



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

April 21, 2021

**Via Emailed PDF**

Kate Donahue, RA  
Four Brothers Design + Build  
4009 Georgia Ave NW,  
Washington DC 20011

Re: **PDRM for Accessory Apartment - 3131 38th St NW- Square 1923, Lot 20**

Dear Kate Donahue:

Below is a summary of the PDRM virtual meeting held with Brittany Bullock on March 3, 2021 for a proposed Accessory Apartment in a detached accessory building at the rear of the lot at 3131 38th St NW, which is zoned R-1-B. A separate detached carport with shed is also proposed. At the meeting the attached drawings were reviewed, and the below list of zoning questions were also discussed.

**Accessory Apartment**

The proposed detached accessory building housing the Accessory Apartment will be two (2) stories, 19 feet 8 inches in height, which conforms with the accessory building height limitation of a maximum of two stories and twenty (20) feet, as set forth in D-5002.1. This accessory building must be set back 12 feet from the adjacent alley centerline as per Section D-5004.1. The building also conforms with the Maximum Building Area limitation set forth in Section D-5006.1 which limits the building footprint to 450 square feet, with 448 square feet proposed.

The occupancy of the Accessory Apartment will be subject to the limitations set forth in Sections U-253.5 and .6, that 'Either the principal dwelling or accessory apartment unit shall be owner-occupied for the duration of the accessory apartment use'; and 'The total number of persons that may occupy the accessory apartment shall not exceed three (3)....'.

The access requirement for the Accessory Apartment are met through Section U-253.8(c)(3) as the adjacent alley is 20 feet wide, exceeding the 15 foot wide minimum alley width requirement.

## **Other Zoning Questions**

- The separate detached carport/shed does not count towards the building area of the ADU since it is a separate structure, but it will be counted towards the total lot occupancy.
- There are not any zoning issues with the two accessory buildings on the lot (i.e. Accessory Building and the separate carport/shed).
- The carport/shed's structural posts must be placed at least 12 feet from the alley centerline as per Section D-5004.1.
- Under the Zoning regulations, the roof overhang or eaves for the Accessory Building and the carport/shed may reach the rear and side property lines, but you will need to check with DCRA's Permit Operations Division to see if this creates any conflicts with the DC Construction or Building Code.
- The carport/shed is allowed to be within the side yard setback.
- The carport/shed's lot occupancy is measured from the line of the roof overhang.
- The proposed deck, which has a height of approximately 10 inches, is allowed to extend to the side property line, and be within the side yard setback.

Please feel free to contact me if you have any questions.

Sincerely, ***Matthew Le Grant***

Matthew Le Grant  
Zoning Administrator

Attachment: Plan Set dated 4-8-21

Zoning Technician: Brittany Bullock

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.