

1316 Van Buren St. NW
Square: 2785 Lot: 0037
Zone: R-1B

This Burden of Proof Statement is submitted on behalf of Montex Miller ((the “Applicant”) in support of a request for a Use Variance relief from the District of Columbia Zoning Regulations of 2016, as amended, for the property located at 1316 Van Buren St. NW.

The application is made pursuant to Subtitle X, Chapter 10 (Variances). This statement explains how the proposal satisfies each element of the applicable review standards.

Relief Requested

The Applicant seeks the following zoning relief:

- Zone: R-1B
- Relief Type: Variance under Subtitle X § 1002
- Specific Sections From Which Relief is Requested:
 - Subtitle U Section 253.5

Project Summary:

The Applicant proposes to have two dwelling units on a single parcel that will not be owner occupied. There is no construction required. Both dwelling units are completed under Department of Building permits.

Under Subtitle X § 1002.1, the Board may grant a variance where it finds that:

The property is affected by an exceptional situation or condition;
The strict application of the Zoning Regulations would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of the property; and
The relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the Zoning Plan.

No Substantial Detriment to the Public Good or Zoning Plan

Granting the requested variance will not result in substantial detriment to the public good and will not substantially impair the intent, purpose, and integrity of the Zoning Plan, because:

- Consistency with context: The proposed building remains consistent with the general scale, character, and mix of uses anticipated in the R-1B zone.

- **Limited scope of relief:** The relief requested is narrowly tailored to address the property's exceptional condition and does not open the door to more intensive or inappropriate development.
- **Public benefits:** The project provides new housing which serves the public interest.
- **No harmful impacts:** The variance will not cause undue traffic, parking, noise, light, or privacy impacts on surrounding properties beyond what is typical and expected for the zone.

Accordingly, the requested variance can be granted without harm to the public good or the zoning framework.

Conclusion

For the reasons set forth above, the Applicant respectfully submits that the proposed project:

- Meets all the criteria for approval of a [special exception] under Subtitle X § 901, and/or
- Meets all the criteria for approval of a [variance] under Subtitle X § 1002,

and therefore requests that the Board of Zoning Adjustment approve the requested relief for the property at 1316 Van Buren St. NW Square: 2785 Lot: 0037

David den Daas

2026-06-02

Audit trail

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