

September 9, 2025

Via IZIS

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, DC 20001

Re: Supplemental Submission - BZA Case No. 21303 – 1631 A Street, SE

Dear Chairperson Hill and Members of the Board:

On behalf of the Applicant in the above-referenced case, a brief detailing the 900-foot rule and previous Board approvals is attached hereto (the “**Brief**”). This Brief is also filed in BZA Case No. 21319. While the factual context of this case differs from 21319, the Brief applies to both applications and should be incorporated herein as further argument, as requested by the Board.

The Brief explains that there are two types of circumstances where, in a consistent line of cases, both the Office of Planning and the Board have found the area variance test safely satisfied. While Case No. 21319 falls into both categories, this case – 21303 – falls under the category of vacant space in a purpose-built apartment building. The analysis supporting approval of this Application begins on page 12 of the Brief and includes discussion of Case #s 19959, which is nearly identical to this case, as well as 19718, 19625, and 19570.

As discussed in more detail in Exhibit 34A, this Application shares all the critical elements of those cases that led the Office of Planning and the Board to conclude the satisfaction of the area variance test. These elements include an existing purpose-built apartment building that became nonconforming upon the adoption of the 1958 regulations, the modernization of the existing apartment building leading to additional vacant space on a lower level, and the difficulties in putting that space to any compliant use, or accessory use, resulting in continued vacant space that would be costly to maintain with no use, as well as the difficulty in combining it with other units above given the age of the buildings typically involved. This case is also similar to Case No. 20289 (400 Seward Square), not included in the brief, in that it is also a corner property in a relatively populated area near a metro station, leading to further security risks. The present case also enjoys the support of the ANC.

The Applicant respectfully requests that the Board consider this Application in the context of its consistent line of jurisprudence in the above cases and approve the requested area variance relief.

Respectfully Submitted,

Alexandra Wilson
Alexandra Wilson
Sullivan & Barros, LLP

CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2025, an electronic copy of this submission was served to the following:

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Respectfully Submitted,

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