



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

November 25, 2019

David C. Landsman, PE, Prof. LS  
CAS Engineering-DC, LLC  
1001 Connecticut Avenue, NW, Suite 401  
Washington, DC 20036

Re: 5713 Potomac Avenue, NW  
Lots 0059 & 0837, Square 1452, Palisades  
Zoning Confirmation

Dear Mr. Landsman,

This letter will confirm the substance of the PDRM held with my staff on July 26, 2019. As presented during the meeting, the site currently is a record lot and A&T lot improved with a single-family detached dwelling, 2-story with cellar. The subject property is in the R-1-B Zone. The project proposes to raze the existing dwelling, combine the two lots into a single record lot and construct a 3-story detached dwelling with cellar, driveway, accessory building and associated appurtenances. A roof deck with exterior (open) stair will also be constructed over the uppermost story of the dwelling with either a parapet extension or railing with setback to surround the roof deck area. As discussed, I confirm the project's compliance with respect to the zoning criteria under 11 DCMR as noted below.

**Roof Deck and Access**

Roof decks are permitted with any railings at a 1:1 (rail height from exterior wall) setback or with a parapet (4-foot maximum height) extended up from the exterior building wall. An exterior stair, spiral or otherwise, is permitted access to a rooftop deck. This stair is required to be counted in lot occupancy and must be open to the sky, but does not have to observe the 1:1 setback for railings. For reference, no penthouse or enclosed stairs are permitted above the 3<sup>rd</sup> floor, and none are proposed for this project. Railings at the 3<sup>rd</sup> floor and below levels are not required to be setback at 1:1 if the balcony area behind the railing is 10-feet or less in width.

I have reviewed the attached architectural concepts and concur that the roof deck and railings/parapets shown meet the requirements of 11 DCMR. Option A

shows a railing set back at 1:1, Option B shows extended parapets for the roof deck.

### Applicable Zoning Criteria Analysis

Criteria	DCMR Reference	Allow./Req.	Provided
Bldg. Height	11 DCMR D-303.1	40 feet	<40 feet
Bldg. Stories	11 DCMR D-303.1	3 + cellar	3 + cellar Reference building height, stories and BHMP clarification/determination discussion below.
Lot Occ.	11 DCMR D-304.1	40%	<40% At grade patios, walls, driveways, pools, etc. do not count. House, accessory building, covered patios/porches, elevated (>4' above grade) patios/terraces, etc. count.
Front Yard Setback Range	11 DCMR D-305	Low Range	15.0 ft. The setback for the adjacent house to the east appears to be the closest and may be used as the low range/limit for the front yard setback for each lot. The front yard setback range includes properties along Potomac Avenue, NW within the same block and R-1 through R-3 zones.
Rear Yard	11 DCMR D-306	25 feet	>25 feet
Side Yard	11 DCMR D-206	8 feet	>8 feet
Pervious Surface	11 DCMR D-308	50% min.	>50% Pervious surface includes pervious pavement, lawn areas, decks over grade that do not preclude the infiltration of water into the soil below, and green roofs.

Green Area Ratio (GAR) does not apply to the R-1-B zone.

### Accessory Building Height (11 DCMR D-5002)

An accessory building may be 2-stories and 20-feet tall maximum, measured from the finished grade at the middle of the side of the accessory building facing the main building to the highest point of the roof of the building. The BHMP for the accessory building is on the west side of the structure exterior wall.

### Accessory Building Rear Yard (11 DCMR D-5004)

The accessory building shown is located entirely in the rear yard and is not adjacent to an alley. Pursuant to our discussions, I have confirmed that the minimum distance for the accessory building to be detached from the main building is 6 feet, the minimum width of a court, as per my office's consistent policy.

I have reviewed the accessory building placement and concur that it complies with the requirements of 11 DCMR with the accessory building in the rear yard for the proposed single-family detached dwelling as shown.

**Accessory Building Maximum Building Area (11 DCMR D-5006)**

An accessory building shall be less than the maximum building area of 30% of the required rear yard (25-foot required rear yard x 165-foot lot width (at rear of covered terrace) x 0.3 = 1,237 square feet). The accessory building area is measured as the maximum horizontal projected area of the building, inclusive of portions of the building that do not extend above the level of the main floor of the building pursuant to 11 DCMR B-199.

I have reviewed the accessory building maximum building area and concur that the aggregate accessory building area complies with the requirements of 11 DCMR as shown.

**Accessory Apartment (11 DCMR U-253):**

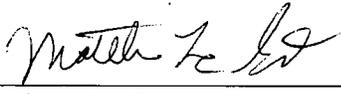
It was presented that the accessory building may have a kitchen area and multiple bathrooms, and that the intention is to create a pool house and guest house area, not an additional dwelling unit. A dwelling unit covenant will be prepared and recorded to confirm that this area does not constitute or create a separate dwelling unit. If an additional dwelling unit is desired to be created, it is permitted in this zone, but must meet the requirements of 11 DCMR U-253.

I have reviewed the attached Preliminary Concept Sketch and concur that the project complies with the applicable Zoning Regulations for the R-1-B Zone and 11 DCMR.

Accordingly, when the building permit is filed for, I will approve the consistent with the above presented zoning criteria and compliance information. Please let me know if you have any further questions.

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.

Sincerely,   
\_\_\_\_\_  
Matthew Le Grant  
Zoning Administrator

Attachments –

Preliminary Building Restriction Line Sketch dated 8-18-19  
Architectural plan dated 7-25-19

Zoning Technician: Chyna Barber

File: Det Let re 5713 Potomac Avenue, NW to Landsman on 11-25-19