



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

April 17, 2020

Edwin Lee  
100 Lakeview Ave, 3rd Floor  
Edgewater, MD 21037

[PDF sent via Email to: [edwincslee@gmail.com](mailto:edwincslee@gmail.com)]

**Re: 43 Missouri Avenue, NW – 20-Z-PDRM-00073**

Dear Mr. Lee:

This is to confirm the substance of the discussion with Ramon Washington at a Preliminary Design Review Meeting (PDRM) concerning the proposal to construct additions to, and add dwelling units to, an existing four dwelling unit apartment building so to result in an eight unit apartment building. It also reflects changes to the project that you made and communicated to us on April 15, 2020, showing a slight reduction for the added floor area.

**Zoning Data Summary:**

Zoning District:	RA-1
Current Use:	2 dwelling units on first floor, 2 units on second floor: Total 4 units
Proposed Use:	2 Units in cellar, 2 units on first floor, 2 units on second floor and 2 units on 3 <sup>rd</sup> floor: Total 8 units
Square/Suffix/Lot:	3393 0095
Lot size:	7,268 sqft of lot area
FAR:	0.9 or 6,541 sqft of GFA
Existing Gross Floor Area:	First floor: 1,628 sf + Second floor: 1,628 sf = <b>3,256 sqft</b>
Proposed Gross Floor Area:	First: 1,628 sf + 542 sf addition, Second: 1,628 sf + 542 sf addition, New third floor addition: 2,170 sf = Total <b>6,510 sqft</b>
Cellar Area:	Existing 1,628 sf + 552 sf = 2,180 sf - does not count towards FAR

**Project:**

1. Increase the size and units for an apartment building from 4 units to 8 units. Attached are the existing floor plans, exterior elevation, and existing

and an existing/proposed site plan, illustrating a third floor and rear addition, and the conversion of the cellar to two apartments.

2. **Building Height:** The building height measuring point (BHMP) is established at the existing grade at the mid-point of the building façade of the principal building that is closest to a street lot line. As shown on the attached elevation the existing building height is shown is 22'-4", and the added new third floor is proposed not to exceed the allowable RA-1 maximum building height of 40 feet.
3. **Story:** The number of stories shall be counted at the point from which the height of the building (front) is measured. The floor below first floor measured 1'-4" from the front grade which is less than 5'-0", therefore the floor below is a cellar. The cellar does not count toward the number of stories, nor the allowable FAR. The resultant project is a three (3) story with cellar building which is compliant.
4. **Not a New Residential Development:** Under Section U-421.1, and the Zoning Guidance document entitled ZA Guidance 2019-001, an addition to an existing residential building is deemed "New Residential Construction" when:

*Where a building permit application proposes....a 100% or greater increase in both the number of dwelling units and the new gross floor area (GFA) compared to the existing building,.. [excerpt]*

Here, although the number of units is increasing by 100% [4+ 4 = 8, or 100%], the square footage increasing is below a 100% increase in GFA; the increase of 3,254 sqft of new GFA to the 3,256 sqft of existing GFA, is less than 100% increase in GFA. Therefore, this is not a "New Residential Development" and therefore is allowed as a matter of right.

Accordingly, when the building permits are filed for, I will approve permits consistent with the above presented zoning criteria and compliance information.

Please let me know if you have any further questions.

Sincerely,   
Matthew Le Grant  
Zoning Administrator

Attachments: Site Plan Existing Floor Plans; Existing East Elevation

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.

Zoning Technician: Ramon Washington