

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Development Review Specialist
MBR
Maxine Brown-Roberts, Associate Director Development Review

DATE: July 2, 2026

SUBJECT: BZA Case 20676B - 4500 New Hampshire Avenue, NW, Two-year Time Extension

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the requested two year time extension.

II. SITE INFORMATION

Address:	4500 New Hampshire Avenue, NW.
Legal Description:	Square 3248, Lot 77
Ward / ANC:	Ward 4 / ANC 4C
Zone:	R-3, low density residential, intended to provide for areas predominantly developed with row houses with one principal dwelling on small lots. Daytime care use is compatible with residential uses.
Project Summary:	The proposal is for a child development center for 40 students and 10 staff.
Effective date of Order/Expiration Date	Order 20676 - May 6, 2022 Order Expiration - April 26, 2024
First Extension Order/expiration	Order 20676A - Effective June 22, 2024. Order Expiration - June 22, 2026.
Second Extension Request	Request filed under 20676 B herein. Proposed Expiration - June 22, 2028

III. EVALUATION OF THE EXTENSION REQUEST

Subtitle Y § 705 of the Zoning Regulations allows for the extension of a BZA approval for “good cause” shown upon the filing of a written request by the applicant prior the expiration of the approval; provided that the BZA determines that the following requirements are met:

(a) The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond.

The application submitted to the BZA is dated April 23, 2026 (filed prior to the June 22, 2026 expiration date) and has been in the public record since filing. Subtitle Y § 705.5 further provides

that a time extension filed prior to the expiration date shall toll the expiration solely to allow the BZA to consider the request. At [Exhibit 5](#) of the record is a Certificate of Service stating that ANC 4C was notified of the request. There were no other parties to the original application.

- (b) There is no substantial change in any of the material facts upon which the Board based its original approval of the application that would undermine the Board's justification for approving the original application.*

Zoning Regulations:

There have been no changes of significance to the Zoning Regulations that would impact the original approval. The area remains within the R-3 zone, which continues to permit this use by special exception.

Surrounding Development:

OP is not aware of any new substantial development projects in the vicinity of the subject site that would impact the original OP analysis or BZA decision.

Proposed Development:

The application indicates that no changes to the approved development are proposed as part of this extension request. The Applicant affirms that the material facts upon which the Board based its approval have not changed and there are no changes to the architectural plans that were approved by BZA Order 20676.

- (c) The applicant demonstrates that there is good cause for such extension, with substantial evidence of one or more of the following criteria.*
- (1) An inability to obtain sufficient project financing due to economic and market conditions beyond the applicant's reasonable control;*
 - (2) An inability to secure all required governmental agency approvals by the expiration date of the Board's order because of delays that are beyond the applicant's reasonable control; or*
 - (3) The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant's reasonable control.*

The Applicant reports that they have been actively coordinating with the Department of Buildings (DOB) to secure the required building permits for their interior renovation prior to the expiration of the Order. The permitting process has experienced delays, some outside of the Applicant's reasonable control, which have prevented issuance of the final building permit. Second, the license from the Office of the State Superintendent of Education (OSSE) to operate the child development center cannot be pursued until the building permit is approved and the space is confirmed to meet programmatic requirements, the Applicant is unable to advance that portion of the approval at this time. Given the timing of these delays, the Applicant does not anticipate receiving final plan approval before the Order expires. An extension would provide the additional time to complete the renovation and obtain the necessary permits for the child development center, consistent with the approved relief.

IV. COMMENTS OF OTHER DISTRICT AGENCIES

No other agency had filed a report into the record at the time of this report.

V. ANC COMMENTS

ANC 4C had not filed a memo to the record as of the time of this report.

VI. COMMUNITY COMMENTS

There were no comments from the community filed in the record at the time of this report.