

September 11, 2023

Via Emailed PDF

David C. Landsman, PE, Prof. LS

CAS Engineering-DC, LLC

david@cas-dc.com

Re: 3900 Nebraska Avenue, NW - Lots 0811 & 0813, Square 1596, American University Park

Dear Mr. Landsman:

This letter confirms the substance the PDRM you had with my staff on May 2, 2023, an update to a prior Confirmation Letter issued by my office dated February 8, 2023 to reflect current lot and concept configuration. As presented during the meeting, the site currently is two Assessment and Taxation (A&T) lots (on the Tilden Street, NW and Upton Street, NW Highway Plans) improved with a single-family detached house with driveway to an integral garage and associated appurtenances. The subject property is in the R-1-B Zone.

The project proposes to retain the existing building for single-family detached dwelling use (by-right), and divide the rear of the property into twelve (12) separate Assessment and Taxation (A&T) lots each to be developed with a single-family detached dwelling. The new homes will be accessed via a shared driveway from Tindall Street, NW in the rear of the property.

As discussed, I confirm the project's compliance with respect to the zoning criteria under 11 DCMR as follows:

Applicable Zoning Criteria Analysis

<u>CriteriaDCMR</u>	<u>Reference</u>	<u>Allow./Req.</u>	<u>Prov.-12 Lot Scheme</u>
Lot Frontage	11 DCMR C-303	37.5 feet	50.0 feet min.
Lot Dim. (area and width)	11 DCMR D-302.1	5,000 sf 50 feet	6,847 sf min. 50.0 feet min.

Highway Plan and Lot Division:

It is noted that the property is crossed by the Tilden Street, NW and Upton Street, NW Highway Plans and will remain as Assessment and Taxation (A&T) lots **with no subdivision or recordation required**. A Plat of Computation will be required as part of permit submittals, but the lots once divided through the Office of Tax and Revenue (OTR) matching the Concept Plan attached will be recognized as buildable by my office.

Building Height	11 DCMR D-303.1	40 feet	<40 feet
		3 stories with cellar	3 stories

Lot Occ.	11 DCMR D-304.1	40%	39.9% shown
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At grade patios, walls, driveways, pools, etc. do not count. House, covered patios/porches, elevated (>4' above grade) patios/terraces, etc. count. Terraces and retaining wall elevated areas connected to the house (>4' above grade) count.

Front Yard	11 DCMR D-305	No range, see documentation below.	
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Setback Range

A front setback is required within the range of existing front setbacks off all residential buildings within an R-1 through R-3 zone on the same side of the street in the block where the building is proposed. For the subject property I have confirmed that the Tindall Street, NW block extends from Upton Street, NW (to the north) to 44th Street, NW (to the south). Pursuant to our discussions, the site does not currently have a front yard setback range as there are no homes fronting on Tindall Street, NW within this block face. When constructing the homes, sequencing will need to include the home closest to the street and the home furthest from the street lot line as the first two homes built to establish the range for the third house to be built. This should be adequately documented and outlined in permit submittals to my office.

Rear Yard	11 DCMR D-306	25 ft.	25.0 ft. min.
Side Yard	11 DCMR D-307	8 ft. ea.	8 ft. min.
Pervious Surface	11 DCMR D-308	50% min.	50.0% min.

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.

Tree Protection

The tree protection regulations of Subtitle C, Chapter 4 do not apply to this property in the R-1-B Zone without any overlay.

Driveway (11 DCMR C-711)

The shared driveway will serve greater than three (3) single dwelling units and must meet the requirements of 11 DCMR C-711.6. The shared driveway as shown will be 20-foot wide minimum (for Fire Department access) and may be denoted for one-way traffic with signage as part of permit

submittals. I concur that this access arrangement and driveways to off-street parking integral to the homes as shown on the Concept Plan complies with the Access and Parking Requirements of 11 DCMR.

I have reviewed the concept plan as proposed and concur that the development of the twelve (12) new single-family detached dwellings, one each, on the subject A&T lots, with retention of the existing structure as shown/proposed meet the requirements of 11 DCMR, specifically the sections of 11-D DCMR noted above.

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

Attachment: Concept Plans – dated 4/2023

Zoning Technician: Ernesto Warren

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 3900 Nebraska Ave NW to Landsman 9-11-2023