



BZA Application

Application # B2307935	Re: Statement of review standards and Burden of proof
To: Board of Zoning Adjustment	Project location: 1374 Taylor St NW Washington DC 20011
From: Ileana Schinder, Architect 6316 2 nd Street NW Washington DC 20011 ile@ileanaschinder.com	Date: April 8, 2024

BURDEN OF PROOF

- Request for area variance relief from provision of Use exceptions E-301.1 & X-1000.1; E302.1; E302.3; E-201.6 & X-1000.1

Subtitle E-301.1 & X-1000.1 – Accessory apartment in new accessory building.

The Development standards in Subtitle D 302 through 307 modify the general development standards in Subtitle E chapter 2.

E-302.1 Maximum Number of Dwelling Units

In the RF-1 zone, two (2) dwelling units may be located within the principal structure or one (1) each in the principal structure and an accessory structure.

Applicant Comment: the homeowner's intention is to preserve single homeownership of both structures, the main house and the accessory structure. This ownership type does not negatively impact the neighborhood. The accessory structure will be occupied by the homeowner's family.

Subtitle E302.3

Accessory dwelling units shall not be permitted in a dwelling unit in the RF-1 zone.

Applicant Comment: the proposed accessory structure will be occupied by a gym on the lower level and an apartment in the upper level. Both the main townhouse and the accessory structure will remain under ownership of the current homeowner. Thus, the proposed project will function as an additional dwelling unit.

Subtitle X-1000.1 General Provisions

Requirement	Response
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a	Will be in harmony with the general purpose and intent of the Zoning regulations and zoning maps	The proposed structure complies with all side setbacks, height and distance from main structures. It will be used as a residential building. It follows the intent of the office
b	Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps	The proposed structure will receive one bedroom and its use will not negatively affect the use or enjoyment of the neighborhood.
c	Will meet such special conditions as may be specified in this title	

D-5201.3		
	Requirement	Response
a	The light and air available to neighboring properties shall not be unduly affected;	The height of the proposed building and the distance from party lines does not interfere with access to light and air to neighboring structures.
b	The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;	The location and size of fenestration of proposed structure does not interfere with use and enjoyment of neighboring properties.
c	The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage;	The proposed accessory structure does not visually intrude upon the character of the neighborhood. It is not visible from the street and it will be developed behind the existing garage, to remain.
d	In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways; and	Drawings of proposed project can be found in other sections of this application.
e	The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot as specified in the following table (Max 70%)	Proposed project does not exceed lot occupancy.

The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby projects.

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.