

May 2, 2025

VIA EMAILED PDF

Jonathan Kuhn
Jonathan Kuhn Architect LLC
508 Kennedy Street NW, #313
Washington, DC 20011
jonathan@kuhnarchitect.com

**RE: 316 12th ST NE (Square 0986, Lot 0052)
25-Z-PDRM-00012**

Dear Mr. Kuhn,

This letter will confirm the substance of your meeting with my staff on November 12, 2024. The property at 316 12th ST NE (Square 0986, Lot 0052) is zoned RF-1 and is currently improved with a three-story row building in single household use and a one and one-half story accessory garage. The project contemplates a vertical addition to the accessory building for use as additional residential space, a home office, associated with the single household use.

You are seeking confirmation that the project would comply with the Zoning Regulations and more specifically the RF-1 development standards of 11 DCMR as follows.

Applicable Zoning Criteria Analysis

Criteria	Zoning Reference	Allow./Req.	Existing	Proposed
Lot	E-210.1	60% max.	77% first floor	No change
Occupancy			73.1% second floor	No change

The accessory building does not provide internal circulation from the first-floor garage to the second-floor home office; therefore, the proposed spiral stair and landing at the second floor would serve the main floor of the building and would not count toward lot occupancy per B-324.1

Per C-202.2, the existing nonconforming lot occupancy at the first and second floors can be maintained.

Demolition versus Raze for Zoning Purposes (Zoning Administrator Interpretation 10)

In cases of a partial demolition of a building in which the footprint is not being expanded, at least four (4) feet of undergoes height of the enclosing perimeter walls [as measured from existing grade adjacent to and outside those walls] must be retained so as not to constitute a complete removal of a building or a zoning raze. The Zoning Administrator has published this interpretation under

Interpretation 10 and evaluates projects against this standard. Wall retention includes wall area removed for window or façade adjustments, if the wall face is not removed entirely or relocated surrounding the window opening.

I have reviewed the plans attached to this Confirmation, depicting retention of the first floor of the existing accessory building, which is greater than four (4) feet in height and confirm that the project does not qualify or will not be considered a zoning raze. The proposed project as presented will be classified as an addition, alteration and repair by my department for purposes of applying the applicable Zoning Regulations. It is understood that final design may alter this number or percentage, but that the classification as a non-zoning raze or as an addition/alteration project will be valid as long as **four (4) feet of the enclosing perimeter wall is maintained. Failure to comply with this requirement will result in the denial of the building permit application and relief from the Board of Zoning Adjustment for lot occupancy will be required prior to the approval of the building permit. Similarly, if during the construction process, less than a minimum of four (4) feet of the total existing exterior enclosing perimeter wall area is retained, the project will be deemed to be a zoning raze and construction must stop until relief from the Board of Zoning Adjustment has been granted. In addition, the Department of Buildings will take enforcement action to stop the work and issue fines.**

<i>Height</i>	<i>E-5002.1</i>	<i>22 ft. max. /</i>	<i>15 ft. /</i>	<i>19 ft. 6 in. /</i>
		<i>2 stories</i>	<i>2 stories</i>	<i>2 stories</i>

The plans show a full bathroom, an area that could be used as a sleeping area, and a wet bar; therefore, a Dwelling Unit Covenant would be required at the time of building permit application.

Accordingly, if all other applicable zoning requirements are met, then when you file the plans for a building permit with DOB, this office will approve the drawings that are consistent with the information noted above.

Sincerely,

Elisa Vitale for KAB

Kathleen A. Beeton, AICP
Zoning Administrator

Attachment: Plan Set dated September 27, 2024

Zoning Technician: Kwasi Cook

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.