Establishment or other Federal interests in the National Capital and will result in a land-use different from that shown on the "General Land Use Objectives: 1970/1985" element of the National Capital Planning Commission plan.

CONCLUSIONS OF LAW

1. Rezoning to R-2 is in accordance with the Zoning Act (Act of June 20, 1938, 52 stat. 797), by furthering the general public welfare and serving to stabilize and improve the area.
2. Rezoning to R-2 will promote orderly development in conformity with the entirety of the District of Columbia Zoning Plan as embodied in the Zoning Regulations and Map of the District of Columbia.
3. Rezoning to R-2 will not have an adverse impact on the surrounding residential neighborhood, and will help to provide much needed housing for the city.

DECISION

In consideration of the Findings and Conclusions herein, the Commission therefore hereby ORDERS the following action:

Change from R-1-B to R-2 for a portion of lot 32 in Square 3977, located on the south side of Gallatin Street between 14th and 16th Streets, N.E.

VOTE of the Commission taken at the Public Meeting of July 13, 1978: 3-0 (Walter B. Lewis, George M. White, and Theodore F. Mariani to approve - Commissioner John G. Parsons, not voting, not having participated in the case and Commissioner Ruby B. McZier, 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 August 10, 1978, by a vote of 3-0 (Theodore F. Mariani, George M. White and Walter B. Lewis to ADOPT, Ruby B. McZier not voting, not having heard the case and John G. Parsons not present, not voting).

In accordance with Section 2.61 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, the amendment to the Zoning Map is effective on

16 AUG 1978