



## BZA Application

<b>Application # B2503801</b> <b>BZA Tmp 5823</b>	<b>Re: Statement of review standards and Burden of proof</b>
<b>To: Board of Zoning Adjustment</b>	<b>Project location:</b> 4826 Eastern Ave NE Washington DC 20017 SSL 4175 0039
<b>From: Ileana Schinder, Architect</b> 6316 2 <sup>nd</sup> Street NW Washington DC 20011 ile@ileanaschinder.com	<b>Project Description:</b> a 450 square foot, 1-story accessory structure to accommodate a dwelling for a family member. The program includes: 1 bedroom, 1 bathroom, kitchen and living spaces. Rear access from the alley for surface parking. No alterations to the existing structure facing Eastern Avenue.
<b>Name of Applicant:</b> Bernard Guzman	<b>Date:</b> July 10, 2025

## BURDEN OF PROOF

### Subtitle U 253.8(c)(1-3)

An accessory apartment in an accessory building in an R Zone, except the R-1B/GT or R-3/GT zone, shall be permitted as a matter of right subject to the following conditions (a-b, omitted). C) The permanent access hall be provided for one of the following:

	Requirement	Existing conditions
1	A permanent passage, open to the sky no narrower than 8'-0" in width, and extending from the accessory building to a public street through a side setback or shared recorded easement between properties.	Max side setback from existing front structure 6'-6 1/4"
2	Through an improved public alley with a minimum width of 24'-0" that connects to a public street	Alley width 15'-0"
3	The accessory building is within 300'-0" of a public street accessible through an improved alley with a minimum width of 15'-0"	Distance to public street 522'-0"

### Subtitle X 901.2 (a), (b), and (c)

**Standard:** The Board of Zoning Adjustment is authorized under #8 of the Zoning Act, DC Official Code 6-641.07(g)(2), to grant special exceptions, as provided in this title where, in the judgment of the BZA, the special exceptions:



a	Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps	The proposed building complies with massing regulations except the parking requirement
b	Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and	The proposed building will not interfere with the privacy, access to natural light or security of adjoining properties.
c	Will meet such special conditions as may be specified in this title	The proposed project complies with all other requirements including parking.

**Applicant comment:** Based on the existing conditions of the lot to receive an accessory structure in the rear illustrate marginal variation from the requirement to the existing conditions. These variations do not present a negative impact to the safety, security to the property or to neighboring structures. As proposed, the variation will not present extreme difficulties to public services to serve, maintain or assist the occupants in case of an emergency. Also, the project as proposed, even with this variation this variation from the zoning requirement does not intrude in the neighbor's ability to enjoy privacy, quality of life nor access to natural light.