

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Michael Jurkovic, AICP, Development Review Specialist
MBR
 Maxine Brown-Roberts, Associate Director Development Review

DATE: July 17, 2026

SUBJECT: BZA Case 21081A: 3721 9th Street, NW, First Time Extension Request

I. RECOMMENDATION

The Office of Planning (OP) recommends that the requested two-year time extension be **approved**.

II. LOCATION AND SITE DESCRIPTION

Address:	3721 9 th Street, NW
Applicant:	Alexandra Wilson of Sullivan & Burros, LLP on behalf of Alexandra Chevalier
Legal Description:	Square 2900, Lot 0031
Ward / ANC:	Ward 4/ANC 4C
Zone:	RF-1, areas predominantly developed with residential row buildings on small lots with no more the two dwelling units.
Application Summary:	The relief requested was to legalize the existing three units within the building, with additional relief required to accommodate a rear deck and stairs addition for code-required stairs for egress.
Date of Order Issuance:	April 17, 2024
Previous Extension:	None
Date of Order Expiration:	April 17, 2026
Proposed Extension:	April 17, 2028

III. ZONING REQUIREMENTS and RELIEF REQUESTED

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 April 15, 2026, 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 the Office of Planning and ANC 4C. 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:

Since the original approval in 2024, there have been no substantial change to the RF-1 zone regulations that would impact the material facts upon which the Board based its original approval.

Surrounding Development:

OP is not aware of any proximate development which would impact the material facts upon which the BZA based its original decision.

Proposed Development:

The property at the time of the applicant's purchase in 2021 was advertised and configured as a three-unit apartment house with longtime tenants, see Exhibit #20E of the original case record. After having owned the property for some time it was discovered that no such Certificate of Occupancy existed. The application sought to legalize the use of the property and proposed no substantive changes to the property past the removal of the existing parking area for an addition of a rear deck and stairs for code compliant egress.

- (1) An inability to obtain sufficient project financing due to economic and market conditions beyond the applicant's reasonable control;**

Not Applicable

- (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 attests that they have been unable to obtain the necessary building permits required because of delays outside the applicant's reasonable control. Specifically, there has been difficulty in securing bids from licensed contractors to complete and finalize the permit application.

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

Not applicable.

OP believes that the applicant has demonstrated that have pursued moving the project forward in good faith and have demonstrated good cause for the requested time extension. OP therefore recommends **approving the requested 2-year time extension.**

IV. OTHER DISTRICT AGENCIES

As of the writing of this report, there are no comments from other District Agencies in the record.

V. ADVISORY NEIGHBORHOOD COMMISSION

As of the writing of this report, there is no report from ANC 4C in the record.

VI. COMMUNITY COMMENTS

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

Attachment: Location Map

