



### BZA Application

<b>Application # B2307935</b> BZA Tmp 3404 BZA 21171	<b>Re: Statement of review standards and Burden of proof</b>
<b>To: Board of Zoning Adjustment</b>	<b>Project location:</b> 1374 Taylor St NW Washington DC 20011
<b>From: Ileana Schinder, Architect</b> 6316 2 <sup>nd</sup> Street NW Washington DC 20011 ile@ileanaschinder.com	<b>Date:</b> September 24, 2024

### BURDEN OF PROOF

#### Subtitle U 301.1(e) – Matter of Right Uses (RF)

An Accessory building constructed as a matter-of-right after January 1, 2013, and that is located within a required setback shall not be used as, or converted to, a dwelling unit for a period of 5 years after the approval of the building permit for the accessory building, unless approved as a special exception.

**Applicant Comment:** the proposed accessory structure shall be used as a dwelling and is to be used as a dwelling unit immediately after completion. This use will not interfere with the neighborhood use of public space, its privacy nor safety.

#### Subtitle X-1001 Variance Review Standards

The applicant for a variance shall have the burden of proof to justify the granting of the application according to these standards and shall demonstrate such through evidence in the public record. If no evidence is presented in opposition to the case, the applicant shall not be relieved of this responsibility.

Subtitle X Chapter 10		
	Conditions	Proposed Project
1	The property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition;	There is no exception size, shape or topography proposed under the scope of this project. The project imitates neighboring accessory buildings currently used as garage and dwellings.
2	The owner would encounter practical difficulties if the zoning regulations were strictly applied or exceptional and undue hardship; and	The proposed use matches existing uses in the neighborhood and denying it will reduce the capacity of the homeowner to maximize the needed space for work and living spaces.
3	The variance would not cause substantial detriment to the public good and would not substantially impair	The proposed building and its use does not cause substantial detriment to the public good. It does not affect the usage, privacy and security of



	the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.	neighboring properties. Moreover, the proposed project contributes to the safety of the alley by contributing “eyes on the street”.
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**APPLICANT COMMENT:** Based on the proposed accessory structure, massing, lighting, and other exterior features will not intrude in the visual appeal of neighboring structures. The proposed structure is lower, smaller and will have less exterior features than neighboring structures. There is limited views of the proposed structure from the front of the neighboring structures.

Granting the application will not be of substantial detriment to the public good. It will not increase traffic, noise nor reduce access to natural light to neighboring properties.

Granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations and map.