

BZA Application

Application # B2504028
BZATmp6604

Re: BURDEN OF PROOF / SUMMARY OF
WITNESS TESTIMONY

To: Board of Zoning Adjustment
SSL 1051 0113
From: Ileana Schinder, Architect
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Project location:
628 15th Street NE
Washington DC

Date: January 13, 2026

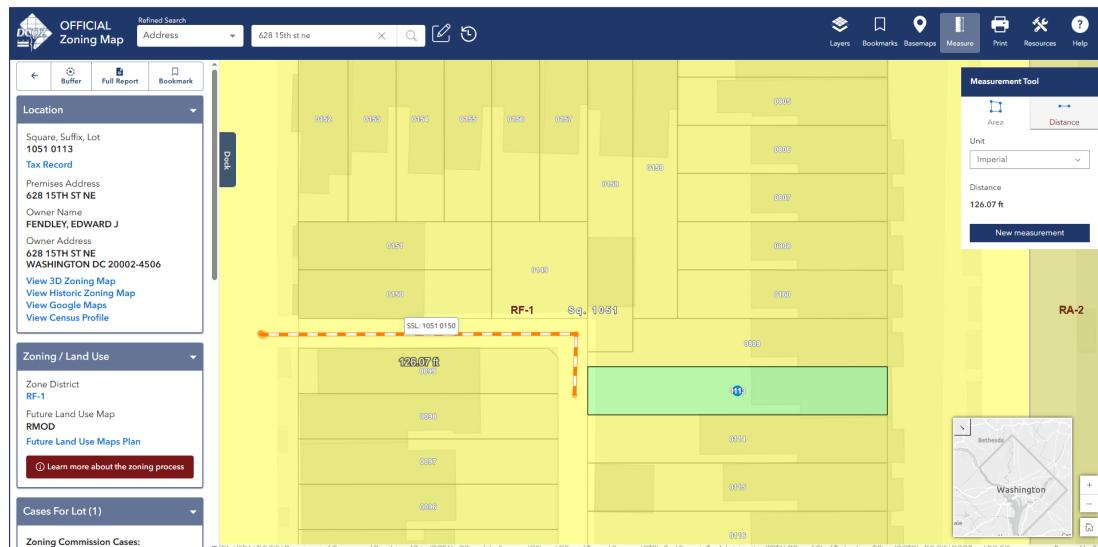
BURDEN OF PROOF / SUMMARY OF WITNESS TESTIMONY

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

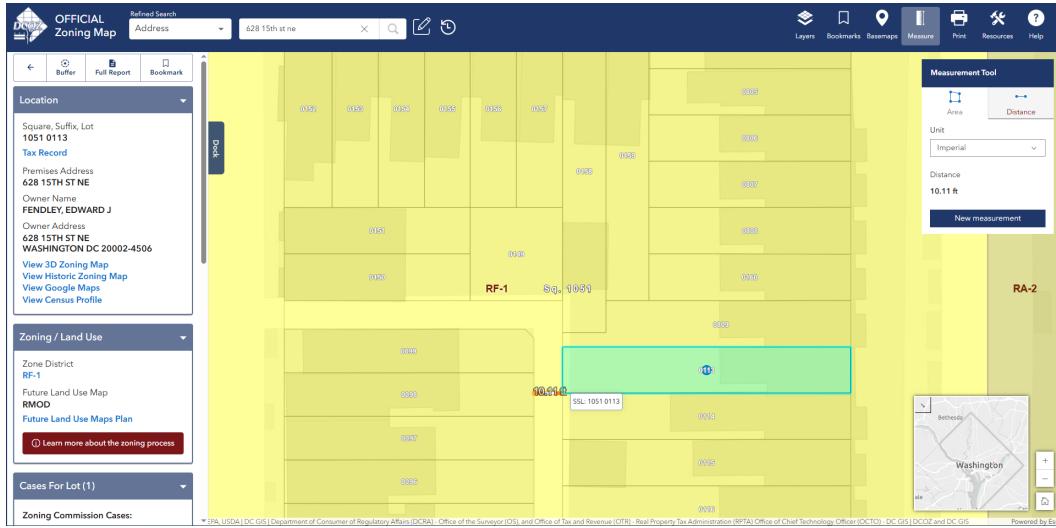
Applicant Comment: Existing Alley is 10'-0" according to the Surveyor's office.

	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.

Board of Zoning Adjustment
District of Columbia
CASE NO. 21349A
EXHIBIT NO. 17



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 question 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 E-5004.1(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 E-5201.2 (b)(c)

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 (c) A reduction in the min. setback requirement of an alley lot.

Applicant comment: See above for supporting information on the existing conditions of the lot.

Special Exception Subtitle E-5201.4 (a)(b)(c)&(d)

Standard: An application for special exception relief under this section shall demonstrate that the proposed addition, new principal building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:

	Requirement	Application
a	The light and air available to neighboring properties shall not be unduly affected;	The location and size of the proposed project does not adversely affect the neighboring properties.
b	The privacy of use and enjoyment of neighboring properties shall not be unduly compromised	The small building will be occupied by 2 adults, reducing the potential for noise and other uses that may reduce the enjoyment and privacy of neighboring properties.
c	The proposed addition or accessory structure, together with the original building, or the new principal building, as viewed from the <u>street, alley</u> , and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street or alley frontage; and	The proposed project is not visible from the main street. Its size and location is visible from the alley. The location of windows and doors contributes to the safety of the existing alley space.
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, new building, or accessory structure to adjacent buildings and views from public ways.	See provided plans and elevations to represent the relationship between existing and proposed conditions.

Special Exception Subtitle X-901.2 (a)(b)&(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.