



**DEPARTMENT OF BUILDING  
OFFICE OF ZONING ADMINISTRATION**

October 14, 2022

**Via Emailed PDF**

Martin Sullivan  
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**Re: 3106 18<sup>th</sup> Street, NW (Square 2599, Lot 47)**

Dear Mr. Sullivan:

This letter confirms your conversation with Gregory Garland on August 22, 2022, regarding compliance with certain elements of the Zoning Regulations for the construction of a new accessory building as a below grade garage off the adjacent rear alley on the property located at 3106 18<sup>th</sup> Street, NW (Square 2599, Lot 47) (the "Property"). The Property is located in the RF-1 Zone.

I have determined that, as represented in the longitudinal section drawing (attached as Exhibit A), the proposed accessory building will not count against Lot Occupancy (Section E-304.1) and will also not count against the Building Area and Rear Yard provisions pertaining to accessory buildings (Sections E-5003, 5004).

From my review of photos that you provided (Exhibit B), I have determined that the natural grade along the rear of the properties along this section of the alley behind the Property, and the natural grade of the Property itself, is elevated substantially above the grade of the alley, as you have represented in Exhibit A. The photos show clearly that this grade level, which is sustained by the existence of a series of retaining walls along this side of the alley, has existed for well over five (5) years.

Because the grade level has existed for more than five (5) years, that grade level is considered Natural Grade, as such term is defined in the Zoning Regulations.<sup>1</sup>

According to Exhibit A, the top of the proposed accessory building will be no more than 2' 3" above that natural grade level. As such, it falls within the exception to lot occupancy and other area requirements, including accessory building area and accessory building rear yard requirements, pursuant to Section B-324, since it is 4 feet or less above grade.

Please feel free to contact me if you have any questions.

Sincerely, *Matthew Le Grant*  
Matthew Le Grant  
Zoning Administrator

Attachments: Exhibit A – Longitudinal Section  
Exhibit B - Photos of Site

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 Department of Building 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 the Department of Building.

File: Det Let re 3106 18<sup>th</sup> St NW to Sullivan 10-14-22

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<sup>1</sup> Grade, Natural: The undisturbed elevation of the ground of a lot of a lot prior to human intervention; or where there are existing improvements on a lot, the established elevation of the ground, exclusive of the improvements or adjustments to the grade made in the five (5) years prior to applying for a building permit.