

Ferris, Lawrence

From: LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>
Sent: Monday, September 21, 2020 1:37 PM
To: Ferris, Lawrence
Cc: Prince, Allison C.; Tondro, Maximilian (OAG)
Subject: 1313 L Street NW - BZA 20274
Attachments: 1313 L Street NW - Architectural Plans.pdf; Confirmation Email for 90 & 91 Blagden Alley NW (incl. Project Plans).pdf

Importance: High

Lawrence Ferris and Allison Prince,

Yes I was consulted by OAG as to whether the referenced façade recess meets the definition of a court niche, which is defined under the Zoning Regulations as: “an indentation, recess, or decorative architectural treatment of the exterior wall of a building, not a court, which opens onto a street, yard, alley, or court.”

- I have determined that the key words in the definition of **court niche** is ‘...an indentation, recess, or decorative architectural treatment of the exterior wall of a building, ...’
- I would agree that the depicted feature in red shading on Page A-3 of the attached Plan Set dated 9-2-20, would qualify as a court niche.
- This conclusion is consistent with my prior determination for 90 & 91 Blagden Alley NW [also attached – highlighted Item 6.e and Page A113 of the plans included in the attachment].
- Because this façade recess constitutes a **court niche**, it is not subject to minimum width requirements and relief is not required from § I-207.1.

Please let me know if you have any further questions.

DISCLAIMER: This email 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 email are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this email. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This email 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 email based on the information submitted for the Zoning Administrator’s review. Therefore this email 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.

Matthew Le Grant

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Board of Zoning Adjustment
District of Columbia
CASE NO.20274
EXHIBIT NO.38A