

BZA Application

Application # B2504028
BZATmp6604

Re: BURDEN OF PROOF / SUMMARY OF WITNESS TESTIMONY

To: Board of Zoning Adjustment

Project location:
628 15th Street NE
Washington DC

SSL 1051 0113

From: Ileana Schinder, Architect
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Date: December 29, 2025

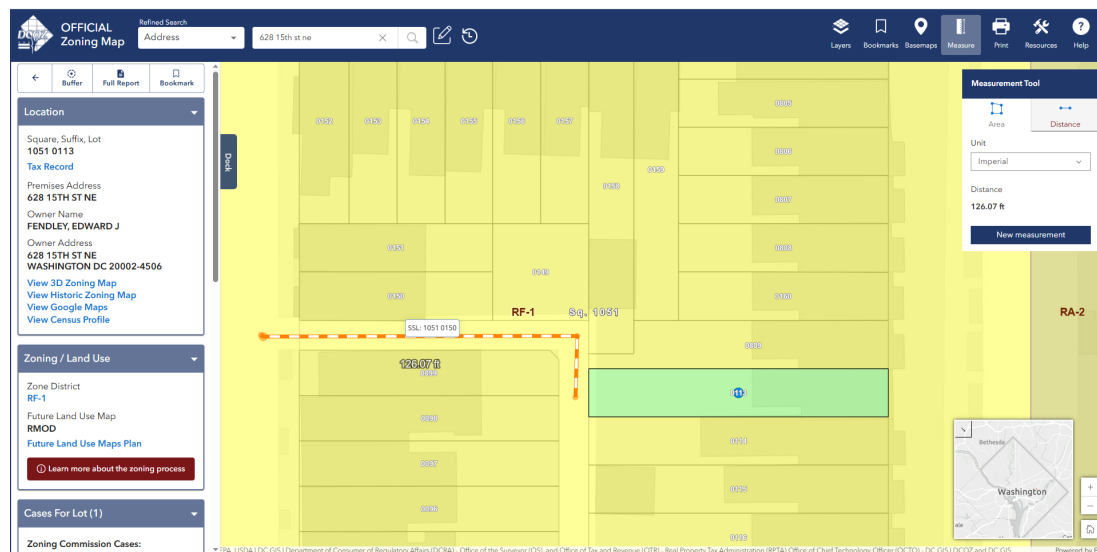
BURDEN OF PROOF / SUMMY OF WITNESS TESTIMONY

Area Variance - Subtitle U-301.1(C)(4)

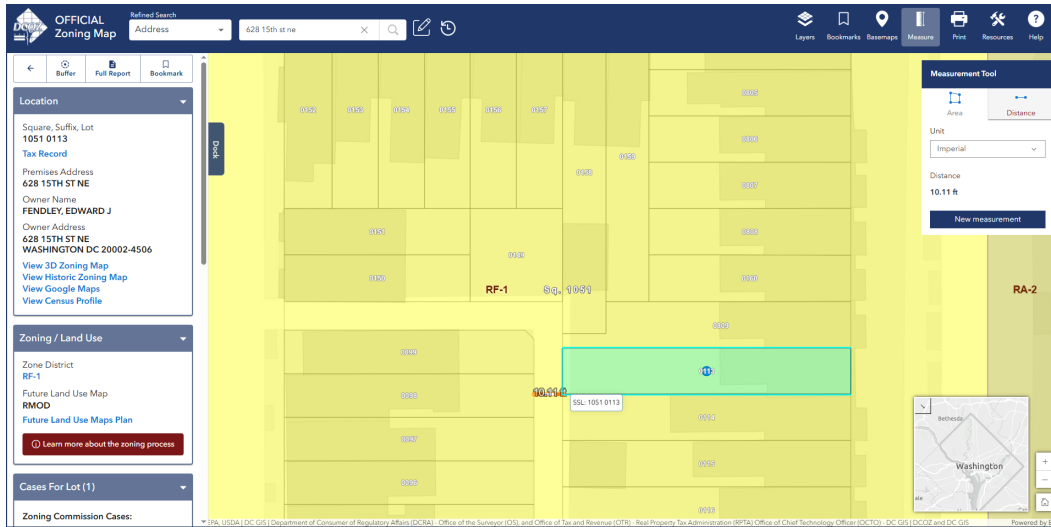
Standard: Matter of Right Uses (RF). A permitted principal dwelling unit within an accessory building subject to the following conditions of [...] 4. Permanent access shall be provided by 1 of the following

Applicant Comment: Existing Alley is 10'-0" according to the Surveyor's office.

	Requirement	Existing Conditions	Applicant's Comments
A	An Easement for a permanent passage, open to the sky, no narrower than 8'-0" in width, extending from the accessory building to a public street through a side setback recorder in the land records of the District of Columbia	Townhouse has Zero Side Setback	Existing structure (outside of the scope of this project) is non-compliant
B	Through an improved public alley with a minimum width of 24'-0" that connects to a public street	Existing alley is 10'-0" connects to public street	Complies with connection but non-compliant width. See below for map.
C	On an improved alley no less than 15'-0" in width and within a distance of 300'-0" of a public street.	Existing alley is 10'-0" wide connects to a public street within 125'-0"	Complies with distance but non-compliant width. See below for map.



Distance to existing streets.



Alley Width

Area Variance X-1000.1

Standard: By reason of exceptional narrowness, shallowness, or shape of specific piece of property at the time of the original adoption of regulations [...] or exceptional situation or condition of a specific piece of property [...] result in a peculiar and exceptional practical difficulties to or exception and undue hardship upon the owner of the property.

Applicant Comment: Based on surrounding alley widths (15'-0"), the property in questions is subject to an exceptional narrow alley that prevents the development of an accessory structure by right. This condition creates an undue hardship to develop the potential of an additional dwelling in the property.

Special Exception Subtitle E5004.1(a)

Standard: A required rear yard shall be provided with a minimum depth of 5'-0" from any lot line of all abutting non alley lots

Applicant Comment: due to the existing alley width (10'-0") this requirement creates an undue hardship at implementing an accessory structure. The reduction of the rear yard does not present dangerous conditions, maintains the value of the surrounding properties and does not negatively impact public space. The application of this standard prevents all properties in Square 1051 from developing accessory structures available to squares in the neighborhood.

Special Exception Subtitle E5201.2 (b)

Standard: The Board of Zoning adjustment may approve as special exception in the RF Zones relief from the following development standards of this subtitle [...] (b) Yards

Applicant comment: See above for supporting information.

Special Exception 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 except surface parking.

Applicant's Conclusion

Based on the existing lot conditions, its surroundings, neighboring properties -including a multi-story building and surface parking- only by granting the variance the project is feasible. The combination of all requirements will put the homeowner in a material disadvantage compared to similar properties in the area. Moreover, the granting of the variances will not adversely affect neighboring properties, the neighborhood or the public way.