

B. 03271  
Applicants  
representation  
re compliance  
with Section 202.10

**From:** Beeton, Kathleen A (DCRA)  
**Sent:** Tuesday, September 03, 2013 2:44 PM  
**To:** ads-llc@comcast.net  
**Cc:** Washington, Ramon (DCRA); Mac, Xoan (DCRA)  
**Subject:** RE: BZA Case:FY13-# 31-Z (Special Exception)

Mr Michael

Please accept my apologies for the significant delay in responding to your email and voice mail inquires. I understand that you would like us to prepare a revised BZA referral memo citing relief from Section 202.10 of DCMR 11. I also understand that we no longer have your plans and the building permit plans for B1302098 have also been removed from the File Room here at DCRA.

In order for us to provide a revised memo, we would need to review the plan, plats and application again with regard to the provisions of Section 202.10 and identify any forms of relief needed under that section. We will also need a response from you regarding the total number of people who will be living in the principal and accessory dwellings (202.10(g)) and whether you or someone else living in the principal dwelling has a Home Occupation Permit (HOP) (Section 202.10(h)). Please provide the material at your earliest convenience and we will prepare the revised memo as quickly as possible and contact you when it is ready for pick-up.

I have copied the provisions of Section 202.10 here for your reference.

202.10 An accessory apartment may be added within an existing one-family detached dwelling if approved by the Board of Zoning Adjustment as a special exception under § 3104, subject to the following provisions:

(a) The lot shall have a minimum lot area for the following zone Districts:

- (1) Seven thousand, five hundred square feet (7,500 ft<sup>2</sup>) for R-1-A,
- (2) Five thousand square feet (5,000 ft<sup>2</sup>) for R-1-B, and  
N/A 3,200
- (3) Four thousand square feet (4,000 ft<sup>2</sup>) for R-2 and R-3,

BOARD OF ZONING ADJUSTMENT  
District of Columbia  
CASE NO. 18700  
EXHIBIT NO. 3

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SEE NOTES

(b) The house shall have at least two thousand square feet (2,000 ft<sup>2</sup>) of gross floor area, exclusive of garage space; *comply*

(c) The accessory apartment unit may not occupy more than twenty-five percent (25%) of the gross floor area of the house, *comply*

(d) The new apartment may be created only through internal conversion of the house, without any additional lot occupancy or gross floor area; garage space may not be converted, *comply*

(e) If an additional entrance to the house is created, it shall not be located on a wall of the house that faces a street, *comply*

(f) Either the principal dwelling or accessory apartment unit must be owner-occupied, *OWNER TO OCCUPY ACCESSORY APARTMENT*

(g) The aggregate number of persons that may occupy the house, including the principal dwelling and the accessory apartment combined, shall not exceed six (6),

*- PRINCIPAL DWELLING: 3 TOTAL(4)*  
*- ACCESSORY APARTMENT: 1*

(h) An accessory apartment may not be added where a home occupation is already located on the premises, and *comply N/A*

(i) The Board may modify or waive not more than two (2) of the requirements specified in paragraphs (a) through (h) of this subsection, provided, that the following occurs

(1) The owner-occupancy requirement of paragraph (f) shall not be waived,

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(2) Any modification(s) approved shall not conflict with the intent of this section to maintain a single-family residential appearance and character in the R-1, R-2, and R-3 Districts, and

(3) Any request to modify more than two (2) of the requirements of this subsection shall be deemed a request for a use variance.

We look forward to working with you to complete this process as expeditiously as possible

Best regards,

Kathleen

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