

September 18, 2023

Via Emailed PDF

David C. Landsman, PE, Prof. LS
 CAS Engineering-DC, LLC
 Email: david@cas-dc.com

Re: 4925 MacArthur Boulevard, NW - Lot 0017, Square 1393, Palisades

Dear Mr. Landsman,

This letter will confirm the substance the PDRM with my staff on April 26, 2023. As presented during the meeting, the site currently is a single corner Record Lot [at Ashby Street NW] , improved with a building (currently operating as a private school) with driveway, parking area and associated appurtenances. The subject property is in the R-1B Zone.

The project proposes to develop the property by *either* retaining the razing the existing building, subdividing the property into four lots, and constructing four new single-family detached dwellings with accessory buildings; *or* retaining the existing building, subdividing the property into three lots, and constructing two new single-family detached dwellings and associated appurtenances. As discussed below, I confirm the project’s compliance with respect to the zoning criteria under 11 DCMR as follows:

Applicable Zoning Criteria Analysis

Criteria	DCMR Reference	Allow./Req.	4-Lot Concept	3-Lot Concept
Lot Frontage	11 DCMR C-303	20 feet	41.42 feet min.	50.0 feet min.
Lot Dim. (area and width)	11 DCMR D-302.1	5,000 sf 50 feet	7,568 sf 50.0 feet min.	6,402 sf min. 50.0 feet min.

For the 4-lot concept, lot width for Lot A is measured along the west property line. Lot width is a function of lot geometry and not a designation of yards for future development of the lot. Lot D has a lot width measured at 30-feet behind along each side lot line from the street lot line pursuant to 11 DCMR C-304.1. Lot width behind the 30-foot measuring point for lot width is not regulated by 11 DCMR.

For the 3-lot concept, lot widths for all three lots are measured at 30-feet behind along each side lot line from the street lot line pursuant to 11 DCMR C-304.1, with two lots fronting MacArthur Blvd. Lot width behind the 30-foot measuring point for lot width is not regulated by 11 DCMR.

I have reviewed and confirm that the proposed subdivisions are both compliant with the Zoning Regulations of 11 DCMR.

Building Ht.	11 DCMR D-303.1	40 feet	<40 feet	<40 feet
	3 stories with cellar		3 stories with cellar	3 stories with cellar
Lot Occ.	11 DCMR D-304.1	40%	39.99%	39.99%
	At grade patios, walls, driveways, pools, etc. do not count. House, covered patios/porches, elevated (>4' above grade) patios/terraces, etc. count.			
Front Setback	11 DCMR D-305			
	Ashby:	8.75 ft. low	8.8 ft. min.	n/a
	MacArthur:	35.0 ft. low	35.0 ft. min.	35.0 ft. min.

A front yard setback shall be provided within the range of existing front setbacks of all residential buildings within the R-1-B zone, on the same side of the street in the block where the building is proposed. An exhibit/survey confirming the setback range will be provided with permit applications to demonstrate and confirm the front yard setback range.

For the 4-lot concept, Lot A is not required to observe the requirement for front yard setback range on MacArthur Boulevard pursuant to 11 DCMR B-315.3 which states that “if a lot has more than one (1) street lot line, the owner of the lot may choose the street lot line that shall determine the application of any front setback requirement.”

Rear Yard	11 DCMR D-306	25 ft.	25.0 ft. min.	25.0 ft. min.
Side Yard	11 DCMR D-307	8 ft.	8.0 ft. min.	8.0 ft. min.
Pervious Surface	11 DCMR D-808	>=50% 50%	50%	50%

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.

Accessory Building Provisions

Accessory Building Height (11 DCMR D-5002):

22 feet, 2 stories, measured from the finished grade at the middle of the side of the accessory building facing the main building to the highest point on the accessory building roof.

Accessory Building Maximum Building Area (11 DCMR D-5006):

30% of the required rear yard maximum or 450 square feet, whichever is greater. The required rear yard is measured 25 feet outward from the rear of the proposed house, extended to the side property lines. This area is the aggregate of all accessory buildings on the property and there is no limit to the count/number of accessory buildings on a property in the Zoning Regulations.

Accessory Building Rear Yard (11 DCMR D-5004):

Accessory buildings cannot be located within a required rear yard pursuant to 11 DCMR D-5004.1(a) and must observe a 25-foot separation from the primary structure on the lots. I have reviewed the proposed accessory building placement on both concepts and confirm that the requirements of 11 DCMR D-5004 and 5006 are met.

Tree Protection

The tree protection regulations of Subtitle C, Chapter 4 do not apply to this property.

Vehicular Access

It is understood that driveways/vehicular access to the individual lots are proposed crossing lot lines. This is permissible with the recordation of an easement and providing documentation of such during permit reviews and compliance with the access requirements of 11 DCMR C-711.

Accordingly, when subdivision and following building permits are filed for, my office will approve the subdivision and permits for this property consistent with the above presented zoning criteria and compliance information for either of the proposed concepts.

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Please let me know if you have any further questions.

Sincerely, *Matthew Le Grant*

Matthew Le Grant
Zoning Administrator

Attachments – Current Site Plan
Conceptual Development Plan – 4 Lot (MacArthur Driveway)
Conceptual Development Plan – 3 Lot (Ashby Driveway, Retain Building)

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 4925 MacArthur Blvd NW to Landsman on 9-18-23