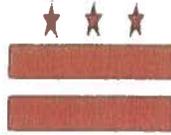


**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR**



March 26, 2012

Mr. Jose Diaz- Asper  
Fairmont Developers, LLC  
3922 Macomb Street, NW  
Washington, DC 20016

Re: Square 2894 and Lot 904 on the 3400 Block of Sherman Avenue NW  
Confirmation of Matter-of-Right Zoning Parameters

Dear Mr. Diaz-Asper:

Per our meeting of February 10, 2012, I would like to memorialize our discussion regarding your proposal to subdivide the properties at Lot 904 and 902 of Square 2894 and subsequently develop the property at Lot 904. I understand that Lot 904 is currently an empty lot of approximately 5,606 square feet. Lot 902 has an existing building and is approximately 8,743 square feet. You will purchase Lot 904 and another buyer will purchase Lot 904 and subdivide the properties as outlined below.

As I confirmed during our meeting, your proposal to subdivide and develop the property as discussed in our meeting and indicated in your schematic site plan titled 'site plan 1' dated 2-9-12, presented at the meeting [attached], would be permitted as matter-of-right under the R-4 district zoning classification of the property. No zoning overlay nor active PUD currently applies to this property.

Use

You propose to apply for a subdivision to take a 4' by 112' piece from Lot 902 and give it to Lot 904, and to divide Lot 904 into three separate lots, each 18' by 112' (consistent with the R-4 zoning minimum requirement of 18' by 100'). Pursuant to the table in Section 401.3 of the D.C. Municipal Regulations - Zoning ("Zoning Regulations"), the subdivision you propose is permitted as a matter-of-right. You propose to build a 2-unit building (or flat) on each of the three new lots, as allowed by Section 330.5 (b) of the Zoning Regulations.

Height

The proposed buildings will not be taller than 40' as separately measured from the finished grade in the middle of the front of each building to the ceiling of the third floor. The number of floors will be limited to three stories plus a cellar, the ceiling of which shall not be higher than 3'-11" above the adjacent grade. Areaways and window wells of reasonable size at the cellar level will not affect the building height measurement. Stairway enclosures for access to roof decks on the proposed buildings will be allowed as per Section 400.7 and Section 411.

Floor Area Ratio

As per the table in Section 402.4 of the Zoning Regulations, no floor area ratio limitation is prescribed for R-4 districts.

Lot Occupancy

Under the table in Section 403.2; the lot occupancy allowed is a maximum of 60% of the lot. The proposed lot occupancy would be less than the 60% allowed, and would be in compliance with the Zoning Regulations.

Rear Yard

The Zoning Regulations require a rear yard of at least 20'. The proposed development will satisfy this requirement.

Side Yard

The new buildings will have no side yards, which will comply with the Zoning Regulations.

Parking

As per Section 2101.1, a minimum of one parking space must be provided for each single family dwelling unit in a R-4 district. The project will provide two full size parking spaces per unit, and thus it will exceed the minimum requirement.

Access to the parking will be provided via a driveway from an existing 10' wide curb cut on Sherman Avenue NW that will cross Lot 902 (using easement granted by the owner) to the rear of Lot 904. Access will also be provided by an existing 15' wide alley in the rear of the property. The property currently has a 7½' wide access to the end of this alley, and I understand that you may secure an agreement with the neighbor to widen the access, as this will improve their access as well.

Conclusion

To the extent addressed in this letter, the proposed subdivision of Lots 904 and 902 at square 2894 and subsequent residential development of Lot 904 is consistent with the requirements set forth in Title 11 of the Zoning Regulations.

Sincerely, Matthew Le Grant  
Matthew Le Grant  
Zoning Administrator

Attachment – Site Plan 1 - dated 2-9-12

File: Det Let re SSL 2894 904 - Sherman Ave NW to Diaz-Asper 3-26-12