

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**



June 3, 2011

Leila M. Jackson Batties, Esq.
Holland & Knight LLP
2099 Pennsylvania Avenue, NW, Suite 100
Washington DC 20006

**RE: St. Augustine Catholic Church and School ("St. Augustine")
Accessory Building Proposed at 1413 V Street**

Dear Ms. Batties:

The purpose of this letter is to confirm the substance of our discussion on March 25, 2011, regarding the above-referenced matter. The subject property, Lot 806 in Square 203, is a vacant alley lot that consists of approximately 987 square feet ("Lot 806"). St. Augustine also owns Lot 93 in Square 203, which consists of approximately 70,000 square feet. Together, these lots form a rectangular parcel that extends east from the northeast intersection of 15th and V Streets, NW (the "St. Augustine Property"). The St. Augustine Property is improved with a church, a school serving students in grades pre-k through 8, as well as ancillary buildings and uses. It is zoned R-5-B and is located within the Greater U Street Historic District.

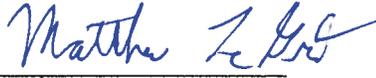
Lot 806 is situated at the northeast corner of the St. Augustine Property. It was previously improved with a brick building owned by Martha's Table and used for storage by the organization. The roof of the building collapsed as a result of the record snow falls in the winter of 2009/2010, and has since been demolished. You have indicated that St. Augustine proposes to construct a new building on Lot 806 to house a computer or science laboratory, or similar classroom for the school. The new classroom space will not facilitate an increase in the student enrollment at the school beyond what is currently permitted, and driveway access and pedestrian circulation would remain as currently exists for the school. Therefore, no additional traffic or other impacts associated with the expansion of a school would be generated by the new building.

Under Section 199.1 of the Zoning Regulations, an "accessory building" is defined as "a subordinate building located on the same lot as the main building, the use of which is incidental to the use of the main building." (Underline added.) With two exceptions, not applicable in this case, the Zoning Regulations permit accessory buildings only in a rear yard, provided that no more than 30% of the area of a required yard on any lot shall be occupied by accessory buildings.

Based on the information that you have provided, the new structure would be incidental to the use of the main school building, and would be situated in an area that would constitute the rear yard of the St. Augustine Property. However, the new structure is proposed on a different lot than that of the school and, therefore, would not meet the definition of "accessory building" as set forth in the Zoning Regulations. In order to address this issue, Lots 93 and 806 would have to be re-subdivided to create one new record lot. (Please be advised that since the Property is located within the Greater U Street Historic District, the re-subdivision of the lots and the design drawings for the new building must be reviewed by the Historic Preservation Review Board.)

If the proposed new structure is constructed on the same record lot as the school; and provides classroom space that is incidental to the use of the main school building; and does not expand the maximum number of students, teachers or other employees; and does not result in any additional requirement for parking; and does not generate any additional impacts resulting from the expansion of the school, I would deem that building to be an accessory building permitted under the Zoning Regulations, without the need for approval by the Board of Zoning Adjustments.

Please let me know if you have any further questions.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Attachment - Land Survey

