



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

September 21, 2020

VIA EMAILED PDF

R. Michael Cross Design Group
ATTN: Michael Cross
2001 S Street NW STE 230
Washington, DC 20009

RE: Subdivision of 4107 New Hampshire Ave NW

Dear Mr. Cross:

This is to confirm the substance of discussion with my staff on February 1, 2019, concerning the proposed Subdivision of the lot, currently known as 4107 New Hampshire Avenue NW. This letter replaces my determination letter of June 5, 2020. The discussion had specific reference to lot and building located in Square 3228 at lot 0056, currently zoned RF-1, hereinafter referred to as the “Project”. You propose to subdivide the existing lot. The following is a list of clarifications provided to various aspects of the building project:

The proposed subdivision would create two lots that are conforming with the requirements of E § 201:

- a. One lot that is 21’ wide and 1,845 SF
- b. One lot that is 37.65’ wide and 1,500 SF (IZ)

As a result of the subdivision the existing structure on current lot 56, with a footprint of 1,144 SF, would have a Lot Occupancy of 62% which exceeds the allowable under E § 304.1 of 60%. The amount of deviation is within the limits of A § 304 to grant via Minor Flexibility as Zoning Administrator, and subsequently I approve this deviation.

The proposed use of the newly created lot is as a Two-Family flat which is conforming with the allowed Matter-of-Right uses in this zone per U § 301. Furthermore, in conformance with E § 201, one (1) of the two (2) units in the proposed building will be subject to IZ regulations outlined in Subtitle C Chapter 10:

1. The proposed building conforms with the Front Yard Setback requirements established by E § 305 as it shows the front wall of the new building aligning with the face of the adjacent structure.
2. The proposed building consists of three stories above grade, over a Cellar, this is permissible, provided the total Building Height is less than thirty-five feet per Subtitle E § 303.1 and § 303.7.
3. The proposed building is proposed to occupy 54% of the lot with is conforming with E § 304 which allows up to 60%.
4. You propose to provide one (1) parking space on each lot (see attached Plat), which conforms with Subtitle C, Table C § 701.5, wherein you must provide one parking space for every two units. The spaces are accessed via a shared 8' wide driveway with is conforming with C § 711.5 (c).
5. Rear Yard setback of the proposed building is shown 20' from a point equidistant from both side lot lines which is conforming with B § 318.3 and E § 306.

Accordingly, when you file the plans for a building permit, I will approve drawings that are consistent with the information noted above.

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

Sincerely, Matthew Le Grant
Matthew Le Grant
Zoning Administrator

Enclosure: Plat

Technician: Warren

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.

File: Det Let re 4107 New Hampshire Ave NE to Cross 9-21-20