

February 8, 2023

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
 Zoning Confirmation

Dear Mr. Landsman,

This letter will confirm the substance of our PDRM with my staff on December 13, 2022. As presented during our 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 either single-family detached dwelling use (by-right) or pursue a Special Exception for school or other non-by-right use, and divide the rear of the property into sixteen (16) 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

Criteria	DCMR Reference	Allow./Req.	Prov.-16 Lot Scheme
Lot Frontage	11 DCMR C-303	37.5 feet	50.0 feet min.
Lot Dim.	11 DCMR D-302.1 (area and width)	5,000 sf 50 feet	6,413 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 requirement. 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 3 stories	<40 feet 3 stories with cellar
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Lot Occ. 11 DCMR D-304.1 40% 39.9% shown
 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.
 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 12-foot wide minimum and 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 both Concept Plans 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 ten (10) 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, I 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.

It is understood that the use of the existing building or further development of the lot shown on Nebraska Avenue, NW as a school or other non-by-right use will require Special Exception by the Zoning Commission, and that commentary on that use is not part of this determination.

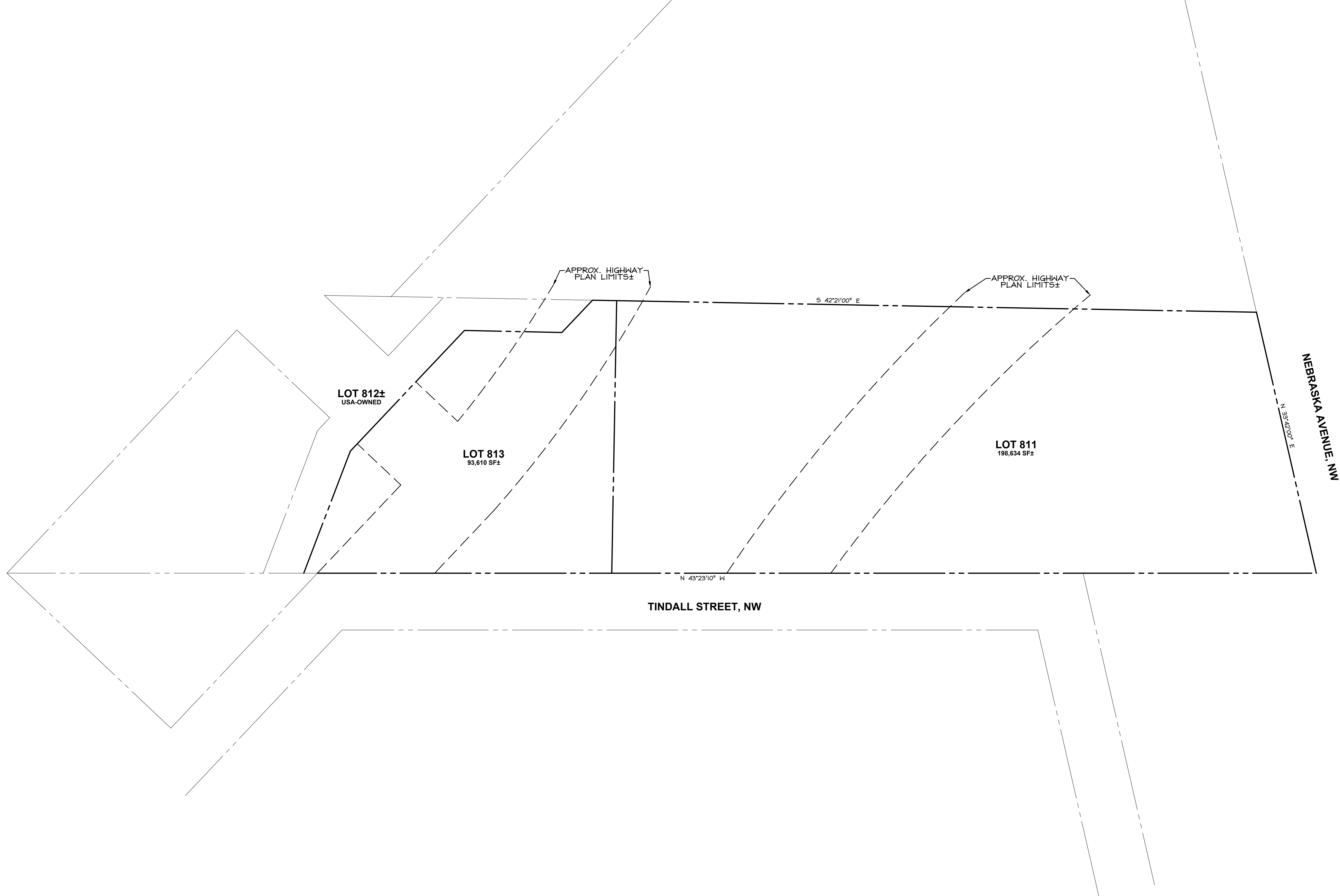
Sincerely, *Mamadou Ndaw*
Mamadou Ndaw
Zoning Administrator (Interim)

Attachments –
Lot Layout/Division and Concept Exhibits – 16 Lots+Existing

Zoning Technician: Brittany Bullock

File: Det Let re 3900 Nebraska Ave NW to Landsman on 12-13-2022

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 DCRA 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 DCRA.

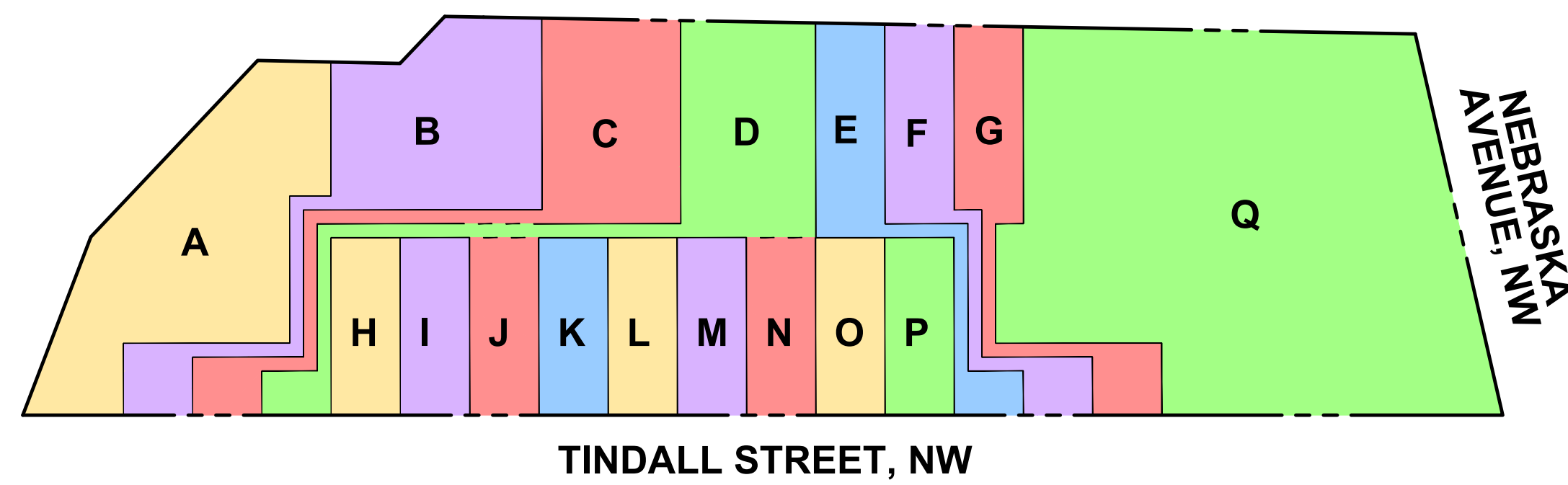
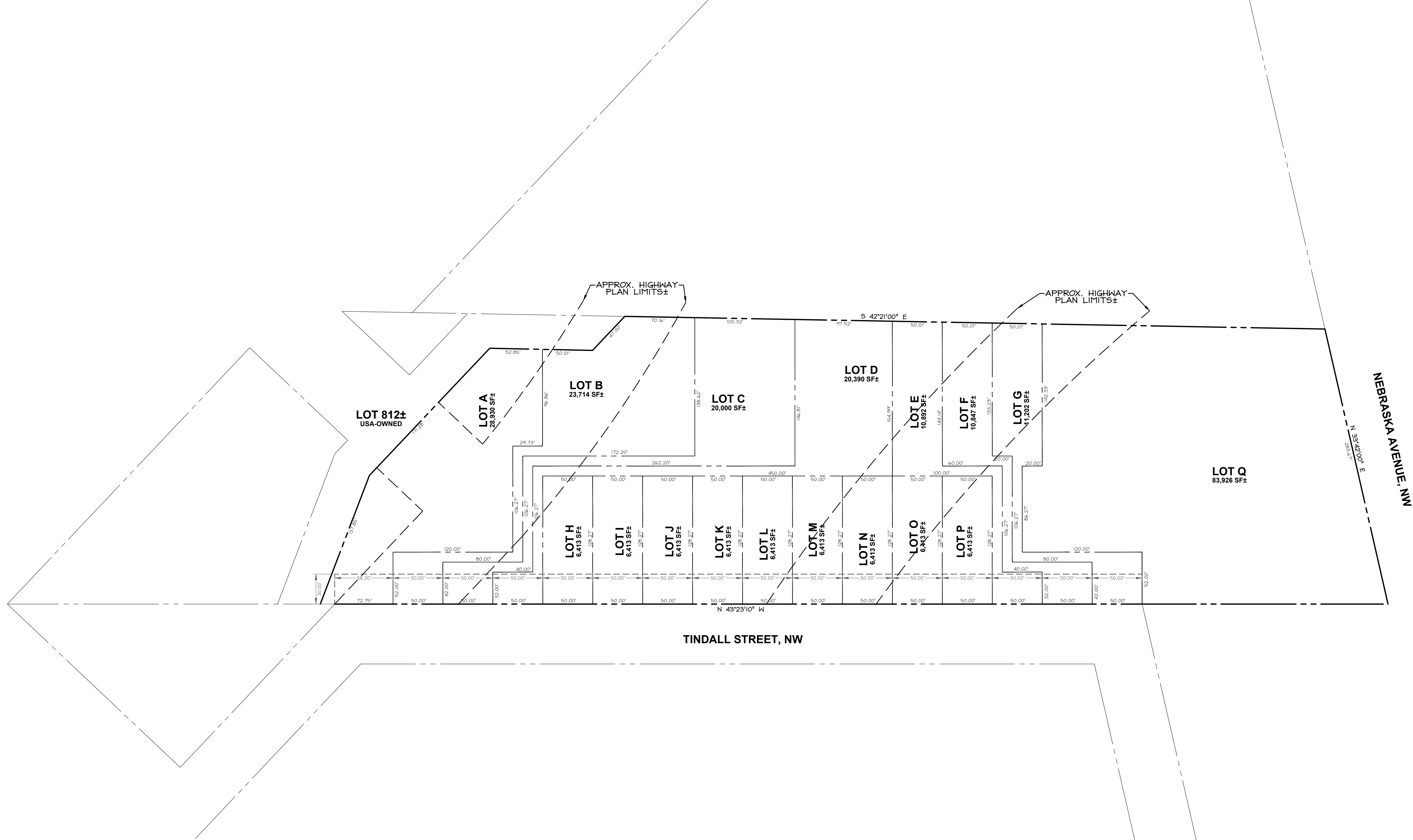


SCALE: 1 INCH = 50 FEET

PREPARED FOR: CLEMENS BUILDERS
3900 Nebraska Avenue, NW
Lots 0811 & 0813, Square 1596



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 CAS Project No. 21-1290-DC



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