

September 6, 2023

**Via Emailed PDF**

Richard Scully c/o Elizabeth Stuart  
2021 Tunlaw Rd NW  
Washington, DC 20007  
Email: [estuart@rmichaelcross.com](mailto:estuart@rmichaelcross.com)

**RE: 2021 Tunlaw Rd NW - Construction of Single-Family Home on Alley Lot**

Dear Mr. Scully:

This is to confirm the substance of your discussion with my staff on June 22, 2023 concerning the proposed construction on the Alley Lot known as SSL 1300 0521, that is behind 2021 Tunlaw Rd NW, and hereinafter referred to as the “Project”.

The Project is to construct a new single-family home on the Alley Lot (see attached project plans). The following is a list of clarifications provided to various aspects of the project as a record alley lot in the R-3 Zone:

1. The subject lot is intended for construction of a single-family dwelling, per 11 DCMR U § 600.1 (f). A residential use is acceptable subject to the following:
  - a. The lot is fully within the R-3 zone.
  - b. The Alley Record lot is listed at 1,106 SF, which is greater than the 450 SF minimum.
  - c. The proposed construction is for (1) single-family structure. No accessory apartment is proposed.
  - d. The Alley lot has access to Tunlaw Rd NW which is within 300 linear feet of the Alley Lot and the existing alley is measured at 15’.
2. The ground floor contains a garage for one parking space, which is acceptable per 11 DCMR U § 600.1 (f)(5) so long as it is for use of the residents of the dwelling only.
3. The project would be limited to a maximum height of 20’ and 2 stories, including the penthouse, per 11 DCMR D § 5100.1 (a).
4. The below ground structure is a cellar as the finished floor above the lowest level is to be less than 5’ above existing grade and would not be included in the GFA per 11 DCMR B § 304.5. The cellar is NOT a story per 11 DCMR B § 310.2

5. The proposed structure does not have a maximum lot occupancy because the lot area is less than 1,800 SF per 11 DCMR D § 5100.1 (b).
6. The Project is required a 5' rear yard per 11 DCMR D § 5100.1 (c) as the rear property line does abut a non-Alley lot.
7. The Project is required one 5' side yard per 11 DCMR D § 5100.1 (d) as the west property line does abut a non-Alley lot. No side yard is required to the east as that property line abuts an Alley Lot.
8. The Project is required be setback 7.5' from the centerline of all abutting alleys per 11 DCMR D § 5100.1 (e). The abutting alley is 15', therefore the setback aligns with the front property line of the Alley Lot and therefore shall not require the structure to be set back on the property.
9. The project would be subject to 10% pervious surface per 11 DCMR D § 5100.1 (f)
10. Any penthouse proposed would be subject to 11 DCMR C § 1500; no penthouse is proposed, but there will be a hatch to access a roof deck.
11. The Project would be subject to provide (1) vehicle parking space per the requirements of 11 DCMR C § 701.5.

Accordingly, when building permits are filed for, my office will approve permits for this property consistent with the above presented zoning criteria and compliance information. Please let me know if you have any further questions.

Sincerely, Matthew Le Grant  
Matthew Le Grant  
Zoning Administrator

Attachments: Plan Set dated 5-31-2023

Zoning Technician: Greg Garland

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 DOB 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 DOB.

File: Det Let re 2021 Tunlaw Rd NW to Scully 9-6-23