

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



September 5, 2017

James Douglas Foster, Arcadia Design  
1737 Johnson Ave. NW, Unit A  
Washington DC 20009

RE: PDRM - 150 S STREET NW- SQUARE 3104 LOT 0820

Dear Mr. Foster:

Per the meeting held in my office on June 5, 2017, this is to confirm the proposed project design for the referenced property in the subject RF-1 zone meets all of the requirements of the Zoning Regulations.

The property is currently a 7,423 sqft A&T Lot #0820 in Square 3140 and is improved with an existing structure that will be razed. The "Project" involves subdividing the current A&T Lot into four (4) separate new Record lots, and the construction of a new flat on each of those lots. The Property is bounded by Second Street NW to the South and S Street NW to the East. The property is not located within a historic district.

The Project consists of four (4) flats with two (2) dwellings on each lot for a total of eight (8) dwelling units. Three (3) of the new lots will not have access to an alley, and will not provide required off street parking spaces. The fourth lot (building #4 on the attached site plan) will provide one (1) of-street parking space. In summary I have determined that the Project is permitted as a matter of right, according to the following:

**The Project meets the requirements for Subdivision in the RF-1 Zone**

As shown in the attached site plans, each proposed lot has 1,855.75 sqft of lot area and has a lot width of 29'-3" at the lot width measuring point, thirty (30) feet from the front property line, in accordance with Section C-304.1. Each lot has an irregular division line between the lots. As per Table E-201.1, the lots conform with the minimum lot dimension requirements of a minimum of 1,800 sqft of lot area and an 18 foot lot width for the proposed Flat use.

As per Section C-303.4 "Each new lot being created to be used and occupied by a single dwelling unit or flat building, shall have a street frontage measured along the street lot line as distance equal to at least forty percent (40%) of the required minimum width of lot and in no case less than fourteen feet (14 ft.)." As indicated on the attached Site Plan, the complete width of each lot is street frontage, and the minimum width of each lot exceeds 14 feet.

Accordingly, the Project satisfies the Subdivision requirements for the subject RF-1 zone.

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## **The Project complies with the general zoning requirements in the RF-1 Zone**

### *Uses*

Flats are a permitted use in the RF-1 Zone, as per Section U-301.1(b). Accordingly, the proposed use is permitted as a matter of right.

### *Height and Stories*

Pursuant to Section E-302.2 “New construction of three (3) or more immediately adjoining residential row dwellings or flats, built concurrently on separate record lots, shall be permitted a maximum building height of forty feet (40 ft.) and three (3) stories.” Under Subtitle B-308.2 the building height measuring point (BHMP) is established “at the existing grade at the midpoint of the building façade of the principal building that is closest to the street lot line”. The proposed structures on each lot are 39’-4” measured from the BHMP, as shown in the attached building section. Accordingly, the proposed height of the Project is in compliance with the 40 feet height requirement.

Furthermore the Project consists of three (3) stories above a cellar whose ceiling is 3’-11” above grade per the definition of cellar set forth in Section B-100.1 Accordingly, the Project’s proposed 40 foot height and three stories are in compliance with the building height limitations.

### *Penthouse*

There is no penthouse proposed on the Project. However there will be roof terraces which are accessed by exterior stairs from a landing on the third floor. Any roof terrace guardrails will be setback from the front and rear roof lines at a 1:1 dimension pursuant to Subtitle C-1502.1(a-b). Building party walls will extend up 4’ (4 feet) to form a parapet that can function as railings on the sides.

### *Lot Occupancy*

Pursuant to Section E-304.1, flats are permitted to be a maximum of 60% lot occupancy. As per the attached site plan, each of the four (4) buildings have a lot occupancy of 1,113.5 sqft, or 60% of each lot. Accordingly the Project complies with the RF-1 lot occupancy requirement.

### *Rear Yard*

Pursuant to Section E-306.1 each lot is required to provide a twenty (20) foot rear yard. Per the attached site plan, each lot has an irregular side lot line. The shallowest rear yard is 22 ft. and the deepest is 54 ft. The average depth of all the rear yards is 26’-9”. Accordingly, the Project complies with the RF-1 rear yard requirements. Furthermore, per Section E-205.4, no part of the Project extends more than 10 feet (10’) beyond the farthest rear wall of any adjoining property.

### *Front Setback*

Pursuant to Section E-306.1 the front façade of each structure in the Project is in alignment at the front property line on the same plane to match the existing front setbacks of structures on the same side of S Street, so to comply with this requirement.

### *Parking*

Pursuant to Section C-702.3 "Vehicle parking shall not be required: (a) For a detached single dwelling unit, a semi-detached single dwelling unit, an attached single dwelling unit, rowhouse, or flat within the R and RF zones, if the lot does not have access to an open, improved, and public alley with a right of way of ten feet (10 ft.) width minimum. Since Lots One, Two and Three (1-3) do not have access to a public alley off-street parking spaces are not required. Nonetheless, even though not required, the Project will include a shared 10' wide driveway that will provide access to Lots One, Two, and Three (1, 2, & 3). An easement (see attached draft easement language) will be established to allow the shared use of this driveway to all four (4) of the proposed lots. Each lot contains areas for two (2) Limited Common Elements (LCE's) that will provide non-required parking spaces for each of the dwelling units on Lots 1-3. Lot #4, which does have access to a public alley, will provide the one required off-street parking space adjacent to the alley, as shown as labeled P-1 on the attached Proposed Site Plan, in addition to two "LCE" non-required spaces.

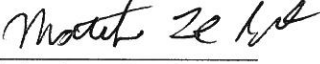
### *Pervious Surface*

Pursuant to Section E-204.1 each lot shall contain at least a 10% minimum pervious surface. This will be accomplished through a combination of planted areas and permeable pavers at grade, along with green roofs which will be indicated and detailed on the final permit drawings. Therefore the Project is to be designed to meet the minimum pervious surface requirement.

### **Conclusion**

Based on the review of the attached plans, the Subdivision and the Project on each property complies with the RF-1 zone requirements. Accordingly, the Project may be permitted as a matter-of-right. Therefore, when a Subdivision plat and the building permit applications for the Project are filed, my office will approve drawings that are substantially consistent with the plans attached to this letter.

This determination letter constitutes the first writing reflecting the administrative decision. Therefore, under Subtitle Y-302.5 of the District's Zoning Regulation, no subsequent document including a building permit or certificate of occupancy, can be appealed unless the document modifies or reverses this letter or reflects a new decision.

Sincerely,   
Matthew Le Grant  
Zoning Administrator

Attachments: Plan Set and photographs dated 7/28/2017  
Irrevocable Easement Agreement