

07 July 2023

AHMANN LLC  
4408 Beechwood Road  
University Park, Maryland 20782  
Attn: Thomas Ahmann, AIA

Re: 1775 T Street, NW - Determination Letter

Dear Mr. Ahmann:

This is to confirm the substance of the discussion with Brittany Bullock of my staff at a Preliminary Design Review Meeting (23-Z-PDRM-00075) on 18 April 2023, as well as follow up input from Mamadou Ndaw, concerning the change of use, additions, and renovations to the property located at 1775 T Street, NW. The structure on this property was originally a row dwelling, and is currently a commercial-retail-misc. use, with a proposed use as multi-family (3 dwelling units). The discussion had specific reference to Lot 0241 on Square 0151, hereinafter referred to as the "Project." The lot is zoned MU-4.

In addition to the change of use as referenced above, you propose to replace the existing rear two-story covered porch with additional interior space (same footprint), add an addition and roof deck to the third floor, and make some modifications to the side yard at various floors (additions and subtractions).

Refer to the attached revised drawings, dated 07 July 2023, with a zoning summary and site plan, as well as measured plans, conceptual plans, elevations and sections. The following is a list of questions discussed with Ms. Bullock's, and/or Mr. Ndaw's paraphrased response in ***bold italic***.

1) This project is a proposed change of use from Commercial-Retail-Misc. (per DC Prop. Quest) to Multi-Family Dwelling (3 dwelling units). This is a matter of right use in the MU-4 zone as we see it, is the Zoning Administrator (ZA) in agreement?

***Agreed.***

2) We do not see a requirement that the number of residential units is limited by the lot area as in some other zones. Are we correct in this reading of the Regulations?

***Agreed, there is no such limitation in this zone.***

3) Our FAR calculations for the existing building do not include an existing fire-escape from the second floor. Note that for the proposed work, the fire escape will be removed and the rear porch replaced with an addition at the basement, first and second floors.

***Correct - the fire escape is not counted in FAR.***

4) The existing building is non-conforming in regards to Lot Occupancy. While the proposed lot occupancy is reduced from the existing, additions are proposed on each floor. Are any of these seen as increasing or extending a nonconforming aspect, or creating a new nonconformity? Is relief required from C§202.2? Is relief required from G§404.1? If so, this relief is a special exception per G§409.1- correct?

***Relief is required as related to Lot Occupancy for expansion of a non-conforming structure and building in excess of maximum lot occupancy. Yes this relief is required from C§202.2 and G§404.1 through a special exception per G§409.1.***

5) The existing building is non-conforming in regards to side yard. The existing side yards vary per floor. The proposed side yards will also vary per floor, but in no case will they be less than the existing, per the revised drawings. Portions of the existing side yards will also be filled in completely, hence eliminating any side yard issue in those areas. The proposed side yards are, however still non-compliant. Is relief required from C§202.2? Is relief required from G§406.1? If so, this relief is a special exception per G§409.1- correct?

*A side yard is not required in the MU-4 zone. Where it is provided, the OZA reviews changes to the side on a per floor basis. As long as the project does not reduce the existing setback on any floor, the project would not be seen as requiring relief as related to side yard.*

*Towards the rear, at the basement, first and second floors, where the existing two-story covered porch is being replaced by additional interior space, as long as the proposed 4'-0" setback proposed is consistent with the current setback of the porch, and conforms to the rear yard set-back, this construction would be considered as matter-of-right.*

*As currently configured in the July 7 drawings, relief is not required as related to side yard requirements.*

6) Our reading of the Regulations suggests that pervious surface requirement are not applicable since we are not increasing lot occupancy - correct?

*Pervious surface requirements are not applicable in the MU-4 zone.*

7) As this project is in the Striver's Section Historic District, can this project be waived from Green Area Requirements? Can we also get clarification on cost of project vs. appraisal as another method of waiver? Is relief from Green Area Ratio also available through special exception per G§409.1?

*Per C§601.7 an historic resource can be exempted from GAR unless a proposed addition increases GFA by more than 50%.*

8) We are showing a guard rail on the back side of the proposed roof deck on the third floor. As long as this guard rail is held in from the rear a distance equal to its height, this is acceptable - correct?

*Not applicable per C§1504.2(g).*

9) From you review of our submitted Zoning Data Summary form, and our Zoning Summary on Sheet A-0a, dated 07 July 2023, are there any other issues we should be considering that may require relief from the Regulations in order to obtain OZA approval of this project?

*No. Lot Occupancy seems to be the only issue to be addressed through BZA relief.*

My staff did not see any other items of note which would hinder the ZA from approving the project if the required relief as noted above was to be granted by the BZA. Accordingly, when you file the plans for a building permit, our department will approve drawings that are consistent with the information noted above. Please let me know if you have any further questions.

Sincerely,

*MWdaw for ML*

Matt LeGrant

Interim Zoning Administrator