



### BZA Application

<b>Application # B2307935</b> BZA Tmp 3404	<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> April 24, 2024

### BURDEN OF PROOF

- Request for use variance E301.1; E201.6 & X1002 google hardship requirement (for case law) talk about it a lot

#### Subtitle E301.1

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 E201.6

**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-1002 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.



**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.