

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 702-A

Case No. 90-17

(Map Amendment - Washington Cathedral Area)

February 10, 1992

By Z.C. Order No. 702 dated September 10, 1991, the Zoning Commission for the District of Columbia approved a change of zoning from R-5-C to R-5-B all of the existing property zoned R-5-C on the west side of Wisconsin Avenue between Massachusetts Avenue and Macomb Street, N.W.; that is, Square 1920, Lots 812-815, and Square 1923, Lots 55, 835-838, 812 and 813.

The purpose for the rezoning, in part, was to preserve the existing low scale of building heights and density in the area near the Washington National Cathedral, and to create a disincentive to redevelop the affected area.

By letter dated January 10, 1992 (Exhibit No. 181), a representative of the petitioners in the case requested the Zoning Commission to administratively correct Z.C. Order No. 702. The letter stated the following:

"In discussions prior to the final vote, the Commission agreed that preserving natural afternoon sunlight on the West Facade of the Cathedral is an important rationale for the decision. Commissioner Parsons suggested a specific amendment to the draft order to emphasize this consideration, and the Commission concurred.

Unfortunately, Commissioner Parsons's amendment is located in the midst of the order's statement of the petitioners' position, rather than with the Commission's other findings of fact. Since the order subsequently states that the Commission does not concur with the petitioners' recommendations, it may appear that the Commission rejected the sunlight concern. This would reverse the Commission's actual expressed intent."

On February 10, 1992 at its regular monthly meeting, the Zoning Commission considered the petitioners' January 28, 1992 letter, and subsequently, authorized the Office of Zoning to administratively correct Z.C. Order No. 702.

The Zoning Commission determined that the statement of reasons in Z.C. Order No. 702 did not accurately reflect the intent of the Commission regarding the setting of the "natural afternoon sunlight" on the west facade of the Cathedral.

The Zoning Commission believes that the correction to Z.C. Order No. 702 is appropriate, is in the best interest of the District of Columbia, and is consistent with the intent and purpose of the Zoning Regulations and Zoning Act.

In consideration of the reasons set forth herein, the Zoning Commission for the District of Columbia authorizes the Office of Zoning to administratively correct Z.C. Order No. 702 as follows:

1. Correct the seventh (7th) paragraph of Z.C. Order No. 702 to read:

The petitioners testified that a designation of R-5-A is the appropriate zoning designation to implement the Comprehensive Plan's moderate density designation. The petitioners indicated that the entire petition centers around visual issues with particular emphasis on preserving the view of the natural afternoon sunlight on the west facade of the Washington National Cathedral.

2. Correct the eighteenth (18th) paragraph of Z.C. Order No. 702 to read:

The Commission does not concur, in part, with the recommendation of the petitioners, but concurs with the recommendation of OP. The Commission believes that rezoning the proposed site to R-5-B would generally encourage continuation of the existing apartment buildings rather than redevelopment while minimizing the creation of nonconforming structures. The Commission further believes that it is also necessary to protect the setting and vistas of the Washington National Cathedral and the natural afternoon sunlight on the architectural features of the west entrance of this nationally significant structure.

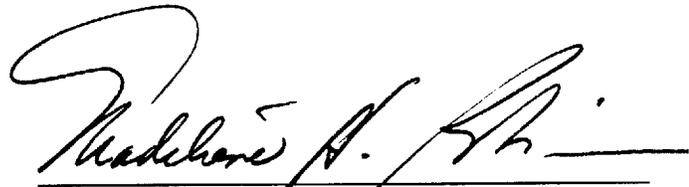
Vote of the Zoning Commission at the regular monthly meeting on February 10, 1992: 3-0 (John G. Parsons, Maybelle Taylor Bennett and Lloyd D. Smith, to authorize the Office of Zoning to

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administratively correct Z.C. Order No. 702 - Tersh Boasberg, recused himself and William L. Ensign, not voting not having participated in the case).

In accordance with the provisions of 11 DCMR 3028.8, this order is final and effective upon publication in the D.c. Register; that is on, FEB 28 1992.

ATTESTED:


MADELIENE H. ROBINSON
Acting Director
Office of Zoning

702-AZC/bhs