



Dwelling Unit Classification In Residential Building Projects Requiring Wet Bar Covenants

Dear Customers,

As part of our role, the DC Department of Buildings (DOB) Office of Zoning Administration (OZA) reviews various applications for conformance with the District of Columbia Zoning Regulations, including building permit and Certificates of Occupancy (C of O) applications for allowable use, occupancy load, and verification of address, lot and square.

One key aspect of this responsibility is the classification and definition of "**Dwelling Units**". Under the Zoning Regulations, a Dwelling Unit is defined as containing rooms for living, sleeping, eating, cooking, and sanitation. A Dwelling Unit is intended for a single household only.

Zoning Regulations and an accompanying [Zoning Administrator Interpretation ZA-031](#) define what a Dwelling Unit is in light of some residential property owners' desires to transition a single Dwelling Unit into a property containing more than one Dwelling Unit without adhering to zoning regulations. For example, some homeowners might refinish and renovate a basement to have a full bathroom, add a reduced kitchen area with a sink not associated with a bathroom or laundry room and no stove or gas line rough-in (also known as a "wet bar"), and proceed to rent out the area as a separate Dwelling Unit. This may be impermissible under applicable zoning regulations.

District zoning regulations place restrictions on the maximum number of Dwelling Units per lot in some residential areas. Thus, for pending and new residential building permits, OZA may request a "Wet Bar" Covenant

to be completed and signed by the property owner, and recorded by the Recorder of Deeds with the DC Office of Tax and Revenue (OTR) to ensure that any building plans abide by District zoning regulations and, in this case, that any portion of the entire Dwelling Unit will not be separately rented out. A template of the updated covenant is available [here](#).

For more information about District zoning regulations and our role, please visit our [website](#).



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