



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

November 12, 2021

Charles Warren
Teass/Warren Architects
515 M Street, SE, Suite 200
Washington, DC 20003

Re: 1744-1748 Lanier Place, NW

Dear Mr. Warren,

This is to confirm the substance of your discussion with Ramon Washington on May 24, 2021, concerning the proposed conversion of three, existing semi-detached row buildings currently being used as a lodging establishment located at 1744, 1746 and 1748 Lanier Place NW. I issued a separate determination letter, with respect to the proposed use of the project, in January 2021. The specific lots in question are 359, 360, and 523 in Square 2580, hereinafter referred to as the "Project". The lots are zoned RF-1.

You propose to convert the existing buildings into three, three-unit apartment buildings, for a total of nine dwelling units. A rear addition is proposed to the buildings at 1746 and 1748 Lanier. Second-story additions to the existing accessory buildings are being proposed at 1746 and 1748 Lanier.

The following is a list of items discussed during the meeting with my staff:

1. **Front Porch addition of Railings and Balcony.** The existing buildings have open covered porches. The project is proposing to add a balcony and roof deck over the existing porches. The changing of the roof to a walking surface would be considered an alteration per Subtitle E § 206.1. **The plans submitted to DCRA for review would need to eliminate the roof deck and railings, or you would need to seek relief from the Board of Zoning Adjustment (BZA) for the alteration.**
2. **Stairs of Accessory Buildings Projecting into Required Yards.** The project proposes a spiral stair to the second floor of each of the existing accessory buildings. The first floor of the accessory building houses the required parking spaces. The plans provided show the stairs encroaching into the

minimum rear yard of twenty (20') that is required per Subtitle E § 306.1. In this case, I have determined that the stairs are providing access to the principal entrance of the habitable floor of the accessory building. Therefore, the stairs are permitted to occupy the rear yard per Subtitle B § 324.1(c). Furthermore, the stairs and landing would not be considered Building Area and would not count towards Lot Occupancy, but taking that exclusion into account, the maximum lot occupancy is 60%.

3. Second Floor Addition to Accessory Buildings. The project is proposing an addition to two of the accessory structures on 1746 Lanier and 1748 Lanier. The proposed drawings show habitable space consisting of a living space, a full bathroom, and a separate sink. The use proposed would be incidental to the use of the principal building. A “**Declaration of Covenants Prohibiting Use of a Space as a Separate Dwelling Unit**” will be required to be recorded prior to Zoning Approval during permitting. Subtitle U § 301.1(g) states that any expansion of an accessory building for residential purposes shall be permitted only via special exception. This provision applies only if you are proposing a new dwelling unit in the accessory buildings. As the respective accessory structures will consist of ancillary residential space, and are not being proposed as separate dwelling units, you will need to record a covenant to that effect. This accessory use is permitted as a matter-of-right and does not require special exception approval.
4. Accessory Building Height. The maximum height of the addition to the accessory structure is twenty-two feet (22') and two (2) stories, as per Subtitle E § 5002.1. The height is measured to the top of the parapet.
5. Parking. The accessory buildings/garages on each lot have two existing 9 ft. x 18 ft. parking spaces.¹ You are proposing to maintain that parking as part of the project. I have determined this meets the parking requirements under Subtitle C § 701.5, which requires 1 space per 2 dwelling units.

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

Please let me know if you have any further questions.

Sincerely, Matthew Le Grant
Matthew Le Grant
Zoning Administrator

¹ The Zoning Commission recently passed text amendment No. 21-04 which became effective on August 20, 2021. Pursuant to C § 712.3(c), when two (2) or fewer spaces are required, and you have access to an alley with a width of at least 15 feet, the spaces may meet the compact-sized dimensions—in this case 8 feet by 16 feet. The subject spaces exceed the compact space requirements and actually meet the new minimum full-sized space requirement of 9 feet by 18 feet.

Zoning Technician: Ramon Washington

Attachments: PDRM study dated 24 May 2021

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.