

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



June 10, 2011

Dale A. Stewart, AIA,  
Principal - Core Group  
1010 Wisconsin Ave NW Suite # 405  
Washington, DC 20007

Re: 433 Massachusetts Ave., NW, Washington, DC

Dear Mr. Stewart:

As a follow-up to our meeting of April 26, 2011, this letter is intended to constitute a summary of our discussion regarding the rear yard requirement for the renovation project at 433 Massachusetts Ave., NW and my determinations under the zoning regulations.

You showed me the construction plans that previously received a building permit for the renovation of the existing structure. Work had begun on the basis of these plans, and new foundations were installed. While the existing building has a rear yard, it varies in depth due to its non-rectangular shape. It is surrounded on all sides by ten story structures with no rear yards and no on-looking windows to the rear yard for the first two floors. Subsequently the owner lost the property in foreclosure and permitted work stopped. Attached for reference is a partial plan from the permitted set which shows the building in relation to the permitted rear yard. Also dotted in the plan is the actual foundation location of the rear of the building, as constructed.

The new owner, your client, intends to modify the permit set of documents to meet his specific needs. Specifically, it was his desire to infill the rear yard. I indicated to you that it was not in my authority to waive the requirement for the rear yard reduction and that this could only be granted by going through the BZA approval process. I did confirm to you that I would allow the location of the existing foundation (as shown dotted on the attached plan) to be the permitted rear wall of the new building. The front of the existing building will also be widened to the full width of the site, and an existing unsound structure will be replaced.

Subsequent to our meeting the owner has determined that he will excavate the site to construct a full cellar below the building, instead of a rear addition above grade. I can confirm that he is allowed to build the cellar to the rear property line, so long as the rear yard, as discussed above, is maintained above the first floor. Further, as per as per DCMR 2101.1 of the Zoning regulations, no parking will be required as a result of this increase in cellar area.

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Telephone: (202) 442-4576 Fax: (202) 442-4871**

Please advise if I may be of any further assistance.

Sincerely,   
Matthew Le Grant  
Zoning Administrator

Attachment – Existing building plan

cc: Ilya Zusin  
David Cheney