



COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
SUITE 110
WASHINGTON, D.C. 20004

Muriel E. Bowser
Ward 4, Councilmember
Chair, Economic Development

Committee Member
• Finance and Revenue
• Government Operations
• Judiciary and Public Safety

July 16, 2014

Rabbiah Sabbakhan
Interim Director
Department of Consumer and Regulatory Affairs
1100 4th Street, SW
Washington, DC 20024

RE: Pop-Up Construction and Solar Energy Facilities

Dear Director Sabbakhan,

Residents of Ward 4 and other parts of the District are concerned about “pop-up” construction in their neighborhoods. As you know, this is the recent trend of constructing additional stories to a row house so that the height is out of character with the surrounding buildings. It is especially troubling because these developments are typically built as a matter-of-right under current zoning so that little regulatory review or community input is required.

Residents in the 1400 block of Shepherd Street are concerned about two such developments, one of which is currently under construction (1422 Shepherd Street NW) and another that is slated to begin at the end of this month (1419 Shepherd Street NW). This could negatively impact residents in a range of ways, including impairment of their ability to collect solar energy from panels installed on their rooftops.

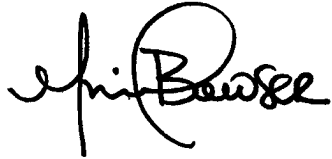
I am pleased that the Office of Planning has proposed a solution to this problem that is currently under consideration by the Zoning Commission. While I do not take a position on the specific proposal, I would encourage you to place a hold on any building permits requests for such pop-ups until the issue is settled at the Zoning Commission.

We do not want to overly hinder property owners’ rights to use their land as they see fit as long as it is within the law. The construction of more affordable housing is also a chief goal of mine to which these developments potentially help contribute. On the other hand, pop-up construction could have adverse, long-term effects on properties and neighborhoods that have not been fully considered. Current zoning regulations also do not seem to align with the

ambitious renewable energy goals of the Sustainable DC Plan. In short, a balance must be struck.

Thank you for attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is fluid and cursive, with the first name "Muriel" written in a larger, more prominent script than the last name "Bowser".

Muriel Bowser

Ward 4 Councilmember

Chair, Committee on Economic Development

Cc: Anthony Hood, Chairman, Zoning Commission
Matthew LeGrant, Zoning Administrator, Dept. of Consumer and Regulatory Affairs
Ellen McCarthy, Acting Director, Office of Planning