

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



January 17, 2012

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

Re: 1317 Shepherd Street, NW: Confirmation of Matter-of-Right Zoning

Dear Mr. Diaz-Asper:

As per our meeting of January 4, 2012, I would like to memorialize our discussion regarding your proposed re-development of the property located at 1317 Shepherd Street, NW. (Square 2823, Lot 804). The property is located in the R-4 Zoning District and is 7,808 sq. ft. in size. It is currently improved with a 2 ½ story brick structure with a basement. The existing building area is or 2,901 sq. ft. or 37.15% of the lot. I am confirming that your proposed re-development of the property as indicated in the drawings [attached] for the two schemes presented to me at our meeting would be permitted as matter-of-right under the zoning provisions applicable to the property. There are no zoning overlays nor any active PUD's that apply to this property.

Use

You are proposing to develop the property as an apartment house with 8 units. Pursuant to 11 DCMR 330.5 (e), a conversion to an apartment house use is permitted as a matter-of-right, provided that under 401.3 that the number of units are limited to one per each 900 sq. ft. of lot size. The lot has 7,808 sq. ft. of land area so you may develop the property so as to contain a maximum of eight [8] dwelling units ($7,808 / 900 = 8.68$).

Height

The proposed building will not exceed 40 feet as measured from the grade at the middle of the front of the building, to the ceiling of the highest [in this case, third] floor. The number of floors is limited to three (3), and a cellar level of which the ceiling of which shall not be higher than 4' above the adjacent grade. Areaways and window wells of reasonable size that serve a door or window are allowed.

Floor Area Ratio

There is no maximum FAR limitation applicable to this property.

Lot Occupancy

Under Section 403.2, the maximum allowable lot occupancy is 'the greater of 60% of the lot or the occupancy of the building at the time of conversion'. In this case the proposed lot occupancy is 52%, which is in compliance.

Rear Yard

The minimum rear yard required is 20'. The proposed development will have a rear yard of 24 feet 4 inches, which would be in compliance.

Side Yard

The existing building has one existing side yard 6' wide which is allowed in an existing building built before the enactment of the existing regulations. The other side has a non-conforming court 5'-11" wide and 28' deep. The proposed addition would either provide minimum 8' side yards for the addition [Scheme "3A"], or maintain the non-conforming court as is without increasing or changing the nonconformity [Scheme "3B"]. Any new addition will have at least a 8' minimum side yard on the eastern side .

Parking

As per 11 DCMR 2101.1, one parking space is required for each three (3) dwelling units in a R-4 district. The project will provide 3 full size parking spaces [minimum 9 feet by 19 feet] and thus comply. In addition, two additional compact spaces will be provided which is not required.

Conclusion

To the extent addressed in this letter, the proposed residential development at 1317 Shepherd Street, NW as presented to me and shown in the attached drawings is consistent with the zoning requirements as set forth in Title 11 of the District of Columbia Municipal Regulations. Accordingly, when you file the plans for a building permit, I will approve drawings that are consistent with the plans and zoning data sheet attached to this letter. Please let me know if you have any further questions.

Sincerely,



Matthew Le Grant
Zoning Administrator

Attached: Project Plans dated 1-4-2012

Preliminary Zoning and Development Potential analysis:

1317 Shepherd Street, N.W. Washington, DC

Square 2823 Lot 804 (Will need a new subdivision plat to change lot # - 6-8 weeks)

Zone: R-4

Overlay: None

P.U.D. : None

Lot Area: 7,808 sq. ft.

Year Built: unknown

Living Area: 4106 sq. ft.

Uses as a matter of right:

330.5 (e) Conversion to apartment house as per 401.3 and 403.2

401.3 – Conversion of a building (R-4) to an apartment house: 900sqft of lot area per apartment.

403.2 – Lot occupancy: 60% or existing lot occupancy as of the day of conversion if greater than 60%.

FAR - none prescribed.

Height: 40' measured as per definition of building height. In those districts in which the height of building is limited forty feet (40 ft.), the height of the building may be measured from the finished grade level at the middle of the front of the building to the ceiling of the top story.

No side yard required.

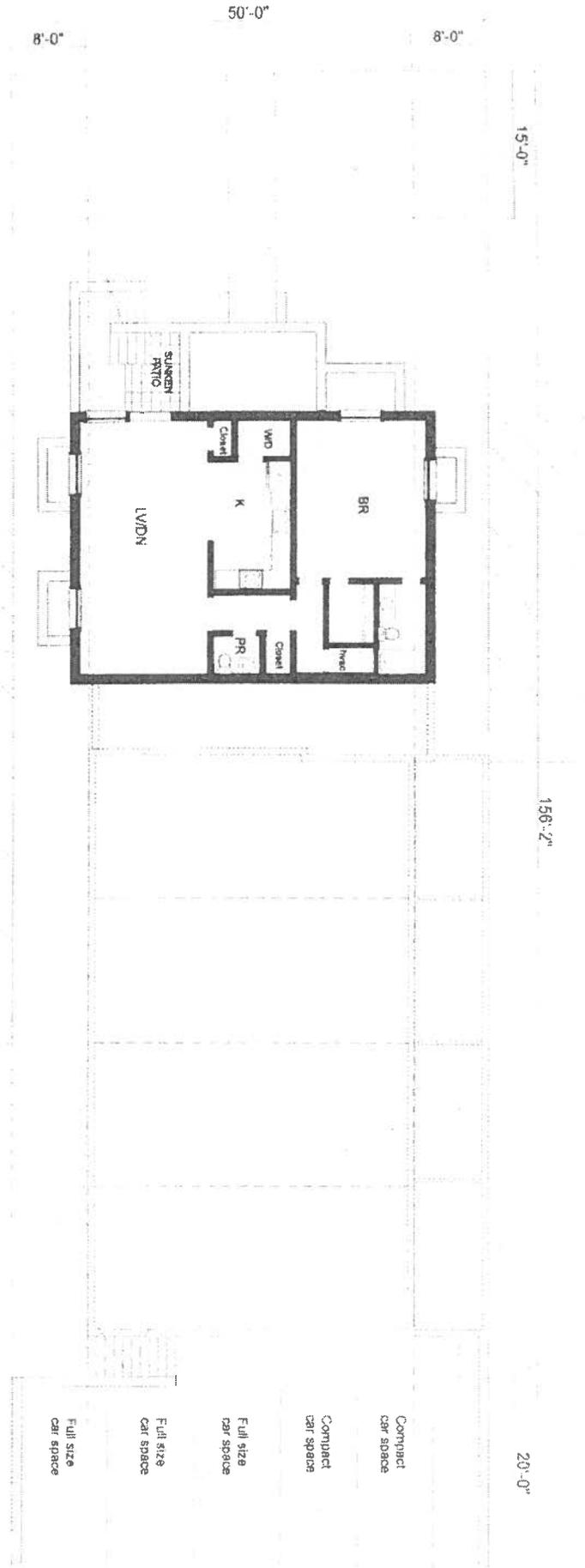
Rear yard – 20'

Parking: 1 per ea. 3 dwelling units in R-4 apartment house or multiple dwelling.

Preliminary development potential.

It appears that the building can be converted to 8 units (7808 sq.ft. / 900 sq.ft. = 8.67). You can build up to 60% of the lot for a total footprint of 4,685 sq.ft. x 3 floors = 14,054 sq.ft. or 1,756 sq.ft. per unit which is too much. So a smaller addition to give you 8 units 2 or 3 bedrooms with +/- 1,100 sq. ft. per unit for a total building size of 8,800 sq. ft. plus common areas sounds very possible. We would need 3 parking spaces. Let me know if I can be of further help. The location seems excellent. Good luck.

A. F. Clarens, AIA Architect



SCHEMATIC 3
CELLAR

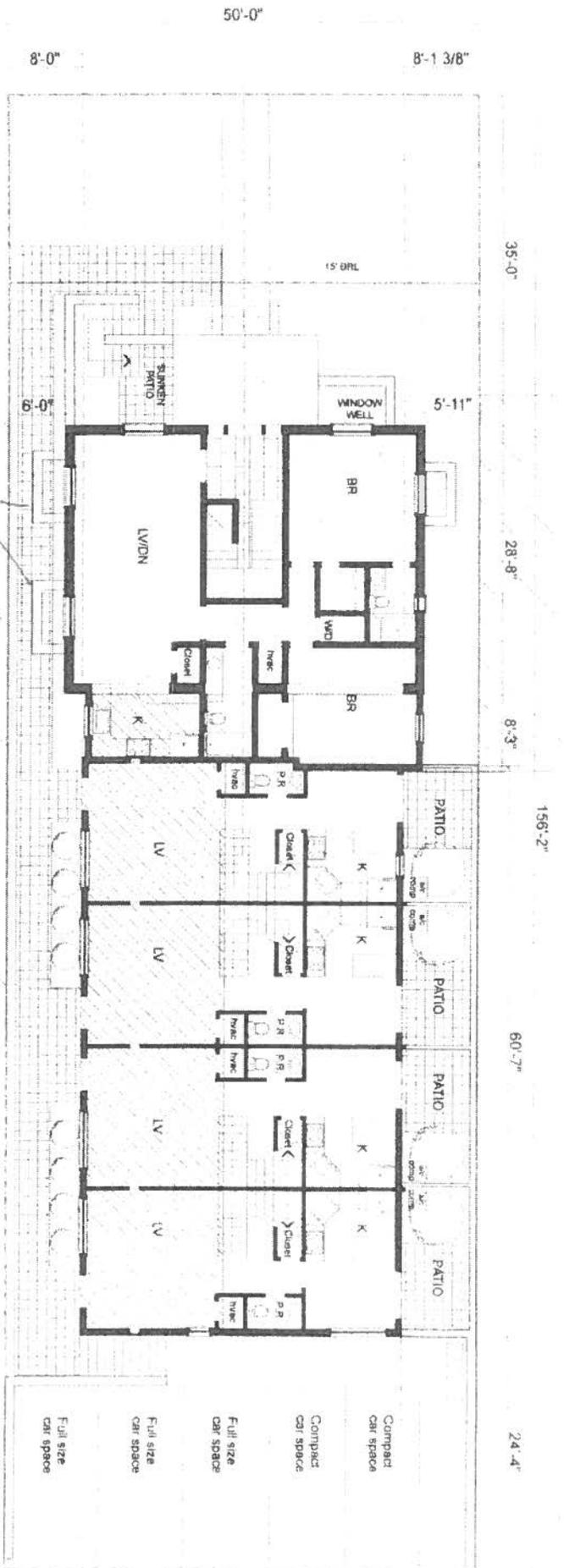
(1) ONE BEDROOM / ONE AND
ONE HALF BATH APARTMENT -
960 SQ.FT.



1/16" = 1'-0"

1

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SCHEMATIC 3A
1ST FLOOR

1/16" = 1'-0"



2

- (1) TWO BEDROOM TWO BATHROOM APARTMENT - 1,240 SQ. FT.
- (4) TOWNHOUSES 478 SQ. FT.
- (5) PARKING SPACES

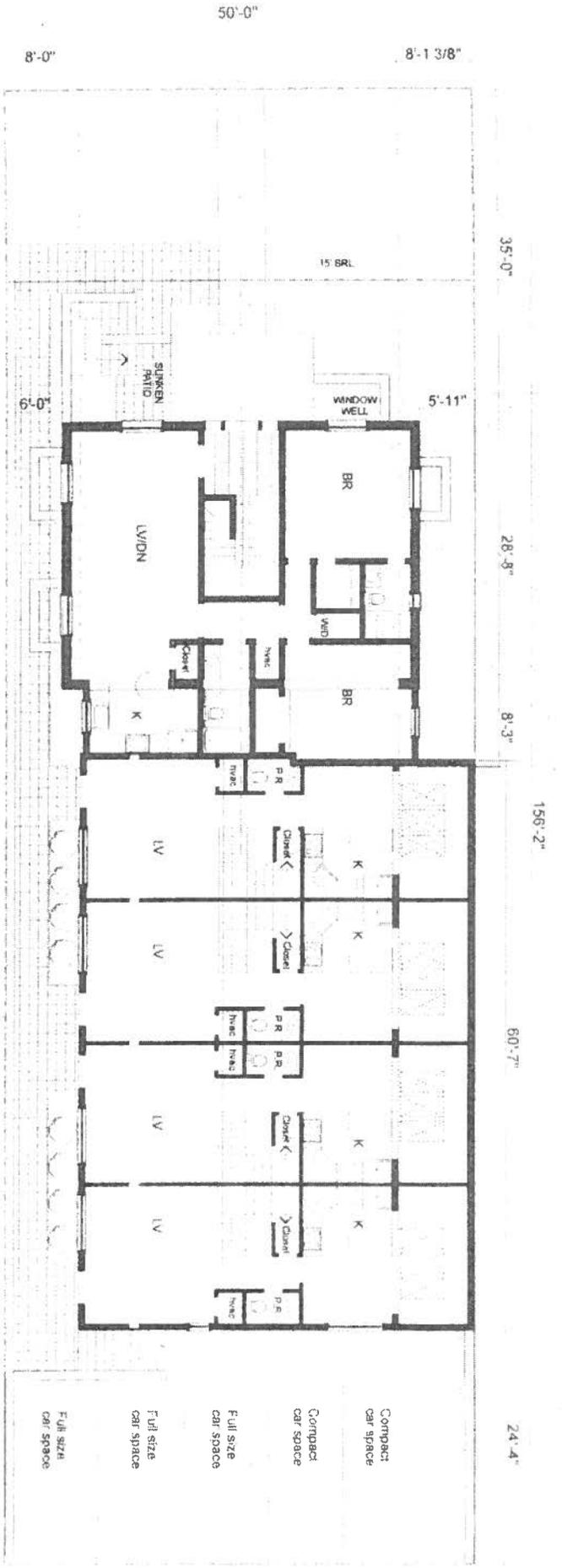
ZONING:
R-4: CONVERSION TO MULTI-FAMILY DWELLING
7,808 SQ. FT. SITE / 900 SQ. FT. = 8.68 = 8 UNITS
LOT OCCUPANCY: ALLOWED 60%
LOT OCCUPANCY PROPOSED: 45.65%
FAR: NONE
FRONT YARD: NONE/15' BRL
REAR YARD REQUIRED: 20'
REAR YARD PROVIDED: 24'-4"
SIDE YARD REQUIRED: NONE OR 8' IF PROVIDED
SIDE YARD PROVIDED: 8' ON WEST SIDE
8' ON EAST SIDE. EXISTING 5'-11" SIDE YARD ON WEST AND EXISTING 6' SIDE YARD ON EAST
HEIGHT ALLOWED 40' (FROM GRADE AT FRONT TO CEILING OF 3RD STORY)
HEIGHT PROPOSED: 40'

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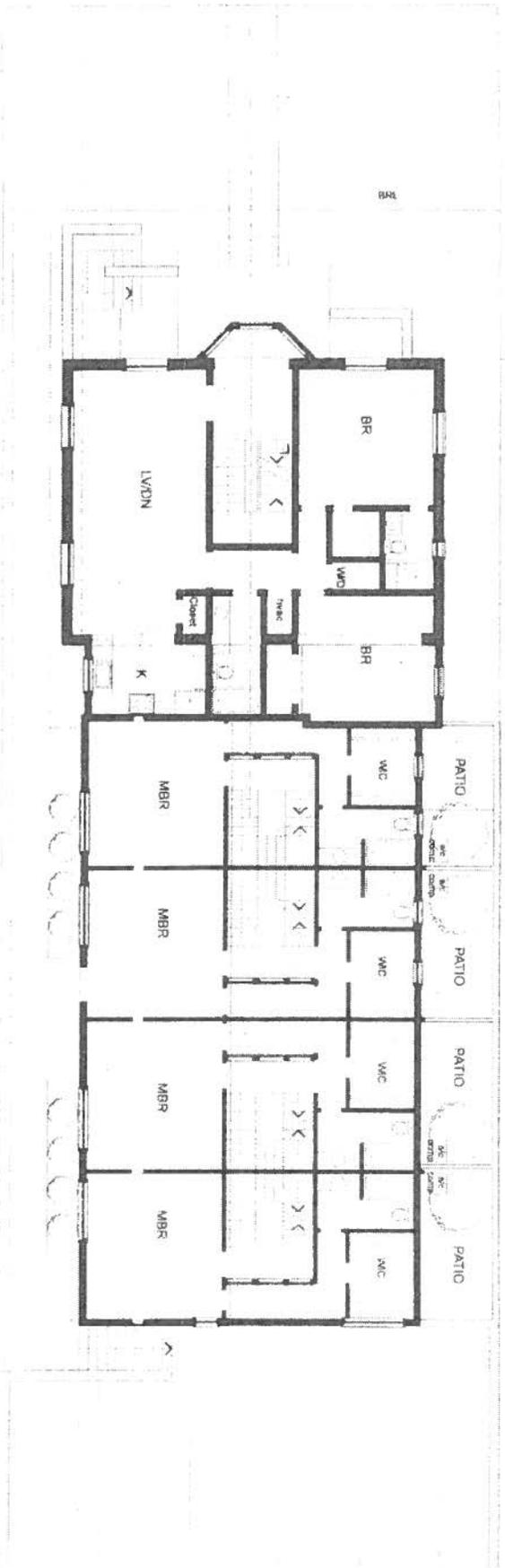
SCHEMATIC 3B
1ST FLOOR

- (1) TWO BEDROOM TWO BATHROOM APARTMENT - 1,240 SQ. FT.
- (4) TOWNHOUSES 574 SQ. FT.
- (5) PARKING SPACES

3

ZONING:
R-4: CONVERSION TO MULTI-FAMILY DWELLING
7,808 SQ. FT. SITE / 900 SQ. FT. = 8.68 = 8 UNITS
LOT OCCUPANCY: ALLOWED 60%
LOT OCCUPANCY PROPOSED: 51.93%
FAR: NONE
FRONT YARD: NONE/1/5 BRL
REAR YARD REQUIRED: 20'-4"
REAR YARD PROVIDED: 24'-4"
SIDE YARD REQUIRED: NONE OR 8' IF PROVIDED
SIDE YARD PROVIDED: 0' ON WEST SIDE
8' ON EAST SIDE. EXISTING 5'-11" COURT ON WEST
AND EXISTING 8' SIDE YARD ON EAST
HEIGHT ALLOWED 40' (FROM GRADE AT FRONT TO
CEILING OF 3RD STORY.
HEIGHT PROPOSED: 40'

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SCHEMATIC 3A
2ND FLOOR

(1) TWO BEDROOM TWO
 BATHROOM APARTMENT - 1,240
 SQ.FT.

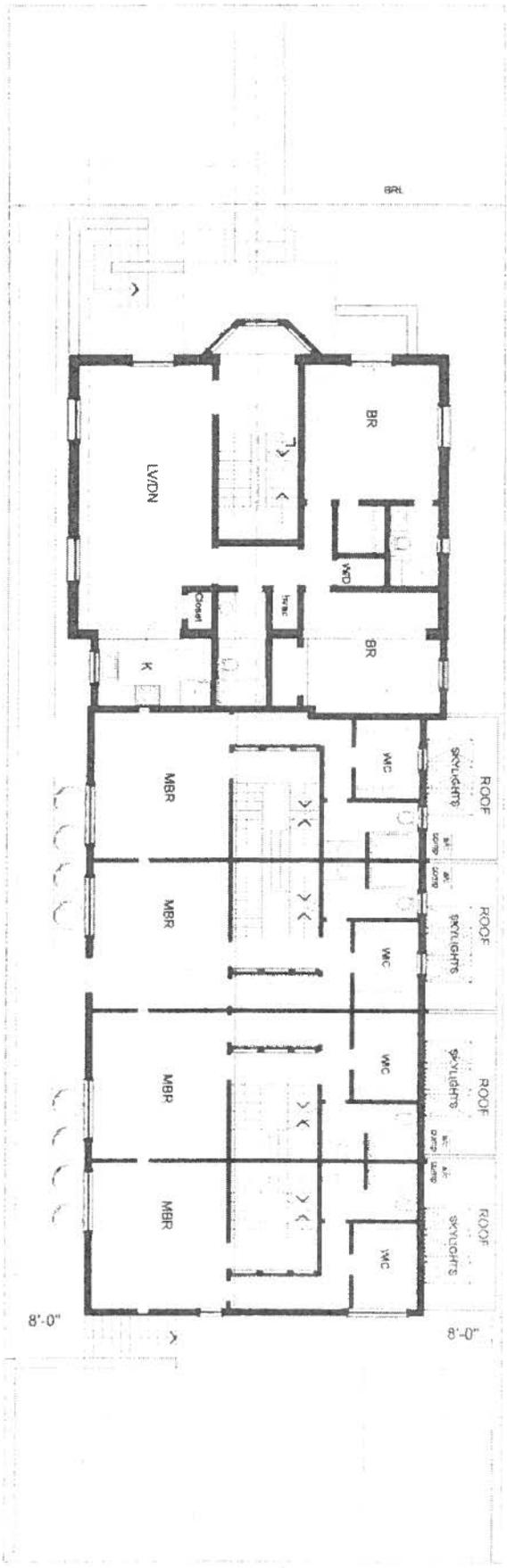
(4) TOWNHOUSES
 478 SQ.FT.

(5) PARKING SPACES

1/16" = 1'-0"

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SCHEMATIC 3B
2ND FLOOR

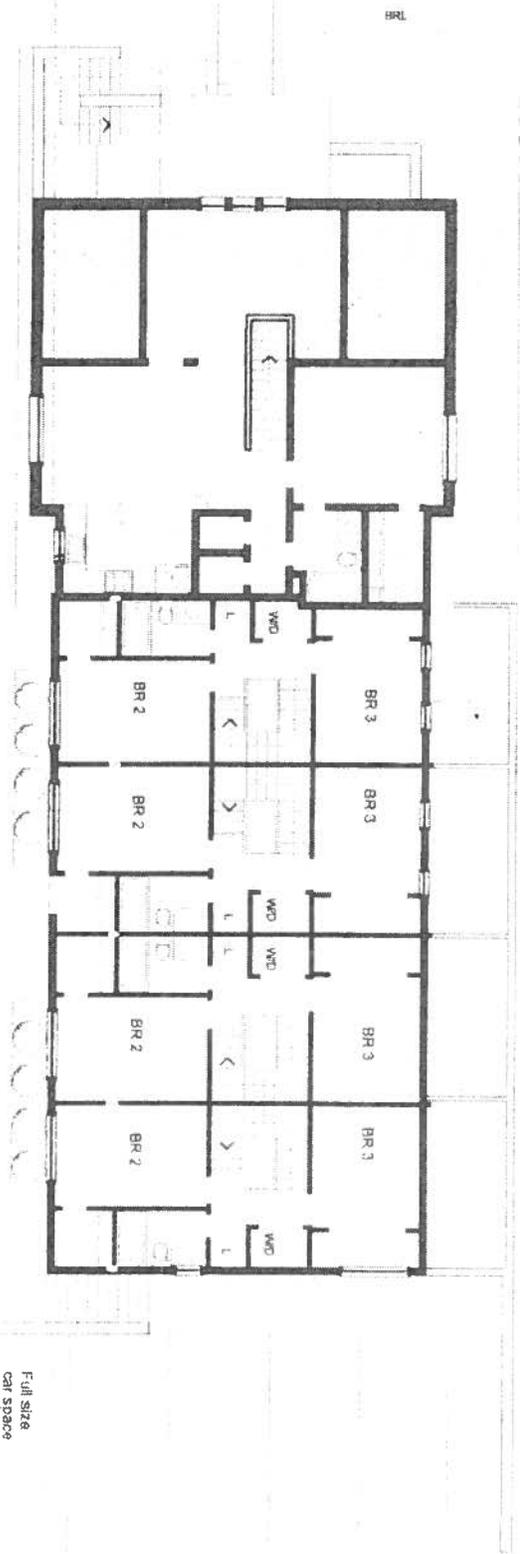
(1) TWO BEDROOM TWO
BATHROOM APARTMENT - 1,240
SQ.FT.

(2) TOWNHOUSES
574 SQ.FT.

1/16" = 1'-0"

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SCHEMATIC 3
 3RD FLOOR
 (1) ONE BEDROOM + DEN ONE
 BATHROOM APARTMENT - 961
 SQ.FT.

(4) TOWNHOUSES
 478 SQ.FT.

(5) PARKING SPACES

1/16" = 1'-0"

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