DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR

January 27, 2021

Jeff Broadhurst, AIA
Broadhurst Architects, Inc.

VIA EMAILED PDF

Re: 5507 MacArthur Blvd, NW - Square 1438/Lot 0865 – Subject Proerty

Dear Mr. Broadhurst,

My staff discussed the proposed interior renovation and addition to the subject detached Single-Family dwelling in the R-1-B zone. The issues were as follows:

1. Subdivision – The Owners are in the process of applying for a Subdivision for the existing Tax Lot# 865 into a Record Lot. You provided (attached to email) a Boundary Survey by AAH Consultants, LLC certifying that the Lot is 4,999 sq. ft (Measured) and not 4,635 sq. ft. (Recorded). The Lot occupancy limit is Forty percent (40%) for the R-1-B zone. The existing dwelling plus the small rear addition has been calculated to 1,977 square feet which equals forty percent (40%) is permitted as shown on Architectural Drawings.

2. Pervious Surface – Subtitle C, Chapter 5, Section 501.2(b). *An addition to a principal or accessory structure, other than a historic resource, that increases the existing lot occupancy at the time of building permit application by ten percent (10%) or more requires a minimum of fifty percent (50%) pervious surface of the lot area*.

   The addition to the principal structure lot coverage from thirty-eight (38%) percent to forty (40%) percent does not increase the lot occupancy by ten percent (10%), so therefore Section 501.2(b) will not apply.

3. Mechanical Penthouse associated with an Open Roof Terrace. Subtitle C, Chapter 15, Section 1500.3 is as follows: *A penthouse may house mechanical equipment or any use permitted within the zone, except as follows for Section 1500.3(b): Within residential zones in which the building is limited to thirty-five feet (35 ft.) or forty feet (40 ft.) maximum, the penthouse use shall be limited to penthouse mechanical space and ancillary space associated with a rooftop deck, to a maximum area of twenty percent (20%) of the building roof area dedicated to rooftop unenclosed and uncovered deck, terrace, or recreation space.*

The Addition has been measured at a maximum height of thirty-four feet and four inches (34'4") and the proposed roof terrace and mechanical penthouse is less than twenty percent (20%) for a total of 260 sq. ft. of the roof area.

4. Roof Deck Guard Rail – Subtitle C, Chapter 1500, Section 1502.1 is as follows:

> *Penthouses, screening around unenclosed mechanical equipment, rooftop platforms for swimming pools, roof decks, trellises, and any guard rail on a roof shall be setback from the edge of the roof upon which it is located a distance equal to its height.*

The open Roof Deck guard rail at the roof level and the open Roof Deck at the front West side must be set back three feet (3 ft.) from the edge of the roof on all sides, **or a parapet wall may be built without a setback.** Per our email conversation of January 6, 2020 I have confirmed that you may provide a parapet wall, in the same plane with the exterior wall below, of solid glass to a height of 36" above the deck.

Also, as I reported to you in my email of January 6, 2020, I confirm that the third floor balcony is of less than ten feet (10 ft.) in depth, and therefore, that balcony may have any type of railing, without the railings needing to be setback, that the building code allows.

Please let me know if you have any further questions.

Sincerely, Matthew Le Grant

Matthew Le Grant
Zoning Administrator

Reviewer: Jeanette Anderson

Attachment: Plan Set dated 9-23-20

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.