

BZA Application	
Application # BZATmp4222	Re: Burden of Proof
To: Board of Zoning Adjustment	Project Location 3017 16 th St NE Washington, DC 20018 SSL 4136 0018
From: Michael Tran	Date: August 2, 2024

BURDEN OF PROOF

D-5004.1

An accessory building in an R zone may be located within a rear yard provided, where abutting an alley, it shall be set back at least twelve feet (12 ft.) from the center line of the alley.

Applicant Comment: We are proposing an accessory structure in the rear yard that will be used as a shed. There is no alley abutting the property.

D-5201.1 (d) The Board of Zoning Adjustment may approve as a special exception in the R zones relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9: (d) Minimum lot dimensions;

D-306.1 A minimum rear yard of twenty-five feet (25 ft.) shall be provided in the R-1-A and R-1-B zones.

Applicant Comment: The accessory structure would impinge on the rear yard requirement of 25 feet for a portion of the yard. The rear yard would be 18.6 feet for a portion of the rear yard. The location of the proposed shed is intended not to disturb existing trees and landscaping on the site.

X-901.2

Applicant Comment:

Requirement		Applicant Comment:
a	Will be in harmony with the general purpose and intent of the Zoning regulations and zoning maps	The proposed accessory structure complies with all setbacks, height and distance from neighbors except as specified in this application. The structure will be a garden shed.

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| b | Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning maps | The shed will not be occupied or have any use outside of a garden shed 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 | N/A |

D-5201.3

Applicant Comment:

	Requirement	Applicant Comment:
a	The light and air available to neighboring properties shall not be unduly affected	The height of the proposed addition interferes minimally with access to light and air to neighboring structures. The shed will abut the driveway at the neighbors at 3015 16 th St NE driveway, which already has a 6 ft. fence and will give the neighbors more privacy. The direct neighbors at 3015 16 th St NE have signed a letter that they do not oppose the accessory structure.
b	The privacy of use and enjoyment of neighboring properties shall not be unduly compromised	The location, size of the proposed accessory structure, and intended use does not interfere with the use and enjoying of neighboring properties. The proposed structure will provide additional privacy.
c	The addition, 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 aligns with existing structures along 16th Street.
d	In demonstrating compliance with paragraphs a, b and c of this sub-section, the applicant shall use graphical representations such as plans, photographs, or	Drawings and illustrations of the proposed addition can be found in other sections of this application

	elevation and section drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways	
e	The Board of Zoning Adjustment may approved lot occupancy of all new and existing structures on the lot as specified in the following table	See other sub sections on this application for 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: The proposed accessory structure will have building materials and siding that matches the principal dwelling and the neighborhood characteristics.