



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

April 1, 2021

Via Emailed PDF

David C. Landsman, PE, Prof. LS
CAS Engineering-DC, LLC
1001 Connecticut Avenue, NW, Suite 401
Washington, DC 20036

Re: 2100 4th Street, NE - Lots 0077 & 0078, Square 3562, Eckington – Zoning Determination

Dear Mr. Landsman,

This letter confirms the substance the PDRM with my staff on December 14, 2020. As presented during the meeting, the site currently is two record lots improved with a single-family detached house with rear surface parking area and associated appurtenances. An application has been submitted to raze the existing dwelling under DCRA Raze Permit # R2100027. The subject property is at the corner of 4th and V Streets NE and is in the RF-1 Zone (Residential Flat Zone).

The project proposes to construct two new flats, each containing two dwellings per lot, with surface parking at the rear of the lots, and associated appurtenances. As was discussed, I confirm the project's compliance with respect to the zoning criteria under 11 DCMR as follows:

Height (11 DCMR E-303.1)

35 feet and 3 stories as measured from the building height measuring point (BHMP) to the highest point of a flat roof or mid-point between highest eave and peak of the roof for non-flat roof (reference 11 DCMR B-308 for rules of measurement). The BHMP shall be the existing or proposed grade, whichever is lower, at the middle front center of each building (separate per lot), outside of any permitted exceptions to grade as defined under 11 DCMR B-100.2. Exceptions to grade include window-wells up to 4-feet deep or areaways up to 5-feet deep (both measured from inside of bounding wall).

Lot Occupancy (11 DCMR E-304.1)

Allowed Maximum Lot Occupancy = 60%, includes house, elevated terraces attached to the main building, covered stoops/porches and structures >4' above adjacent grade.

Front Setback (11 DCMR E-305.1)

A front yard setback is required within the range of existing front setbacks of all structures on the same side of the street in the block where the building is proposed. I have reviewed and confirm that the building on Lot 0072, Square 3562 (335 W Street, NE, corner of W and 4th Streets, NE) is included in this range as it has frontage on 4th Street, NE. The Zoning Regulations do not specify whether the structures included in the range need to be addressed on the subject street, only that they have frontage along the street.

The provisions of 11 DCMR B-315.1(c) do not apply for either of these lots for the first building constructed as the building immediately to the north on Lot 0035, Square 3562 (2108 4th Street, NE) does not adjoin the subject property (it is set back from the property line). Once a building on either Lot 0077 or 0078 is constructed, the remaining building on the other lot will have to match the front setback for the constructed building as they will be adjoining.

For Lot 0078, pursuant to 11 DCMR B-315.3, a lot with more than one street lot line may choose the street lot line that shall determine the front setback requirement and is not required to observe a front setback on the side street. On the side street, V Street, NE, a side yard shall be applicable in accordance with the RF-1 Zone requirements as discussed below.

Porches, whether covered or not, and bay-windows with or without floor space that do not extend to touch grade with full foundation are permitted to extend into the front setback.

Rear Yard (11 DCMR E-306.1)

A minimum of 20 feet is required and 40 feet is provided for each main building.

Side Yard (11 DCMR E-207):

No side yards are required for row buildings. The building proposed for Lot 0078 bordering V Street NE will be a row building, defined under 11 DCMR B-100, as it does not propose or have any side yards. Therefore, no side yard is required along V Street, NE for the proposed building on Lot 0078.

Parking (11 DCMR C-701.5)

A minimum of one off-street parking space is required for a flat use. As shown in the concept plan sketch, each of the lots will have two (2) 9' by 18' off-street parking spaces provided from the adjacent alley, which exceeds the requirement.

Pervious Surface (11 DCMR E-204.1)

As the lots are greater 2,000 square feet of area, with 2,400 square feet in each lot, a minimum of 20% of each of the lot's area shall be pervious surface.

I have reviewed the concept plan as proposed and concur that the development of two new flat row buildings, one each, on the subject record lots, as shown/proposed meet the requirements of 11 DCMR, specifically the sections of 11-E DCMR noted above.

Accordingly, when building permits are filed for, my office will approve permits for these properties, if consistent with the above presented zoning criteria and compliance information.

Please let me know if you have any further questions.

Sincerely, *Matthew Le Grant*
Matthew Le Grant
Zoning Administrator

Attachments – Concept Sketch of Site Plans 12-14-20
Front Setback Exhibit
Recorded Subdivision 12-14-20

Zoning Technician: Chyna Barber

DISCLAIMER: This letter is issued in reliance upon, and therefore limited to, the questions asked, and the documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a "final writing", as used in Section Y-302.5 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator's review. Therefore this letter does **NOT** vest an application for zoning or other DCRA approval process (including any vesting provisions established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.