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

January 25, 2013

James Phillips
Workshop T10
1429 5th Street NW
Washington, DC

Re: 608-610 Newton Place, NW, Washington, DC (Square 3038, Lots 0826 and 0092) (The "Property")

Dear Mr. Phillips,

As per our Preliminary Design Review Meeting held on December 3, 2012, I would like to memorialize our discussion regarding your proposed re-development of the property located at 608 and 610 Newton Place, NW (Square 3038, Lots 0826 and 0092). The property is located in the R-4 Zoning District and, after subdivision of the two lots into a single lot, will be 11,277 square feet of lot area. Based on the attached zoning analysis and revised drawings dated December 07, 2012, the proposed addition to the existing structure and conversion into twelve (12) residential units complies with the subject R-4 Zoning requirements and is permitted as a matter-of-right. In summary, I found:

Use

You are proposing to develop the property as an apartment house with twelve (12) units. Pursuant to 11 DCMR 330.5 (e), a conversion to an apartment house is permitted as a matter-of-right, provided that, under 11 DCMR 401.3 that the number of units is limited to one unit per each 900 sq/ft of lot area. The lot has 11,277 sq/ft of land area, so you may develop the property so as to contain a maximum of twelve (12) dwelling units (11,277 / 900 = 12.53)

Height

The proposed addition to the existing structure will not exceed forty (40) feet as measured from the grade at the middle of the front of the building, to the ceiling of the highest floor. The number of floors is limited to three (3), which the proposed structure complies with. There is no basement or cellar proposed.

1100 4th Street, SW 3rd Floor Washington, D.C. 20024
Phone: (202) 442-4576 Fax: (202) 442-4871

Lot Occupancy

Under Section 403.2, the maximum allowable lot occupancy for an apartment house is 'the greater of 60% of the lot or the occupancy of the building at the time of conversion' which is also 60%. In this case, with the addition, the proposed lot occupancy will be 56.4%, which is in compliance.

Rear Yard

The minimum rear yard requirement is 20 feet. The proposed development will have a rear yard of 23 feet, which is in compliance.

Open Court

The existing building has no side yards, which means that the irregularly shaped open areas on either side of the addition will be considered open courts for the purpose of zoning. Per Section 406.1, the minimum width of an open court is 4 inches/ 1 foot in height, but no less than 10 feet. The building height in the court is 36 feet, so the minimum width requirement is 12 feet. Per Section 199.1, the width of an irregularly shaped open court is determined by the diameter of the largest circle that may be inscribed in a horizontal plane within the court. The proposed court's minimum width of 13'-4" complies with the requirement. Both courts are in excess of the minimum requirements.

Closed Court

Per Section 406.1, the minimum width of a closed court is 4 inches/foot in height, but no less than 15 feet. The building height in the court is 36 feet, so the minimum width requirement is 15 feet. The proposed development plans reflect a closed court width of 15'-9". Per Section 406.1, the minimum area of a closed court is twice the square of the required width with a minimum area of no less than 350 sq/ft. The proposed closed court will be approximately 500 sq/ft, so it complies.

Parking

As per 11 DCMR 2102.1, one parking space is required for each three (3) dwelling units in the subject R-4 zone. The project will require a minimum of four off street parking spaces. Eleven (11) parking spaces are provided as per your plans; this then exceeds the minimum off street parking requirement

Penthouse

The penthouse must comply with 1:1 setback ratio from the top of the edge of the roof in all directions. As per the plans, the difference between the top of the parapet at the edge of the roof and the top of the penthouses is 7'-4" at the front façade 8'-0" for the remainder of the building, and all penthouses are set back accordingly from the edge of this parapet.

Inclusionary Housing Requirement

The need to provide Inclusionary Housing units under Chapter 26 of the zoning code is dependent upon the addition of ten (10) or more dwelling units to an existing structure. If ten or more units are being added, then the requirement for affordable housing units is then determined by whether 50% or more floor space is being added. A determination on compliance with inclusionary zoning is dependent on the provision of proof as to the previous number of units. Based off of the attached documentation, I have concluded that the existing structure was built as and contains four residential units. As such, since the total additional unit count is eight, Inclusionary Zoning units will not be required.

Conclusion

To the extent addressed in this letter, the proposed residential development at 608 and 610 Newton Place, NW as presented to me and shown in the attached drawings is consistent with the zoning requirements set forth in DCMR Title 11 . Accordingly, when you file the plans for a building permit, I will approve drawings that are consistent with the plans and zoning data sheets attached to this letter. Please let me know if you have any further questions.

Sincerely,

Matthew Le Grant
Zoning Administrator

Attachments- Revised Plans dated 12/5/12

File: Det Let re 608-10 Newton Pl NW to Phillips 1-25-13