

March 29, 2022

VIA IZIS

Chairperson Fred Hill
Board of Zoning Adjustment
441 4th Street, NW, Suite 200 South
Washington, DC 20001

Re: Request for Second Administrative Extension of Time of the Approved Special Exception Application approved in BZA Order 19953

Dear Chairperson Hill:

Atlantic Residential C, LLC (the “**Applicant**”) hereby requests a second one-year administrative extension pursuant to 11-Y DCMR § 705.7¹ of the time period for approval of the special exception to permit a rooftop bar and lounge in the penthouse of the mixed-use building in the MU-10 Zone at 945 Florida Avenue NW (Square 2873, Lot 799) (the “**Property**”). An authorization letter from the Applicant is attached hereto as Exhibit A. A list of the parties in the case is attached as Exhibit B. A copy of the original BZA Order can be found at Exhibit 40 and a copy of the first administrative extension Order can be found at Exhibit 43 of the record for Case No. 19953. The filing fee associated with this request will be delivered to your office.

I. Background

The Property is improved with an existing mixed-use building, and the Board approved a rooftop bar and lounge to serve the south wing of the mixed-use building in Order 19953 (the “**Order**”). The Order provided that an application for a building permit for the rooftop bar and lounge must be filed within two years from the effective date of the Order and construction must begin within three years of the effective date of the Order, which was then extended by one year

¹ On February 14, 2022, the Zoning Commission unanimously approved Z.C. Case 20-26B, which amended the administrative extension provisions of the regulations to extend to Orders set to expire before June 30, 2022. While the final Order for this text amendment has not been issued at this time, the Applicant is filing this request with the understanding that such final text will be issued soon.

through the first administrative extension. Thus, the current approval period currently expires on April 21, 2022.

II. Request for Administrative Time Extension Approval

The Applicant is requesting administrative approval of a second one-year time extension (to April 21, 2023) to apply for a building permit for the rooftop bar. The Applicant's basis for requesting this administrative time extension is the direct result of negative impacts that the COVID-19 pandemic has placed on the Property.

The only party in Case No. 19953 was Advisory Neighborhood Commission 1B.

III. Conclusion

Please feel free to contact the undersigned if you have any questions regarding this application.

Sincerely,

/s/
David Avitabile

/s/
Meghan Hottel-Cox