

## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Karen Thomas, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** May 29, 2025  
**SUBJECT:** Extension Request – BZA 20821A, 1717 E Street NE

### **I. BACKGROUND**

The Applicant received a Summary Order 20821 effective April 6, 2023 granting the following relief:

- Special exception relief from the subdivision requirements of C § 302.2;
- Special exception relief from the rear addition requirements of E § 207.5;
- Area Variance relief from the front setback requirements of E § 206;
- Area Variance relief from the rear yard requirements of E § 207 and;
- Use Variance relief from the matter of right uses of U § 301.

### **II. RECOMMENDATION**

**OP recommends that the requested one-year time extension be granted.**

### **III. LOCATION AND SUMMARY**

Address:	1717 E Street NE
Applicant:	1717 E Street, LLC
Legal Description:	Square 4546 Lots 198 and 199
Ward / ANC	Ward 7; ANC 7D
Zone	RF-1
Project Summary:	Relief was granted under the original order 20821 to combine three lots, create two theoretical lots, and construct a new, three-story, three-unit apartment building on each lot in the RF-1 zone.
Date of Order Issuance:	April 6, 2023
Previous Extension:	None
Date of Order Expiration:	April 6, 2025

## PHOTO(S) OF SITE:



Aerial 2022 (*Applicant Exhibit 5*)



Aerial Photo: Mar 10, 2025 (*Google Earth*)

## IV. 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 before 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 3/6/2025 and has been in the public record since filing. The filings indicate that a copy of the subject application and all supporting documentation were served to ANC 7D, ANC 7D07, and ANC 7D08, the only parties of record to the 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:

The relevant Zoning Regulations have not changed since the original approval was granted.

### Surrounding Development:

OP is not aware of any significant development projects nearby that would in a substantive way impact the site, or the BZA original decision.

### Proposed Development:

The application indicates that no changes to the approved development are proposed as part of this extension request.

- (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;**

N/A

- (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**

The Applicant's project has been submitted to the Department of Building Permits (DOB) but the applicant not been able to acquire the necessary permits to begin construction due to discovery of a lien on the property during the subdivision process. This has also delayed release of other necessary permits to begin land preparation for the development.

- (3) **The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant's reasonable control.**

N/A

### **OTHER DISTRICT AGENCIES**

As of the date of this report, no other agency comments had been filed to the record.

### **ADVISORY NEIGHBORHOOD COMMISSION**

As of the date of this report, comments from the ANC had not been filed to the record.

### **COMMUNITY COMMENTS TO DATE**

As of the date of this report, no community comments have been filed to the record.