

April 4, 2018

Via IZIS

**Board of Zoning Adjustment
441 4th Street NW
Suite 200S
Washington, DC 20001**

Re: BZA Order No. 19249: Request for a 2-Year Extension

Dear Members of the Board,

As the Undersigned Agent, I am writing on behalf of Jennifer Wisdom (the 'Applicant'), to request a two-year extension of the expiration date for BZA Order No. 19249, pursuant to Subtitle Y, 705.1 of the Zoning Regulations. The property is located at 1850 5th Street NW (Square 3093, Lot 0046).

Summary of the Order:

In BZA Summary Order No. 19249 (the 'Order'), the Board approved the proposed new construction of a two-family residence with the following variances from: 400.1 – limit on number of story requirements, 403.2 – lot occupancy requirements, 404.1 – rear yard requirements, and 2101.1 – off-street parking requirements. Additionally, support was provided by the Historic Preservation Review Board (HPRB) and ANC 1B.

The Board's Order will expire on May 31, 2018. We submit this letter to request that the Board extend the Order by a period of (2) years until May 31, 2020. As described more fully below, good cause exists for the Board to grant this extension request.

BZA Standard for Approving an Extension Request:

Subtitle Y, 705.1 sets forth clear standards against which the Board must evaluate extension requests. The request meets all reasons for 'good cause':

- (a) This extension request is served on all parties to the application;
- (b) There is no substantial change of any of the material facts upon which the Board based its original approval that would undermine the Board's justification for approving the original application; and
- (c) The Property Owner demonstrates good cause for the requested extension, with substantial evidence for stated criteria.

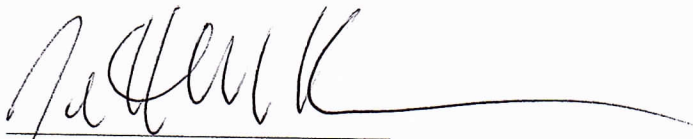
The extension request has been served on all parties. There are no substantial changes to any material facts upon which the Board originally approved the application.

On February 22, 2018 the Historic Preservation Review Board provided a Staff Report and Recommendation stating 'the HPO recommends that the Review Board renew, for a two-year term, the concept for a new 4-story brick rowhouse at 1850 5th Street NW and to delegate final approval to staff'. The document, HPA 18-216, has been submitted via IZIS for the Board's consideration. Additionally, the Applicant contacted Anita Norman, ANC Commissioner 1B01, via email to communicate the desire to obtain a two-year extension of the Board's Order.

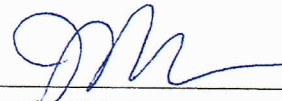
The Property Owner is seeking an extension from the Board as the result of unique circumstances. Financing, with a bank, for the Project has drawn out due to a somewhat recent shift in employment status. A change of employer has delayed the ability to secure the necessary financing for the improvements to the Property as well as the ability to submit the required documents to DCRA for securing a building permit.

For these reasons, the Applicant is respectfully requesting a two-year extension for the time period for validity of Order No. 19249.

Sincerely,



Jonathan M. Kuhn AIA/LEED AP
Undersigned Agent



Jennifer Wisdom
Applicant

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cc: Brenden Meyer, HPRB
Anita Norman, ANC 1B

**HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION**

Property Address:	1850 5th Street NW	☐ Agenda
Landmark/District:	LeDroit Park Historic District	☒ Consent Calendar
		☐ Denial Calendar
		☒ Renewal, concept
Meeting Date:	February 22, 2018	☐ Alteration
H.P.A. Number:	18-216	☒ New Construction
Staff Reviewer:	Brendan Meyer	☐ Demolition
		☐ Subdivision

The applicant, Jennifer Wisdom, owner of 1850 5th Street NW, seeks renewal of a concept for a new four-story, two-flat rowhouse at 1850 5th Street NW in the LeDroit Park Historic District. Plans were prepared by Jonathan Kuhn Architect. The Board approved this concept in February 2016 and delegated final approval to staff (Figure 1).

Proposal

The applicant proposes no changes to the concept approved in 2016.

Evaluation

By regulation, concept designs approved by the Board and delegated to staff expire after two years if a building permit is not issued to build the concept.¹ The applicant must return to the Board for consideration if they wish to extend their approval for another two year period.

The purpose of the renewal procedure is to make sure that approved concepts and delegations remain consistent with historic contexts and regulations and design guidelines adopted by the Board. Although rare and infrequent, historic contexts might change due to loss of historic buildings or the Board might adopt new guidelines that change the standards that were used to approve the expired concept.

In this case, there have been no relevant changes to the historic context, regulations, or design guidelines since February 2016. The concept design remains the same and is still compatible with the character of the LeDroit Park Historic District

Recommendation

The HPO recommends that the Review Board renew, for a two-year term, the concept for a new 4-story brick rowhouse at 1850 5th Street NW and to delegate final approval to staff.

¹ DCMR 10C, Section 332.2: “The Board’s delegation of final review authority to the staff at the conclusion of conceptual review shall also remain effect for a period of two years from the date of the Board’s action. After the delegation has expired, the applicant shall be required to return to the Board to request an additional two years on the basis of good cause shown. The Board shall not unreasonably withhold its approval of an extension. Upon expiration of this extension, or if the extension is denied, the staff shall return the application to the Board for final review.”



Figure 1: Concept approved in February 2016